

Second expert meeting of the Working Group on Marine Geospatial Information
Leibniz-Institute for Baltic Sea Research Warnemünde, Rostock-Warnemünde, Germany
 24 – 28 February 2020



UN-GGIM Agenda Item #5
 Implementing the United Nations Integrated Geospatial Information Framework
 - development of guidance and recommended actions
 by the Working Group on Legal and Policy Frameworks for Geospatial Information Management

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Positioning geospatial information to address global challenges



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... .. addressing the complex policy and legal issues impacting the availability and accessibility of geospatial data including data sharing across borders

Four observed policy and legal gaps:

- Policies and laws requiring data be collected by “authoritative” data providers limit the availability of geospatial information to address certain issues, e.g. response to a disaster
- Licensing terms of data providers can restrict the use of geospatial information to address key governmental functions
- Existing policy and legal frameworks are not able to adapt to new technologies critical to the collection, use and sharing of geospatial information
- National security concerns hinder the ability of the geospatial community to collect and use certain types of geospatial information



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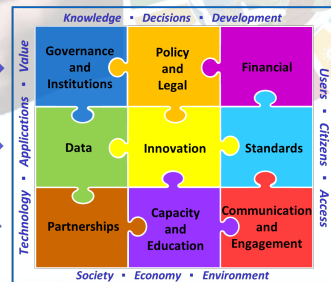
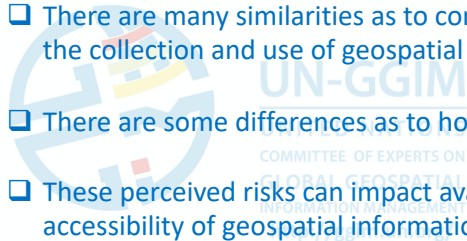


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Observations:

- ❑ The approach to address policy and legal issues may be different depending on the circumstances
- ❑ There are many similarities as to concerns/perceived risks associated with the collection and use of geospatial information
- ❑ There are some differences as to how countries address these concerns
- ❑ These perceived risks can impact availability and accessibility of geospatial information at the national, regional and international levels

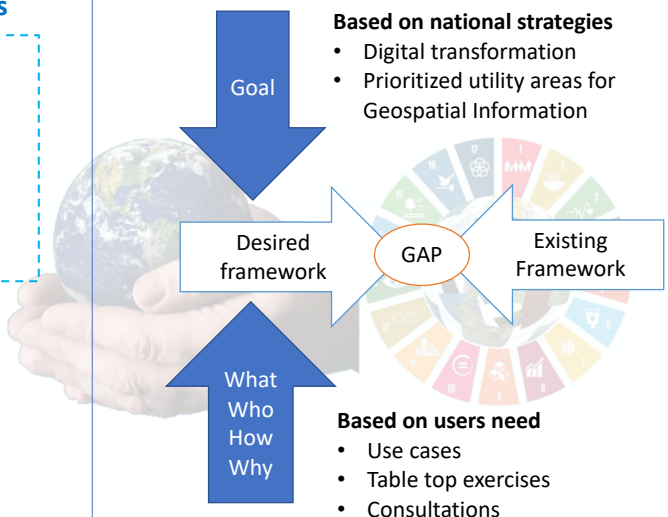


Anchored by nine Strategic Pathways, the Framework is a mechanism for articulating and demonstrating national leadership in geospatial information, and the capacity to take positive steps.


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Developing possible approaches to address these risks and minimize the differences

1. Assess Existing Policy and Legal Framework
2. Identify and Analyze Gaps and Opportunities
3. Address Gaps and Opportunities
4. Future Proof Policy and Legal Frameworks
5. Assure Policy Coherence and Legal Interoperability
6. Monitor Compliance



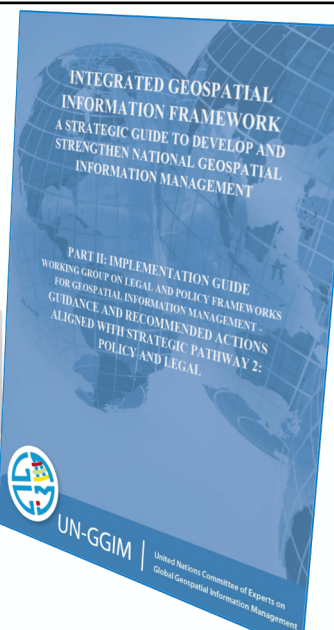
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Compendium on Licensing of Geospatial Information

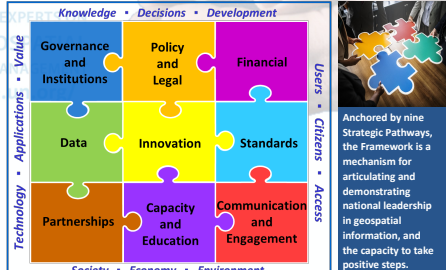
Elements to consider in a standard geospatial information licensing arrangement or agreement -

