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

World Geospatial Information Congress
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
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
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
Augmented/Virtual Reality
Example: Impact on Data Protection/Privacy

- 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

Luca Bruno/AP
...Creating a Privacy Paradox

St. Peter’s Square – 2013

Michael Sohn/AP
Facebook, Twitter cut off data access for Geofeedia, a social media surveillance startup

Posted Oct 11, 2016 by Lora Kalodny (@lorakalodny)
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 share 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

- Kevin D. Pomfret
- @kpomfret
- kevin@spatiallaw.com
- +1.804.928.5870