

# BLOCKCHAIN, PUBLIC TRUST, LAW AND GOVERNANCE

29 & 30 November 2018

University of Groningen Faculty of Law & Campus Fryslân

&

Netherlands Institute for Law & Governance (NILG)

Final Conference Programme

# Introduction

The Blockchain is regarded by many as the ultimate 'trust machine' which is deemed to replace traditional banking systems, land registers, public record systems, and even conventional voting systems. Distributed-ledger technology has the potential to address the trust, transparency, and bureaucracy challenges that several public bodies currently face. Furthermore, this technology creates room for new collaboration opportunities between governments and citizens. It verifies close to real time transactions, simplifies regulatory compliance, promises efficiency gains through the reduction of intermediaries, and reduces the risks of fraud and cybercrime.

Throughout the world, multiple governments are experimenting with blockchain in different areas. However, it remains a black box to many citizens, public bodies, and companies. This in itself raises concerns for areas where democratic processes are essential to create legitimacy. Additionally, many question whether the technology is stable and secure over the long-run, if total transparency is desirable for all kinds of public services, whether it is scalable enough or consumes too much energy, what its social impact is, whether existing legal frameworks are challenged by this system, and how the technology and its users can be "fixed" if mistakes occur. Hence, the 'trust machine' has not been able to conquer the minds and hearts of many skeptical public and private actors. This conference seeks to shed light on these questions.

The conference "Blockchain, Public Trust, Law and Governance" is organized in collaboration with the annual congress of The Netherlands Institute for Law and Governance (NILG) and constitutes its 10<sup>th</sup> congress.

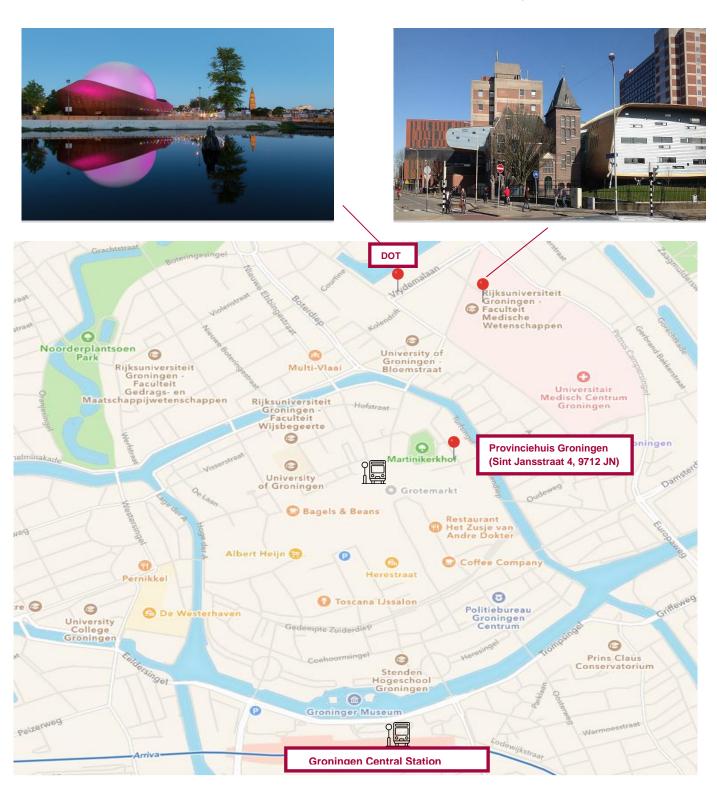
This conference aims to:

- a) offer a critical analysis of the potential benefits and legal risks of distributedledger technology;
- b) discuss the social impact of blockchain technology;
- c) reflect upon the role of law and governance in the promotion of public trust in government;
- d) discuss the law and governance of blockchain;
- e) present innovative blockchain projects;
- f) bring together different stakeholders to discuss the future role of government and the modern challenges to public trust.

