Legal and policy factors which can enhance or block openness of geospatial information

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Overview

Openness from the perspective of a public authority

1. Challenge – “can’t have the cake and eat it too”
2. Consequences
3. Possible legal and policy strategy
1. Challenge – “can’t both have the cake and eat it”

The data revolution – robotization of information management
• Need to share data
• Need to publish data as “open data”
• Need keep up with new technology

The data revolution creates new risk for national interests like privacy and security
• Lack of recognized systematic framework for risk management
• Legal restrictions may be outdated, too complex, fragmented or detailed
2. Consequences of the challenge for a public authority

It won’t be able to adapt → slow or no development

- Accountability: “Better safe than sorry”
- National issue: “mission impossible” on local level
- Mandate: “tied hands”
3. Possible legal and policy strategy

Sensitive information
- Secret
- National security
- Privacy
- Intellectual property rights
- Open

Extensive barriers
- Control
- Legal mechanisms
- Trust
- Systematic framework for risk management
- Avoid having fundamental data on this level
- Rather general than detailed regulations

Harmless information
- No barriers

Open

Legal mechanisms

Data protection

Trust

Secret

Intellectual property rights

National security

Open

Systematic framework for risk management