- What Geospatial Information is Being Licensed
- Rights Granted To the Licensee
- Payment/Fees
- Representations and Warranties
- Covenants
- Limitations on Liability
- Indemnification
- Term; Termination
- Compliance with Law
- Data Protection/Privacy
- Taxes
- Confidentiality
- Delivery/Inspection/Acceptance
- Updates/Modifications/ Corrections
- Export Compliance
- Government Contracts
- Force Majeure
- Governing Law; Jurisdiction; Dispute Resolution
- Assignment; Transferability
- Survival



INTEGRATED GEOSPATIAL INFORMATION FRAMEWORK
A STRATEGIC GUIDE TO DEVELOP AND STRENGTHEN NATIONAL GEOSPATIAL INFORMATION MANAGEMENT

PART II: IMPLEMENTATION GUIDE
WORKING GROUP ON LEGAL AND POLICY FRAMEWORKS FOR GEOSPATIAL INFORMATION MANAGEMENT - GUIDANCE AND RECOMMENDED ACTIONS ALIGNED WITH STRATEGIC PATHWAY 2: POLICY AND LEGAL



Knowledge • Decisions • Development

Value

Governance and Institutions | Policy and Legal | Financial

Users • Citizens • Access

Technology • Applications


Data | Innovation | Standards

Technology • Access

Partnerships | Capacity and Education | Communication and Engagement

Society • Economy • Environment


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Elements of Policy and Legal	Legislation	Policies, Norms and Guides	Data Protection, Licensing and Sharing	Governance and Accountability
Guiding Principles	Available and Compatible Accessible and Equitable	Stewardship and Trust Strategic and Responsible Optimize Value and Resources Secure and Safeguarded	Future Proof and Responsive Policy Coherence and Legal Interoperability	
Key Actions for Strengthening Geospatial Information Management	Providing Leadership Review Group Assessing Needs Review and Assessment Gaps and Opportunities Analysis	Addressing Opportunities Design and Develop Data Sharing and Dissemination Licensing Geospatial Information Future-Proofing Future-Proofing	Addressing Coherence Intellectual Property Rights Privacy and Data Protection Liability Concerns Sensitive Information Delivering Compliance Impact Assessment Compliance Strategy	
Tools to Assist in Completing the Actions	Common Legal Terms Review and Assessment Considerations Review and Assessment Questions	Use Case Example Gaps and Opportunities Analysis Gap Analysis Matrix Policy and Legal Instruments	Assessing Fitness for Purpose for a Policy Managing Intellectual Property Rights Addressing Sensitive Information	
Interrelated and/or Prerequisite Actions	Governing Board (SP1) Geospatial Coordination Unit (SP1)	Geospatial Information Management Strategy (SP1) Specialist Working Groups (SP1)	Identify Key Stakeholders (SP9) Stakeholder Analysis (SP9)	
Outcomes	Sound and Enabling Policy and Legal Environment Maximizes Utility of Geospatial information with Safeguards	Mandates and Responsibilities Clarified Strengthened Governance and Accountability	Effective, Secure Management and Applications Responsive to Changes and Progress	

Outcomes

- Sound and enabling policy and legal environment
- Maximizes utility of geospatial information with safeguards
- Effective, secure management and applications
- Responsive to changes and progress
- Mandates and responsibilities clarified
- Strengthened governance and accountability

Elements

- Legislation
- Policies, Norms and Guides
- Data Protection, Licensing and Sharing
- Governance and Accountability

Guiding Principles

- Stewardship and Trust
- Strategic and Responsible
- Secure and Safeguarded
- Available and Compatible
- Accessible and Equitable
- Optimize Value and Resources
- Future Proof and Responsive
- Policy Coherence and Legal Interoperability

Actions


- Providing Leadership**
 - Review Group
- Assessing Needs**
 - Review and Assessment
 - Gaps and Opportunities Analysis
- Addressing Opportunities**
 - Design and Develop
 - Data Sharing and Dissemination
 - Licensing Geospatial Information
- Future-Proofing**
 - Future-Proofing
- Addressing Coherence**
 - Intellectual Property Rights
 - Privacy and Data Protection
 - Liability Concerns
 - Sensitive Information
- Delivering Compliance**
 - Impact Assessment
 - Compliance Strategy

Interrelated Actions

- Governing Board (SP1)
- Geospatial Coordination Unit (SP1)
- Geospatial Information Management Strategy (SP1)
- Specialist Working Groups (SP1)
- Identify Key Stakeholders (SP9)
- Stakeholder Analysis (SP9)

Tools


- Common Legal Terms
- Review and Assessment Considerations
- Review and Assessment Questions
- Use Case Example
- Gaps and Opportunities Analysis
- Gap Analysis Matrix
- Policy and Legal Instruments
- Assessing Fitness for Purpose for a Policy
- Managing Intellectual Property Rights
- Addressing Sensitive Information



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