

The Right to Leave

Digital sovereignty, Europe and open source

Everyone, raise your hand.

Lower it if...

- 1 your email or shared documents are on Microsoft 365 or Google Workspace
- 2 your meetings run on Teams, Zoom or Google Meet
- 3 you reach your members or supporters mainly through Facebook, Instagram, LinkedIn or WhatsApp
- 4 your organisation's computers run Windows or macOS

I am not neutral: here are my hats



My company

Open Source software vendor and R&D lab



Co-president

The French association of Open Source companies



Co-founder, board member

EuroStack Foundation e.V., the industry initiative for a European digital stack



Co-founder, management board

The European federation of national Open Source business associations



Researcher

The economics of digital sovereignty: the evidence in this talk



Open Source developer

Libera Suite, Hop3 (a self-hosted cloud platform), several Python compilers, digital workplaces

Five steps

- 1 What the word means, and where it comes from
- 2 What dependence costs
- 3 What open source changes
- 4 What Europe is deciding this year
- 5 What you can do

PART 1

What the word means, and where it comes from



“Digital sovereignty”: one word, three uses

Each lowered hand was a dependence. When people speak of managing them, they mean one of three things:

A CARICATURE

- **Autarky:** making everything at home
- **Protectionism:** keeping foreign suppliers out

MEANS

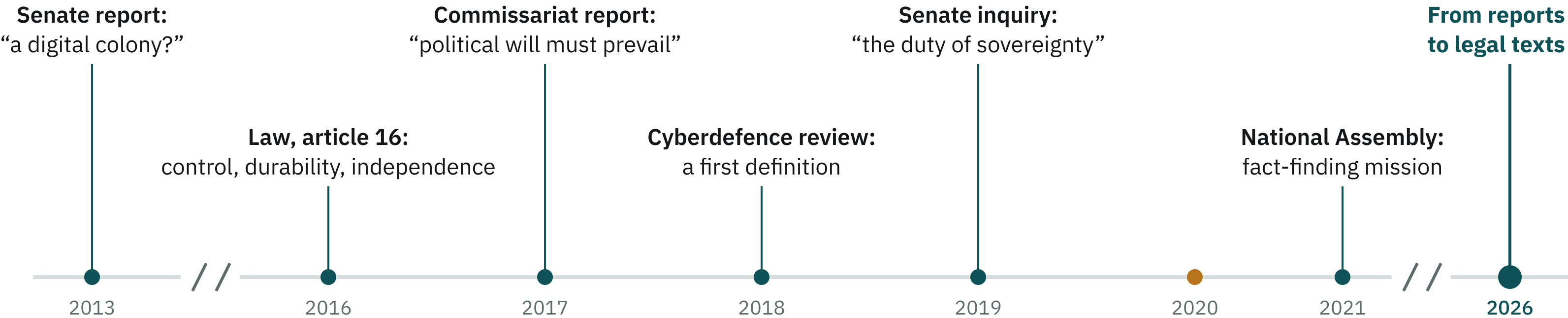
- **Location:** data kept in Europe
- **Labels:** a “trusted cloud” certificate
- **Nationality:** buying from European suppliers

THE END

Keeping control of your own choices, at every link of the chain

Not a new idea: ten years of reports in France and Germany

FRANCE



GERMANY

Market analysis for the Interior Ministry:
dependence on single vendors

UNION

IT-Planungsrat: a definition for
"individuals and institutions"

Commission Open Source
strategy: "digital autonomy"

2016: French law already said it

“Administrations [...] shall ensure that they preserve **the control, durability and independence** of their information systems. They **encourage** the use of free software and open formats [...]”

« Les administrations [...] veillent à préserver la maîtrise, la pérennité et l'indépendance de leurs systèmes d'information. Elles encouragent l'utilisation des logiciels libres et des formats ouverts [...] »

The first sentence is an obligation, but who enforces it? The second is an encouragement.

7 October 2026: ten years.

Three official definitions, one idea



FRANCE • 2018

France’s capacity “to act sovereignly in the digital space, keeping **an autonomous capacity of assessment, decision and action**”; not doing everything nationally, but keeping “**autonomy and freedom of choice**”.