## **Conference Venue:**

The conference will take place at key locations in the city of Groningen

- **Dot Groningen**: Vrydemalaan 2, 9713 WS
- Tuniversity Medical Center (UMCG): Antonius Deusinglaan 1, 9713 AV



# **How to Get There and Around**

Groningen public transport chains various possibilities to arrive to our conference venues. Travel routes can be easily obtained in both English and Dutch via:

- https://9292.nl
- http://www.nstrein.ns.nl
- From Groningen Centraal Station (CS) to UMCG Noord
  - → Line 1 via Station Noord
  - → Lines 3; 4; 5 via Grote Markt
- From Grote Markt to UMCG Noord

  Lines 3 and 4 via P+R Kardinge
- From Groningen Centraal Station (CS) to W. van Doeverenplein

  Lines 3 and 4 via Grote Markt



Both locations are at less than 100 meters walking distance away from one another.

# The City of Groningen

Located in the north of the Netherlands and close to the German border, the city of Groningen fascinates with its lively and international charm as well as its long history. The city was established around 300 B.C. and it has a rich history. As a former Hanseatic city, Groningen was a large commercial center in the Netherlands and attracted visitors from different countries. Various ancient buildings, such as emporiums around the channels and a historic courtroom in the middle of the city coexist with modern architecture; illustrate the wealth and rich history of this lively University City. Groningen has more than 200, 000 residents and thanks to its large student population, it is also the "youngest city in the Netherlands". About 15% of the population is aged between 20 and 25.

Founded in 1614, the University of Groningen is located in the heart of the city. It was one of the oldest and largest universities in the Netherlands. Over the years, it developed into an international hub for students from more than 120 different nationalities, which offers a plethora of English-taught bachelor and master programs. The University of Groningen hosts talented researchers (including a recent Nobel prize laureate) and provides excellent education to both national and international students. The Academy building (picture below) is one of the most beautiful university buildings in Europe. The University of Groningen is a top-100 university that employs talented researchers (including a recent Nobel Prize laureate).



## **Accommodation**

The city of Groningen offers you multiple hotel options that will make you feel at home in the Netherlands. Our hotel recommendations are:

### ❖ Hotel NH de Ville

Oude Boteringestraat 43-45, 9712 GD Groningen

+31 50 318 1222

Link: https://www.nh-hotels.nl/event/rug-blockchain (use this link for

discount rate)

Distance to Conference Venues: 800 meters

### **❖ Hotel NH Groningen**

Hanzeplein 132, 9713 GW Groningen

+31 50 584 8181

Link: https://www.nh-hotels.nl/event/rug-blockchain (use this link for discount

rate)

Distance to Conference Venues: 700 – 800 meters

### Hotel Schimmelpenninckhuys

Enjoy your 10% discount, by using this code: RUGBLOCKCHAIN

Oosterstraat 53, 9711 NR Groningen

**+31 50 318 9502** 

Link: www.schimmelpenninckhuys.nl

Distance to Conference Venues: 1200 meters

### **Budget options:**

### The Student Hotel

Boterdiep 9, 9712 LH Groningen

**\( +31 50 206 9161** 

Link: https://www.thestudenthotel.com/groningen/ Distance to Conference Venues: 350 – 400 meters

### ❖ Martini Hotel

Gedempte Zuiderdiep 8, 9711 HG Groningen

\$\frac{1}{2} +31 50 312 9919

Link: https://www.martinihotel.nl/en/

Distance to Conference Venues: 1200 meters

# **Tourist Information Office Groningen**

Groningen is also a popular touristic destination and if you stay for the weekend, you might notice that the city is visited by both national and foreign tourists. The Groningen Tourist Information Office is located in the city center (opposite the Martini tower). We recommend a visit to one of our museums (*e.g.*, the Groninger Museum), walking through the city center, climbing the Martini tower, and enjoying a meal or a drink at one of our local restaurants and cafes.



Martini tower (left) and Groningen Tourist information Office (mosaic printed building)

# **Organization Team**

#### Prof. dr. Sofia Ranchordás

- Professor of European and Comparative Public Law
- o Research Interests: P2P-Networks, Smart Cities, Administrative Law

### Rianne Herregodts

- Lecturer Constitutional Law
- Research interests: Fundamental Rights, Legal Profession

#### ❖ Trix Mulder

- PhD Candidate and Lecturer
- Research Interests: Privacy, Health Data

#### Dr. Michiel Duchateau

- Assistant Professor Constitutional Law
- Research Interests: Europeanization of Constitutional Law, Sovereignty

### Valery Gantchev

- PhD Candidate
- Research interests: Social Security Law, Law and Technology

#### Dr. Oskar Gstrein

- Post-Doc University of Groningen, Campus Fryslân, Data Research Center
- Research Interests: Privacy, Cybersecurity, Digital Identity

