Legal and Policy Frameworks for Geospatial Information Management

July 31, 2017

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- Raise awareness of the legal and policy issues concerning location data and other types of geospatial information.
- Promote development of consistent and transparent policy and legal frameworks for collection, use, storage and distribution of geospatial information.
- Identify solutions to legal and policy issues that limit the sharing of geospatial information to address critical transnational issues such as the Sustainable Development Goals.
Background

• Committee of Experts adopted Decision 6/105 confirming the essential need for all legal and policy frameworks that could have an impact on geospatial information be developed through coordination between geospatial community and legal/policy communities.

• International Forum on Legal and Policy Issues and Frameworks for Geospatial Information – Kuala Lumpur (October 2016)

• UN-GGIM-AP adopts “Kuala Lumpur Declaration on Policy and Legal Frameworks for Geospatial Information”

• Compendium on Licensing of Geospatial Information (July, 2017)

• UN-GGIM Working Group on Legal and Policy Frameworks for Geospatial Information Management (?)
Objectives of Side Session

• Engage, inform and raise awareness of the importance and need to engage in multi-stakeholder discussions on policy and legal issues that could have an impact on acquisition, accessibility and application of geospatial information.

• Discuss the necessary and needed legal and policy mechanisms to foster effective and efficient sharing and use of geospatial information to achieve:
  o National development aspirations; and
  o Commons goals for sustainable development,
Agenda

Moderator
• Mr. Kevin Pomfret (Centre for Spatial Law and Policy/Williams Mullen) – United States

Panelists
• Mr. Bengt Kjellson (Swedish Mapping, Cadastral and Land Administration Authority) - Sweden
• Ms. Lesley Arnold (Cooperative Research Centre for Information) - Australia
• Ms. Diana Marina Cooper (PrecisionHawk) – United States
Why Issue is Important?

- Geospatial community is an international ecosystem that collects/uses/stores/distributes geoinformation.
  - Cuts across technology platforms, industry groups and user communities.
- All segments of community are contributing to community’s growth
- Products and services increasingly being developed based upon aggregation all types of data collected from diverse sources.
- As a result policies/laws that impact the collection, impact, and distribution in one segment will impact others.
  - Traditional stovepipe approaches are obsolete/detrimental
We Are All Geospatial Information Collectors and Consumers

Universities, Citizens, NGOs

Geospatial Community

Data Provider

Industry

Data User

Data Provider

Government

Data User
Law Is Still Tied to A Jurisdiction/Territory

Intellectual Property
Privacy
Licensing
Regulation
Liability
National Security
Regulations
Insurance
Geospatial products and services are increasingly being developed using data from a variety of sources:

- Government
- Industry
- Crowd

Each are subject to their own licenses/data sharing agreements with varying terms/restrictions.
Licensing Increases Complexity

• A number of legal issues arise around the licensing of geospatial information, including:
  ● Privacy
  ● Intellectual Property
  ● National Security
  ● Open Data
  ● Liability
• Issues may change depending upon type of data, how it is used and who uses it, but each of the issues must be considered.
• Becomes even more complex in international transactions.
Theory of Geospatial Data Aggregation

\[ X = (A \times B) C^2 \]

Where:

\( X \) = complexity of aggregation
\( A \) = number of data sets
\( B \) = number of different jurisdictions (legal systems) involved
\( C \) = number of parties removed from original data source
Geospatial Community Will Need to “Share” Geoinformation with New Actors

• Developing around Big Data
  - Drones
  - Autonomous Vehicles
  - Smart Cities
  - Internet of Things
  - Business Intelligence

• Each have their own language, concerns, motivations, etc.
• Subject to their own regulations and legal and policy frameworks
Uncertainty Causes Friction

• Technology making it easier to share geospatial information seamlessly.

• Policy/legal communities don’t understand geospatial technology, geoinformation, and/or the geospatial community. This causes friction:
  o From a policy standpoint - increased risk that regulations, precedents, policies will make it more difficult to collect, store, use and/or distribute geospatial information.
  o From a legal standpoint - when lawyers don’t understand the technology or the use and the law is unclear, it is easier to say no than yes.
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