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EUROPEAN EARTH OBSERVATION DATA POLICY – MEETING VARIOUS GOALS BY MULTIPLE
AND DIVERSE ACTORS: A HERCULEAN TASK?

Abstract

The European Union has recently engaged in formulating political and legal principles, which should be guiding the European activities in the area of Earth observation data collected by satellites, in particular in the framework of the COPERNICUS program. The focus of this program is the development of the necessary infrastructure and questions related to the generation and use of the acquired data. The European Union is especially interested in disaster and crisis management, land and sea monitoring, and the monitoring of the atmosphere. In addition, the generation and use of security related data belong to the goals of European Earth observation. In this context, the European Union, due to its nature as a regional supra-national organization, is confronted with particular challenges as it has to take into consideration the respective activities and competences of its member States as well as of its most important international partner in this endeavor, the European Space Agency (ESA). Over the past months, the European Union and ESA have been developing institutional mechanisms and procedures to provide the necessary framework for negotiation and decision-making in the area of Earth observation data policy. The most recent legal and political instruments as well as some further proposals will be presented and analyzed in the present paper. An important characteristic of the European data policy is that, on the one hand, it propagates the concept of an ‘open data-policy’ (see already the Directive 2003/98/EC of the European Parliament and the Council of 17 November 2003 about the re-use of public sector information) but that, on the other, it is also committed to the protection of several other rights and principles, such as the right to private life, the protection of personal data and of intellectual property, the freedom of arts and science, entrepreneurial freedom as well as national security interests. It is therefore of interest to have a closer look at the respective documents and proposals in order to find out how the balance between ‘open data-policy’ and the protection of other rights and principles is supposed to be achieved.