

Blockchain and GDPR

Hotspot



EDVGT2019

Berlin, November 26th, 2019
Jörn Erbguth, Dipl.-Inf., Dipl.-Jur.
Consultant Blockchain & GDPR

joern@erbguth.ch +41 787256027

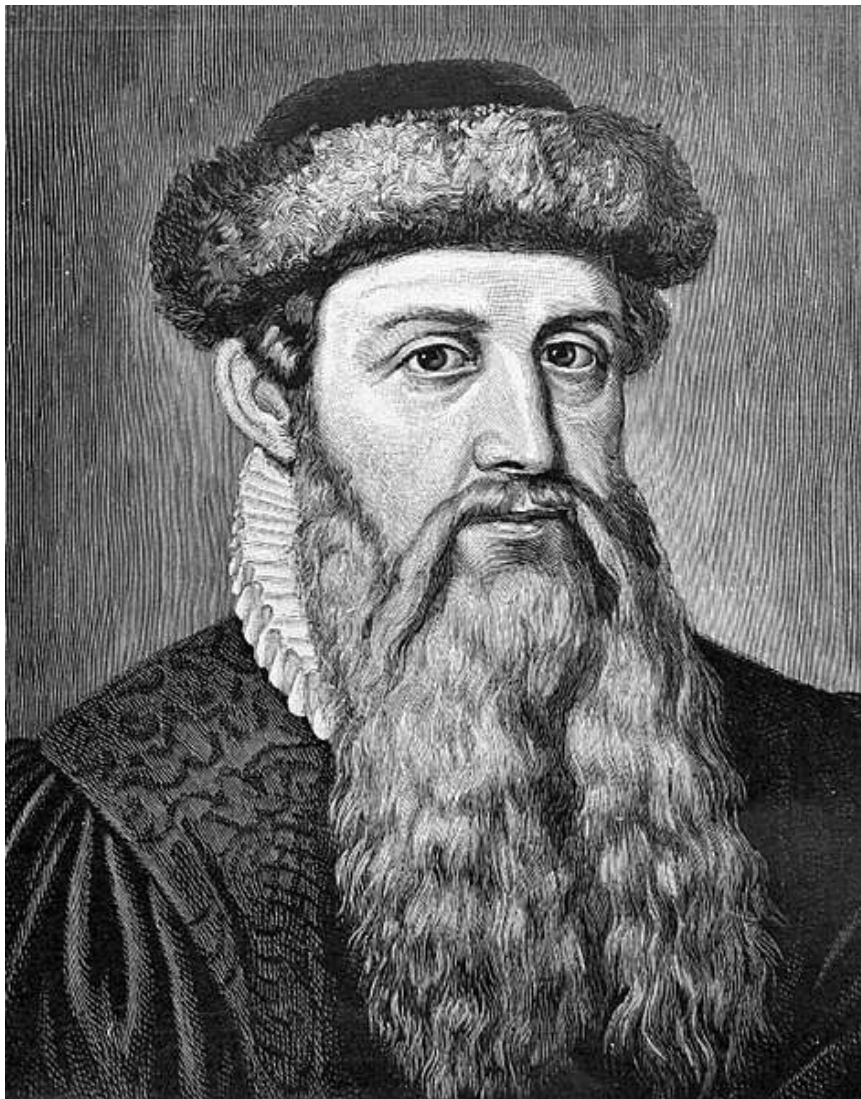


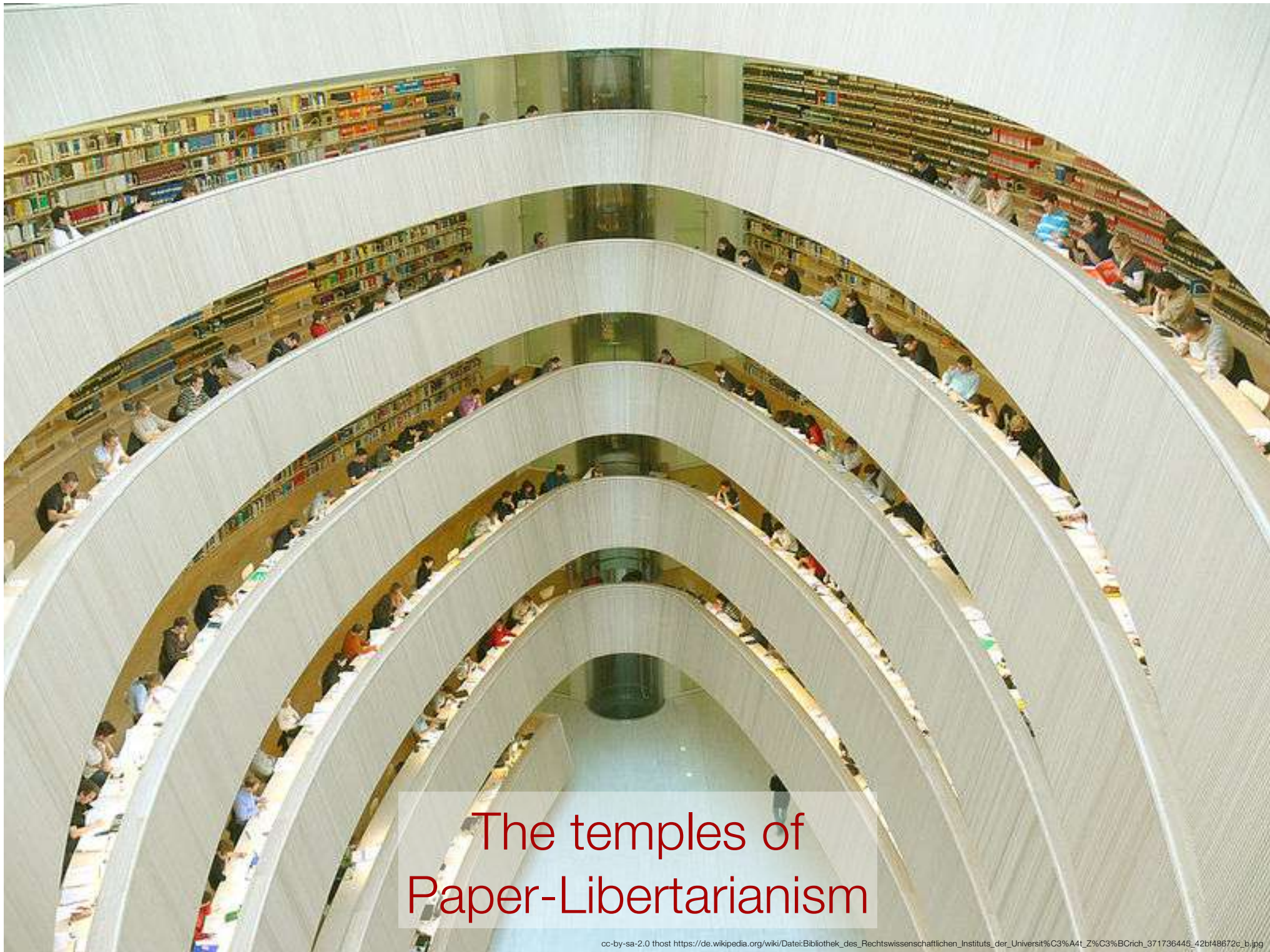
DEUTSCHER
EDV-GERICHTSTAG E.V.

Imagine the GDPR paradise



The Paper Libertarian





The temples of Paper-Libertarianism



Do we need to stop Paper Libertarianism?





Decentralized
Immutable
Accountability?

Olga Stepanova



Controller and Responsibility (10:45am)

Permissioned Blockchains Who is the Controller?

David Saive



David Saive studied Law at the University of Hamburg. Currently he is working as Research Associate for Prof. Dr. Prof. h.c. Jürgen Taeger at the University of Oldenburg on the edge of Maritime and IT-law. He is responsible for the governmental-founded research project HAPTIK (www.haptik.io), that tries to implement blockchain in maritime to overcome paperbased trade. He has published numerous publications on digitisation in maritime law and blockchain.

LinkedIn



Jörn Erbguth



Jörn Erbguth is a consultant on blockchain, smart contracts and data protection. He holds majors in computer science and law. Jörn is currently researching governance of blockchains and smart contracts at the University of Geneva. He also lectures at the [Geneva School of Diplomacy](#) and the [University of Geneva](#). At the [Geneva Macro Labs](#), he serves as Head of Technology Insights. He is a member of the Focus Group on DLT at the International Telecommunication Union (ITU), Study Group 16 WG 22, DIN SPEC 4997 Privacy by Blockchain Design and a board member of the [EDV-Gerichtstag](#). He regularly publishes about Blockchain & GDPR e.g. *Five Ways to GDPR-Compliant Use of Blockchains* ([EDPL 2019_427](#)) or *Datenschutzkonforme*

Verwendung von Hashwerten auf Blockchains ([MMR 2019_654](#)) (please contact him directly if you wish to obtain a personal copy of these papers). He operates also the [GDPR Quick Check](#) for Blockchain based applications.

