TikTok, ByteDance, and their ties to the Chinese Communist Party

Submission to the Senate Select Committee on Foreign Interference through Social Media

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About this Submission

This submission is addressed to:

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The authors of this report* express thanks to the Australian Senate Select Committee on Foreign Interference through Social Media for the opportunity to make this submission.

Our submission is motivated by concerns that TikTok (and potentially other platforms subject to authoritarian political leverage) pose risks not only to the data privacy of individual users, but to social cohesion, democratic functioning, and the national security interests of democratic nations including Australia and its partners and allies.

The analysis in this report is anchored in open-source material, as can be examined in the hundreds of endnotes. Many of our references point to Chinese-language sources that have been overlooked by the public debate to date. Some of our most important sources have been excavated from digital archives after being taken offline by TikTok's parent company, ByteDance, or authorities in the People's Republic of China (PRC).

Our research confirms beyond any plausible doubt that TikTok is owned by ByteDance, ByteDance is a PRC company, and ByteDance is subject to all the influence, guidance and de facto control to which the Chinese Communist Party (CCP, the Party) now subjects all PRC technology companies. We show how the CCP and PRC state agencies (together, the Party-state) have extended their ties into ByteDance to the point that the company can no longer be accurately described as a private enterprise.

These findings draw on previously unexamined sources and contradict many of TikTok's public statements. The most significant findings, in our view, relate to how TikTok's capabilities may be integrated with what China's leader Xi Jinping describes as the Party's "external discourse mechanisms".

TikTok has recently generated attention among politicians and policymakers for its potential use as a data access and surveillance tool, leading to multiple national and state governments banning the app's use on government-issued devices.[1] Mostly missing, however, has been discussion of how TikTok provides Beijing with the latent capability to

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* Rachel Lee is a pseudonym as requested by the author and agreed by the Committee.

"weaponise" the platform by suppressing, amplifying and otherwise calibrating narratives in ways that micro-target political constituencies abroad.

TikTok undoubtably possesses the requisite capabilities, and a close examination of Chinese-language sources reveals the Chinese leadership's intent. Our research shows how ByteDance's 10-year development journey tracks with Xi Jinping's efforts to *"meticulously build an external discourse mechanism [and] utilise the role of emerging media"*, as Xi told a "Study Session" of China's top leaders in December 2013.[2]

In 2017, ByteDance launched TikTok and acquired the U.S. company Musical.ly. At the same time, Beijing launched a six-year regulatory campaign to build Party control systems inside ByteDance and accelerated the integration of senior corporate leaders into its "public opinion guidance" regime. Over this same period, Beijing has blocked the TikTok app inside China while enabling it to flourish outside China – to the point that it is now one of the most sophisticated and powerful social media platforms in the world.

In May 2021, Xi returned to another Politburo "Study Session" and instructed his colleagues to use the "external discourse mechanisms" that they had built in order to *"target different regions, different countries, and different groups of audiences"* with *"precise communication methods"* in order to *"make friends, unite and win the majority, and constantly expand our circle of friends who know China and are China-friendly."*[3]

Xi did not name TikTok in the official meeting readout, published by Xinhua. Subsequently, however, the People's Daily (Overseas Edition) elaborated on Xi's message in an article (republished by Xinhua) that called for China to *"allow short video platforms to become 'megaphones' for telling Chinese stories well and spreading Chinese voices well".*[4] The article mentioned TikTok specifically as the representative example of short video platforms.

In Washington, in the pre-TikTok era, Russian intelligence actors "interfered in the 2016 presidential election in sweeping and systematic fashion", according to the Mueller report.[5] They did this by waging "a social media campaign that favoured presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton", while seeking to "provoke and amplify political and social discord in the United States".[6]

Mueller found no evidence that Russia caused the election of Trump or that Trump had colluded with Russia. Nevertheless, Russia's interference fed perceptions that bitterly divided Americans and wounded the faith of many that the election had been free and fair.

In Canberra, the spectacle of Russian interference in the U.S. presidential election provided impetus to an Australian Government investigation into authoritarian interference in the Australian political system. According to media reports, the classified inter-agency report delivered in 2017 found that "the CCP's operations are aimed at all levels of government and designed to gain access and influence over policy making."[7]

According to the then-Prime Minister, Malcolm Turnbull, this analytical work "galvanised" the Australian Government to deliver a comprehensive counter foreign interference strategy, with bipartisan support.[8] It also generated conversations in other Five Eyes nations, catalysed Australia's strategic recalibration with respect to China,[9] and contributed to decisions such as blocking Huawei from 5G networks (2018), elevating the Quadrilateral Security Dialogue to leadership level (2021), and forging the three-nation AUKUS agreement to jointly develop emerging technologies and deliver nuclear-powered submarines to Australia (2021 and 2023).

In Ottawa, intelligence agencies reportedly found in 2017 that the CCP was interfering at "all levels of government".[10] In contrast with Australia, however, Canada's political leaders did not act, and the problem of CCP interference continued to grow.[11]

Last week, while battling allegations of turning a blind eye,[12] Prime Minister Justin Trudeau announced two probes into foreign interference and a special rapporteur who will have "a wide mandate to make expert recommendations on protecting and enhancing Canadians' faith in our democracy".[13] Whatever is revealed, the damage already caused to Canadian democracy is real.

In the absence of policy action, TikTok could be the next challenge to democracies' resilience against authoritarian interference. As ever, the challenge is to deal with the potential for foreign interference before 'elite capture' becomes 'state capture'.

It is possible that TikTok has already become so entrenched in some jurisdictions that politicians fear that banning TikTok might amount to political self-sabotage. As U.S. Secretary of Commerce Gina Raimondo told Bloomberg earlier this month: *"The politician in me thinks you're gonna literally lose every voter under 35, forever."*[14]

If the risks remain unaddressed, the integrity of future elections could be vulnerable to allegations from both analysts and opportunists that elections have been "rigged" by a condominium of politicians and China's super-app TikTok. Much of it might be overstated, but – in the absence of effective policy action – there will be enough truth to make the allegations stick, leaving the credibility of democratic processes in doubt.

Our purpose in submitting this report is not to prescribe legislative or administrative actions, but to contribute constructively to public conversations and regulatory deliberations by identifying relevant empirical source material and filling analytical gaps.

In recent years, Australia has been a pioneer among democratic countries in building a bipartisan foundation for analysing and building resilience against authoritarian foreign interference. We submit this work to the Australian Senate because we believe Australia could play a similarly constructive role again.

Disclaimer

Our report relies on a wide range of online and other publicly available sources on TikTok, ByteDance, their relationship to China's Party-state, and risks they may pose to data privacy, national security, and the integrity of democratic systems globally.

To our knowledge, many of the most significant Chinese-language sources cited in this report have been overlooked in the public debate surrounding these companies. We consider our analysis to be sound and factual, and present it in the good faith belief that it is, but we are not in a position to independently verify the accuracy of the information contained in any public records.

Executive Summary

1. **A Powerful Public Platform – Not Just Dance Videos:** TikTok's claims that it is about entertainment, not politics, are untenable. Last year, a third of adult users got their news from it, while one in six American teens say they are on the platform "almost constantly". The platform has significance far beyond playful short videos.

2. **The True Origin Story:** A formative experience absent from founder Zhang Yiming's official biographies is Beijing's 2009 decision to shut down a Twitter clone he founded, Fanfou. The lesson, as later told by a ByteDance censor: "*Failing to delete politically sensitive content . . . is a life-and-death matter*."

3. **Airbrushing the Parent:** The website of TikTok parent ByteDance today is bare bones, lacking detail about the company founder, corporate structure or partners. Excavating four years of archived snapshots reveals layers of disappearing information – including proof that TikTok is the wholly owned corporate child of ByteDance.

4. **TikTok's Chinese Twin:** While TikTok is a household name, its analogue in China, Douyin, is not. TikTok claims to be its own insulated entity, but our research indicates that TikTok and Douyin share personnel and technological resources, have parallel management structures, and permit data sharing with each other.

5. **Not a Private Entity:** If ByteDance was once a private enterprise controlled by its founder, then it is no longer. The company's status began to change in 2017, when it launched TikTok and acquired Musical.ly. The Chinese Communist Party commenced a program of co-option, infiltration, and legal and extra-legal coercion. In our view, ByteDance should now be understood as a "hybrid" state-private entity.

6. **The Chief Editor is also the Communist Party Boss:** ByteDance does not publicise that its editor-in-chief, Zhang Fuping (no relation to Zhang Yiming), is also its Communist Party Secretary. His guidance is clear: "*Transmit the correct political direction, public opinion guidance and value orientation into every business and product line.*"

7. **"Positive Energy" for China's Military Police:** Chief-Editor-and-Party-Secretary Zhang Fuping was pictured at a 2017 signing ceremony with the director of the Political Work Department of the People's Armed Police, the CCP's domestic paramilitary force. According to a 2019 announcement, Douyin would help to "*spread the positive energy of the People's Armed Police*".

8. **Military-Security-Propaganda Collaboration:** ByteDance says it *"does not produce, operate or disseminate any products or services related to surveillance"*. But we found Douyin, TikTok's analogue in China, directly aids Party propaganda and repression and its top leaders are 'double-hatted' in official propaganda organisations.

9. **Founder Stripped of His Shares?** Our review of Chinese-language sources indicates that ByteDance founder Zhang Yiming hasn't just relinquished his role as CEO, but has also given up all his shares in Douyin, after years of Party pressure. This recalls Jack Ma, who gave up his role at Alibaba before giving away his Ant Group shares.

10. **Two Key Risk Categories:** We assess six key threats, divided into two categories: data security concerns (privacy violations, data harvesting, espionage/surveillance) and political influence concerns (censorship, narrative control, political interference).

11. **Technical Evidence of Data Vulnerabilities:** Our preliminary technical analysis of the TikTok Android app identifies privacy and security risks stemming from sensitive user data vulnerable to Party-state requests for access.

12. **Intelligence Profiling:** There is significant risk the CCP could harness TikTok data to profile and target individuals around the world. Such activity could involve compromising material, device fingerprints, location-tracking or other data.

13. **Mass Narrative Control Power:** The biggest risks involve TikTok's unprecedented potential for shaping narratives and curating overseas political landscapes. ByteDance has a demonstrated capacity to develop automated content filters, calibrate content distribution, and adopt norms in service of Party propaganda.

14. **Xi's External Propaganda Intent:** TikTok's capabilities appear to neatly match Xi's edicts to build new media "external discourse mechanisms" and target differentiated foreign audiences with "precise communication methods".

15. **Propaganda and Election Misinformation:** Our original content analysis reveals higher proportions of pro-CCP content and political misinformation on TikTok than on some other platforms. There is evidence that Beijing's Party-state is interested in using social media to produce targeted propaganda for purposes including political interference.

16. **Political Interference:** The CCP's leverage over TikTok gives it vast potential to sway elections and undermine the will of open societies to compete against China's authoritarian model globally. Beijing could use these platforms' data on overseas public opinion to generate highly effective targeted disinformation, aided by AI.

