Emerging technologies and the impact of legal and policy frameworks on access, sharing and use of geospatial information

Centre For Spatial Law and Policy

- Educate governments and businesses on current legal and policy environment with regards to location and other types of spatial data.

- Advocate development of consistent and transparent policy and legal frameworks for collection, use and distribution of spatial data.

- Identify solutions to legal and policy issues that limit the sharing of spatial data for critical transnational issues.
  - Climate change
  - Disaster response
  - Tracking spread of infectious disease
Agenda

- Key legal issues in geospatial law
- Impact of new collection technologies on legal and policy frameworks
- Impact of new analytical/visualization tools on legal and policy frameworks
- Example: Data protection/privacy

Key Legal and Policy Issues

- Intellectual Property Rights
- Data Protection/Privacy
- Data Quality/Liability
- National Security
- Platform/Industry Specific Regulations
- Licensing/Data Sharing
Unmanned Aircraft Systems

Autonomous Vehicles
Internet of Things

- All sensors reporting position
- All connected to the Web
- All with metadata registered
- All readable remotely
- Some controllable remotely

Crowdsourcing
As Are Technologies that Analyze Data

- Growing number of technologies that can process, aggregate, analyze and visualize Big Data.
- Exponentially increases the value of each piece of data.
- Much of this work goes on behind the scenes and only comes to light when either:
  - Something goes wrong
  - There is a report in the media
- Applications for data are growing rapidly.
- Legal and policy communities are unable to keep up

3D Visualization
Artificial Intelligence/Machine Learning

Blockchain
There are numerous threats that must be considered:
- Misuse
  - Intentional
  - Unintentional
- Data breaches
  - Cyberattacks
  - Human error
Perceptions of Privacy are Changing...

St. Peter’s Square – 2005

...Creating a Privacy Paradox

St. Peter’s Square – 2013
... Across Technology Platforms

Facebook, Twitter cut off data access for Geofeedia, a social media surveillance startup

Strava Heat Map
General Data Protection Regulation

- Came into effect on May 25, 2018
- Replaced a Directive – more teeth
- Based upon “controllers” and “processors”
  - Data Processing Agreements
- Significant penalties for failure – up to 4% of turnover
- Grants data subjects significant rights
  - Right to be forgotten
  - Right to have a copy of information
  - Right to know who information is shared with/how used
- A lot of questions remain

Impact of New Technologies on Data Protection/Privacy

- We are struggling to understand location privacy.
  - Advancement in technology are changing expectations.
- Need to identify and weigh the true privacy risks.
  - Policy often involves trade-offs between public benefit and perceived risks.
- Location information doesn’t easily fit into existing privacy protection constructs.
- Excessive regulation, conflicting and/or confusing legal and policy regimes will have a significant impact on ability of entire geospatial ecosystem to collect, use and distribute geospatial.
- **Geospatial community needs to play active role in this and other legal/policy discussions.**
Questions

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