

Multi-stakeholder group presents Codes of Conduct to enable competition and data portability for cloud service customers across Europe.

Helsinki, 26. November 2019: The multi-stakeholder group SWIPO (Switching cloud service providers and Porting Data), gathering 100+ stakeholders, officially presented a set of documents including two Codes of Conduct to enable proper application of the Article 6 “Porting of Data” of the EU Free Flow of non-personal Data Regulation. One Code addresses the Infrastructure as a Service (IaaS) market, the second the Software as a Service (SaaS) market.

Presenting the first release of SWIPO IaaS and SaaS Codes of Conduct marks a milestone in the European data economy reducing risks of vendor lock-in in the cloud market and facilitating competition between cloud service providers. This provides a market-driven answer to Article 6 of the “Free Flow of Non-Personal Data” Regulation. These Codes define best practices and information requirements to ensure that cloud service providers supply their customers with sufficiently detailed, clear and transparent information before a cloud service agreement is entered into. Therefore, the completion of these self-regulatory Codes contributes to a stronger European Digital Single Market. The work of developing the two Codes of Conduct has been conducted between April 2018 and November 2019 including a series of public events in a number of Member States.

The presentation of the Codes was made on behalf of the SWIPO Working Group by Michel Paulin, *CEO of OVHcloud* and Yuri Rassega, *CISO of ENEL*, to the EU Finnish Presidency, represented by Ministers Sanna Marin, Minister of Transport and Communications, Sirpa Paatero, Minister of Local Government and Ownership Steering, Hanna Kosonen, Minister of Science and Culture and Roberto Viola, Director General of DG CONNECT (Directorate General of Communication, Networks, Content and Technology) at the European Commission. SWIPO members now intend to establish a legal entity to evolve and govern the Codes.

“The European Commission welcomes these Codes of Conduct, which have been drawn up in response to the Free Flow of non-personal Data Regulation. It is important for us that both cloud service providers and users have worked together with the support of the Commission to reach agreement. The Codes must now be implemented quickly so that by 2022, as required by the Regulation, the Commission can evaluate their impact and, in particular, whether they have had the positive effect on the cloud market that was intended.” says Roberto Viola, Director General of DG CONNECT (Directorate General of Communication, Networks, Content and Technology) at the European Commission.

“Enel is both a data-driven company based on a ‘full cloud’ strategy, and it was very important to us to help delivering such Code of Conduct in order to foster a competitive evolution of the cloud market in Europe.” says Yuri Rassega, CISO of ENEL

“Openness is core to OVHcloud’s DNA. We are very proud to gather the industry around a code of conduct for cloud infrastructure services that sets the path to a more open and transparent cloud.” says Michel Paulin, CEO of OVHcloud.

Organisations interested in future participation please contact SWIPO at rappporteur@swipo.eu.

The full set of documents (IaaS Code, SaaS Code, Governance, and other documents) presented by the SWIPO Working Group are available for download at https://swipo.eu/media/SWIPO_documents.zip.

About SWIPO

SWIPO (Switching Cloud Providers and Porting Data), is a multi-stakeholder group facilitated by the European Commission, in order to develop voluntary Codes of Conduct for the proper application of the EU Free Flow of Non-Personal Data Regulation / Article 6 "Porting of Data".

This multi-stakeholder initiative was co-chaired by Maurice van der Woude, BPdelivery; Aniello Gentile, ENEL; Chris Francis¹, DIGITALEUROPE; Jörn Wittmann, SCOPE Europe (all leading the the SaaS sub-WG); Freddy van den Wyngaert, EuroCIO; Alban Schmutz, CISPE / OVHcloud (all leading the IaaS sub-WG)

Further quotes

"CISPE members really believe that an open market in the Cloud is key in the interest of the European industries and customers. We are really proud having being able to help driving a consensus between Cloud Infrastructure Customers and Providers around the IAAS Code of Conduct" says Alban Schmutz, Chairman of CISPE (Cloud Infrastructure Services Providers in Europe), SVP Public Affairs OVHcloud, and co-chair of the SWIPO IaaS sub-working group.

"As a small European SME, representing users into getting to Codes of Conduct that are really helping the Cloud Market on switching and porting without the risk of vendor Lock-in, we are very proud at the result that is delivered after one and a half year of extensive work with important stakeholders from user and provider side. We are looking forward to positive market adoption, where every European organization benefits from" says Maurice van der Woude, CEO of BPdelivery B.V. Netherlands and co-chair of the SWIPO SaaS sub-working group.

"These codes of conduct are a very important step forward for increasing the trust in the cloud market because they establish fundamental principles in the relationship between providers and customers by increasing trust in the cloud market and reducing lock-in risks. Now it is time to put in practice these codes of conduct. As soon as the implementation of these codes of conduct will proceed, the transparency for the customers will improve, generating positive effects on growth of the European Digital Single Market." says Aniello Gentile, Director at ENEL, and co-chair of the SWIPO SaaS sub-working group.

"DIGITALEUROPE welcomes the consensus achieved on the codes of conduct and the agreement on the future governance of the codes including the all-important complaints procedure that gives these codes real impact, enhancing customers' rights. As our members are both users and providers of cloud services we believe this balanced code can be supported by providers whilst enabling customers to choose trusted suppliers and protect their long term interests and we look forward to a rapid roll out" says Chris Francis, representing DIGITALEUROPE¹, and co-chair of the SWIPO SaaS sub-working group.

"Every self-regulatory process that aims for a credible solution for challenges in an highly innovative environment is an intensive journey. Success is only possible if all parties involved show constant good faith, willingness to compromise and to understand the other side. Against this background, I am impressed by the strong support shown by all relevant stakeholders for the Codes of Conduct and the accompanying mandatory governance documents that were presented. If this collaborative spirit can carry on, I am convinced that the market has been given a credible package that contains all ingredients necessary for successful market implementation and adoption" says Jörn Wittmann, Managing Director of SCOPE Europe, and co-chair of the SWIPO SaaS sub-working group.

¹ By agreement Chris Francis, SAP, has been representing Digital Europe in SWIPO.