

Spotlight on Regulatory Cross Border: European Commission Bans TikTok From Official Devices

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On February 23, 2023, the European Commission's Corporate Management Board announced that it has suspended the use of the TikTok application on its corporate devices and on personal devices enrolled in the European Commission mobile device service.

Protection Against Cybersecurity Threats and Actions

The suspension by the European Commission – one of the bodies overseeing lawmaking in the European Union – would concern approximately 32,000 European Commission staff. This suspension is an internal corporate decision that is strictly limited to the use of devices enrolled in its mobile service.

According to the European Commission, this measure aims to protect the institution against cybersecurity threats and actions which may be exploited for cyber-attacks against the corporate environment of the European Commission. The security developments of other social media platforms will also be kept under constant review.

The measure is in line with the European Commission's strict internal cybersecurity policies for use of mobile devices for work-related communications. It complements long-standing European Commission advice to staff to apply best practices when using social media platforms and keep high-level of cyber awareness in their daily work.

European Commission staff is reportedly required to uninstall the TikTok application "at their earliest convenience" and before March 15. "As of 15 March, devices with the application installed will be considered non-compliant with the corporate environment."

Ban in Other Jurisdictions

In December 2022, the U.S. Congress already banned TikTok on all devices owned by the federal government due to national security concerns. The ban prohibits the use of TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited by the federal government's employees on devices owned by its agencies, with limited exceptions for law enforcement, national security, and security research purposes.

Other countries including the Netherlands are assessing whether to implement restrictions on government employees using TikTok.

What Clients Should Think About

In light of the above, private and public companies should assess whether allowing employees to have TikTok on their professional devices does not compromise any data privacy laws and is in fact a necessary tool to advance business needs.

If you have additional questions or need further assistance, please reach out to Sara Susnjar (Partner, Corporate), or your Winston & Strawn relationship attorney.

Law Clerk Laurine Petit also contributed to this blog post.

[Learn about the U.S. Federal Government's ban of TikTok on information technology \(IT\) equipment used by government contractors and contractor personnel.](#)

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Author

[Sara Susnjar](#)

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