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HIGHER RESOLUTION RESTRICTION OVER ISRAEL AND PALESTINE: A POLITICAL
RETROSPECTIVE ON DEMOCRATIZING ACCESS TO GEOSPATIAL DATA FOR SUSTAINABLE
DEVELOPMENT

Abstract

High-resolution geospatial data has been drastically changing the way humans interact with their environment. In a parallel process, the rapid democratization of satellite imagery, be they open source or designed for commercial purposes, is a game changer for stakeholders who harvest and exploit these data. Precise geospatial data can serve as evidence for NGOs, governments, international institutions and companies to promote fact-based decision making in a variety of applications. With great accuracy they can help monitor cultural heritage and the evolution of climate change, trackable human factors related to global poverty, disaster management interventions or in conflict-ridden regions such as Ukraine today.

However, our understanding of maps can often be shaped and forged in biased ways that consequently may serve political agendas. For instance, Google Earth, the biggest provider for open geospatial data, is by law required to degrade resolution on images of Israel and Palestine (following the ISO 3166 naming conventions; hereafter referred to as ‘Palestine’). The Kyl-Bingaman Amendment (KBA) to the US National Defense Authorization Act prevented US satellite operators and retailers from selling or disseminating imagery produced over this region at a higher resolution than foreign competitors. The US hegemony in the global commercial market institutionalized these restrictions limiting the efficient use of geospatial data for research, humanitarian intervention and cultural preservation in Palestine. Palestine’s limited autonomy and severed territory also implies that the local population and biodiversity are more exposed to the dangers of climate change, hence the pressing need for high resolution geospatial data to meet the target of the UN Space2030 Agenda.

This paper considers the value of earth observation data over the State of Palestine and takes a historical approach to the Kyl-Bingaman Amendment, which was removed by NOAA in July 2020. This paper also explores the contradiction of such legal restrictions regarding International Space Law which guarantees access to data for states whose territories are subject to remote sensing activities. This paper will elaborate on the political stakes involved in authorizing commercialization of data in sensitive areas. The focus will be on how this transition was implemented and how it relates to the promotion of open data policy in Europe and in the United States. We will argue that these democratizing efforts are crucial to the promotion of Sustainable Development in vulnerable regions already affected by climate change such as Palestine and open the way for new international collaboration schemes.