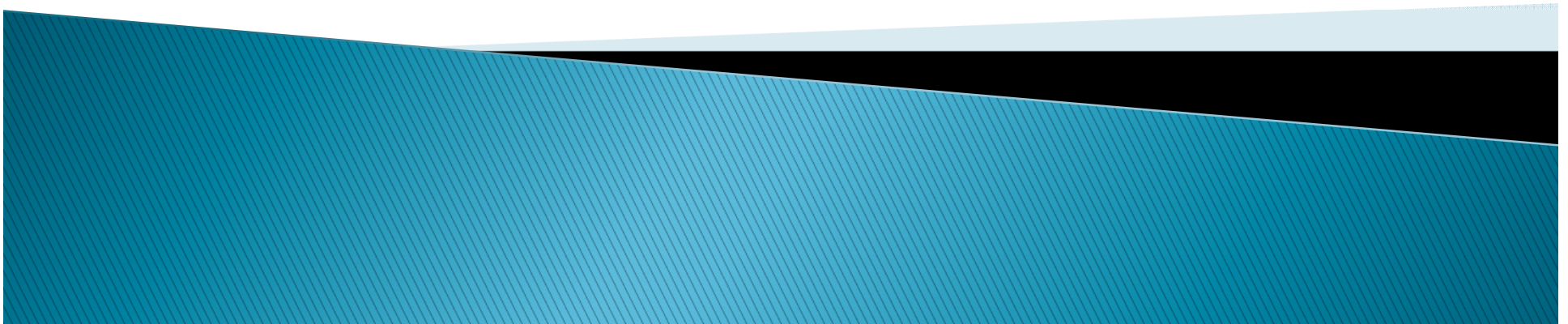


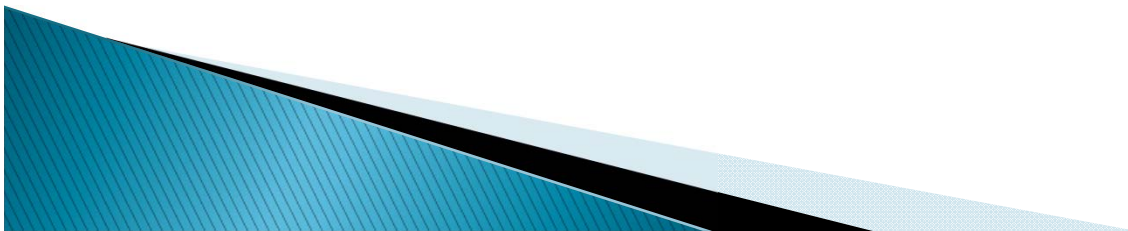
UN-GGIM
Committee of Experts
Legal and Policy Report

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

o European Court's "Right to be Forgotten" Decision
 – Apply only to search engines or all data aggregators?

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

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

| Type of Data | # of Countries Recognizing Data as "Sensitive" |
|---|--|
| health information and genetic | 34 |
| religious beliefs or affiliations | 29 |
| Political Opinions or membership | 27 |
| sexual preferences or practices | 26 |
| national, Racial/Ethnic | 25 |
| philosophical or moral beliefs | 25 |
| labor/trade union | 22 |
| criminal record/investigations or proceedings or administrative proceedings | 14 |
| by judgment or indirectly through other laws, cause discrimination | 11 |
| financial/income/accounts, debit/credit cards | 5 |
| biometrics | 4 |
| govt. numbers, licenses, social welfare | 4 |
| taxes | 3 |
| marriage or family matters | 3 |
| prof/trade association | 2 |
| social welfare | 2 |
| domestic violence | 1 |
| child adoption | 1 |
| abnormal addiction | 1 |
| passwords | 1 |
| personality | 1 |
| social status | 1 |
| registered domicile | 1 |
| age | 1 |
| education | 1 |

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.

