



Fly respectfully
consider privacy



Fly safely
follow flight safety rules



Fly responsibly
be insured

Privacy and Data Protection: Limits and Opportunities for Unmanned Aerial Platforms for Earth Observation

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The rights to privacy and data protection

- Privacy

Everyone has the right to respect for his or her private and family life, home and communications.

- EU Charter of Fundamental Rights, Article 7

- Personal data protection

1. Everyone has the right to the protection of personal data concerning him or her.(...)

- EU Charter of Fundamental Rights, Article 8

- Specific laws:

- General Data Protection Regulation
- EASA Regulation laying down rules and procedures for the operation of unmanned aircraft requires:
 - Respect for privacy and data protection
 - Assess privacy risks in higher-risk operations – ‘specific’ category flights



How could drones impact privacy and data protection?



How could UAS for Earth observation be used?

- Purpose of Copernicus – Earth monitoring



Atmosphere
(CAMS)



Marine
(CMEMS)



Land
(CLMS)



Climate
(C3S)



Emergency
(EMS)



Security

- Unmanned Aerial Systems (UASs) could be used to compliment satellite-based Copernicus data:
 - High Altitude Pseudo-Satellites or Platform Systems
 - quasi-stationary over a fixed point on earth from weeks to months at very high altitude



Would UAS for Earth observation be impacted by data protection?

- Data protection law applies only to “personal data”
 - Geo-spatial data does not directly relate to individuals
 - However, can individuals captured be identified?
 - Powerful sensors and detailed data
 - Quasi-stationary
 - Open data and its potential users
 - Possibilities for correlation of data from multiple sources
- If yes, will data protection law limit UAS for Earth observation?
 - Requirements are risk-based
 - Article 89 GDPR offers more lenient requirements where data is processed for archiving, scientific, research or statistical purposes
- To avoid GDPR altogether - anonymise data before making it open



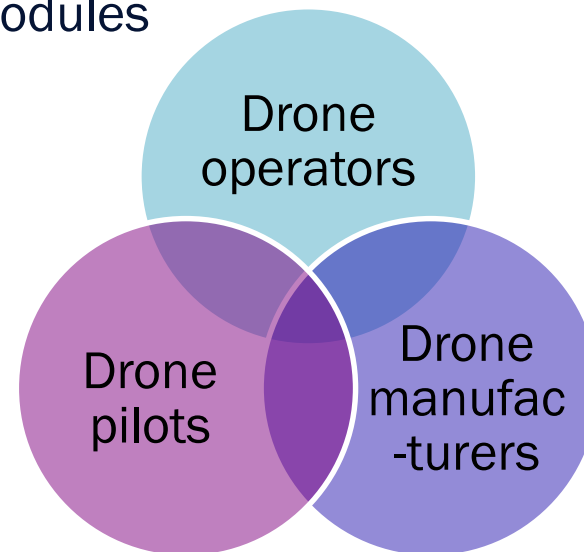
Would UAS for Earth observation be impacted by privacy?

- The EASA Regulation (currently discussed) and requirements for 'specific' category missions
 - Comply with a standard scenario (to be published), or
 - Carry out an operational risk assessment, including privacy risks
- Privacy concerns where there is interference with the private lives of individuals:
 - Individuals are captured in their private spaces (homes, gardens)
 - Individuals are tracked, monitored, surveilled
- If individuals are visible, quasi-stationary prolonged observation could raise some privacy concerns



What is being done?

- DroneRules.eu
 - Privacy resources, including a privacy handbook and case studies
- Drone Rules PRO – privacy and data protection guidance for drone professionals
 - E-learning course with tailored modules
 - PIA / DPIA template
 - Privacy Code of Conduct
 - Pre-flight checklist
 - Privacy-by-design Guide



Thank you for your attention

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www.DroneRules.eu

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