

[NL] Dutch government moves to ban apps "from countries with an offensive cyber programme against the Netherlands" on government mobile devices

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On 21 March 2023, the Dutch Minister for Digitalisation (*Staatssecretaris Koninkrijksrelaties en Digitalisering*) announced two important policy measures regarding the use of apps carrying a heightened risk of espionage on government mobile devices. The new policy is based on the results of an investigation performed by the General Intelligence and Security Service (*Algemene Inlichtingen- en Veiligheidsdienst*, AIVD) in response to international developments and parliamentary questions submitted in February 2023 (IRIS 2023-4). In particular, on 20 February 2023, the European Commission and the EU Council banned the use of TikTok from staff phones.

In an official statement, the Minister strongly and immediately discouraged central government staff to have installed and use apps on their work phones that "originate from countries with an offensive cyber programme against the Netherlands and/or Dutch interests", including, but not limited to, Russia, China, Iran and North-Korea. She also affirmed that the central government is working towards a situation of so-called "managed devices" where mobile devices are set up in such a way "that only pre-authorised apps, software and/or functionalities can be installed and used" and apps from countries with an offensive cyber programme against the Netherlands will be denied.

With these measures, the Dutch government goes beyond banning just TikTok - which had prompted the AIVD's investigation in the first place - and opts for "a structural solution that government officials can trust in their work in a digital world". As regards to TikTok specifically, the Minister referred to the still-ongoing inquiry, led by the Irish data protection authority, into the company's data processing activities, which focuses on personal data transfers to third countries, including China, and on TikTok's compliance with the requirements laid down in the General Data Protection Regulation (GDPR) in this respect. The results of the inquiry are expected shortly.

Letter from the Minister for Digitalisation, 21 March 2023, Parliamentary Paper 26643, No. 984

Answer to questions submitted by Member of Parliament Dekker-Abdulaziz about TikTok, 21 March 2023, No. 1939

Dutch central government (news), 'Government discourages use of espionage-sensitive apps for central government staff', 21 March 2023