GERMANY • 2020

“The abilities and possibilities of **individuals and institutions** to exercise their roles in the digital world **independently, self-determined and securely.**”

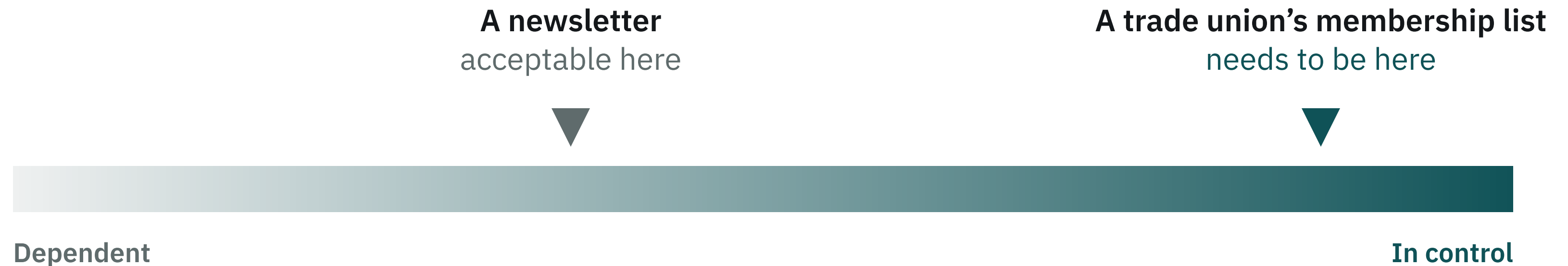


FRANCE AND GERMANY • 2026

“The capability and capacity to develop, provide, use, adapt and control digital technologies [...] in an **independent, self-determined and secure** manner”, with systems that enable “a **change of provider** ... within reasonable time and financial expenditure.”

In plain words: you are sovereign over a tool to the extent that **you decide how it evolves, and can leave it at a reasonable cost.**

It comes in degrees; the right degree depends on the use



France and Germany, 2026: requirements graded by how critical the use is.

Raise your hand if you think digital sovereignty is exclusively a matter for States.

Every scale has a position, and levers of its own

The European Union	the rules its Member States pool: single market, competition, trade
A Member State	its own laws, procurement, funding, security; its vote on EU texts
A region or a city	procurement, its own IT
A company	contracts, architecture
An association	tool choices, pooled funding
A person	formats, accounts, votes

The levels are linked: one actor’s choice sets the next one’s constraints. Europe’s position is the sum of all these decisions.

An objection: “sovereignty belongs to the State”

“Sovereignty is an exclusive attribute of States.”

Cigref, 2023

“It cannot be attributed to a technical object, a supplier or a private company.”

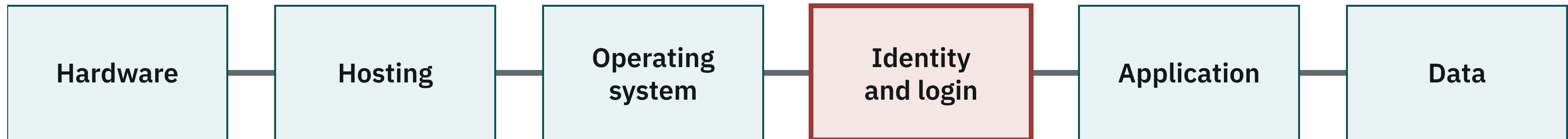
Cigref, doctrinal note

- 1 The substance is shared.** Cigref’s own criteria include “control of users’ dependence on their suppliers”.
- 2 The texts cover private actors.** France and Germany, 2026: sovereignty strengthens “the EU, a state, an administration, or a private organisation”.
- 3 The bill falls on each buyer.** Next part.

Prefer “maîtrise”, “independence” or “strategic autonomy” for an organisation?
Different names, but the levers are the same.