17. **The "Project Texas" Gambit:** We show how TikTok's plan for "Project Texas" (the Oracle deal) fails to address the fundamental risks to data security posed by CCP infiltration of a parent company and China's national intelligence laws.

18. **The Meaning of Beijing's Overseas Veto:** The CCP signaled in 2020 that it would counter a U.S. attempt to force ByteDance to divest TikTok. Clearly Beijing wants to retain control over the app. So long as it does, TikTok poses risks to democracies.

1. Why TikTok Matters

This section sets out national security risks posed by TikTok to democratic nations, and the essential context for understanding those risks.

a. TikTok Is a News Platform: TikTok's claim that it is only an entertainment platform is untenable. Last year a third of adult users got their news from it, while one in six U.S. teens say they are on the platform "almost constantly".

b. Opacity and Obfuscation: TikTok is one of the world's most important media platforms and yet remarkably little is known about it – thanks in part to parent company ByteDance's efforts to airbrush basic information about the company's founder, corporate structure, partners, and activities.

c. Narrative Control: Concerns about Beijing using TikTok for data harvesting and surveillance are well-founded. In our view, however, bigger risks involve TikTok's unique potential for shaping global narratives and curating a CCP-friendly political landscape.

1.1. The Rise of TikTok, the App that "Gazes Back"

It is news to no one that TikTok – as an app and a business – has exploded since its inception. The scale of the platform's deep insights into users' tastes and preferences has revolutionised the way societies (and young people in particular) access information. It has ushered in what could be described as the latest epochal shift in broadcast media. As TikTok proclaimed, *"relevance is the new reach"*.[15]

With this shift, social media is moving away from reliance on the user to actively decide what kind of content they want to see (by curating their own feed), toward personalised content recommendations through algorithms that respond to cues such as watch time, with only passive participation required of the user.

It is these algorithms, and the artificial intelligence that powers them, that led one tech blogger in 2020 to write, "*When you gaze into TikTok, TikTok gazes into you*."[16] Paired with the short video format that delivers both instant gratification for the viewer and exponential volumes of data about user interests to the app, the algorithm can deliver content recommendations with uncanny accuracy. It is no wonder then that other companies have sought to learn from and compete with the TikTok model (see Meta's Instagram Reels and Alphabet's YouTube Shorts).

TikTok By The Numbers

The most downloaded app in history



1 in 3
Americans uses TikTok

With over **three billion** global installs, TikTok was the most downloaded app in 2022

A staggering 20.8% of the world's 4.8 billion internet users use TikTok.



1 billion
monthly active users globally in September 2021

Addictive algorithms make for constant consumption



40 times
TikTok users open the app on average around 40 times per day. (By comparison, the average Twitter user opens the Twitter app roughly 15 times each day.)

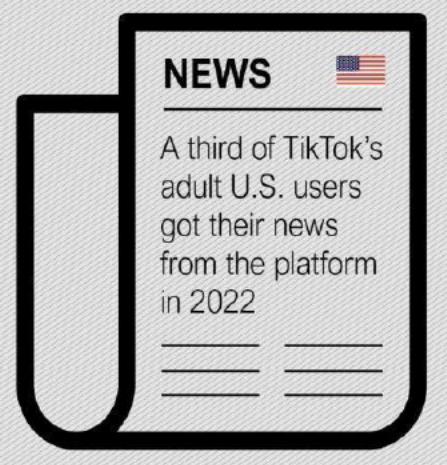


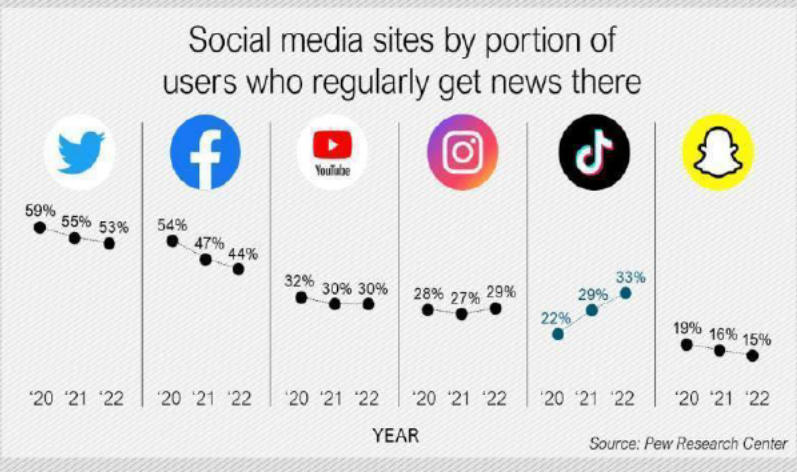
2 in 3
American teenagers aged 13 to 17 have used TikTok before. One in six say that they use the app "almost constantly".

Last year, TikTok was second only to YouTube as the most used social media platform by American teenagers.



Young people use TikTok as a source of news





Sources: Pew Research Center, TikTok, app analytics, court documents.[17]

Comprehensive statistics for the Australian user base are hard to come by, but there is ample data on TikTok consumers both globally and in the U.S.

> *"The latest [global] data suggest that TikTok has been adding an average of more than 650,000 new users every day over the past 3 months, which equates to almost 8 new users every second."*[18]

TikTok has become the crucial medium for political actors to reach younger demographics, especially Gen Z. *"There's no way that we can be a youth organisation trying to reach young people and not be on TikTok,"* said Cristina Tzintzún Ramirez, president of U.S. progressive political action committee NextGen America.[19]

Politicians, of course, face the same dilemma. U.S. Secretary of Commerce Gina Raimondo recently told Bloomberg of her own concerns:

> *Passing a law to ban a single company [TikTok] is not the way to deal with this issue. The politician in me thinks you're gonna literally lose every voter under 35, forever. However much I hate TikTok – and I do, because I see the addiction in the bad s*** that it serves kids – you know, this is America.*[20]

TikTok has revolutionised the attention economy. And yet TikTok describes itself only as an "entertainment platform" on a mission to "inspire creativity and bring joy".[21] According to TikTok's VP and Head of Public Policy for the Americas, Michael Beckerman:

> *We are not the go-to place for politics. . . .The primary thing that people are coming and using TikTok for is entertainment and joyful and fun content.*[22]

But the claim that TikTok is about entertainment rather than politics is untenable in light of the facts. (See figure on previous page.) Increasing volumes of social media users are getting their news from the platform and using it as a search engine to navigate key issues. The numbers tell a story of an unimaginably successful algorithm, and an app that has gained unmatched sway over society and politics seemingly overnight.

To understand how this was possible, we must delve into the creation stories of TikTok, its China analogue and precursor, Douyin, and their USD 400 billion parent company, ByteDance, which is the most valuable startup in the world.[23] Understanding ByteDance, Douyin and TikTok requires understanding China's ruling Communist Party and its guiding ideology, organisational structures, and legal and extra-legal mechanisms for influencing, coercing and controlling China's nominally privately-owned technology companies.

1.2. Opacity and Obfuscation

Answering basic questions about how the app works, how it is controlled, and who controls it is not straightforward. ByteDance's company website contains just the bare bones, shorn of details about the company's founder, corporate structure, partners, and sizeable investment into AI.

Media reporting has emphasised the opacity of TikTok's algorithm in producing virality, even to some of TikTok's own employees. Chris Stokel-Walker, author of *TikTok Boom*, said:

> *One person at TikTok in charge of trying to track what goes viral and why told me in my book that 'There's no recipe for it, there's no magic formula.' The employee even admitted that 'It's a question I don't think even the algo team have the answer to. It's just so sophisticated.'*[24]

Leaked internal advice from TikTok on public relations talking points encapsulates the company's evasive self-presentation. The document instructs TikTok spokespersons to *"downplay the parent company ByteDance, downplay the China association, downplay AI".*[25] The memo directs spokespersons to say, "*There's a lot of misinformation about TikTok right now. The reality is that the TikTok app isn't even available in China.*"[26]

This opacity and obfuscation is now compounded by what appears to be a concerted campaign to airbrush what little material was available online. Excavating four years of archived snapshots of ByteDance's company website reveals layers of disappearing information.[27] Pages that once recounted Communist Party activities inside ByteDance have been deleted from the website of Beijing Internet Association (an industry association charged with guiding the Party-building work of internet companies in Beijing).[28]

1.3. Demystifying the TikTok-Douyin-ByteDance Relationship

While TikTok is a household name across much of the world, its China analogue, Douyin, is not. Our research points to a functional fusion of TikTok and Douyin under the control of a single corporate entity – ByteDance, a conglomerate registered in the Cayman Islands but headquartered in Beijing until November 2020.

Douyin's tagline exhorts users to "*record a good life*". Its earlier establishment in China offers a roadmap for TikTok's global development (see Section 3). In Sections 4 and 5, we set out how TikTok and Douyin share personnel and technological resources and have parallel management structures, all of which link back to ByteDance. TikTok admits in its latest Privacy Policy for Australia: "*We also share [user] information with […] other companies in the same [corporate] group as TikTok.*"[29]

In Sections 5 and 6, we show how the CCP exerts control over ByteDance (and TikTok) through a 'golden share' arrangement, export restrictions and cybersecurity review mechanisms. These sections outline key collaborations between ByteDance and Party-state propaganda and security organs, and the presence of Party members in key executive positions at ByteDance. We examine sources that show ByteDance striving to serve Party interests through censorship, public opinion-shaping and surveillance.

1.4. The Propaganda-Security Nexus

It is well-known that the Party's security apparatus absorbs and repurposes technology and data for surveillance, social control and repression. The logic of Beijing's interlocking data security laws applied to ubiquitous surveillance means that all customer data held by China-controlled companies will be accessible to the Party's security services.

Clearly the potential for Beijing to exploit TikTok for global surveillance is vast. In our view, however, the most significant risk posed by TikTok is its unprecedented potential for censoring and proactively shaping public opinion overseas – in the United States, Australia, and other countries around the world.