Legal Basis for Processing of Personal Data?





What are Possible Justifications for Processing of Personal Data on Blockchains? (11:30am)

How far can a contract serve as a justification for permanent Storage on a Blockchain?

How far can a consent serve as a justification for data processing on a Blockchain?

Philipp Quiel



Philipp Quiel, LL.M. works as a Senior Associate at reuschlaw Legal Consultants and is one of the Co-Editors of the legal journal "Datenschutz-Berater". Before working for resuschlaw, Mr. Quiel worked for the data protection team at CMS Hasche Sigle (Munich) and before that at datenschutz nord GmbH (Berlin). Philipp Quiel is certified as DPO by Maastricht University, Faculty of Law and wrote his Master Thesis about "Blockchain Technology in the light of European Union Data Protection Law". Mr. Quiel advises mainly on German and European Data Protection and IT Law and has published articles in legal journals on questions around Data Protection Law and is currently writing a PhD Thesis dealing with Data Protection Law.

Katharina Lasota Heller



Dr. **Katharina Lasota Heller**, LL.M. Alumni of Max-Planck-Institute in München and McGeroge School of Law in Sacramento. Attorney at law with strong academic background along with business oriented focus, admitted in Switzerland and in Warsaw, professional experience + 20 years. Currently Managing Partner of **LEXcellence Law Firm** in Zug. President of Swiss-Polish Blockchain Association. Member of Legal and Regulatory Working Group of Crypto Valley Association.

Visionary and thinker with a profound experience in the area of data processing, big data, e-commerce, fintech, blockchain, mobile payments, intellectual property, compliance, risk management, and international labor law.

12:15pm-1:15pm Lunch







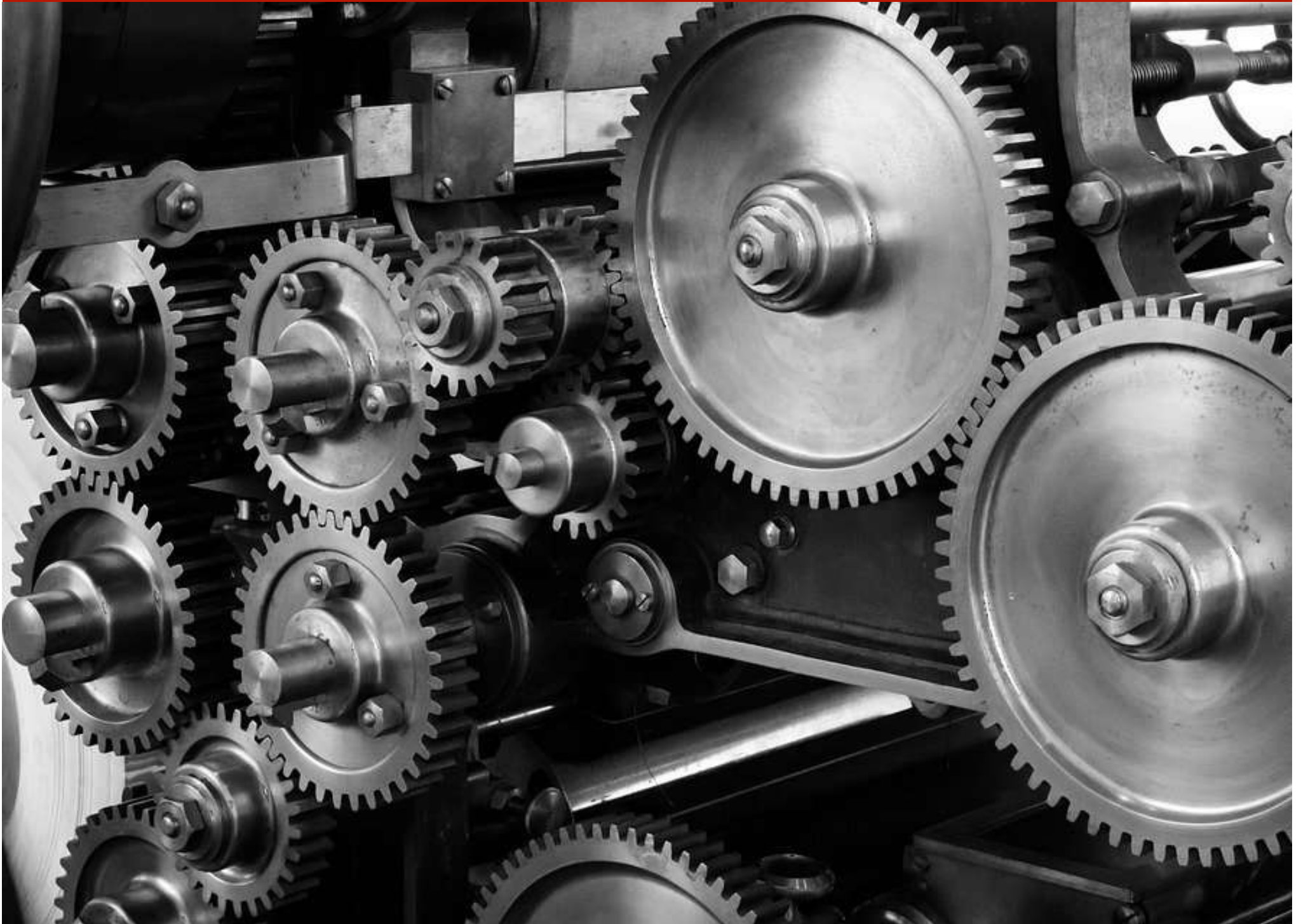
Keynote (1:15pm)

