

## I. CHILDREN SAFETY

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

#### **Background**

- Harmful and illegal content, conduct, contacts and consumer risks are frequently present for children online. Digital services, from social media to interactive games, can expose children to risks such as unsuitable content, bullying, grooming, child sexual abuse or radicalisation.
- In response to the Commission's consultation on Better Internet for Kids, the list of concerns identified by children themselves included seeing harmful content, which can glorify and promote self-harm, suicide, violence, hate speech, sexual harassment, drug taking, risky online challenges, eating disorders and dangerous dieting practices.
- The aim of the DSA is to address such risks by obliging online platforms to design their services with protection of minors in mind and to also conduct an in-depth risk assessment on how design and functioning of their services may impact minors as well as take necessary mitigating measures.

### **III. SPREADING OF RUSSIAN DISINFORMATION**

#### **Speaking Points**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

on TikTok and the extent to which they are implemented is currently not clear<sup>3</sup>.

#### IV. TRANSFER OR ACCESS OF PERSONAL AND/OR SENSITIVE DATA BY THE HEADQUARTER IN CHINA

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>1</sup> <https://www.npr.org/2022/11/17/1137155540/fbi-tiktok-national-security-concerns-china>

<sup>2</sup> <https://www.aspi.org.au/report/tiktok-wechat>; <https://theintercept.com/2020/03/16/tiktok-app-moderators-users-discrimination/>;  
<https://www.theguardian.com/technology/2019/sep/25/revealed-how-tiktok-censors-videos-that-do-not-please-beijing>

<sup>3</sup> <https://citizenlab.ca/2021/03/tiktok-and-douyin-explained/>

[REDACTED]

[REDACTED]

[REDACTED]

#### Background

- TikTok's parent company ByteDance was reported to access the data of two journalists and other users in an attempt to track down company leaks.
- [REDACTED]
- TikTok's European head of privacy Elaine Fox in November admitted that Europeans' data is accessed by employees in China. European TikTok users' information is, she said, stored in the U.S. and Singapore.

#### **V. BREACHES OF COPYRIGHT (PLATFORM NOT DESIGNED SO TO PREVENT THIS)**

[REDACTED]

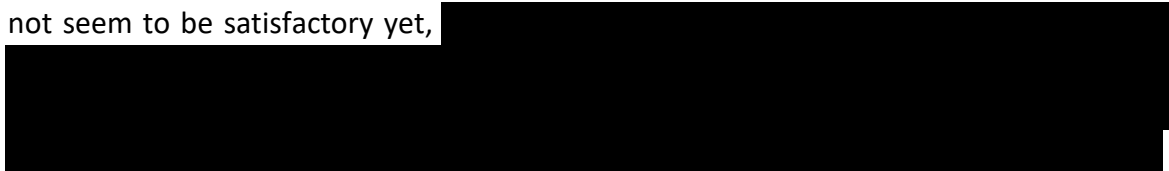
#### Speaking Points

- The European Union has adopted a special copyright liability regime for online platforms that use large amounts of copyright protected work uploaded by users. This requires primarily that platforms take licences to remunerate copyright rightholders from all creative sectors; or to prevent the availability of such protected works through technological measures in the exceptional cases where licences cannot be concluded.

- Article 17 of the DSM Directive has been implemented in almost all MS by now. These national laws require that platforms conclude the necessary licences with all rightholders whose work is widely used on the platform instead of cherry-picking some sector or group of rightholders.

### **Background**

- *TikTok* is subject to the new copyright rules set out in Article 17 of the Copyright in DSM Directive 2019/790 ('DSM Directive'). As a consequence, they are in principle required to conclude licences to remunerate copyright holders for the use of their content in the platform and, if this is not possible, apply technological measures preventing unauthorised content from going online.
- As a result of the national implementation of the DSM Directive, major platforms like YouTube and Meta started to conclude licences with rightholders in Member States.
- We understand that TikTok has also been concluding, at least in some cases, licences with rightholders notably in the music sector. Yet the situation concerning this platform does not seem to be satisfactory yet,



## **VI. HIDDEN ADVERTISING / INFLUENCERS NOT DISCLOSING THAT THEY ARE PAID TO SPREAD SOME MESSAGES (INCLUDING IN RELATION TO POLITICAL ADVERTISING, SEE BBC INVESTIGATION; HERE COULD BE ALSO AN ISSUE OF COMPLIANCE WITH THE AVMSD)**

### **Speaking Points**

- As part of the compliance with our existing rules, such as Audio-visual Media Services Directive and Digital Services Act, I also expect that online platforms such as TikTok identify very clearly any paid content shown to the users.
- Any hidden advertising, in particular by influencers that have large user base, should not go un-noticed.
- It is therefore essential that any paid content is clearly identified and that it is clear who paid for this content, in particular when one showing it is not one paying for it.

- I therefore expect that this is yet another issue that features very prominently in the forthcoming risk assessment that TikTok will be expected to present to us four months after its designation as very large online platforms.

#### Background

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

#### **VII. PREPARATION FOR DMA COMPLIANCE**

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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<sup>4</sup> <https://apnews.com/article/china-tiktok-facebook-influencers-propaganda-81388bca676c560e02a1b493ea9d6760>; <https://www.theguardian.com/world/2022/jan/22/china-hires-western-tiktokers-to-polish-its-image-during-2022-winter-olympics>; <https://miburo.substack.com/p/csm-influencer-ops-1>

1

[REDACTED]