1.5. How the Chinese Communist Party Could Wield TikTok

Intelligence agencies in jurisdictions including the U.S.,[30] U.K.,[31] Australia,[32] European Union,[33] Canada,[34] New Zealand,[35] the Netherlands,[36] Estonia,[37] and the Czech Republic[38] have signaled clear concerns regarding China's data cultivation, influence, and political interference activities. The U.S. National Intelligence Council, a formal panel of intelligence officers and independent scholars, assesses that:

> *Beijing will be able to exploit Chinese companies' expansion of telecommunications infrastructures and digital services, these enterprises' growing presence in the daily lives of populations worldwide, and Beijing's rising and global economic and political influence. Beijing has demonstrated its willingness to enlist the aid of Chinese commercial enterprises to help surveil and censor regime enemies abroad.*[39]

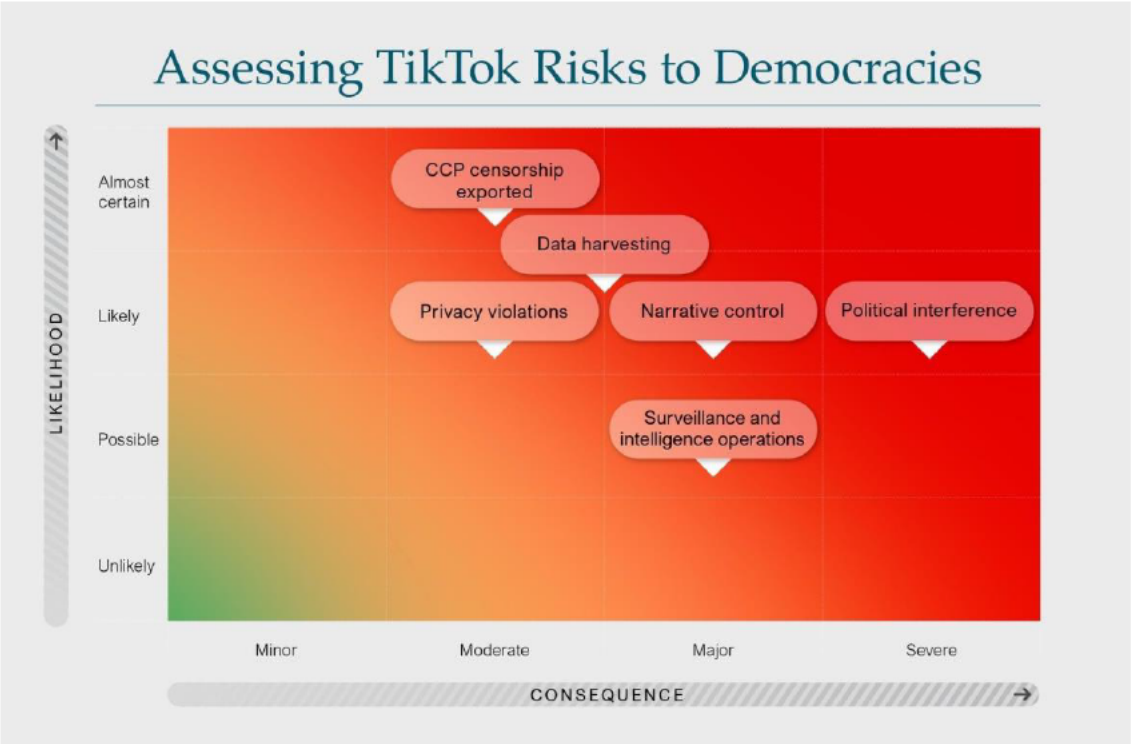
In Section 2, we set out evidence of Beijing's capabilities and intent relating to influence, interference and intelligence activities. This includes not only data harvesting and surveillance activities, but also the deployment of targeted propaganda designed to shape global discourses and influence overseas policymaking on issues related to China, with short video platforms identified as a key arena for exploitation.

In Sections 6 and 7, we show how the Party's global propaganda and surveillance activities inform our risk assessment of TikTok.

1.6. Taxonomy of TikTok Risks

We have identified six key risks posed by the app, divided into two categories:

Data security concerns	Political influence concerns
Privacy violations	CCP censorship exported
Data harvesting	Narrative control
Surveillance and intelligence operations	Political interference



Taxonomy of TikTok Risks to Democracies

- **Privacy Violations:** TikTok could be used for unauthorised access to or theft of sensitive user data. Access could be gained through security breaches, including via backdoors or China-based staff's retrieval of data, whether of their own volition, at the behest of intelligence agencies or simply in compliance with Beijing's data laws.[40] ByteDance admitted in December that some China-based staff had surveilled U.S. journalists and TikTok employees through the app's geolocation function, intending to discover who was speaking with the journalists from inside the company.[41]

- **Data Harvesting:** Beijing could harness large datasets like those offered by TikTok to support the Party-state in its competition with liberal democracies and its development of critical capabilities in big data, AI, supercomputing, and predictive modelling.[42] These technologies have important military and intelligence applications, including in profiling, analysing and targeting individuals or population segments.

- **Surveillance and Intelligence Operations:** Data collected by TikTok could be used to target individuals (or population segments) for intelligence purposes such as surveillance, recruitment, manipulation, and repression.[43] Targets could include key officeholders or critics of Beijing. Activity could involve the collection of compromising material about individuals, device fingerprints, or location data.[44]

- **CCP Censorship Exported:** Elements of the CCP's censorship preferences could be implemented at TikTok, infringing on individuals' rights to expression and impacting the quality of free and open debate in democracies globally.

- **Narrative Control:** TikTok could be used to disrupt social cohesion and democratic processes through censorship, misinformation or propaganda. The TikTok-curated information environment – with its fast-growing significance for social and political discourse – could be manipulated through the selective promotion or demotion of certain topics, narratives or creators, including political figures.[45] Measures could range from blunt "content moderation" to hard-to-detect manipulation of recommendation and search algorithms (or ad hoc interventions by certain staff). It remains to be seen whether and how the rollout of TikTok's "state-affiliated media" policy will ameliorate these effects.[46]

- **Political Interference:** Information operations may be conducted in a more deft and disruptive manner. For instance, big data analysis of public opinion based on platform activity could be used to generate highly effective propaganda, using AI to automate the production and dissemination of targeted materials designed for specific purposes.[47] Moreover, bad actors could use the app for large-scale, coordinated campaigns for harassment or disinformation, in particular those that employ inauthentic, seemingly grass-roots accounts – a tactic known as "astroturfing".[48] The Party could apply "agitprop" mobilisation campaigns to shape and manipulate geopolitical discussions, political debates and elections.

2. TikTok and Xi's External Propaganda Plan

This section details the deep drivers of the Party's efforts to control the media environment and the online "propaganda and ideology battlefield".

a. **Propaganda Goes Digital:** Xi Jinping has intensified the Party's long-running efforts to adapt the Party's propaganda and ideological systems to the digital age, deploying media companies as instruments of an "external discourse mechanism" to shape global information and ideas.

b. **Military-Surveillance Complex:** China's intelligence agencies are bringing data storage and processing capabilities under their control. The People's Liberation Army (PLA) – the armed wing of the Communist Party – studies the use of AI/ML to manage public opinion on social networks.

c. **Political Interference:** TikTok – an app that now pervades the waking lives of many Australian and American teenagers – has latent potential to sway elections, corrode people's faith in democracy, and undermine the will of open societies to compete against China's authoritarian model globally.

Party writings and speeches by Xi Jinping stress the importance of "cultural security" for China's national unity and the survival of its socialist political system – which it defines as a single-party dictatorship.[49] Cultural security is an element of political security – Xi calls it a "guarantee" – and refers to ideological power (including propaganda, media, opinion, education, and law) and control over information networks.[50]

The Party assumes that all external flows of information, thought, and values represent potential risk to China's socialist system, and that conflict with Western democracy requires submitting more of the world's data systems to Party norms of "internet governance" and "data security". Propaganda, ideological-political "thought work", and "international public opinion struggle" are the civilian tools of waging this conflict in peacetime.

Moreover, China's military and security apparatuses seek global advantage in key technologies to support the Party's ability to confront the West and wage 'grey zone warfare' (or 'political warfare'), including through information manipulation. The technologies given emphasis include those that enable mass surveillance and information operations.

We have observed the Party using social media tools to wage this "peacetime conflict". Based on our evaluation of the Party-state's access to and control over ByteDance and TikTok, we assess as high the risk that the Party will seek to leverage the company's innovative algorithms and access to key data to develop its own big data harvesting and analysis capabilities for targeted propaganda and political interference.

2.1. Leveraging New Media to Target Global Audiences

The Party has paid close attention to new media's influence on public opinion since the internet first started gaining traction in China in the mid-to-late 1990s. By September 2004, during the Fourth Plenary Session of the 16th Central Committee of the Communist Party of China, the Party passed its Decision on 'Enhancing the Party's Governance Capability', which formally designated the internet as a domain for Party control and influence:

> *Attach great importance to the influence of new types of media channels, such as the internet, on public opinion. . . .Strengthen the construction of internet propaganda teams and form a strong online positive public opinion.*[51]

During his decade in power, Xi has intensified the Party's long-running efforts to refine its propaganda and ideological systems and adapt them to the digital age.[52] He has frequently instructed the Party to utilise "new media" – a term that encompasses short video platforms – to "*strengthen the promotion of the Chinese Communist Party*" and "*strive to create an image of China that is credible, lovable and respectable*".[53]

In November 2013, the Third Plenary Session of the 18th Central Committee of the Communist Party of China introduced its Decision on 'Some Major Issues Concerning Comprehensively Deepening Reform'.[54] It stipulated:

> *We will straighten out the mechanism for both domestic and overseas propaganda, and support key media groups to develop both at home and abroad. We will foster external-facing cultural enterprises and support cultural enterprises to go abroad and expand markets there.*[55]

In order to effectively carry out this international propaganda effort, Xi has called for the creation of "flagship" propaganda outlets for transmitting Party messages and enhancing "international discourse power".[56]

In December 2013, at a Politburo Collective Study Session, Xi told cadres:

> *We should meticulously build an external discourse mechanism, utilise the role of emerging media, enhance the creativity, appeal, and credibility of our external discourse, tell the China story well, spread Chinese voices, and explain Chinese characteristics effectively.*[57]

Then, in 2016, at a Symposium on the Party's News and Public Opinion Work, Xi reiterated:

> *We should strengthen the development of international communication capacity, enhance our international discourse power, focus on telling the China story well, and … strive to build flagship external propaganda media outlets with strong international influence.*[58]

In December 2020, Xi convened a Politburo Collective Study Session to deliberate on plans to strengthen and enlarge China's national security system.[59] Yuan Peng, head of the China Institutes of Contemporary International Relations (CICIR), a Ministry of State Security think tank, also attended the session.[60] While the content of Yuan's lecture was not revealed, in a subsequent publication he argued that the Party should leverage a 'post-truth' information environment in its struggle for ideological security:

> *What is truth and what is a lie is already unimportant, what is important is who controls discourse power, this is nothing other than the twisted nature of the 'post-truth era'. In the face of this strange phenomenon without precedent in the past century, it is only by maintaining resolve, 'not fearing the floating clouds', and refusing impulsivity, that we will ultimately be able to emerge victorious from amidst this strategic game.*[61]

(In February 2023, Hong Kong newspaper Ming Bao reported on Yuan Peng's emergence as vice minister of the Ministry of State Security, under what is apparently his real name, Yuan Yikun.[62])

In May 2021, at another Politburo Study Session, Xi referred specifically to his ambitions for promoting pro-China policymaking abroad through the deployment of targeted propaganda for overseas audiences:

> *We should build an external discourse mechanism and improve the art of communication. We should adopt precise communication methods that target different regions, different countries, and different groups of audiences, promote the globalised, regionalised, and differentiated expression of Chinese stories and Chinese voices, and enhance the affinity and effectiveness of international communication. We should [strive to] make friends, unite and win the majority, and constantly expand our circle of friends who know China and are China-friendly.*[63]

