



30 September 2020

Committee Chair  
Select Committee on Foreign Interference through Social Media  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Committee Chair

## 1 Introduction

WeChat is grateful to the Senate Select Committee on foreign interference through social media for the opportunity to provide a written submission.

WeChat understands that social media applications are increasingly used by Australians as a source of news and a platform to express opinions on current affairs. While this has obvious societal benefits, we understand there are also concerns that foreign actors may attempt to influence public debate in the digital space in ways inconsistent with Australian law.

WeChat acknowledges these concerns and takes them seriously, and we would like to take this opportunity to outline WeChat's policies and responses dealing with:

- misinformation campaigns;
- coordinated influence campaigns;
- political advertising and elections; and
- the confidentiality of Australian user data.

WeChat has always been committed to complying with all applicable laws and regulations in the jurisdictions in which we operate.

## 2 Background

WeChat is at its core a communications platform. WeChat offers Australian users this core communications functionality — messaging as well as audio and video calls — along with the ability to share content with friends (known as “Moments”) and access to certain People's Republic of China (**PRC**)-based services as described below.

### *Ownership of WeChat*

WeChat is owned and operated by WeChat International Pte Ltd, an entity incorporated in Singapore (**WeChat International**). WeChat International is a wholly owned subsidiary of Tencent Holdings Limited (**Tencent**). Tencent is a global technology company incorporated in the Cayman Islands and listed on the Main Board of the Stock Exchange of Hong Kong.

Tencent is a publicly listed company with a broad shareholder base. Tencent does not have any material government shareholders. Tencent's largest shareholder is Naspers Limited (through intermediary companies) with a current ownership interest of approximately 31%. Naspers Limited is a South African technology company listed on the Johannesburg Stock Exchange. The second largest shareholder is Ma Huateng (through wholly-owned subsidiaries) with a current shareholding of approximately 8%. Ma founded Tencent and serves as Chairman and Chief Executive Officer. Please note that the ownership stakes listed above are subject to change given that Tencent is a listed company.



### *WeChat and Weixin*

WeChat and Weixin are often referred to synonymously. In reality WeChat and Weixin are better seen as interoperable “sister apps”, meaning that while each is based on a different server architecture and subject to different laws, WeChat users can chat and share with Weixin users (and vice versa). This was a conscious decision designed to serve different users while ensuring compliance with applicable laws across different jurisdictions.

How a user first registers an account determines whether they are a WeChat or Weixin user. For instance, users who register with a PRC mobile phone number will be a Weixin user, while users who register with an Australian mobile phone number will be a WeChat user.

WeChat is operated by WeChat International, and is designed for users outside of mainland China. WeChat is not governed by PRC law.

By contrast, Weixin is designed for users in the PRC, is operated by a PRC entity and is governed by PRC law. In addition to different governing laws, Weixin and WeChat make use of different server architectures. WeChat servers are all located outside of mainland China.

WeChat complies with applicable privacy laws and transparently discloses its collection and processing of users’ data in its Privacy Policy (which is GDPR compliant). WeChat also adheres to industry best practices such as data minimisation and the concepts of privacy by default and privacy by design (e.g. chats are not monitored and are stored on a user’s device rather than on our servers).

WeChat does allow users to access and use certain Weixin functions through the WeChat application. Where this occurs, the user is clearly informed that the access and use of these functions is subject to the relevant Weixin terms of service. This applies to Weixin functions such as Weixin Mini-programs (a feature enabling sub-applications within the Weixin and WeChat ecosystem) and Weixin Official Accounts). It does not apply to core functionality including messaging, audio/video calls and Moments.

### **3 Australia operations**

WeChat is a widely used application in Australia. As at 21 September 2020, WeChat has approximately 690,000 daily active users in Australia based on IP address and registered Australian mobile phone number.

WeChat provides a number of benefits to its Australian users – in particular through enabling affordable and convenient communications between users including users located overseas.

WeChat also helps Australian businesses that want to expand into international markets, allowing them to reach out to PRC tourists travelling in Australia as well as promoting their businesses to users in the PRC and beyond.

### **4 Dealing with deliberate misinformation and coordinated influence campaigns**

WeChat’s policy is to ensure that content and behaviour on its application is authentic and to remove false news, disinformation, misinformation, false advertising and security breaches. It does this by setting and enforcing acceptable use standards.

For instance, WeChat prohibits:

- spam content;
- accounts that coordinate, spread, distribute or participate in inauthentic behaviour. This includes in relation to false news, disinformation or misinformation in relation to a topic or individual.



- creation of fake accounts or accounts that misrepresent the identity of the user;
- content which breaches any applicable laws or regulations; and
- content which may constitute a genuine risk of harm or direct threat to public safety. For example, we prohibit the advertising and sale of COVID-19 home testing kits and have worked with relevant Australian authorities to enforce this in the past year.

We make available a number of complaint mechanisms for our users and government authorities. This includes the ability for complaints to be raised by users within the application.

To elaborate on the above, we have, in the past, met with and worked with the Department of Home Affairs and the Australian Electoral Commission in the context of the Australian Federal Election. We have also responded to correspondence from the Australian Government's Attorney-General's Department to offer to meet in person to discuss Australia's Foreign Influence Transparency Scheme.

Further, WeChat is committed to working with Australian regulators and authorities in respect of any complaint or request that may arise. As a demonstration of this commitment, WeChat will appoint a senior legal representative to be a contact point for engagements with Australian regulators and authorities such as the Australian Electoral Commission and law enforcement agencies.

Where behaviours against our prohibitions are identified, WeChat will take actions such as removing the relevant content, issuing a warning, suspending or terminating the account, or notifying appropriate governmental and/or law enforcement authorities in accordance with applicable laws.

## **5 Political advertising and state run media campaigns**

WeChat prohibits paid promotional content regarding:

- a candidate for an election; a political party; or any elected or appointed government official appealing for votes for an election;
- appeals for financial support for political purposes; and
- a law, regulation or judicial outcome, including changes to any such matter.

WeChat enforces this restriction through its usual advertising content review process before the advertisement is accepted and by the user report function which appears in the application to report undisclosed, miscategorized advertisements and any other inappropriate, offensive or inauthentic material.

We continue to review this area, and are willing to consider implementing country-specific or other restrictions or qualifications from time to time in respect of promotional political material.

## **6 Conclusion**

WeChat will continue to invest in processes and systems which identify and prevent information and coordinated influence campaigns.

WeChat is committed to working with the Australia Government on these issues. We would welcome any feedback or questions that members of the Select Committee might have and would be happy to provide a supplemental submission addressing any such questions.