Blockchain Strategy of the German federal government

Sarah Basic



Sarah Basic is desk officer at the Federal Ministry for Economic Affairs and Energy in the division for "Strategy Artificial Intelligence, Data Economy and Blockchain". Since 2018 she has been working in the area of blockchain. She started in the Ministry in the division for Health Care Industry in 2015. Before, she had been working for four years with the management consultancy Oliver Wyman.



Silvan Jongerius

New technical developments (1:45pm)



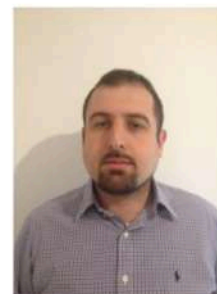
Zero Knowledge Proofs

Alexandre Poltorak



Alexandre Poltorak is working as a Key Account Manager at [Bity SA](#) – a Swiss Crypto Currency gateway and a company taking an active role in innovation of privacy, compliance and digital identities. Alexandre also provides consultancy and development services on the Bitcoin and Ethereum open crypto-networks. He is CEO of [Alsenet SA](#) and founder of the free software project [Merklizer](#). This free software project demonstrates some capacity of GDPR-compliant censorship-resistant immutable cryptographic proofs storage.

Stiepan Kovac



Stiepan Aurélien Kovac, from Geneva, in Fribourg (Switzerland), is the cofounder of itk, now itk.swiss SA, the mother company for QRCrypto SA and QRC Americas, its American branch which just has set up an office in Virginia, closing an important circle : as Virginia is to DC what Fribourg is to Bern, more importantly, QRC America is located on the same Boulevard as the agency that sparked what would become the World Wide Web in Geneva. Crawling counter stream, from a work on creation of the www in middle school, through a work on password security in Windows and Unix-like systems in high school under the direction of the EPFL's LASEC, to the proposal of a study period on an enhanced AES that passed the bar of the ISO/IEC SC27 plenary and

whose content is about to be validated by the same laboratory, Mr. Kovac specializes in complex system security issues involving cryptography: whether in block chains or SIM cards, where he co-authored a patent for making these quantum resistant and thereby, GDPR-compliant. He holds an inter university Master's degree in ICT Security with an applied research orientation from the UOC, UAB, URV and UIB (Spain), likewise a Swiss UAS degree in IT engineering and is a member of various experts' organizations, from the STV/UTS Swissengineering's expert chamber to ISO/IEC TC68, where he represents Switzerland for banking cryptography. He also contributed to the DIN work on providing a normative basis for blockchains in Europe.

Quantum Technology & Blockchain Best friendmies!



What does it mean that public blockchains are public? (2:30pm)



Can the Household exemption be applied on privately motivated but public Blockchain transactions?

Dennis Hillemann



Dennis Hillemann is a partner with [KPMG Law](#) with a specialization in administrative law. He advises and represents federal and state authorities, universities and companies in public law and constitutional law. As a fan of blockchain technology, he also promotes its dissemination in the public sector with his [podcast](#). Dennis acts as a speaker on the opportunities of technology across Europe, most recently in

September in Paris at the OECD Global Blockchain Policy Forum.

Olga Stepanova



Olga Stepanova is an Attorney at Law and certified Data Protection Officer based in Frankfurt. She advises companies and associations on digitalisation, especially on the implementation of GDPR and securing Intellectual Property Rights. Her focus is on Big Data companies and companies using Artificial Intelligence. Her motivation is to fight the prejudice that the blockchain technology is not compatible with data protection laws, so that much more companies get encouraged to use it.