A chain breaks at its weakest link

A HYPOTHETICAL EXAMPLE

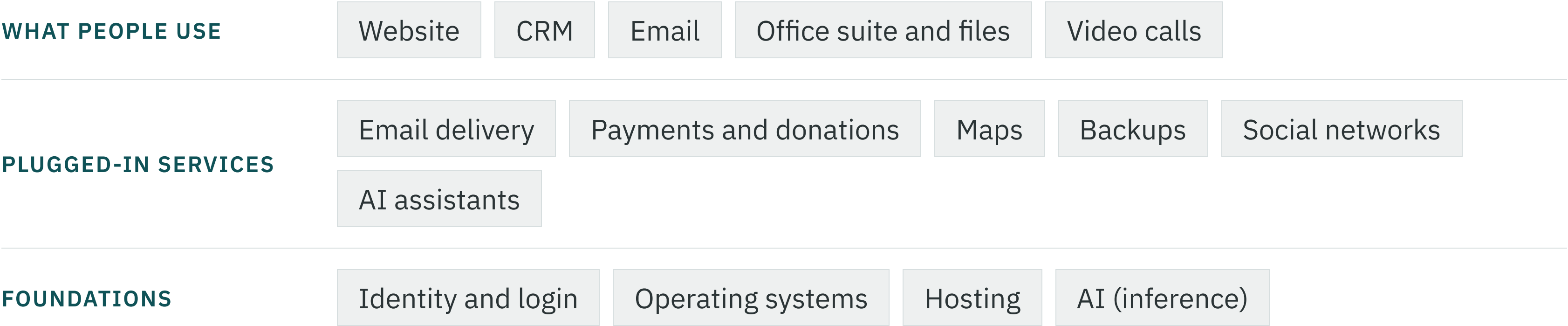


if it has no alternative
and is controlled from outside

...the whole service can be stopped

One condition was enough to lower a hand. An average of scores hides the weak link.

For each link: who controls it, and is there an alternative?



An Open Source application can depend on a closed service three links away.

PART 2

What dependence costs



Four ways a dependence costs you; three of them every year

EVERY YEAR

Price

What you pay rises with what leaving would cost you

EVERY YEAR

Control

Someone else decides what the product becomes

EVERY YEAR

Exit

What leaving would cost you

IF AND WHEN

Law

Who else can read it, or switch it off

Raise your hand if your organisation uses software that a large vendor gives free, or at a discount, to nonprofits.

1 July 2025

Microsoft ends its free Business Premium and E1 licences for nonprofits (up to ten)

Instead: discounts of up to 75%, and up to 300 free licences of the basic tier

The giver sets the terms of a gift. The cost of leaving builds up during the free years; **the price is set after them.**

Price: your supplier's margin is bounded by your cost of leaving

83%

of the €400bn European organisations spend a year on cloud and software goes to US vendors

+8.7%

a year: spending on these services, reported by 54 IT directors

How much is price and how much new use is not established



What a supplier can charge before you walk away

A larger case: VMware after its purchase by Broadcom

+35%

paid by the French State at its three-yearly renewal

National Assembly inquiry report, 2026

up to ×10

licence increases reported by European cloud providers

Complaint documents: interested parties

Exit: what leaving actually costs

- **Moving the data out:** the smallest part
- **Re-integrating** with everything else: the largest
- **Retraining** people
- **Downtime**
- **Contract timing:** notice periods, commitment discounts

AND BUNDLES

A feature included “for free” has no budget line, so it never comes up for comparison at renewal. AI added to existing contracts is the current wave.

Control: the supplier decides the roadmap, and open source leaves a way out

LICENCE CLOSED		FORK THAT CONTINUED THE OPEN VERSION
Elastic • 2021	→	OpenSearch
HashiCorp Terraform • 2023	→	OpenTofu
Redis • 2024	→	Valkey

A fork: taking the last open version and continuing it under a new name. Possible only because the code was open source.

Law: who else can read it, or switch it off?

- **Extraterritorial law:** US CLOUD Act, FISA section 702
- **Sanctions:** the International Criminal Court's email, 2025 (Microsoft's account differs)

FOR ASSOCIATIONS AND UNIONS

A membership list can reveal union membership, political opinions, religion or health.