Xi's language of making friends, winning the majority and expanding China's circle of friends is rooted in the Party's history of "united front" work.[64]

In August 2021, the People's Daily published an article that elaborated on Xi's comments and identified short video platforms as a key arena for deploying propaganda to enhance

China's "international discourse power" overseas.[65] An excerpt from the article, which was republished by Xinhua, reads:

> *As one of the windows of China's foreign exchanges, short video platforms also have a large audience abroad. Various short video apps represented by TikTok have emerged one after another, and many cultural short videos with rich content and well-made are loved by foreign internet users. … In promoting the transformation and upgrading of China's international communication and building a strategic communication system with distinctive Chinese characteristics, we should make good use of short video platforms that are open, inclusive, interactive and their advanced technological advantages, innovate communication methods, empower cultural communication, and allow short video platforms to become "megaphones" for "telling the China story well and spreading Chinese voices well."*[66]

2.1.2. Propaganda and Power in Party Ideology

The sophistication, magnitude and force of Xi's efforts to dominate the "propaganda and ideology battlefield" are rooted in a classical tradition of Chinese statecraft in which *wu* (weapons, violence) and *wen* (words, culture) go hand-in-hand. This classical Chinese emphasis on discursive power has been strengthened, institutionalised and re-purposed by Marxism-Leninism, an ideology that posits "systematic, all-around propaganda and agitation" as the "chief and permanent task".[67]

The Party's obsession with controlling communication platforms stems from a belief that what people talk about and how they choose their words shape the way they think and ultimately act. Authors are seen as "weapons"[68] and words described as "bullets"[69] that can shape perceptions, define choices, subvert governments and sharpen battle lines between enemies and friends.[70]

Once Xi completed his leadership accession in 2013, he directed his General Office to issue a communique on "The Current State of the Ideological Sphere". This April 2013 directive, known as Document No. 9, directs cadres to prioritise an "intense struggle" against seven key vectors of ideological threat.[71] The first five vectors of ideological threat that must be "struggled" against are foundational institutions for liberal democracies and the rules-based system which gave rise to the global internet.

"Communique on the Current State of the Ideological Sphere"
(Internal CCP Memo known as "Document No.9", published 2013)

The seven ideological threat vectors that must be "struggled against" are rule of law, individual rights, civil society, market ("neoliberal") economics, independent media, "historical nihilism" and "questioning 'reform and opening'".

> *Threat Vector No.3: Promoting civil society in an attempt to dismantle the ruling party's social foundation . . . The idea of civil society has been adopted by Western anti-China forces and used as a political tool.*

> *Threat Vector No.4: Promoting the West's idea of journalism, challenging China's principle that the media and publishing system should be subject to Party discipline. The ultimate goal of advocating the West's view of the media is to hawk the principle of abstract and absolute freedom of press, oppose the Party's leadership in the media, and gouge an opening through which to infiltrate our ideology.*

2.1.3. "Struggling" against Western "Infiltration"

Xi's agenda of "struggling" against the institutional foundations of open societies was converted into an action plan at the Party's National Propaganda Work Conference in August 2013.[72] According to a leaked outline of Xi's speech to the conference, Xi remarked that the West was carrying out "cultural infiltration" against China and that the "*struggle and contest we face in the ideological domain is long-term*". **He identified the internet as the "main battlefield"**, calling for a "strong internet army" to resist the "Western anti-China forces" who were using the internet to subvert China and destroy it from within.[73]

Since then, China's quasi-commercial media has been comprehensively "disciplined",[74] foreign news platforms have been locked out, and Chinese social media platforms that have taken the place of foreign platforms are grafted into the state propaganda system.[75] They are required to host "cybersecurity police stations" inside their organisations.[76]

Outside China, propaganda is reinforced by the United Front Work Department, the International Liaison Department, diplomatic missions, intelligence agencies and even "triad" organised crime networks.[77] Together they provide inducements and threats that motivate people to talk, think and act in ways that serve the interests of the Party. It is a system of political-psychological conditioning, on a global scale.[78]

The internet – which once threatened the Party's grip on power – has become its most important tool of social and political control. In 2022, Reporters Without Borders ranked

China 175 out of 180 countries in its press freedom index.[79] All of this is important because China's media and internet controls do not stop at the physical border.

Ostensibly private companies play a key role in this vision. As media technology has continued to evolve, Xi has articulated plans to develop more refined and targeted methods of harnessing media for international propaganda in order to influence audiences to adopt more pro-China, pro-Party stances.[80] Viewed through Xi's paradigm of "international discourse power", new media companies – with their vast reach, data-harvesting abilities, and optimisation for targeting discrete segments of foreign societies – represent among the most important weapons in the Party's media arsenal.

2.2. Codifying a Propaganda-Security Nexus

In parallel with externally facing media and national security policy, **Xi and his leadership team have engineered a new legal regime mandating that individuals and corporations support the ideological security interests of the Party-state.** The Party's regulatory regime has made it the legal responsibility of companies to advance socialist thought, tighten control in cyberspace, and propagate the right information and values.[81]

The rapid development of the new media sector's responsibilities now dovetails with more specific policy prescriptions for the management of external propaganda, the collection of user data, and security-focused innovation.

2.2.1. Beijing Dreams of Data Riches

In 2013, in the early months of his reign, Xi began to speak of data in the way Mao had spoken of domestic oil production in the 1950s, when seeking to break reliance on the Soviet Union. Xi told the state-run Chinese Academy of Sciences:

> *The vast ocean of data, just like the oil resources during industrialisation, contains immense productive power and opportunities. **Whoever controls big data technologies will control the resources for development and have the upper hand.**[82]*

Beginning in 2014, Xi Jinping created new institutions (such as the Central National Security Commission and the Cyber Administration of China) to manage internal and external risk across multiple overlapping domains.

The Party's 13th Five-Year Plan, published in 2016, and its "big data industry development" sub-plan, outlined national goals of applying big data across domains including: government supervision and efficiency; social control; data integration and centralisation; first-mover advantage in big data and emerging industries; cross-sector transfer, including Military-Civil Fusion; and cyber defence and risk prevention.[83]

2.2.2. Intelligence Agencies Building Big Data Capabilities

These priorities are the direct outgrowth of Xi's leadership and the Party's decision to harness data for strategic purposes. They are also the inspiration for recent and ongoing attempts by the Ministry of State Security (China's lead external intelligence agency) and the Ministry of Public Security (the lead internal security agency) to bring the entirety of China's data storage and processing capabilities under the control of the security services – a move that heralds the agencies' intrusion into the operations of both domestic companies and foreign multinationals.

China's laws mandate that individuals and entities cooperate with intelligence agencies:

- The National Security Law (2015) requires citizens and organisations to report acts harming national security and to support national security bodies, public security bodies, and military bodies in their work.[84]
- The National Intelligence Law (2017) compels PRC entities and individuals to support China's intelligence services by secretly turning over data collected in China or overseas.[85]
- The National Cybersecurity Law (2017) compels companies and individuals to make networks, data, and communications available to the police and security services.[86]
- The Data Security Law (2021) asserts state powers to access and control private data, including China's "national" data processed overseas.[87]
- The Personal Information Protection Law (2021) requires companies handling Chinese citizens' personal data to minimise collection, disclose uses of personal data, and obtain prior consent in certain cases (involving the use of biometric data, for example), while forbidding the unapproved transfer and storage of personal information overseas.[88]

2.2.3. "Seizing the Strategic Advantage"

The Party-state's ability to target individuals for intelligence operations and develop world-leading surveillance technologies has been fuelled by its access to huge amounts of data and expertise in deciphering it efficiently. The data is collected both legitimately and through breaches and spying operations, on both foreign and domestic targets.

Tech firms such as Baidu, Alibaba and Tencent are reportedly instrumental in assisting China's spy agencies to process "pilfered and otherwise obtained data".[89] U.S. National Counterintelligence and Security Center ex-chief William Evanina has said that this data:

> *. . .gives [China] vast opportunities to target people in foreign governments, private industries, and other sectors around the world – in order to collect additional information they want, such as research, technology, trade secrets, or classified information.*[90]

Beijing has recognised data harvesting as a critical capability in the Party-state's race with the West to seize the "strategic commanding heights" of emerging technologies.[91] The evidence points strongly to Beijing's interest in leveraging private sector data – including foreign data and that of firms like ByteDance – to grow its stores and become the world's most data-rich power. The U.S. National Intelligence Council assessed in April 2020:

> *Beijing's commercial access to personal data of other countries' citizens, along with AI-driven analytics, will enable it to automate the identification of individuals and groups beyond China's borders to target with propaganda or censorship. Such access and analytics also will enable Beijing to tailor its use of a range of online and offline carrots and sticks to its targets outside China – potentially on a large scale.*[92]

2.2.4. Social Media and Information Warfare

Xi's China has gained a reputation for leveraging technology for influence and intelligence work, whether through AI for online censorship and "smart city"-style surveillance or through mass hacks of foreign data. What is less immediately obvious is how the Party may be thinking about leveraging AI to shape narratives online and carry out social media-based psychological operations and political interference far from China's shores.

The emergence of China's contemporary political warfare strategy begins with the People's Liberation Army Political Work Regulations in 2003, which describe 'public opinion warfare', 'psychological warfare', and 'legal warfare' as elements of national defence and military combat effectiveness.[93] According to the most recent revision of the Regulations, issued in 2010, the purpose of peacetime political warfare ('liaison work') is to:

> *Carry out the work of disintegrating enemy militaries and liaising with friendly militaries. Launch work related to Taiwan. Investigate and research conditions [related to] foreign militaries and ethnic separatist forces. Launch psychological warfare work.*[94]

More recent sources confirm the PLA is reinvigorating its practice of political warfare. The *Science of Military Strategy*, a primary PLA doctrinal publication, states that the boundaries between peacetime and wartime have been permanently blurred, increasing the necessity of deeper military-civilian integration.[95] The *Strategy* describes media, information,

psychological deterrence and propaganda as elements of military activity, particularly in the early stages of a confrontation, such as that over the sovereignty of Taiwan.[96]

Indeed, political warfare was one of the focuses of the significant military reforms undertaken during Xi's leadership. In his first term (2012-2017), Xi created a 'Strategic Support Force', which incorporated five core functions: intelligence, technological reconnaissance, electronic countermeasures, network attack and defence ('information warfare'), and psychological warfare functions.[97] The PLA General Political Department's 311 Base, a specialised unit for psychological warfare operations, was placed under the Strategic Support Force, a move that appears designed to streamline the integration of cyber and psychological warfare.[98]

The PLA has spoken more explicitly about the opportunities posed by social media in recent years. A 2019 paper in a Chinese military journal, *National Defence Technology,* argues that AI can be leveraged to achieve "intelligentised online public opinion guidance".[99] Elsa Kania, an expert on the Chinese military's AI capabilities, predicts that:

> *The PLA will likely leverage big data analytics, machine learning, and automation to support information warfare, including cyber warfare and electronic warfare. Potentially, these techniques will also enable precision psychological warfare that leverages big data to profile targets and customise attacks to shape individuals' emotions and behaviour.*[100]

With this in mind, the concern is not just that an app with TikTok's data harvesting and targeted recommendation capabilities could be used as a platform for disseminating propaganda, disinformation, and other messages designed to influence democratic societies. Rather, it is that TikTok has the potential to sway elections, corrode people's faith in democracy, and undermine the will of open societies to compete against China's authoritarian model globally.

