




# GWFF

GEOSPATIAL WORLD FORUM

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A satellite with solar panels is shown in orbit above the Earth. The satellite is white and black, with a large solar panel extending from its side. The Earth is visible in the background, showing blue oceans and dark landmasses. The satellite is positioned in the center-right of the frame, with the Earth's horizon curving across the top and right sides.

# New Space and Rights of Individuals (& Private Entities)

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## **The Good, the Bad and the Ugly**

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# The «Good»

- UN Agenda 2030 and SDGs
- Fundamental Rights



# The «Good»

Examples:

- Night Light Development Index
- Telemedicine
- Smart grids





# The «Bad»

- Right to privacy and personal data protection
- Earth observation and satellite navigation information encompassed within personal data:
  - Location data: expressly mentioned within personal data by CoE and EU law
  - Remote sensing images: even when they do not identify individuals' faces, they provide varied information related to the context in which a person is placed, thus indirectly collecting personal data



## The «Bad»

«[i]f you want to keep a secret, you must also hide it from yourself»

(cit. George Orwell)





# The «Bad»

Privacy regulation in European regional law:

- European protection (CoE and EU legal frameworks)
- ECtHR and ECJ → Proportionality test (Uzun v. Germany case; Ben Faiza v. France case)

Issues:

- Proportionality → Wide judicial discretion?
- ECtHR and ECJ's approach → not always implemented at domestic level (e.g. Italian case law)



# The «Ugly»

- Hostile Cyber Operations
- Example: **NotPetya** Cyberattack
  - “Nationwide and one of the most devastating global cyber-attacks”, an attack that “blocked the Ukrainian government agencies, banks, and airports from digital services and operations” (C. Van Camp & W. Peeters )
  - The consequences of this attack “**spread beyond Ukraine, unintentionally causing damage to hundreds of companies in over 60 countries**” (C. Van Camp & W. Peeters)



Image from: <https://www.businessinsurance.com/article/20220304/NEWS06/912348156/Cyber-threats-escalate-with-global-exposure-hackers-foreign-governments->

# The «Ugly»

## Which regulation?

- International Law?
- Tallinn Manual 2.0?
- International Regional Law?



Image from: <https://www.businessinsurance.com/article/20220304/NEWS06/912348156/Cyber-threats-escalate-with-global-exposure-hackers-foreign-governments->

# The «Ugly»

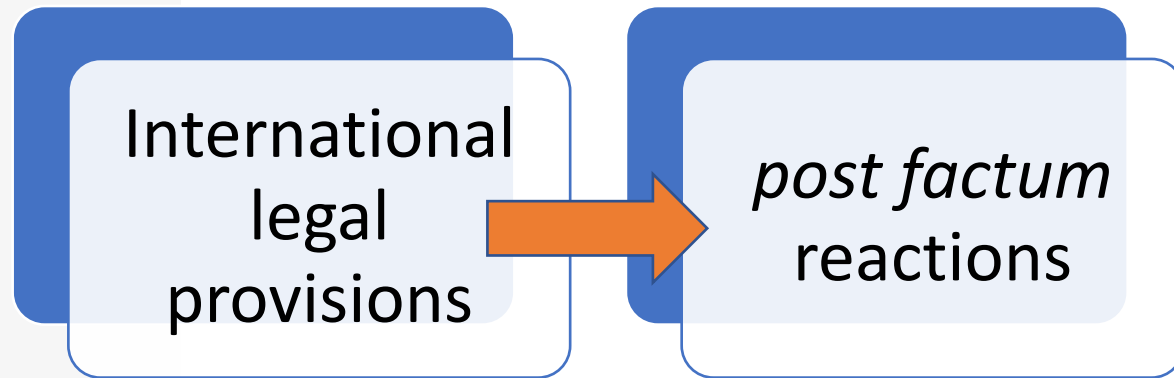


Image from: <https://www.businessinsurance.com/article/20220304/NEWS06/912348156/Cyber-threats-escalate-with-global-exposure-hackers-foreign-governments->

# Possible solutions

- Preventive actions & consistency of interpretative approaches
- Bottom up regulatory approach
- Examples: NASA, NIST, US Space Force Standards



# Possible solutions & Additional Problems

- Bottom up approach criticised for lack of democracy & equality
- Need for participation requirements

# Conclusion

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Thank you very much  
for your attention!



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