

# Legal and ethical concerns of drone surveillance

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The use of so-called drones – unmanned aircraft – for domestic security purposes, surveillance of citizens and putative criminals and organizations raises many legal and ethical concerns particularly with regard to the Fourth Amendment to the US Constitution, Council of Europe instruments, and the EU Data Protection Framework, according to a research paper published in the International Journal of Liability and Scientific Enquiry.

Gregory Voss of the Toulouse Business School (TBS), at Toulouse University, in France, suggests that the rise of [drones](#) for surveillance and other applications highlights particular challenges to civil liberties and tensions between these and [national security](#) and justice concerns.

The dictionary defines a drone as "an [unmanned aircraft](#) or ship guided by remote control". Drones may use global positioning system (GPS) satellite technology, advanced , high-resolution camera technology and embedded computer systems and so have many advantages over all previously existing surveillance methods. "The fact that they may be operated without personnel onboard allows them to be used when conventional aerial [surveillance](#) is too costly, or for long periods of time where personnel fatigue is an issue," explains Voss. These unmanned flying machines can also be much smaller than conventional aircraft and so less expensive and less obtrusive. Voss points out that the drones currently deployed in active military zones may soon need to be put to new use on their return to the USA and elsewhere once active military service is complete. He also adds that the domestic use of drones is very

likely to be spurred on by industry.

"The use of images and other data from drones for security purposes has not yet been the subject of specific legal provisions. However, existing legal principles must be complied with in order to allow this use," says Voss. European Union law has provision only for the data once it has been obtained not regarding how it is obtained. US law focuses on government intrusion but there are also constitutional guarantees regarding how data is obtained, leaving this up to member state law, and whether it is admissible as evidence in a criminal court. However, in the aftermath of the National Security Agency (NSA) "PRISM" revelations and subsequent scandal, the emergence of drones and their privacy implications may give new impetus to the adoption of privacy legislation at the Federal level in the USA.

**More information:** "Privacy law implications of the use of drones for security and justice purposes" W. Gregory Voss, *Int. J. of Liability and Scientific Enquiry*, 2013 Vol.6, No.4, pp.171 - 192. [DOI: 10.1504/IJLSE.2013.060848](https://doi.org/10.1504/IJLSE.2013.060848)

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