3. The ByteDance Origin Story

This section collates fragments of publicly available information to trace the source of ByteDance's most important asset: political reliability.

a. **A Founder's Lesson in Red Lines:** A near-existential encounter with the propaganda system over the Xinjiang riots of 2009 taught Zhang Yiming to pre-emptively comply with Beijing's censorship in order to survive.

b. **Patronage Ties:** Frequently overlooked in ByteDance's success is the founder's relationships with Silicon Valley venture capitalist Neil Shen and (now-fallen) CCP internet czar Lu Wei.

c. **Made By… Musical.ly:** Before ByteDance acquired its biggest competitor in November 2017, Musical.ly co-founder Louis Yang said that Douyin was almost a pixel-level replica of Musical.ly.

3.1. Invisible Red Lines

The official ByteDance origin story begins in 2012, when the company launched in an apartment near the Zhongguancun tech hub, China's version of Silicon Valley. Zhang Yiming, following stints at less-successful startups and a short turn at Microsoft, had won investor backing for his idea to commercialise big-data and machine-learning in response to the tectonic shifts brought on by the proliferation of smartphones.[101] The founding team included Zhang's former colleagues from travel site Kuxun and real estate platform 99Fang.com.[102]

Arguably, however, Zhang's formative moment was a few years earlier. He had co-founded Fanfou, a Twitter clone, in 2008.[103] On 7 July 2009, Beijing destroyed Fanfou as it sought to control coverage of anti-government riots and a deadly police crackdown in Xinjiang.[104] Just after 10pm that night, Zhang's business partner (future Meituan founder) Wang Xing posted: "*'Harmonised by Fanfou, or Fanfou is harmonised.' This is an uncomfortable choice, but one that has to be made.*"[105]

By 11pm, Fanfou had become inaccessible and stayed that way for more than 500 days.[106]

This was Zhang Yiming's first collision with the invisible but existential red lines of the Propaganda Department. The lesson he learned – arguably just as important as his insights into artificial technology, big data and mobile apps – was that, to survive, social media providers needed to pre-emptively comply with the invisible red lines of the propaganda system. He learned that what might seem innocuous in the eyes of users could be viewed as subversive in Beijing. He would need to learn this lesson again with ByteDance.

Timeline of Zhang Yiming's Biography

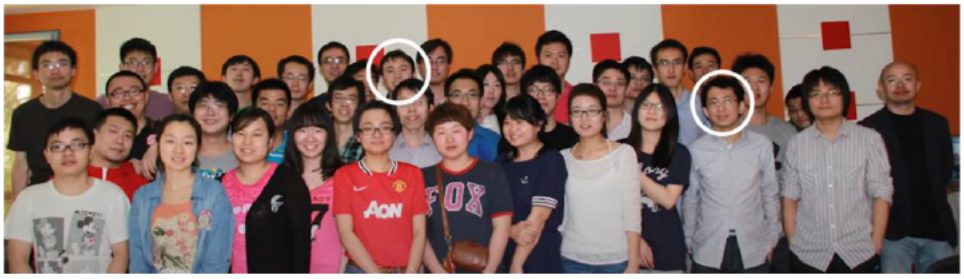
- **1983** – Born in Longyan, Fujian province.
- **2001** – Began undergraduate studies in Nankai University, Tianjin.[107]
- **2005** – Graduated with a software engineering degree and started a collaborative software company with two schoolmates. The business failed within six months due to flawed market positioning.[108]
- **2006** – Joined online travel search engine Kuxun as the first engineer and the fifth employee. Kuxun asked users to input their travel plans and returned ticket options in real-time. Zhang's innovation was to code a program that repeated the same search at regular intervals and, when a ticket became available, send the user an SMS alert.[109]
- **2008** – Left to work briefly for Microsoft Beijing. PRC tech media reported that Zhang wanted to learn how large organisations were managed but left because he found the work boring.[110]
- **2008** – Partnered with Wang Xing to start Twitter clone Fanfou, which was shut down for more than 500 days following protests in Xinjiang.[111] This was Zhang's first collision with the invisible but existential red lines of the Party.
- **2009** – Became CEO of online real estate portal, 99Fang.com, when Susquehanna International Group's China-based partner Joan Wang (Wang Qiong) approached him to take over Kuxun's side business in real estate search.[112] Joan Wang later became ByteDance's angel investor.[113]
- **2012** – Left 99Fang.com to start ByteDance.[114]



ByteDance founder Zhang Yiming, who stepped down as chairman in 2021.[115]

3.2. How ByteDance Became an "App Factory"

ByteDance soon developed a reputation as an "app factory". Until November 2021, the company was structured around a large "central platform" that facilitated resource-sharing of the technology stack, the recommendation algorithm, and the user database across the company's different apps.[116] The first ByteDance app to take off was Today's Headlines (in Chinese, *Jinri Toutiao*, or simply *Toutiao*), a news aggregator that used big data to drive its personalised recommendation engine. The AI that powered this engine was the precursor to TikTok's "For You" algorithm.[117]



Liang Rubo (left, circled) and Zhang Yiming (right) with ByteDance colleagues in 2013.[118]

The ByteDance Crew



Liang Rubo and Zhang Yiming shared a room at Nankai University. They co-founded 99Fang.com and later also ByteDance.[119] Liang became ByteDance CEO and Chairperson in 2021.



Zhang Lidong joined ByteDance as Senior VP and Partner in 2013, contributing to early successes with Today's Headlines. He was previously VP at Beijing Times and Director of its advertising centre.[120] Zhang Lidong is now Chairperson of Douyin Group.



Kelly Zhang (Zhang Nan) joined ByteDance in 2013 to oversee user-generated content. She previously helped found two tech companies and started a photo-sharing app, Picture Bar, which ByteDance later acquired. Kelly Zhang is now CEO of Douyin Group.[121]



ByteDance was struggling to lure investors until the company was introduced in 2013 to Digital Sky Technologies (DST). When then-DST partner Shouzi Chew heard Zhang Yiming's pitch, he signed off on USD 10 million in Series B funding for ByteDance.[122] Shouzi Chew is now CEO at TikTok.

3.3. From Musical.ly to TikTok

For all of ByteDance's ingenuity in building consumer apps, Douyin and TikTok's success hinged in part on a rival app called Musical.ly.[123] ByteDance launched TikTok in May 2017 as an overseas analogue of Douyin, before acquiring TikTok's North America and Europe competitor Musical.ly in November 2017.

TikTok and ByteDance said in a 2020 petition to U.S. regulators that the recommendation algorithm came from TikTok, not Musical.ly.[124] Prior to the acquisition, however, Musical.ly co-founder Louis Yang reportedly complained that Douyin had copied Musical.ly. Yang told Chinese media that whether in market positioning, functions, or user interface, Douyin was almost a pixel-level replica of Musical.ly.[125]

TikTok's Origins in Musical.ly

- **2014** – Alex Zhu and Louis Yang, former directors of a Shanghai platform for the insurance industry, released the first version of Musical.ly.[126]
- **2016** – The Musical.ly app – launched in China, the U.S., Europe, and Japan – failed in China but grew popular among American teens through viral challenges and lip-sync videos.[127] Musical.ly attracted attention for its young user base. Its three most popular content creators in late 2016 were between the ages of 13 to 15, while the platform's audience was even younger.[128]
- **Sep 2016** – At a conference, Zhang Yiming called short videos the next frontier of content innovation and emphasised the value of personalised recommendation algorithms for short videos. He also announced the allocation of RMB 1 billion to short video creators on Today's Headlines.[129] The same month, ByteDance launched Douyin as a clone of Musical.ly, according to early Douyin employees.[130]
- **May 2017** – ByteDance launched TikTok overseas as an analogue of Douyin.[131]
- **Nov 2017** – Struggling to commercialise the platform and break into the China market, Musical.ly's growth plateaued.[132] ByteDance acquired Musical.ly, its market share and user data, for around USD 800 million to 1 billion.[133]
- **Aug 2018** – ByteDance merged TikTok and Musical.ly, making the new TikTok available in the United States for the first time.[134] In 2018 alone, ByteDance spent over USD 1 billion on advertising on major social media competitors such as YouTube, Instagram and Snapchat to attract new users to TikTok.[135]

3.4. Party-Enabled Global Expansion

While media have cast ByteDance's expansion abroad as a tale of Zhang Yiming's daring and ambition, he also had evidently close relations with Beijing's internet regulator Lu Wei and leading venture capitalist Neil Shen (Shen Nanpeng). Both Lu and Shen served as gatekeepers for the expansion of tech companies, calibrating access to capital, social ties, and, crucially, Party support. Lu's ties to Zhang Yiming have become clearer in hindsight.

Zhang Yiming's Early Encounters with Party Gatekeepers Lu Wei and Neil Shen

- **Pre-Mar 2012** – Sequoia Capital China's Neil Shen rejected an offer from Zhang Yiming to invest in ByteDance first round financing. (In May 2021, when on the ByteDance board, Shen said he regretted that decision.[136])
- **Oct 2013** – Lu Wei and Zhang Yiming attended the 2nd China-South Korea Internet roundtable conference, one of their earliest public meetings.[137]
- **Nov 2014** – Lu Wei, Neil Shen, and Zhang Yiming attended the first Wuzhen World Internet Conference.[138] Zhang Yiming spoke about machines liberating people in media.[139]
- **Dec 2014** – Lu Wei attended the 7th U.S.-China Internet Industry Forum in Washington, D.C.[140] He then visited Tim Cook, Mark Zuckerberg, and Jeff Bezos at their company headquarters.[141]



Lu Wei with Jeff Bezos, Tim Cook, and Mark Zuckerberg at their respective offices in 2014.

