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COPERNICUS LEGAL CHALLENGES WITH OPEN DATA POLICIES IN CASE OF DISASTERS

Abstract

The Copernicus Programme, as a civil European Earth observation programme, aims to support European environmental and security policies through six Copernicus services. Thanks to its open data policy, the Copernicus programme provides access to information in a [potentially] non-restrictive manner with free access to registered users worldwide. Nevertheless, this accessibility to information under the open access pillar has raised concerns to Member States who may consider too much openness on remote sensing information could represent a possible threat to their national assets and interests.

The Copernicus programme does have the Copernicus Emergency Management Service precisely to provide information to those affected by natural disasters. Nevertheless, this is one of the Services that is not under its open data policy, possibly due to national concerns and security protection of member states. Therefore, should this political concern on openness be leverage in case of providing information for disaster situations in order to provide information more efficiently?

This paper will highlight the pertinent and potential legal challenges to open data policies and practices with specific focus on the security interests of Copernicus and the balance between openness and security.