Remote Sensing Data Policies and the Sharing of EO Data for Non-Commercial Purposes

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Overview

- Non-commercial uses of EO data
- Access and dissemination of EO data
- Recommendations for efficient data distribution
- Do States/companies have obligation to share EO data?
- Do States have right to access EO data?
- Are data policies facilitating sharing of EO data?
- Environmental monitoring
- Disaster management & humanitarian assistance
- Compliance with legal obligations
- Agriculture & food security
- Infrastructure & EO data applications
• Growing reliance on EO data
• Commercial data supply
• Demand for ....... data
  More
  Continuous
  Reliable
  Accessible
  Interoperable
Access to EO data
UN Remote Sensing Principles

- Right of sensed State to non-discriminatory access to data and analysed information
- Duty of the sensing State to make data available to sensed State, especially for disasters
- No enforceable rights and obligations
- Promote international cooperation
Space & Major Disasters Charter

- Non-binding charter
- For natural and humanitarian relief
- Access to raw data and information
- No availability guarantee
- No liability
Copernicus

- For environmental monitoring, disaster management
- For the development of commercial uses
- Open – full – free medium/low resolution data
- Authorisation for high resolution and CM data
- No liability
- Foreign government can access commercial data
- Interruption of service

- Under conditions, data can be provided to foreign governments
- Limit to collection or dissemination

- Restain activity of space-data operators

- Sensitivity check
Dutch National Satellite Data Portal

- Data available to Dutch, commercial and non-commercial, users
- Raw data refer only to Dutch territory
- Data may come from foreign sources
- Users not allowed to further provide this raw data
Summary of data policies

- Access to commercial data for emergency
- Access to commercial data only for States
- Divergent
- Case-by-case

- Countries without RS capabilities
- Entities without the means to access commercial data
Dissemination of EO data
“Sovereign privacy”

• Freedom of use & exploration of outer space
• Legality of remote sensing
• UNRSP IV:
  Respect for sovereign wealth and resources
  Not detrimental to legitimate rights and interests
• High and very high resolution images
• No opt-out option
Rights related to data

Privacy
- personal data, location data, consent

Intellectual property
- databases, use/reuse of data

Export control
- high-resolution data, software, satellites

Liability
- for inaccurate data
Challenges

• Realisation of RS potential but regulations not facilitating
• What is the relevant law: space, international, national?
• No uniformity in conditions for access & dissemination
• Access for emergency
• Not for prevention/preparedness/recovery
• Not for non-commercial purposes
• Rights and obligations of commercial stakeholders
  Need for clarifications and for new regime?
Conclusions

• Raise more awareness on EO potential à more demand à easier access/lower costs
• Less reliance on commercial providers & incentives to volunteer
• Best practices for the commercial sector
• Cooperation agreements among countries: “RS for benefit & interest”
• Rethink UNRSP Coordination & harmonisation
Thank you!

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