#### Paulien de Winter

- Researcher and Lecturer
- Research Interests: Socio-legal Studies, Public Trust

### Nynke Kleinenberg-Scheurer

- Secretary Groningen Centre for Law and Governance
- Contact person for the Netherlands Institute for Law and Governance (NILG)

### ❖ Marc Wever

- PhD Candidate and Lecturer
- Research Interests: Administrative Law, Dispute Resolution

#### Junior organizers:

María Ángeles Sánchez Medina; Alexander Schuster; Kyrill Ryabtsev; Madalina Nicolai

# **Invited Speakers**



**Balázs Bodó** Associate Professor, University of Amsterdam



**Christoph Busch**Professor, University of Osnabrück



**Bart Jan van Ettekoven**President of the Judicial Division of the Dutch Council of State



Primavera De Filippi
Researcher, National Center for Scientific Research, Paris
Faculty Associate, Berkman Klein Center, Harvard University



Michele Finck
Senior Researcher, Max Planck Institute
Lecturer, University of Oxford



Sandra van Heukelom-Verhage Lawyer and Partner, Pels Rijcken



Florian Martin-Bariteau
Assistant Professor, Faculty of Law, Common Law Section
Director, Centre for Law, Technology and Society, University of
Ottawa



**Jeroen Naves** Senior Lawyer, Pels Rijcken



**Liav Orgad**Researcher, WZB Berlin and European University Institute
Associate Professor, Interdisciplinary Center Herzliya



**Karen Yeung**Professor, University of Birmingham, School of Law and School of Computer Science



**Dirk Zetzsche**Professor, Faculty of Law, Economy and Finance, University of Luxembourg

# Registration

Ensure your participation at the "Blockchain, Public Trust, Law and Governance" conference by registering via this link:

https://blockchain.avayo.nl/orders/new?event\_id=72337

Please note that at the moment there is a limited number of tickets.

Category	<b>Registration Fee</b>	Tickets still available
Regular	€ 175	20
Members of the Netherlands		
Institute for Law and	€ 75	40
Governance (NILG)		
PhD students	€ 50	10
Conference speakers	€ 50	N/A
Government / Startups	€ 125	15
Academics	€ 100	15

N.B: The indicated number of available tickets has not been updated as of November 7 and it is subject to daily changes.

## **Social Media**

Find us on our social media platforms and Tweet during the conference:



@BlockchainDOT18 [Blockchain Conference Groningen]

## **Our Partners**

Netherlands Institute for Law and Governance





/ university of groningen

campus fryslân









KONINKLIJKE NEDERLANDSE AKADEMIE VAN WETENSCHAPPEN

# **Overview**

<u>(</u>	DAY 1 – Thursday, 29 <sup>th</sup> November		
8.30 – 9.45	Registration and Welcome Remarks		
9.45 – 11.00	Plenary Session I: Understanding Blockchain: An Introduction		
11.00 – 11.15			
11.15 – 12.45	Parallel Session I		
	Panel 1: The Regulation of Cryptocurrencies		
	Panel 2: Blockchain as a New Legal Order		
	Panel 3: Blockchain, IP, and Health Care		
	Lunch		
13.30 – 15.00	Parallel Session II		
	Panel 4: Public Trust and Anti-Money Laundering		
	Panel 5: Accountability and Transparency in a Decentralized World		
15.00 – 15.30	Panel 6: Smart Contracts  Coffee Break		
15.30 – 17.00			
13.30 – 17.00	Plenary Session II: Blockchain, Citizenship and Social Changes		
17.30 – 19.00	Drinks		
19.00 – 22.00	Dinner for Speakers and NILG guests [by invitation only]		
<b>©</b>	DAY 2 – Friday, 30 <sup>th</sup> November		
9.00 – 10.30	Parallel Session III		
	Panel 7: Blockchain and Privacy		
	Panel 8: The Governance of Blockchain and State Actors		
	Panel 9: Digital Identity Systems		
	Coffee Break		
10.45 – 12.15	Parallel Session IV		
	Panel 10: Ownership, Real Estate and Land Registration with Blockchain		
10.15 10.00	Panel 11: Public Trust and Public Law		
12.15 – 13.00 13.00 – 14.15	Lunch  Parallal Sassian V		
13.00 - 14.15	Parallel Session V		
	Panel 12: Paradigm Shifts in Financial Regulation Panel 13: Internal Discussion: Public Trust and Public Law		
14.15 – 15.45	Closing Plenary Session and Closing Remarks		
17.10 10.70	Closing Keynotes		

Would you like to become our partner? Please send an email to blockchain@rug.nl for further information.

