



Berlin Commissioner
for Data Protection
and Freedom of Information

PRESS RELEASE

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Berlin Commissioner for Data Protection notifies Apple and Google in Germany of AI app DeepSeek as illegal content

The Berlin Commissioner for Data Protection and Freedom of Information has notified Google and Apple in Germany of the AI app DeepSeek as illegal content. The companies must now review the notice promptly and decide whether to block the app in Germany. The reason for this is the unlawful transfer of personal data from users of the app to China.

Hangzhou DeepSeek Artificial Intelligence Co., Ltd., based in Beijing, China, operates the DeepSeek service, an AI-powered multifunctional chatbot. The company has no establishment in the European Union (EU). The service is offered to users in Germany via apps in the Google Play Store and the Apple App Store with a German-language description and can be used in German. As such, the service is subject to the provisions of the European General Data Protection Regulation (GDPR).

According to its own website, the service processes extensive personal data of users, including all text entries, chat histories, and uploaded files, as well as information about location, devices used, and networks. The service transfers the personal data collected from users to Chinese data processors and stores it on servers in China.

The GDPR requires that the high level of data protection in the European Union is also maintained when personal data is transferred to other countries. This requires either an adequacy decision by the EU or additional protective measures, known as appropriate safeguards. The EU has not issued an adequacy decision for China.

Meike Kamp, Berlin Commissioner for Data Protection and Freedom of Information: “The transfer of user data by DeepSeek to China is unlawful. DeepSeek has not been able to provide my office with convincing evidence that data of German users is protected in China at a level equivalent to that of

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the European Union. Chinese authorities have extensive access rights to personal data held by Chinese companies. In addition, DeepSeek users in China do not have enforceable rights and effective legal remedies as guaranteed in the European Union. I have therefore informed Google and Apple, as operators of the largest app platforms, of the violations and expect a prompt review of a blocking.”

Specifically, Hangzhou DeepSeek Artificial Intelligence Co., Ltd. violates Article 46(1) of the GDPR with its DeepSeek service. The Berlin Data Protection Commissioner had therefore requested the company on 6 May 2025 to remove its apps from the app stores for Germany on its own initiative, to stop the illegal transfer of personal data to China, or to fulfil the legal requirements for lawful third-country transfers. As the company has not complied, the Berlin Data Protection Commissioner has made use of the right under Article 16 of the Digital Services Act (DSA) to report illegal content on platforms to the respective providers. A corresponding notice was sent on 27 June 2025 to Apple Distribution International Ltd. as the operator of the Apple App Store and Google Ireland Ltd. as the operator of the Google Play Store. The two companies must now review the notice in a timely manner and decide on how to respond.

The measure was taken in close coordination with the German State Commissioners for Data Protection of Baden-Württemberg, Rhineland-Palatinate as well as the Free Hanseatic City of Bremen, and after informing the Digital Services Coordinator at the German Federal Network Agency, who is responsible for enforcing the DSA in Germany.