A new transatlantic data deal would settle this channel on paper, and leave the other three untouched.

Pay every year, or pay once in a crisis

EVERY YEAR

Price, exit, control

IN A CRISIS

Law, supply cuts

Open interfaces and code anyone may fork pay off in both: **lower rents in normal times, a smaller loss in a crisis.**

PART 3

What open source changes



Raise your hand if you have changed integrator or hosting provider while keeping the same software.

That is the right to leave, already used.

THE LICENCE

Use, study, modify,
redistribute



TWO RIGHTS

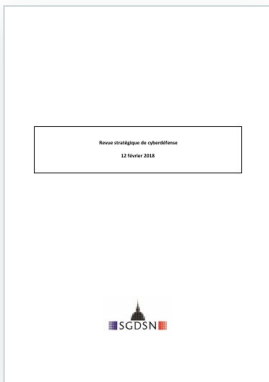
The right to leave, the right to
fork



THE RESULT

One software, many
providers

The official texts already make open source a strategy



FRANCE • 2018

“An industrial strategy based on open source, provided it is part of a well-thought-out **commercial approach**, can enable French or European manufacturers to gain market share where they are absent today, and thereby France and the European Union to regain sovereignty.”



FRANCE AND GERMANY • 2026

Systems should “enable a change of provider **and technology** within reasonable time and financial expenditure. **Open source solutions can and should play an important role** in this regard.”

What open source does not give automatically

Maintainers

Someone has to fix the bugs and the security holes

Skills

In your organisation, or at a provider you trust

The rest of the chain

Open code can still run on a closed chain

Governance

A project one company controls can change its licence

Open Source code is a public good; support and hosting are sold

BUILDING BLOCKS

Libraries, protocols, frameworks. Anyone can use them, so each user is tempted to let others pay: pooled funding, foundations and public programmes fit.

PRODUCTS

A CRM, an office suite. The code is shared; support, hosting and accountability are sold, usually by a company.

Company-led open source is fine as long as you can leave: **an open licence with no added restrictions, open standards, development in the open.**

Everyone benefits from maintained code; someone has to pay for it

Memberships

Of the project or its association

Service companies

Those who sell services on the code

Users pooling money

For a feature they all need: a buyers' club

Public programmes

Germany's Sovereign Tech Agency, for example

PART 4

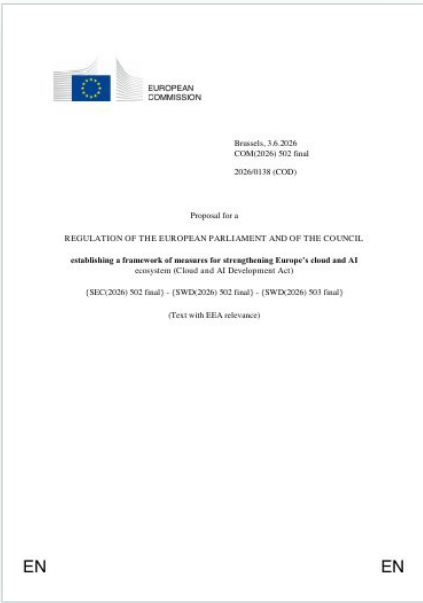
What Europe is deciding this year



2026: after ten years of reports, legal texts



3 JUNE
Tech Sovereignty
Communication and EU Open
Source Strategy



3 JUNE
Proposed Cloud and AI
Development Act



17 JUNE
France–Germany joint paper on
digital sovereignty



9 SEPTEMBER
Proposed Public Procurement
Act

The Open Source Strategy makes open source industrial policy

- Open source named an **instrument of European industrial policy**
- A definition anchored on the Open Source Initiative, with a list of recognised licences
- A **maintenance instrument**, able to back a fork
- A network of public Open Source programme offices

THE MONEY

€2bn “to be mobilised” over seven years, public and private: an estimate, with no budget line behind it.