# Day 1 (Thursday, 29th November 2018)

 $\bigcirc$  8.30 - 9.30



P DOT, 2<sup>nd</sup> Floor

 $\bigcirc$  9.30 - 9.45

Welcome remarks by Jan de Jeu, Vice-President of University of Groningen and Jan Berend Wezeman, Dean of the Faculty of Law

DOT, Plenary Room

© 9.45 – 11.00

## Plenary Session I: Understanding Blockchain: An Introduction

DOT, Plenary Room

Chair: Sofia Ranchordás, University of Groningen

- Sandra van Heukelom, Pels Rijcken
- Jeroen Naves, Pels Rijcken
- Christoph Busch, University of Osnabrück

O 11.00 - 11.15

Coffee Break

P DOT Lounge

O 11.15 – 12.45

### Parallel Session I

### Panel 1: The Regulation of Cryptocurrencies

DOT, Plenary Room

Chair and Discussant: Marnix Wallinga, University of Groningen

- Blockchain and Payment Systems: A Tale about the Shortage of Trust By Agnieszka Janczuk-Gorywoda, Utrecht University
- Ignorance, Debt and Cryptocurrencies
   By Hossein Nabilou, University of Luxembourg;
   André Prüm, University of Luxembourg
- ICOs: Crypto Extravaganza or a Paradigm Shift in Startup Financing?
   By Ivona Skultetyova, Tilburg University
- Cryptocurrencies and Governance Issues: Towards the Corporativist Evolution of a Libertarian Dream?

  By Alain Zamaria, Max-Planck Institute, Luxembourg

### Panel 2: Blockchain as a New Legal Order

P DOT Lounge

Chair: **Heinrich Winter**, University of Groningen Discussant: **Kai Purnhagen**, Wageningen University

- The Blockchain and Its Platforms: A New Legal Order?
   By Catalina Goanta, University of Maastricht and St. Gallen;
   Marieke Hopman, University of Maastricht
- Legal and Regulatory Challenges of DLTs and Blockchain By Noah Vardi, University of Roma Tre;
   Margherita Colangelo, University of Roma Tre
- Misuse of Blockchain Terminology: A Study of Dapps
   By Charlotte Ducuing, KU Leuven
- Blockchain Governance and Choice Architecture
   By Elif Kiesow Cortez, The Hague University of Applied Sciences;
   Desmond Johnson, The Hague University of Applied Sciences

#### Panel 3: IP and Health Care

UMCG, Room 9

Chair and Discussant: **Trix Mulder**, University of Groningen

 Blockchains for Global Access, Use and Benefit Sharing of Genetic Resources and DNA Sequence: Challenges and Expectations

By Federica Fusi, Arizona State University; Heyjie Jung, Arizona State University; Eric Welch, Arizona State University; Selim Louafi, CIRAD, Montpellier; Daniele Manzella, UNFAO

 Blockchain Technology for IP Management & Governance: Exploring its Potential to Restore Trust and Resilience in the Plant and Biomedical Sectors By Christine Frison, University of Antwerp; Esther van Zimmeren, University of Antwerp; Thomas Gils, DLA Piper

 Adoption of Blockchain within the UMCG: Pilots for Scientific Research and Patient Care
 By Bas Bolmer, UMCG

The Promised Law for the Copyright Industry or the "Dark Side of the Moon".
 Shifting from Intellectual Property Regime into Digital Contracts
 By Shlomit Yanisky-Ravid, ONO Academic Law School

© 12.45 – 13.30 **Lunch** DOT Lounge O 13.30 – 15.00

### Parallel Session II

### Panel 4: Accountability and Transparency in a Decentralized World

DOT, Plenary Room

Chair: Annalies Outhuijse, University of Groningen Discussant: Solke Munneke, University of Groningen