- **Sep 2015** – Xi Jinping, Lu Wei, Neil Shen, Zhang Yiming, and the titans of the tech world attended the 8th U.S.-China Internet Industry Forum at Microsoft HQ near Seattle.[142] Zhang did not make it to the group picture but joined a panel (with the CEOs of LinkedIn, Sina, and Expedia) about the differences between U.S. and Chinese internet users.[143] In an interview with Global Times after the forum, he proclaimed that the model of "copying to China" had given way to PRC enterprises expanding abroad.[144]



Left to right, circled: Xi Jinping, Lu Wei, and Neil Shen at the 8th U.S.-China Internet Industry Forum. Zhang Yiming attended the forum but did not appear in the group photo.[145]

- **Dec 2015** – Xi Jinping, Lu Wei, Neil Shen, and Zhang Yiming attended the second Wuzhen World Internet Conference.[146]



Left to right, circled: Zhang Yiming, Neil Shen, Xi Jinping, and Lu Wei at the 2015 Wuzhen World Internet Conference.[147]

3.4.1. The Downfall of the Internet Czar

Lu Wei was dismissed from his position as director of the Cyberspace Administration of China in June 2016. He remained as Deputy Director of the Central Propaganda Department until November 2017, when the Communist Party's Central Commission for Discipline Inspection (CCDI) announced that he was suspected of serious violations of discipline.[148] In December 2018, the CCDI expelled Lu Wei from the Party for a laundry list of crimes, before the court sentenced him to 14 years in prison in March 2019.[149]

In April 2018, the State Administration of Press, Publication, Radio, Film and Television (SAPPRFT) shut down Implied Jokes (one of ByteDance's community apps – Chinese name *Neihan Duanzi*) for hosting off-colour humour.[150] A U.S.-based watchdog group, China Digital Times, alleged that, on the night of SAPPRFT's decision, a chat screenshot circulated on WeChat, claiming there had been a transfer of benefits between Zhang Yiming and Lu Wei, and that this transfer of benefits had propelled ByteDance to the top tier of tech companies within four years.[151]

Two years later, in 2020, Chinese media outlet Caixin reported that Today's Headlines' suspected involvement in Lu Wei's downfall had generated concern on the market.[152]

4. The Party-State Transforms ByteDance

This section examines the Party's campaign to subordinate ByteDance.

a. **Opaque Party Control:** The past five years of ByteDance history is a story of increasing Party control, amid an industry-wide campaign of state regulation and Party pressure.

b. **Zhang Yiming's Fall from Grace:** After ByteDance acquired Musical.ly in 2017, the Party intensified pressure to transform the company into a vehicle for Party interests, reaching its denouement with Zhang Yiming's high-profile public apology and resignation as CEO in 2021.

c. **Zhang's Confession (2020):** "*I have deeply reflected on the roots of the problem that the company faces . . . a lack of education on socialist core values, and deviation from guiding public opinion*."

When TikTok Inc. and ByteDance Ltd. sued the Trump administration in August 2020 for banning the TikTok app, they stressed in court papers that the company is and has always been a wholly private entity:

> *The TikTok application began as a product of private-sector entrepreneurship. . . .No foreign government, or person controlled by or acting on behalf of a foreign government, owns any significant interest or any other affirmative or negative rights or powers in ByteDance.*[153]

This claim is misleading. A longer-term, **centrally directed shift toward imposing hidden but powerful structures of Communist Party control inside private enterprise** has developed at the expense of more transparent structures of corporate control. The power of the Party's internal systems of committees and cells used to wield control over companies is reinforced by external levers, both legal (through mechanisms of the state) and extra-legal (through the Party's own mechanisms, which sit outside the legal system).

4.1. Party Control in Private Companies

The divide between private and public companies in China has narrowed in recent years through the Party's aggressive expansion of Party organisations within private firms and its use of extra-legal measures to purge prominent leaders within those firms. The Party's multiple channels of control operate alongside legal channels in relation to strategic

decision-making and management of risks. Party structures are not designed to be visible or accountable to international regulators, partners, investors, or consumers.

Party members in Chinese private companies are required to establish Party cells in all organisations with three or more full Party members, according to the CCP Constitution.[154] The CCP Constitution stipulates that Party members are required to privilege Party interests and protect its secrets in all circumstances. All Party members take an oath to this effect.

In practice, this means the activities of Party cells, committees and individual members are visible and accountable only to those in the Party organisation. An understanding of the Party's operations inside ByteDance can only be gleaned by analysis of fragmentary open-source information, interpreted in the context of the Party's history, doctrine and practices.

4.2. State Media Scrutiny

ByteDance's transformation into a Party-state-controlled entity was systematic and protracted. The signs of misalignment with Party-state directives began in 2014, two years after the founding of the company. Zhang Yiming was vocal about his vision for Today's Headlines as a tech company, not a media company. This attracted criticism from competitors and some in the Party that Today's Headlines was a "news porter" stealing material from other producers and feeding users "vulgar content".[155]

Company officials told critics the app was a search engine that recommended content from other outlets.[156] But in June 2014, China's National Copyright Administration (NCA) launched an investigation into the platform.[157] By September 2014, the NCA found Today's Headlines guilty of copyright infringement, though it acknowledged the platform had removed infringing media and developed cooperation agreements with content producers.[158]

Internet czar Lu Wei's relationship with Zhang Yiming may have shielded the company for some time from the heat. The New York Times reported:

> *[When] other internet companies complained that [Today's Headlines] was stealing their content, one of Mr. Lu's top lieutenants told them that he was a fan and that they should stop complaining and work with the company.*[159]

In a landmark 2016 interview with Caijing, Zhang Yiming insisted that ByteDance was not a media company and was therefore free from any obligation to "educate users":

> *The difference between [Today's Headlines] and the media is this: The media must have values and it must educate people. . . .We will bear corporate social*

> *responsibility, but we do not want to educate users. . . I may have my opinions, but I don't want to impose my judgment on Today's Headlines.*[160]

Zhang Yiming did not want ByteDance to operate like a newspaper with an editor-in-chief curating content. His approach was similar to the way Silicon Valley tech firms operate, where digital platforms are treated differently under U.S. law than traditional publishers, and are not liable for the content that human users or algorithms post and promote.

But his vision didn't sit well with Communist Party leadership.

4.2.1. Party Crackdown Prompts Greater Alignment

The scrutiny ByteDance faced over copyright infringement and its hosting of "vulgar content" was a prelude for a frontal encounter with the Party which left ByteDance a permanently changed company.

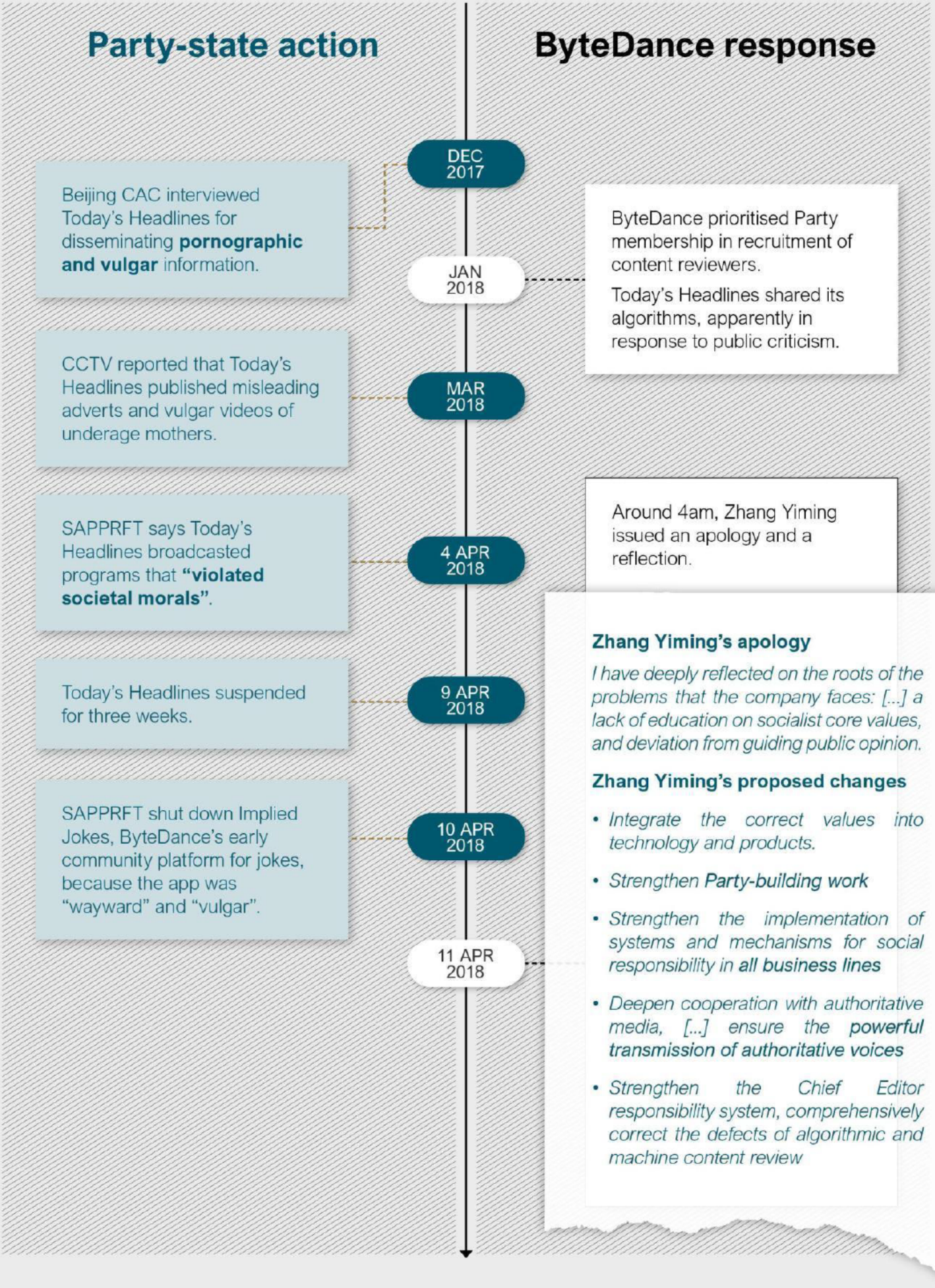
Beginning around 2017, a series of actions from the Party elicited reactions from the company to align itself more with the Party.[161] In 2017 Party regulators scrutinised Today's Headlines for disseminating "vulgar" information. In 2018, the platform was criticised by state media and suspended for three weeks.[162]

4.2.2. Pressure Leads to Zhang Yiming's Resignation

In 2021, like the founder-CEOs of Alibaba and Pinduoduo, Zhang relinquished his seat.[163]

The graphics on the following two pages detail how, over time, the Party has forced ByteDance into greater political alignment.

The Transformation of ByteDance (Part 1)



The Transformation of ByteDance (Part 2)

Party-state action

ByteDance response

JAN 2021

The National Anti-Pornography and Anti-Illegal Publications Office fined Douyin for its pornographic and vulgar content.

MAR 2021

SAMR fined ByteDance for failing to report a previous merger.

ByteDance and peers ordered to conduct a security review of deepfake technology.

MAR 2021

Zhang Yiming shelved IPO plans after meeting cyberspace and securities regulators, according to Wall Street Journal.

Zhang Yiming began floating the idea of Liang Rubo taking over as CEO.

APR 2021

SAMR, the CAC, and the State Taxation Administration summoned ByteDance and its peers, warned them to heed Alibaba's example, and required public pledges to comply with anti-monopoly laws.

