

Autoriteit Persoonsgegevens  
Postbus 93374  
2509 AL Den Haag

Also per e-mail: [info@autoriteitpersoonsgegevens.nl](mailto:info@autoriteitpersoonsgegevens.nl)

Draft: January 29<sup>th</sup>, 2021  
Our ref.: SOMI / TIKTOK  
Your ref.: -

Dear Sir or Madam,

On behalf of Stichting Onderzoek Marktinformatie (translated to the 'Foundation for Market Information Research', hereinafter: 'SOMI'), we hereby submit the following complaint letter regarding TikTok Ltd. and TikTok information Technologies UK Ltd. (hereinafter collectively referred to as: 'TIKTOK'). The complaint relates to several violations of the General Data Protection Regulation (hereinafter: 'GDPR').

### SOMI

1. SOMI is a knowledge center, think tank and consumer representative foundation that focuses on data security and privacy protection for all European citizens.

2. So far, over 10,000 participants have registered with SOMI to be informed about their digital rights and have their interests represented. They have authorized SOMI to act against the violation of their privacy rights by TikTok and to exercise the rights granted to them by the GDPR and other European laws.

### TIKTOK

3. TikTok is a popular yet controversial video-sharing social network, owned by ByteDance Ltd. It is mainly aimed at its users uploading short videos of themselves, showing events, dances, performing various challenges etc.

4. Below, SOMI will describe multiple violations of the GDPR by TikTok and the risks associated with such violations.

### Use by children

5. The official age limit of TikTok users is 13. The network has no instruments to verify the age of its users. This results in many young children under the age of 13 using TikTok. The app is even primarily aimed at children and TikTok is aware that many children are using their app, but it fails to take appropriate measures to verify the age of its users.<sup>1</sup>

<sup>1</sup> <https://www.nytimes.com/2020/08/14/technology/tiktok-underage-users-ftc.html>

A