- Blockchain, Accountability and Liability: The Role of Public Actors and Fundamental Rights in a Decentralised Private World
   By Giovanni De Gregorio, University of Milano-Bicocca
- Is Blockchain the Death of Antitrust Law?
   By Thibault Schrepel, Utrecht University
- Blockchain in Education: Creating Digital Trust
   By Hennie Bulstra, Education Executive Agency of the Dutch Ministry of Education, Culture and Science (DUO)
   Johann Schreurs, Education Executive Agency of the Dutch Ministry of Education, Culture and Science (DUO)
- DutchChain Hackathons (title subject to change)
   By Stefan Kunst, DutchChain

### Panel 5: Public Trust and Anti-Money Laundering

DOT Lounge

Chair: Richard Neerhof, Vrije University Amsterdam
Discussant: Sofia Ranchordás, University of Groningen

- Blockchain Applications and Institutional Trust
   By Joris Hulstijn, Tilburg School of Economics and Management
   Martin Smits, Tilburg School of Economics and Management
- Leveraging Blockchain to Improve Anti-Money Laundering Regulations: Increasing Safety or Creating the Dystopia of a Privateless World of Surveillance?

By Asim Jusic, Kuwait International Law School

• Virtual Currencies and Money-Laundering
By Carolin Kaiser, Dutch Data Protection Authority

#### **Panel 6: Smart Contracts**

UMCG Room 10

Chair and Discussant: **Evert Neppelenbroek**, University of Groningen

 Creating Markets with Smart Contracts By **Helen Eenmaa-Dimitrieva**, Tartu University; Maria Jose Schmidt-Kessen, European University Institute

• Blockchain and Smart Contracts: The Missing Link in Copyright Licensing? By **Balázs Bodó**. University of Amsterdam: **Daniel Gervais**, University of Amsterdam; João Pedro Quintais, University of Amsterdam

**Smart Contracts in the Legal Profession** By Florian Martin-Bariteau, University of Ottawa

O 15.00 – 15.30

Coffee Break

DOT Lounge

O 15.30 – 17.00

Plenary Session II: Blockchain, Citizenship and Social Changes

DOT Plenary room

Chair: Viola Bex-Reimert, University of Groningen

Discussant: Gohar Karapetian, University of Groningen

• Decentralization, Objectification and the Social Organization of Distrust: Exploring the Logics of Power and Governance through (Blockchain) technology

By Balázs Bodó, University of Amsterdam

 Citizen Gamification By Liav Orgad, European University Institute, WZB and IDC

 Blockchain and the Law: The Rule of Code By **Primavera de Filippi**, CNRS & Berkman Klein Center O 17.30 – 19.00



# Drinks at the Provinciehuis [Province Hall]

Provinciehuis, Sint Jansstraat 4, 9712 JN Groningen

Distance from Conference Venues: 900 meters (10-12 minutes walking distance)

O 19.00 - 22.00



[By invitation only: for speakers and invited guests of the Netherlands Institute for Law and Governance]

# Day 2 (Friday, 30<sup>th</sup> November 2018)

9.00 – 10.30

Parallel Session III

### Panel 7: Blockchain and Privacy

DOT, Plenary Room

Chair: Trix Mulder, University of Groningen

Discussant: Jeanne Mifsud Bonnici, University of Groningen

- Blockchains and the General Data Protection Regulation
   By Michele Finck, Max Planck Institute, Munich and Oxford University
- Blockchain and the Right to be Forgotten in EU Data Protection Law
   By Martinho Lucas Pires, Nova Law School and University of Lisbon
- "Grey Blockchains," Humanity and True Progress: Privacy Considerations on Distributed Ledger Technology and Use in Public Administration
   By Oskar J. Gstrein, University of Groningen
- Decentralization Meets Centralization: Blockchain and the GDPR By Quirin Weinzierl, Yale Law School, Information Society Project and German University of Administrative Sciences Speyer

### Panel 8: The Governance of Blockchain and State Actors

UMCG Room 10

Chair: Kars de Graaf, University of Groningen
Discussant: Victoria Daskalova, Twente University

- Blockchain and Public Law: the Ultimate Challenge to Sovereignty By Riccardo de Caria, University of Turin
- Blockchain, Courts and Dispute Resolution: the Sunset of the State's Monopoly over the Use of Force?
   By Pietro Ortolani, Radboud University Nijmegen
- Blockchain and Distributed Ledger Technology in the Public Sector: Policy Challenges and Opportunities
   By Immaculate Motsi-Omoijiade, University of Warwick
- Blockchain and Public Procurement
   By Raquel Carvalho, Catholic University, Law School, Porto



