Complaint Regarding EDPB Proposal on Private Keys as Personal Data

I am writing to express serious concern regarding the recent proposal by the European Data Protection Board suggesting that private cryptographic keys should be classified as personal data, with corresponding rights such as erasure under the GDPR.

This proposal reflects a fundamental misunderstanding of how blockchain and cryptographic systems function. A private key is not stored, processed, or shared by any external party-it is a tool used by the user to sign transactions and prove ownership. It does not, by itself, reveal any personal information and exists solely within the control of the user. It is therefore inappropriate and technically inaccurate to categorize it as personal data.

More critically, the notion that private keys should be erasable on request is not only unnecessary but also infeasible. Private keys, once generated and held by the user, cannot be accessed or deleted by any third party-not by a data controller, not by a service provider, and certainly not by the blockchain network itself. Imposing such a requirement would render blockchain-based systems fundamentally unworkable and contradict their core principles of decentralization and user sovereignty.

This is not merely a theoretical objection. As highlighted by the European Union Blockchain Observatory and Forum in its 2018 report *Blockchain and the GDPR*, "while public keys may, in some cases, be linked to individuals and thus fall under GDPR, private keys are by definition secret and known only to the user; they are not data processed by others, and so are not subject to GDPR obligations." (EU Blockchain Observatory and Forum, Blockchain and the GDPR, 2018, p. 15).

The current direction taken by the Board risks chilling innovation and damaging the EU's competitiveness in the digital space. It is crucial that the EDPB revisits this position in close

consultation with technical experts to ensure its guidance is not only legally sound but also practically applicable.

Respectfully,

A Concerned Submitter