Under EU data protection rules, companies that transfer personal data to third countries have to comply with the requirements for international transfers of the General Data Protection Regulation\(^1\) (GDPR, see its Chapter V), for example by putting in place a transfer instrument (such as a contract) that provides for appropriate data protection safeguards and enforceable rights for individuals (Article 46 GDPR). The monitoring and enforcement of compliance with EU data protection rules by companies falls in principle within the competence of Member States, in particular their data protection authorities (DPAs) and courts. The data practices of TikTok, including as regards international data transfers, are the object of several ongoing proceedings. This includes an investigation by the Irish DPA about TikTok’s compliance with several GDPR requirements, including as regards data transfers to China and the processing of data of minors\(^2\), and litigation before the Dutch courts (in particular concerning targeted advertising regarding minors and data transfers to China).
