



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

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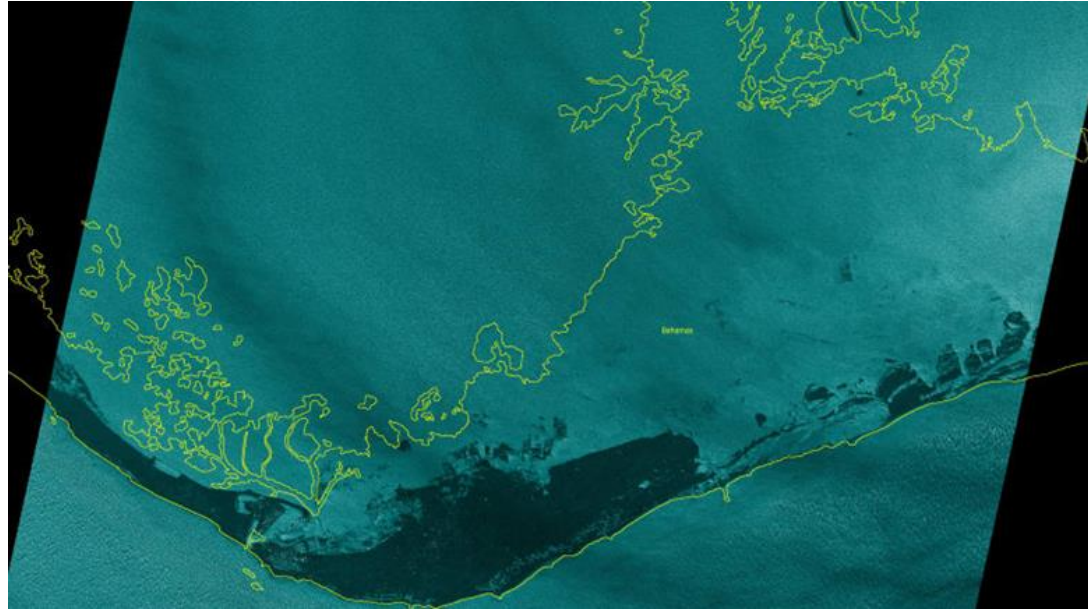
UN/Turkey/APSCO Conference on Space Law & Policy

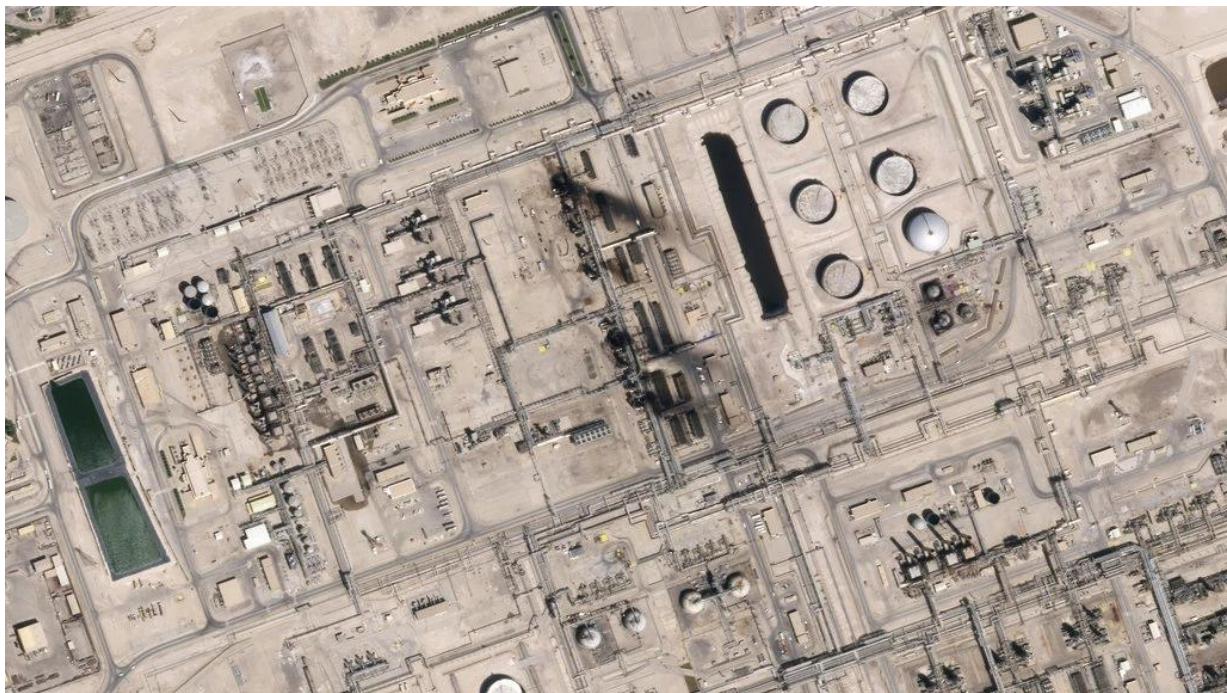
Overview

- 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?
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- **Environmental monitoring**
- **Disaster management & humanitarian assistance**
- **Compliance with legal obligations**
- **Agriculture & food security**
- **Infrastructure & EO data applications**





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- Growing reliance on EO data
 - Commercial data supply
 - Demand for data
 - More
 - Continuous
 - Reliable
 - Accessible
 - Interoperable
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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
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Space & Major Disasters Charter



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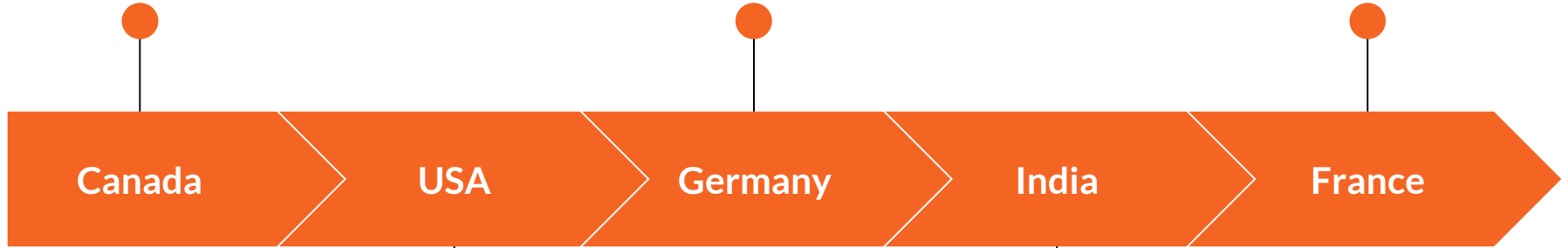
Copernicus

- 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
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- Foreign government can access commercial data
- Interruption of service

Sensitivity check

Restrain activity of space-data operators



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

Control over task and distribution

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
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Summary of data policies

- Access to commercial data for emergency
 - Access to commercial data only for States
 - Divergent
 - Case-by-case
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- Countries without RS capabilities
 - Entities without the means to access commercial data
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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
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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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