



UAS, Data and privacy protection within the European Union: **The case of Greece**

Speaker: Serafeim M. Sansaridis, Attorney at Law, LL.M.
Athens, 04/09/2020

1. Why should we be concerned?



By 2035 within the E.U.:

- **Employment:** 100.000 work positions.
- **Economy:** Production of 10 billion euros in revenue yearly!
- **Greece:** Widespread usage in both the public and the civil sector.

Source: <http://www.consilium.europa.eu/en/infographics/drones/>

2. UAS, Data & Privacy Protection

- UAS peripheral devices tend to collect data
- Almost immediately data & privacy protection concerns arose
- Lack of case law and specialised legislation until recently



3. European Data Protection Supervisor

EDPS Conclusions:

- Definition of “UAS”
 - Data&Privacy in danger
 - Insufficient legal framework at an EU level
 - Wisely using exemptions from the Directive in effect at that time
- 1.The need for a specialised legal framework at an EU level
 - 2.Creating an environment of awareness and information
 - 3.Privacy by design & by default
 - 4.Users must play an active role in the protection

4. Article 29 Working Party

Opinion 1/2015 recommendations:

- **Before using an UAS**

1. Permit
2. Assigning roles
3. Consequences
4. Right equipment
5. Properly informing data subjects
6. Adequate and suitable measures
7. Data minimization- anonymization
- deletion

- **Legislators**

1. Balancing fundamental rights & flight safety
2. Reforming the legal framework
3. Lawful and responsible usage of UAS
4. Adequate information
5. Encouraging of UAS certifications
6. Funding

- **Manufactures&users**

1. Adopting privacy by design&default
2. Involving a DPA
3. Soft-law & prevention
4. UAS to be spotted immediately
5. Respecting personal property boundaries

5. Greek Data Protection Agency

The Zeppelin case

- Public awareness towards the sky
- No data processing
- CCTV
directive 1122/00:
 - ▶ Legality
 - ▶ Proportionality
 - ▶ Necessity
 - ▶ Accurate data
 - ▶ Kept for a certain period of time



6. Greek Data Protection Agency

The Syros port authority's case

- 1st reference about UAS in Greece
- Lack of acceptance from data subjects
- Process serves a greater good (economy)
- Adopting general principles about data processing (legality/proportionality)
- Informing adequately the public about the flight



7. Greek Data Protection Agency

The City of Glyfada's case

Data processing:

1. Fire hazard:
Could be done
without processing
data
2. Supervising:
Unable to restrain
UAS in certain
areas
3. Motor vehicle
violations:
Incompatible



8. EU & Greek Regulations

- EU Regulations 2019/947 & 2019/945 (in affect after 31/12/2020 due to Covid-19)
- GDPR
- Greek UAS Regulation (3152/B/2016)



9. Conclusions

1. Growth of UAS but not without a cost on fundamental rights
2. Enforcement and supervision of data by design and by default principles
3. Mandatory registration when civil rights are at stake
4. Suitable technical measures for data & privacy protection (RFID, geo-fencing etc.)
5. Awareness and education
6. **EU**: Incorporating UAS in the whole spectrum of the airspace (U-Space)
7. **Greece**: Lack of major incidents = opportunity to regulate the field and boost UAS growth = economic development

Thank you!



Serafeim M. Sansaridis

Attorney at Law, LLM

www.sansaridis.gr