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PRIVACY, EARTH OBSERVATIONS AND LEGAL WAYS TO RECONCILE THE TWO

**Abstract**

Development of the sensors used for Earth observation (EO) activities has been dramatic since the inception of these activities back in 1960s. Today the technology allows generation of very high resolution data and images with 50cm resolution can be routinely purchased today on the commercial market. EO data are used for a variety of applications ranging from emergency response and humanitarian operations, agriculture and mining, through to various forms of monitoring and military purposes.

The concept of privacy, including its legal dimension, remains vital in many societies. Privacy concerns and their protection are necessarily addressed by regulations in many jurisdictions. However, the understanding of what privacy is, what and to what extent it protects, is not uniform. This has implications on the conduct of a number of activities, including services available over the internet, and potentially satellite EO activities.

The ever increasing capabilities of satellite Earth observation technologies and their impact on the protection of privacy need to be reconciled. The analysis of this exercise is conducted from the perspective of different understanding of privacy in various jurisdictions on the one hand, and transborder nature of space activities on the other. In addition, it explores legal solutions to the situations where EO data are combined with other data and incorporated in geographic information systems that allow generation of new links between various information sources that if used may affect privacy. Usefulness of EO data for various purposes and activities, the necessity to foster further development of EO technologies, as well as their 'private' dimension – engagement of private companies – is taken into account to adequately address these issues.