Public Blockchains with
Nodes in Third Countries





Personal Data and Privacy Enhancing Technology (3:15pm)

Introduction to Privacy Enhancing Technology

Liz Steininger



Liz Steininger is the CEO/Managing Director of [Least Authority](#) in Berlin, a company supporting people's right to privacy through security consulting and building secure solutions. Prior, she managed financing for Internet freedom projects at the Open Technology Fund. Liz has over 18 years of experience as a Project Manager, Program Manager and Analyst on numerous tech development projects in both private companies and public organizations. She holds an M.S. in Management & Technology from Carlow University (2007) and B.S. in Digital Media from Drexel University (2001) in the United States of America.

Michael Kolain



[Michael Kolain](#) studied Law in Heidelberg and Istanbul. He currently works as a Research Associate and Coordinator in the department for Digital Transformation of the German Research Institute for Public Administration. He is particularly interested in regulatory questions that come along with new digital technologies such as Blockchain, AI or Robotics. He has been collaborating closely with computer scientists and hopes to one day find a common language between the two disciplines.

Jörn Erbguth



[Jörn Erbguth](#) is a consultant on blockchain, smart contracts and data protection. He holds majors in computer science and law. Jörn is currently researching governance of blockchains and smart contracts at the University of Geneva. He also lectures at the [Geneva School of Diplomacy](#) and the [University of Geneva](#). At the [Geneva Macro Labs](#), he serves as Head of Technology Insights. He is a member of the Focus Group on DLT at the International Telecommunication Union (ITU), Study Group 16 WG 22, DIN SPEC 4997 Privacy by Blockchain Design and a board member of the [EDV-Gerichtstag](#). He regularly publishes about Blockchain & GDPR e.g. [Five Ways to GDPR-Compliant Use of Blockchains \(EDPL 2019_427\)](#) or [Datenschutztransforme](#)

Verwendung von Hashwerten auf Blockchains (MMR 2019_654) (please contact him directly if you wish to obtain a personal copy of these papers). He operates also the [GDPR Quick Check](#) for Blockchain based applications.

When are Hashes of Personal Data also considered Personal Data?





What is happening outside the EU? (4:45pm)



Max Jarvie

Canadian Privacy Laws and Blockchain



Max Jarvie is a lawyer practicing in the Privacy and Data Protection Group of Borden Ladner Gervais LLP. He advises and assists clients on a wide range of issues, including privacy and anti-spam, distributed ledger technology (blockchain), information security, licensing, consumer protection, and corporate commercial matters. During his legal studies, Max worked as an editor for both the McGill Law Journal and the McGill Journal of Law and Health. He has served as a law clerk at the Supreme Court of Israel for Justice Hanan Melcer and at the Court of Appeal for Quebec for the Honourable Nicholas Kasirer.

Michelle Tsing

Blockchain and the new Data Protection Law in California



Michelle Tsing is a founder of Elevate the Blockchain, Inc.

She was an attorney at PayPal, where she helped the Large Merchant Services team achieved ubiquity. Prior to PayPal, she was at Cisco, eBay, Samsung and Apple.

She co-founded a blockchain payments startup in 2015 and is a strategic advisor to a number of AI, blockchain and 3D printing companies. She is also a mentor for Singularity University Ventures, Berkeley Blockchain Accelerator, SVI Academy and Hack Temple, which are tech incubators located in the USA.

She founded Robotics for Good: Chatbots, Messaging and AI community; and had donated her time to both The Loving AI/XPRIZE Project and Robots Without Borders.

Your Moderators Today

Dennis Hillemann



Olga Stepanova



Eva Stöwe



Jörn Erbguth



Michael Kolain



Silvan Jongerius



Organizer and Sponsor



Trilogy on Blockchain, Sustainable Development and Privacy

Berlin, 26-27 November 2019

Conference

**A full day conference on
Blockchain & GDPR**

Indepth Discussions

November 26, 9:30am-6pm

[Rooftop Atelier am Moritzplatz](#)



Evening

Blockchain & Privacy

Friends or Foes?

November 26, 6:30pm-10pm

Location changed!

[Rooftop Atelier am Moritzplatz](#)

IGF Session

Blockchain, SDGs & Privacy

High Level Discussion

November 27, 1:30pm-3pm

Estrel Congress Center, Berlin



UNIVERSITÉ
DE GENÈVE

Please give us your feedback!



<https://erbguth.ch/feedback.html>