



TikTok forms agreement with Italian regulators on new child safety features

Italian Data Protection Authority-led investigations have forced TikTok to improve child safeguarding practices.

Regulator: The Italian Data Protection Authority (DPA)

RISK BAROMETER:



JURISDICTION RELEVANCE:

Italy

TIMELINE:

March 2020 -
February 2021

WHAT YOU SHOULD KNOW:

- Over the course of 2020, the interest of the Italian DPA in TikTok gathered momentum, culminating in [enforcement proceedings for “endangering children’s privacy.”](#)
- In January 2021, following the accidental death of a young girl taking part in a TikTok “challenge”, the [Italian SA imposed an “immediate limitation on the data processing performed by TikTok for users whose age cannot be established with certainty.”](#)
- [As of February 2021, TikTok reached an agreement with the Italian DPA to:](#)
 - » Request all Italian users re-enter their date of birth to re-verify their age and remove accounts of those aged 13 and under.
 - » Implement AI systems for age verification and identification of users aged 13 and under.¹
 - » Deliver an information campaign with links to information on security tools and how to change settings from ‘public’ to ‘private.’
 - » Improve the wording of the ‘short privacy notice’ for users under 18 to improve its comprehensibility.

- In parallel, the Italian DPA is launching its own campaign to raise awareness on safeguarding children online. The campaign calls upon parents to “actively supervise and pay special attention” when children are entering their age to access TikTok.

MOST TELLING:

“In order to identify users below 13 years with reasonable certainty following this initial check, [TikTok is] to further consider the deployment of AI-based systems.” – Italian DPA

DELANY & CO HOT TAKE:

The decision is part of a global trend towards privacy by-design in the interests of children. Although this case concerns a social media platform, there are points of interest for privacy practitioners in mobile games – principally, that after extensive consideration, the Italian regulator considers self-declaration, albeit reinforced by other measures, the viable route to age-gating for a form of online content that arguably poses a unique level of risk to younger users.