The Cloud and AI Development Act: two steps back on open source, and no European preference

- 1 **“Open source by default”** in the May draft became **“encourage”** (art. 41): cloud and AI only, wide exemptions, no audit
- 2 **“Public money, public code”** became a catalogue, if the code is published at all (art. 42)
- 3 **No European preference**; non-price criteria stay “ancillary and not decisive” (art. 32); implementation left to Member States, years away

Rules that already apply, or soon will

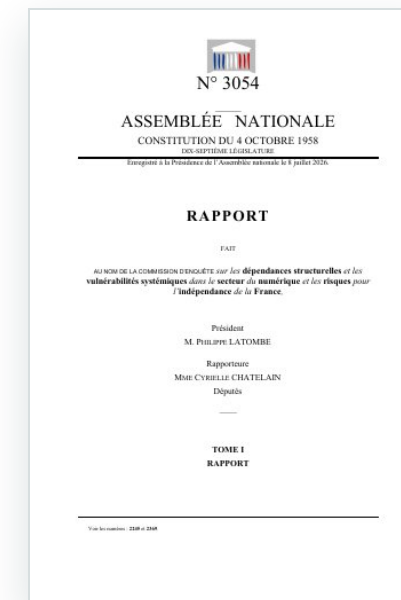
Data Act	Switching charges, egress fees included, banned from 12 January 2027
Cyber Resilience Act	Vulnerability reporting from September 2026, full application December 2027; a lighter regime for Open Source stewards
NIS2	Cybersecurity duties for essential and important entities, public and private
GDPR	The one associations already know

France tried “encourage” for ten years

€233m → €293m

Microsoft purchases through UGAP, the State’s central purchasing body, 2024 to 2025

No workstation migration to free software completed since the Gendarmerie’s, finished before the 2016 law.



July 2026: the National Assembly’s inquiry proposes moving “from a logic of encouragement to a **binding logic**”.

Who is pushing, and for what



Buy European, sell European, fund European

Demand, supply and capital for a European stack



Priorité au logiciel libre

Free software first: asked for since 2012; the 2016 Digital Republic law chose “encourage” instead



20% open source now, 100% by 2035

In European public procurement

A text sets a ceiling; buyers deliver

HEALTH DATA HUB

- **2019–2020:** hosted on Azure
- **November 2020:** the government commits to leave
- **April 2026:** move to Scaleway announced
- **Not done yet; no timeline announced**

SCHLESWIG-HOLSTEIN

- **~80%** of workstations on LibreOffice
- **~44,000** mailboxes on Open-Xchange
- **>€15m** a year in licence savings, against €9m invested in 2026

PART 5

What you can do



What can you do?

The European Union	sets common rules, and enforces them	
A Member State	legislates, buys, funds, and votes in the Council	
A region, a city	buys, and builds	
A company	contracts, and designs for exit	
An association	chooses, pools, and funds	IN THIS ROOM
A provider	contributes, and makes leaving easy	IN THIS ROOM
A person	chooses formats, and votes	IN THIS ROOM

As an end user

- Know where your data live, and which services touch them
- Export everything once a year, and check you can open it
- Prefer open formats
- Report bugs, write documentation, translate

As an organisation, and its board

- Put leaving in the plan and the budget, starting with the link that lowered your hand
- Write reversibility into contracts: formats, notice, exit terms
- Fund what you depend on
- Join peers to buy and to fund together

As an integrator or service provider

- Contribute upstream
- Document each client's chain
- Offer a European or self-hosted option for every link
- Make leaving easy: a client who could go and stays is won on merit

As a public buyer, or a citizen

- The texts are being written now: “encourage” or “require” is decided this year
- Public buyers decide what the texts become
- Support those who push: join, sign, answer the consultations

Going further



Two free guides to leaving Microsoft

Back-end services and the workstation: options, costs, steps

econ.lab.abilian.com • migration guides



The papers behind this talk

With plain-language explainers

econ.lab.abilian.com

Who controls your tools? Could you leave them?

Papers, notes and sources: econ.lab.abilian.com