

Sense and nonsense about sovereignty

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What is sovereignty?

➤ Fully independent?

- Data in EU only?
- Infra/cloud in EU/NL/B etc. only?
- Or everything within EU only?
- Without (any) link to the US?
- No non-EU hardware/software etc.?
- **SEAL 4!**

OR:

What is sovereignty?

- Power and right of a State to make independent decisions
 - Self-determination, autonomy
 - Being in *control*
- Digital sovereignty
 - Being able to decide autonomously about digital aspects
 - Being in *control*
 - 3 basic principles of information security: “CIA”
 - *Confidentiality, Integrity, Availability*
 - **Not**: do everything yourself

What is sovereignty?

- The latter is the VISIE of the Dutch Gov:
 - “realistic and pragmatic”;
 - “work with existing providers and EU providers”
 - have the right contractual protections
- And of the EC?
 - Sovereign Cloud Framework – “SEAL 2 is enough”

Misunderstandings

➤ No clear cut definitionand therefore misunderstandings

➤ **Plus** a mix of arguments/interests

- Political reasons
- Economic reasons
- Privacy (-extremism)
- US/Trump hatred
- Big Tech hatred

But certainly also

- Marketing

....and fake news

➤ Fake news

- The facts and the rules are less important....
- It is all about political reality

➤ “Trump can access all emails of the the NL Parliament from the last 10 years”

➤ Incompetence

- US CLOUD Act

Nonsense

- The US can easily access data of European users

Not true

- CLOUD Act
- See 3 memo's from Dutch Ministry of Justice & Security (NCSC and SLM)*
- Microsoft publishes numbers
- Risk is very small (Teams DPIA)

* available via <https://www.ncsc.nl/cloud/cloud-act-memo-en-cloud-act-requests> and <https://www.rijksoverheid.nl/documenten/2026/02/26/onderzoeksrapport-aws-esc>

Nonsense

➤ NL and EU companies are not subject to the CLOUD Act

Not true

➤ See memo Dutch Ministry of Justice & Security*

*available via [https://www.ncsc.nl/api/media/sites/default/files/CLOUD Act Memo_26 juli_2022.pdf](https://www.ncsc.nl/api/media/sites/default/files/CLOUD%20Act%20Memo_26%20juli_2022.pdf)

Nonsense

➤ Trump can just have your email etc. shut down

Not true

- Sanctions legislation
- Executive orders

Nonsense

- Building our own EU systems is simple

Not true

- GAIA-X
- It is no Airbus
- Moore's Law...

Nonsense

➤ Our own EU systems are independent from the US

Not true

➤ GAIA-X

➤ Bleu

Nonsense

- Data are safer in the EU

Not true

- UK – backdoor Apple
- NL is the largest wiretapper in the world
- Through *alleingang* (*going alone*) cybersecurity will deteriorate.....

Nonsense

- Sovereign clouds from Microsoft, Google and AWS have no link to the US

Not true

- Check the details....
- See Dutch Ministry of Justice & Security memo on AWS EU Sov Cloud*

*available via <https://www.rijksoverheid.nl/documenten/2026/02/26/onderzoeksrapport-aws-esc>

Sense

- All nonsense and marketing?
- No, not really
- Good to keep certain data in NL/EU
 - Transatlantic cable/GDPR/rules on location
 - Preventing vendor lock-in
 - Spreading of risk
 - Lower prices through spreading
- That can also be done with Microsoft, Google, AWS!
- Good to build EU infrastructure

Sense

- But don't exclude the Americans
- Pursue a two-track policy
- “*Without the US we wouldn't last a day under attack*” (Prof. Lokke Moerel)
- Look at it *risk based*, global cooperation; Trust your partners; *choose your friends...*
- Cost/benefit trade-off
- What problem are we trying to solve?
 - Control (not : doing everything entirely yourself)
 - Control also through good contracts/agreements
 - 3 basic principles of information security: “CIA”
 - *Confidentiality, Integrity, Availability*

Conclusion

➤ *“Digital Sovereignty Is Impossible Without Big Tech”*

➤ *Prof Lokke Moerel*

Questions? Debate?

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