UN–GGIM
Committee of Experts
Legal and Policy Report
August 7, 2014
Actions From Last Meeting

- Engage with International Bar Association on its proposed Convention on Geoinformation
- Engage with Group on Earth Observation on legal and policy issues of common concern
- Engage with Centre for Spatial Law and Policy on legal/policy developments that could have an impact on geoinformation management
Privacy

- European Court’s “Right to be Forgotten” Decision - Apply only to search engines or all data aggregators?

- Ontario Report – De-identification much harder to do with location information

- White House Big Data and Privacy report – specifically references satellites, UAVs, LiDAR, Radar – and threat of data fusion

<table>
<thead>
<tr>
<th>Type of Data</th>
<th># of Countries Recognizing Data as “Sensitive”</th>
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<tbody>
<tr>
<td>health information and genetic</td>
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<tr>
<td>religious beliefs or affiliations</td>
<td>29</td>
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<tr>
<td>Political Opinions or membership</td>
<td>27</td>
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<tr>
<td>sexual preferences or practices</td>
<td>26</td>
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<tr>
<td>national, Racial/Ethnic</td>
<td>25</td>
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<tr>
<td>philosophical or moral beliefs</td>
<td>25</td>
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<tr>
<td>labor/trade union</td>
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<td>criminal record/investigations or proceedings or administrative proceedings</td>
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<td>by judgment or indirectly through other laws, cause discrimination</td>
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<tr>
<td>financial/income/accounts, debit/credit cards</td>
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<tr>
<td>biometrics</td>
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<td>gov't. numbers, licenses, social welfare</td>
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<tr>
<td>taxes</td>
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<td>marriage or family matters</td>
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<td>prof/trade association</td>
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<td>abnormal addiction</td>
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<td>personality</td>
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<td>education</td>
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Unmanned Aerial Vehicles

Tremendous potential for geospatial community

Number of legal concerns
  – In-air collisions
  – Personal injuries
  – Privacy

Number of countries relooking at laws and policies

Impact could be much broader implications than simply UAVs.
New Technologies and Applications

Laws/policies being developed regarding nontraditional geospatial technologies and applications
- Uber
- Crowdsourcing
- ITS/Autonomous Vehicles/Smart Grids/Smart Cities
- Wearable Technology
- Internet of Things

All have one thing in common: geoinformation
Met with International Bar Association in February 2014

Representatives from various geospatial organizations were in attendance

Constructive dialogue in which a number of concerns were expressed by geospatial community

IBA continuing to push for adoption
Summary of Key Provisions

- Covers all types of geoinformation – satellite images to mobile phone pictures and everything in-between
- Calls for each entity who “processes” geoinformation to create a Custody Record:
  - Applies to all persons who have custody, including government agencies – other than geoinformation “generated” exclusively for “national security purposes”.
  - Details of each transfer
  - Each stage of processing
  - Notes on models and standards used or interface requirements observed
Other Key Terms

- **Obligation to notify** a state if possess any geoinformation that can be used to avert harm or avert natural or man-made.
- **Make all geoinformation** available to “sensed state” on fair and reasonable terms.
- **Individuals** have enforceable rights to require de-identification.
- **Consultative Committee** assesses and considers **new standards** for geoinformation.
- **All reasonable efforts** to ensure that copyright and database rights are protected.
If Convention were to enter into force:

- Geoinformation would be subject to *increased regulation* and be *more expensive* to maintain
- Could be used to *stifle technology*
- Result in *increased accountability/liability* for geospatial data providers
  - Regulators
  - Lawsuits
  - Other nations (via Consultative Committee)
Approximately 50 attendees
  - Including several lawyers

Discussed a variety of topics, including
  - GEO’s work in promoting open data policies
  - New Zealand’s Open Data Initiative

Great deal of discussion on IBA’s proposed Convention on Geoinformation
Feedback on Proposed Convention

- A number of attendees expressed concerns with the proposed Convention
  - General consensus was that Convention is unnecessary
  - Various suggestions as to how to deal with IBA

- However, legal and policy issues are important and worth greater consideration by UN–GGIM
  - Issues are getting more complex and more important

- UN–GGIM should continue to work with organizations such as GEO to educate and engage the larger geospatial community
Role of Committee with respect to proposed Convention on Geoinformation?

If and how should the Committee respond to International Bar Association?

What role should UN–GGIM take going forward with regards to legal/policy developments that could impact geoinformation management?
  • Education? Engagement?