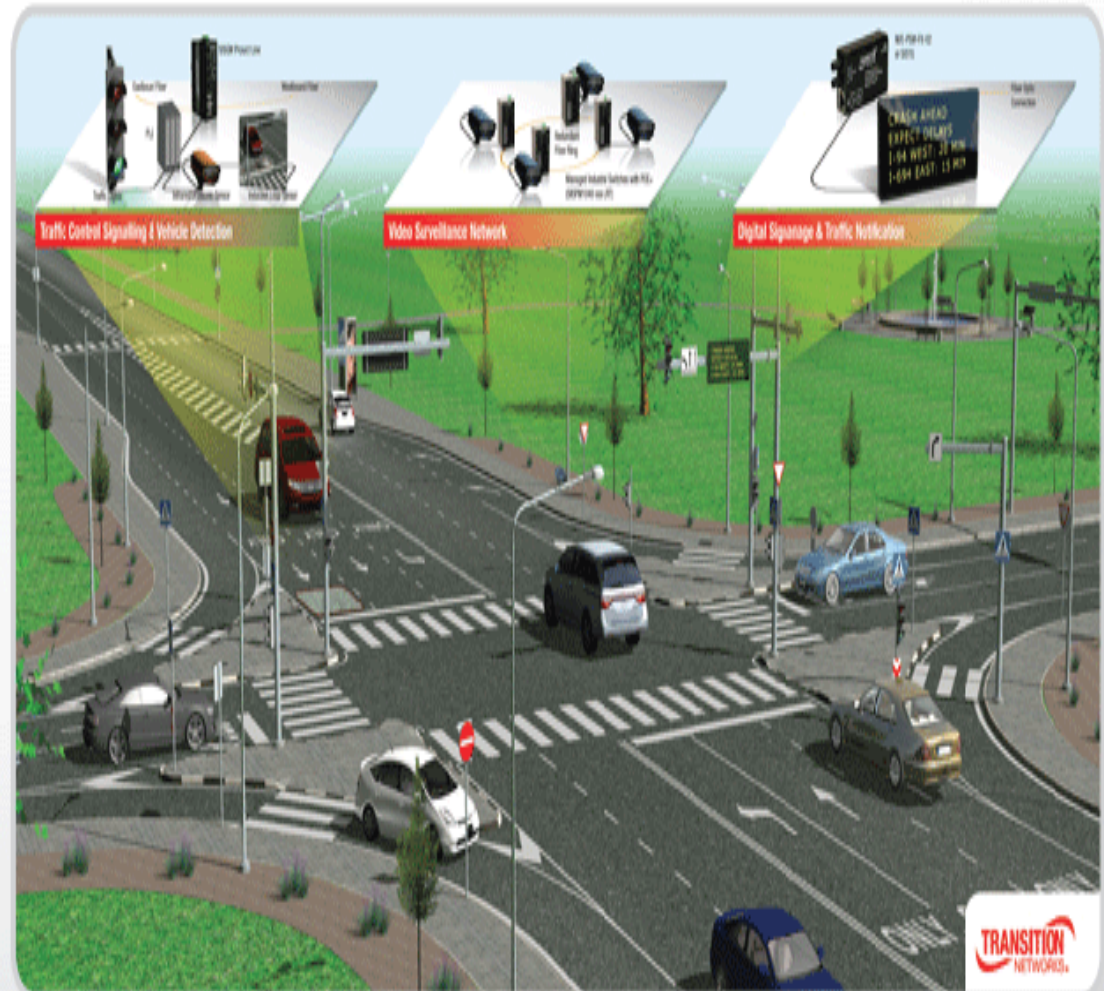


New Technologies and Applications

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



Convention on 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**



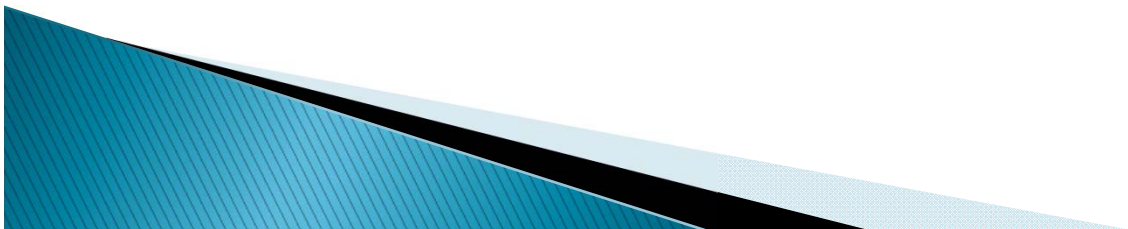
Impact

- ▶ 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)



Side Session

- ▶ 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



Committee is Invited to Consider

- ▶ 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?