Financial regulators imposed tighter data and lending regulations on ByteDance and other internet companies.

MAY 2021

Zhang Yiming announced his resignation as ByteDance CEO, and appointed Liang Rubo as his successor.

Zhang Yiming's letter to the company

I've decided to resign as CEO and place aside the day-to-day responsibilities of management. As founder of the company, I will focus on important things for the long-term such as strategic vision, corporate culture, and social responsibility.

5. Tracing Communist Party Control Through ByteDance and TikTok

This section shows how, contrary to official talking points, ByteDance and TikTok are part of the same corporate group, with ByteDance executives directly controlling and shaping key TikTok functions.

a. **Distinction without a Difference:** TikTok is a 100% owned subsidiary of ByteDance, bound by ownership ties, management structure, personnel overlap, and shared technological resources.

b. **The CCP's Golden Share:** It is misleading to discuss corporate leadership without Party leadership. The Party-state's 1% 'golden share' gives legal form to the extra-legal access and influence which it already enjoyed.

c. **ByteDance's 'Red Leaders':** We identify the leaders at ByteDance who integrate company management with Party organisation, particularly the propaganda and 'united front' systems.

5.1. Obfuscating Relations between TikTok and ByteDance, TikTok and Douyin

As TikTok continues to be scrutinised overseas for its links to the CCP – which it flatly denies – the company has also downplayed its ties to parent company ByteDance and emphasised the separateness of Douyin from TikTok:

- **Asserting TikTok's distinction from Douyin:** To magnify the apparent differences between TikTok and Douyin, ByteDance and TikTok spokespersons emphasise that TikTok is operated separately from Douyin and that TikTok is not available in mainland China.[166]

- **Hiring 'global' leadership:** Since 2020, TikTok has had three CEOs from outside China. Kevin Mayer, a former Disney executive, was brought on as TikTok CEO in May 2020, reporting to Zhang Yiming, before resigning after just four months.[167] Vanessa Pappas then became interim CEO, until Shouzi Chew's appointment in April 2021.[168]

- **TikTok sans headquarters:** TikTok engages in what has been called "Singapore-washing" to deflect the increased scrutiny facing companies from China.[169] Leaders have asserted that TikTok is not headquartered in China but is a "distributed" company with offices all around the world and a significant

presence in Singapore.[170] In addition to native Singaporean TikTok CEO Shouzi Chew, multiple ByteDance executives are now at least partially based there: founder and former CEO Zhang Yiming, CEO Liang Rubo, CFO Julie Gao, and TikTok's global R&D head Zhu Wenjia.[171]

- Changes to company name: ByteDance renamed several subsidiaries from "ByteDance" to "Douyin" in May 2022.[172] TikTok CEO Shouzi Chew explained in a 30 June 2022 letter to the U.S. Congress that *"multiple corporate entities share the 'ByteDance' name, [therefore] several China-based ByteDance entities were renamed earlier this year to keep the names of businesses and entities more consistent. Beijing ByteDance Technology Co. Ltd is now called Beijing Douyin Information Service Limited*."[173] Observers have read this as another move to distance TikTok from its China operations.[174]

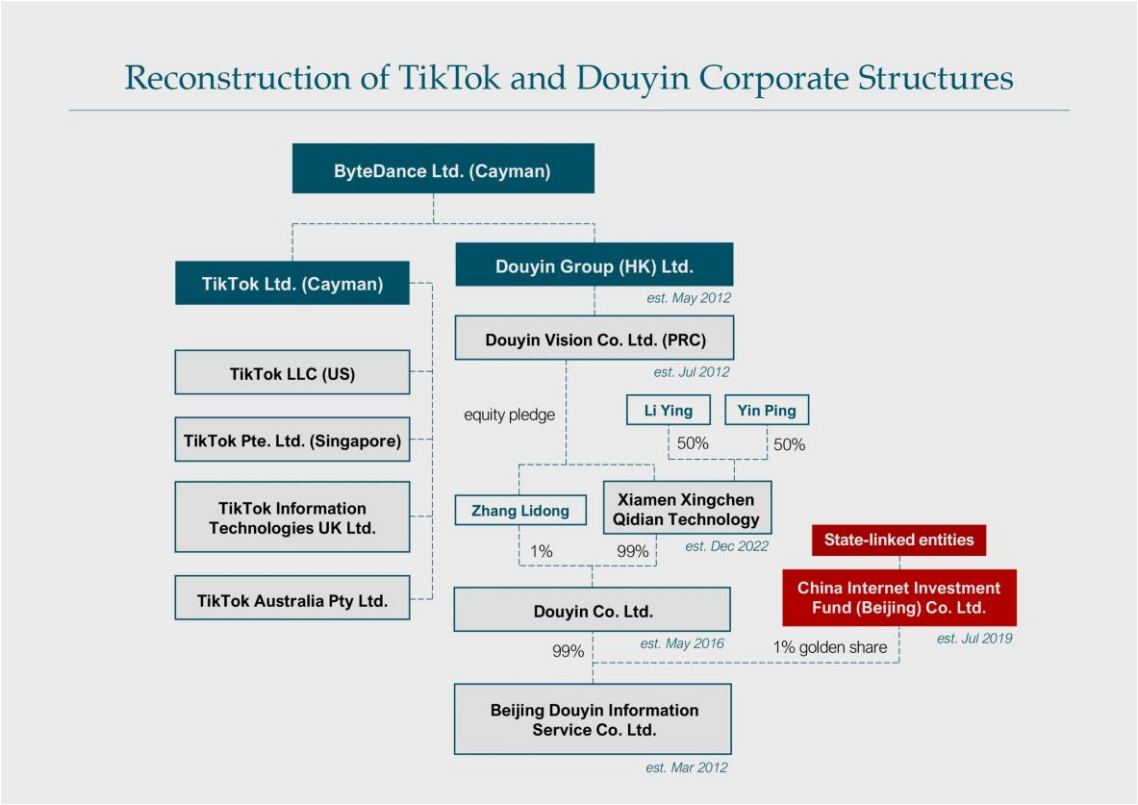
5.2. TikTok Belongs to ByteDance

Legal documents and archived versions of the companies' websites offer some insight into the corporate group's opaque structure.

5.2.1. ByteDance is the Parent Company of TikTok and Douyin

According to a legal petition that TikTok Inc. and ByteDance Ltd. filed on 10 November 2020, ByteDance Ltd. (Cayman), owns TikTok Ltd. (Cayman), which wholly owns TikTok LLC, a Delaware limited liability company.[175] TikTok LLC holds "all of the outstanding shares of capital stock of TikTok Inc."[176] An archived version of ByteDance's website that shows a corporate structure last updated on 30 June 2020 confirms this chain of ownership.[177]

Douyin and other PRC operations are likely held through a Hong Kong subsidiary, Douyin Group (Hong Kong) Ltd.[178] In January 2023, Hong Kong Economic Journal reported that Douyin Co. Ltd is an entity that ByteDance established in Mainland China under the variable interest entity (VIE) structure for business operations.[179]



Sources: Evidence submitted to court by TikTok, ByteDance's website, PRC (including Hong Kong) online corporate databases[180]

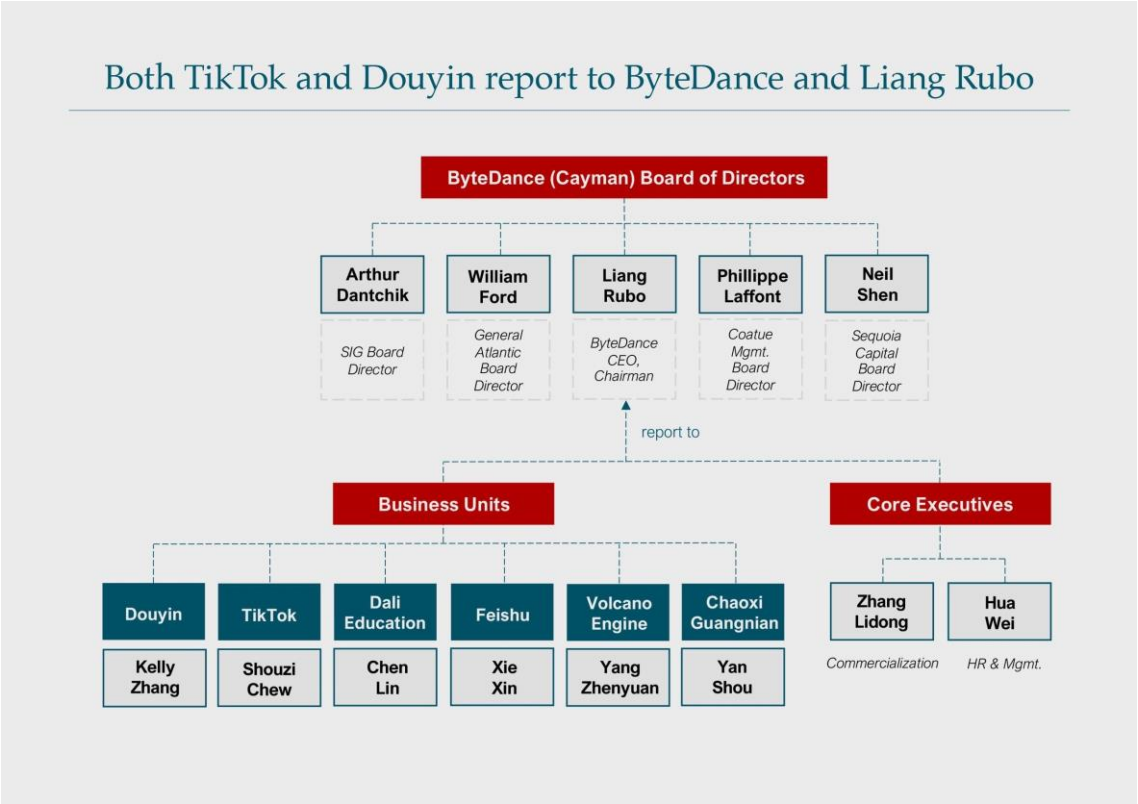
5.2.2. Headquartered in China

While the parent company that owns TikTok is incorporated in the Cayman Islands, ByteDance declared in November 2020 that its headquarters were in China. ByteDance referred to itself as a "Chinese-headquartered company" multiple times in its appeal against the U.S. official Divestment Order and CFIUS action:

> *[TikTok Inc. and ByteDance Ltd.] did not submit the Musical.ly transaction to CFIUS for review in 2017 because ByteDance was a Chinese-headquartered company and Musical.ly was also a Chinese-headquartered company. . . .It is necessarily the case that whatever national security risks posed by the Musical.ly app and its Chinese ownership at the time of the acquisition were not enlarged or changed by the acquisition of the Musical.ly company by another China-headquartered company, ByteDance.*[181]

