

Establishing Spatial Data Infrastructures – Some Legal Perspectives

**K.R.Sridhara Murthi
Mukund Rao
Antrix Corporation Limited
Indian Space Research
Organisation, Bangalore**

Emerging spatial data infrastructures both at national and global levels are expected to make substantial impact on government and commercial activities. However, they have also thrown up significant challenges for evolving appropriate policy and legal frameworks addressing important concerns in relation to security, ownership rights of data and intellectual property, protection of privacy, access rights to public as well as commercial users and questions relating to liability. While the advent of high resolution satellites in commercial domain, the Internet revolution and the convergence of GIS, GPS and space based remote sensing have been enabling improved access to detailed information to both civilian and government users, need for development of a harmonized legal regime balancing national sovereignty and security concerns with public good and commercial objectives is increasingly felt. In addition, as the improved technologies allow creation of new data bases combining both public databases containing information on individuals and other types of spatial information, concerns relating to protection of privacy need to be addressed. Particularly, GIS tools which enable combining of spatially referenced data such as socio-economic data and even personal data are subject to various legal regimes that govern different elements of generation and use of GIS data bases, products and software. Many specialized applications involving geospatial information system such as land registry, land use, utilities, environmental monitoring are rapidly expanding with their attendant implications for financial, health or safety aspects. These have legal ramifications to various actors including the vendors of products and services and also users. The liability questions are to be addressed in a legal context taking into account involvement of these diverse actors. Another important dimension relates to the rights for value addition. Advances in technologies are enabling new capabilities such as integration of Virtual Reality functions to GIS products.

As these products are increasingly globalised, data can come from one legal jurisdiction and could be transformed and sold in an area of different legal jurisdiction. Therefore, a multilateral approach for harmonization of legal framework is a necessity in order to guide the growth of spatial data infrastructures and their beneficial applications.

Full paper not available