

National Geospatial Advisory Committee: Lightening Talk

Kevin Pomfret
September, 2014

Convention on Geoinformation



Like a Treaty

Being Pushed by
International Bar
Association

Filling the Current
legal/Policy Void

IBA is doing what lawyers
often do – fix with laws
and regulations

Summary of Key Provisions

- ▶ Covers all types of geoinformation
- ▶ Calls for each entity who processes geoinformation to create a Custody Record:
 - Details of each transfer
 - Each stage of processing
 - Notes on models and standards used or interface requirements observed
 - All person who had custody – Including government agencies other than geoinformation “generated” exclusively for “national security purposes.

Other Key Terms

- ▶ Processing Obligations of Controllers (Art V)
 - Obligation to notify state if it have geoinformation can be used to avert harm or avert natural or man-made.
 - Make all geoinformation available to sensed state on fair and reasonable terms
- ▶ Individuals have enforceable rights to require de-identification
- ▶ Consultative Committee assess and consider new standards
- ▶ Recognition of Geoinformation Rights (Art. VII)
 - Parties that all reasonable efforts to ensure that copyright and database rights are protected

Impact

- ▶ If Convention were to enter into force, geoinformation management would:
 - Be subject to increased regulation
 - Be more expensive
 - Result in increased accountability/liability
 - Regulators
 - Lawsuits
- ▶ Questions
 - Is a Convention needed?
 - Is this the right approach?

Next Steps?

- ▶ IBA is moving to fill a perceived void in legal and policy framework
 - Technology is moving fast
 - Big Data – little legal precedent
 - What does it say that IBA lawyers let get this far
 - ▶ What role is geospatial community going to do to fill the void?
 - Educate – geospatial community on developments
 - Enlist – industry, research communities for support
 - Engage – lawyers and policymakers on value of geo
 - ▶ Begin working on addressing these issues in practice
- 