

# **Feedback on EDPB Guidelines 02/2025 on Blockchain and Data Protection**

## **Introduction**

I am submitting this feedback as a concerned individual regarding the European Data Protection Board's (EDPB) Guidelines 02/2025 on the processing of personal data in blockchain contexts. I am particularly focused on the implications these guidelines have on public, permissionless blockchain networks such as Bitcoin.

## **Summary of Concerns**

The current draft of the EDPB guidelines risk unintentionally criminalizing the use of open, decentralized blockchain technologies. By implying that node operators, miners, or other participants in such systems could be considered 'data controllers' under the GDPR, the guidelines fail to appreciate the architectural and legal distinctions of blockchain networks. This position could threaten the viability of essential digital infrastructure and innovation in the EU.

## **Detailed Feedback**

1. Public blockchains like Bitcoin operate without central authority or the ability to modify data. This immutability is a feature, not a flaw.
2. GDPR's definition of 'personal data' and 'data controller' does not naturally fit decentralized systems. Imposing this framework could lead to a misclassification of pseudonymous, transparent systems as violative of privacy laws.
3. The right to erasure and other data subject rights are practically impossible to enforce on public

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blockchains without breaking their fundamental security assumptions.

4. The guidelines could deter developers, node operators, and entrepreneurs from building blockchain-based tools in the EU, leading to a chilling effect on innovation.

5. A risk-based and context-sensitive approach is needed. Not all blockchain applications pose the same level of risk to privacy.

6. Clear distinctions should be made between public, permissionless blockchains and private, permissioned systems that may indeed align more closely with traditional data processing models.

### **Conclusion and Recommendations**

I urge the EDPB to reconsider the blanket classification of blockchain participants as data controllers. A more nuanced, use-case-specific approach would better align with the realities of the technology and the EU's broader innovation and privacy goals.

I recommend:

- Recognizing the pseudonymous nature of Bitcoin and similar networks.
- Allowing for technical impossibility as a legitimate exception under GDPR obligations.
- Supporting further research into privacy-preserving blockchain solutions rather than discouraging their use.