DOT Lounge

(10.45 – 12.15) Parallel Session IV

### Panel 9: Digital Identity Systems

UMCG: Room 10

Chair: Valery Gantchev, University of Groningen

Discussant: Liav Orgad, EUI

• Economic Incentives and Self Sovereign Identity Systems
By Georgy Ishmaev, TU Delft

 Self Sovereign Identity Systems and Citizenship By Dimitry Kochenov, University of Groningen;
 Oskar Gstrein, University of Groningen

• Primer on Digital Identity: Universal Identity and the Blockchain By Andrej Zwitter, University of Groningen, Campus Fryslân

Panel 10: Ownership, Real Estate and Land Registration with Blockchain

UMCG, Room 4

Chair & Discussant: Leon Verstappen, University of Groningen

A Practical Approach to Using Blockchain in Real Estate
By Bert Beentjes, Kadaster (Dutch Land Registration Office);
Jacques Vos, Kadaster (Dutch Land Registration Office)

 Hardcoded Historical Entitlement? Embedded Values and the Concept of Ownership in the Blockchain Technology
 By Mattis Jacobs, University of Hamburg

• Use and Limitations of the Blockchain Technology in European Real Estate Conveyancing

By **Gemma Caballe-Fabra**, Rovira I Virgili University, Tarragona; **Rosa M. Garcia-Teruel**, Rovira I Virgili University, Tarragona; **Sergio Nasarre-Aznar**, Rovira I Virgili University, Tarragona

 Ownership Transparency Matters: The Case for Crypto Equity from a Corporate Governance and Economic Perspective
 By Patrick Kratzenstein, Columbia Law School/University of Graz

#### Panel 11: Public Trust and Public Law

DOT Lounge

Chair: Frank van Ommeren, VU University of Amsterdam Discussant: Christine Frison, University of Antwerp

• Treading the Thin Line Between Trust and Distrust: Case Notes from the Domain of Social Welfare

By **Albertjan Tollenaar**, University of Groningen **Marc Hertogh**, University of Groningen

- A Users' Perspective on Earthquake Damage Compensation Procedures
  By Bert Marseille, University of Groningen
- Do Mayors Use the Right Weapon in the 'War on Drugs'?
   By Michelle Bruijn, University of Groningen

⑤ 12.15 – 13.00※ LunchDOT Lounge

(a) 13.00 – 14.15 Parallel Session V

### Panel 12: Paradigm Shifts in Financial Regulation

DOT, Plenary Room

Chair: Edward Kleemans, VU Amsterdam

- ICOs in Belgium: Down the Rabbit Hole into Legal No Man's Land?
   By Karl Pauwels, University of Antwerp;
   Alexander Snyers, University of Antwerp
- The Regulation of Cryptocurrencies Between a Currency and a Financial Product

By **Hadar Y. Jabotinsky**, Hebrew University of Jerusalem Law School

- Regulation of Cryptoexchanges: Direct Oversight, Self-Governance or Collaboration?
   By Vlad Burilov, Tilburg University
- After Bitcoin: Central Bank-Linked Crypto Currencies
   By Dirk Zetzsche, University of Luxembourg

### Panel 13: Internal Discussion: Public Trust and Public Law

TOOT Lounge

As a part of this conference, the Groningen research group Public Trust and Public Law will hold its annual meeting, during which (both Dutch and English) work in progress of several researchers will be discussed. All the other sessions will take place in English.

In principle, this is thought of as a 'internal' session. However, if you are interested in our informal discussions, you are welcome to join us.

## ¶ Speakers

- Annalies Outhuijse, University of Groningen
- Marina Fortuna, University of Groningen
- Nina Mileva, Utrecht University
- Astrid Voorwinden, University of Groningen

O 14.15 – 15.45

## **Closing Plenary Session and Closing Remarks**

DOT, Plenary Room

Chair: Marc Hertogh, University of Groningen

Discussant and Concluding Remarks: Rianne Herregodts, University of Groningen

### **Closing Keynotes**

¶ Speakers

- Karen Yeung, University of Birmingham
- Bart-Jan van Ettekoven, President of the Judicial Division of the Dutch Council of State