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Legal challenges to Earth observation programs with particular emphasis on developing countries (5)

Author: Ms. Angeline Asangire Oprong
University of Bremen, Germany, angelxke@yahoo.comEARTH OBSERVATION DATA REGULATION AND ITS IMPACT ON ACCESS OF EO DATA TO
DEVELOPING COUNTRIES: THE CASE OF SUB-SAHARAN AFRICAN COUNTRIES**Abstract**

Earth Observation (EO) applications are increasingly being utilized by growing middle income countries to address development needs and even achieve the Millennium Development Goals (MDGs) set by the United Nations. EO systems such as Global Earth Observation System of Systems (GEOSS) and the Global Monitoring for Environment and Security (GMES) are of significant value in the area of disaster management, health, energy, food security, natural resource management, effective land use, planning, climate, water, weather, ecosystems, agriculture, and biodiversity e.t.c. These are major issues looming in the developing world and especially the African Continent. The application of EO data in developing countries is said to be underutilised due factors such as limited resources, lack of knowledge and technology and most importantly financial reasons among others. Hardly is there a focus on the legal and policy issues relating to Earth observation (EO) data as a major factor in the dissemination of the EO data to developing countries. One major difference in the utilisation of the EO data between the developed countries and that of the developing countries; is the use of the policy regulatory framework to manage the access and application of EO observation data. In the sense that, most (space faring) developed countries have adopted or enacted policy regulation that propels the proper use of the EO data. Due to the sensitivity of the EO data for instance remote sensing data, its availability is sometimes regulated. This may have an impact on the availability of the data to the developing countries. This paper seeks to discuss the impact of the EO data regulation both internationally and nationally to its accessibility to the developing countries. It will feature the interplay between international (policy and law) instruments on EO and the national EO policy and regulation of dominant space faring nations; and how they affect the supply and demand of EO data to mostly Sub-Saharan African countries. The paper will also briefly analyse legal and policy mechanisms relating to EO in selected Sub-Saharan countries and the role they play in ensuring that EO data is accessible by its citizens. Lastly, it will examine whether databases providing raw and processed data to potential users are (or should be) supported by legal and policy frameworks in order to achieve proper and practical economic utilization of EO applications in developing countries.