5.2.3. ByteDance Co-Founder Liang Rubo Leads Both TikTok and Douyin

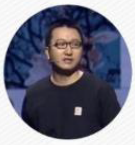
Liang Rubo is CEO and Chairperson of the global ByteDance corporate group. ByteDance Ltd. (Cayman) currently lists Liang as one of its five directors on the Cayman Islands company registry.[182] Both TikTok CEO Shouzi Chew and Douyin Group CEO Kelly Zhang report to Liang, at least nominally. On 2 November 2021, Liang announced the company's organisational restructuring (in a letter published on Sina).[183] Liang stated that the individuals in charge of each of the six business units would report to him, including TikTok CEO Shouzi Chew and Douyin Group CEO Kelly Zhang.[184]



Sources: Cayman Islands Registry, Shouzi Chew letter to U.S. senators, Liang Rubo letter to the company[185]

Liang Rubo is a visible link between the Cayman company's board and ByteDance's China operations. He occupies various management positions in the company's China-based subsidiaries, despite claims that the Cayman board is divorced from China operations.[186]

Overlapping Leadership At TikTok And Douyin

Douyin		TikTok
Head of Operations at Douyin in 2017.	 **Ren Lifeng**	Oversaw the launch of TikTok in 2017.
Douyin CEO in China.	 **Kelly Zhang**	Put in charge of TikTok in October 2018.
Managed Douyin in March 2018, reported to Douyin CEO Kelly Zhang Nan.	 **Alex Zhu**	Musical.ly founder; made "interim" CEO in October 2018, reporting to Zhang Yiming.
Current Douyin Group CEO.	 **Zhang Lidong**	Leads TikTok's commercialisation; 'dotted line' manager to TikTok President of Global Business Solutions Blake Chandlee.
Responsible for the success of the Douyin algorithm.	 **Zhu Wenjia**	Leads PRC-, Singapore-, and US-based teams working on product R&D, data infrastructure, and innovation.
Douyin President of E-Commerce Business.	 **Bob Kang**	Oversees TikTok's e-commerce expansion.

Sources: PRC media[187]

5.3. Zhang Yiming's Retreat from ByteDance Appears Complete

On 19 January 2023, according to PRC corporate databases, Zhang Yiming transferred his 99% stake in Douyin Co. Ltd. to Xiamen Xingchen Qidian Technology Co. Ltd. (which was established just a month before).[188] Soon after the transfer, Xiamen Xingchen Qidian Technology Co. Ltd. pledged its equity in Douyin Co. Ltd. to Douyin Vision Co. Ltd., a wholly foreign-owned entity of Douyin Group (Hong Kong) Ltd.[189] (This transfer of shares has re-ignited rumours of an impending IPO.[190])

5.4. TikTok's Management Structure

Our reconstruction of the company's management structure indicates that TikTok leadership report up to their department leads in ByteDance (in addition to or instead of reporting to local TikTok managers), sometimes through 'dotted' reporting lines.[191] Through department-specific reporting lines, it appears that ByteDance may be able to exercise significant and granular control over TikTok operations.

A ByteDance insider reportedly told China tech outlet LatePost last year that TikTok is not developed enough to be a self-contained business unit.[192] Therefore, per the source, TikTok draws on personnel, experience, and methods of ByteDance's Douyin app, software, and commercial model to achieve "technology accumulation and business breakthroughs".[193]

Whistleblower accounts from former and current TikTok employees attest to the closeness of the two companies. These accounts portray the ByteDance office in Beijing making decisions both large and small about TikTok's content moderation, product development, engineering, commercialisation, strategy and human resources.[194] Forbes reported in September 2022 that senior TikTok executives had left the company because of the degree of ByteDance control.[195]

5.5. Shared Resources

In our assessment, it is not possible for TikTok to operate independently of ByteDance in Beijing for reasons including the sharing of technical and human resources across the global corporate groups. This has profound implications not just for TikTok's current relations with ByteDance, but for any *future possibility* of isolating TikTok operations – and foreign users' personal data – from ByteDance.

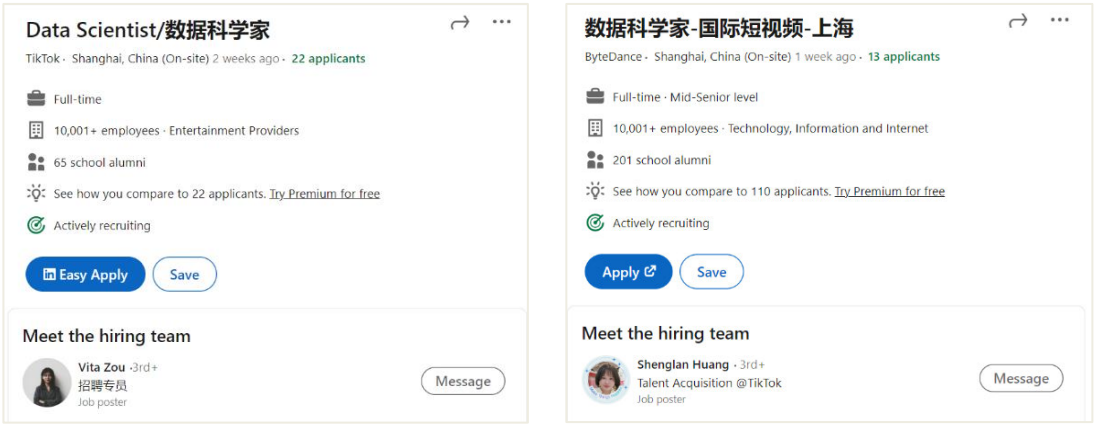
5.5.1. Personnel

The application of China's regulations to TikTok operations within its borders is unambiguous: ByteDance employees who are citizens must disclose information from TikTok relevant to national security and intelligence work.

Under Article 77 of the National Security Law, citizens and organisations have a duty to report acts harming national security, and to support national security, public security, and relevant military bodies.[196] Under Article 7 of the National Intelligence Law, citizens and organisations must support, assist, and coordinate with national intelligence work.[197] In our assessment, these laws codify what was previously extra-legal common practice.

Our research corroborates media reporting that ByteDance continues to depend on employees in China to work on TikTok and to recruit employees from China for roles at TikTok.[198]

In November 2022, for example, TikTok posted a job ad for a "Data Scientist" based in Shanghai. A week later, an ad with the same description posted by ByteDance for a "Data Scientist – International Short Videos – Shanghai" showed that the hiring team belonged to "Talent Acquisition @ TikTok".



Cross-posting of job ads for TikTok/ByteDance roles.[199]

We found similar examples, not just for data scientists and analysts, but also for account directors (commercialisation), R&D engineers, and algorithm engineers.[200] Both TikTok and ByteDance regularly cross-post job advertisements with the same position IDs.[201]

5.5.2. Management and Employees See TikTok and ByteDance as Interchangeable

A simple search on LinkedIn shows at least 4400 people who list "ByteDance" and "TikTok" in a single profile.[202] A significant number of profiles list ByteDance and TikTok interchangeably, including prominent TikTok leaders such as Blake Chandlee, "President, Global Business Solutions at ByteDance/TikTok".[203]

This echoes reporting by Forbes that TikTok employees had ByteDance listed on their pay checks and tax returns, and by CNBC as well as Forbes reporter Emily Baker-White that TikTok email aliases are simultaneously ByteDance email aliases.[204] It points to the fungibility of ByteDance and TikTok as employer.

5.5.3. Shared Cloud Infrastructure Team

The cloud infrastructures for both TikTok and other ByteDance products appear to be administered by the same team. A role titled "Tech Lead (Database Administrator), Cloud Infrastructure" manages database services within ByteDance, providing "online storage service support for all types of products in ByteDance (TikTok, Douyin, [Today's Headlines], etc)".[205] This role may be akin to a China-based "Master Admin" that BuzzFeed reporting refers to, who reportedly has access to U.S. user data.[206]

The ties that bind TikTok to ByteDance, coupled with the presence of robust Party control, raise the likelihood of Communist Party influence over TikTok.

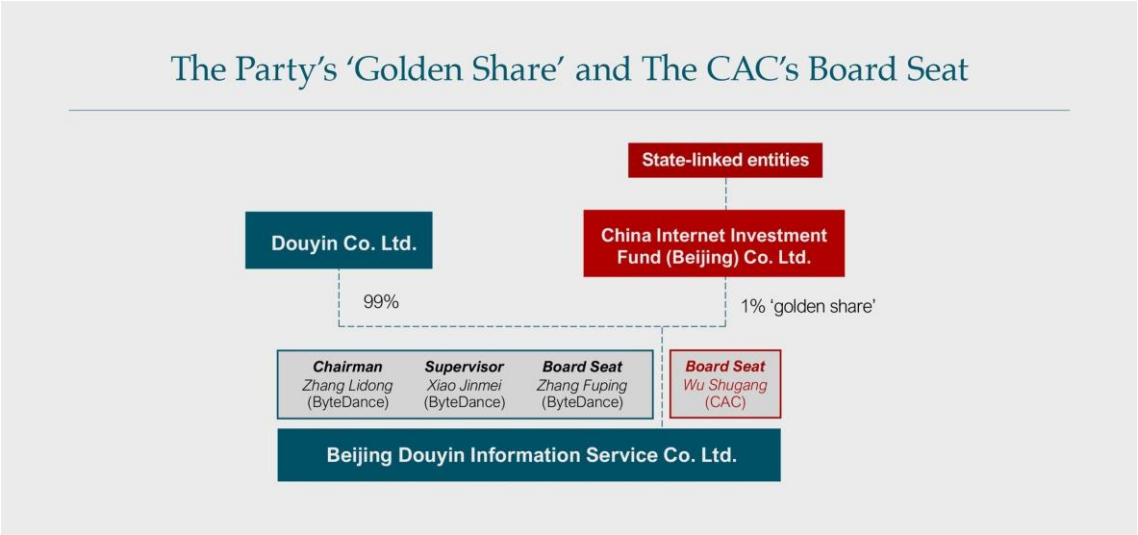
5.6. The Party-State's Stake in Beijing Douyin

Beijing Douyin Information Service Limited, renamed from Beijing ByteDance Technology Co., Ltd. was established in March 2012 at the company's founding.[207] The Party-state formally registered a 1% stake in Beijing Douyin Information Service Limited in April 2021.[208] The largest beneficial owners of this 1% stake are the State-owned Assets Supervision and Administration Commission (SASAC, which oversees state enterprises), China Media Group, and the Cyberspace Administration of China.[209]

The company's own statements imply that the government stake was required by regulators. Responding to direct questioning in a letter to U.S. senators about whether the Chinese government owns a stake in TikTok, CEO Shouzi Chew clarified:

> *Beijing Douyin Information Service Limited is a separately held subsidiary of ByteDance Ltd. Beijing Douyin Information Service Limited does not have any direct or indirect ownership interest in or control over any TikTok entity. The Chinese state-owned enterprise's acquisition of 1% of Beijing Douyin Information Service Limited was necessary for the purpose of obtaining a news license in China for several China-based content applications, such as Douyin and [Today's Headlines].*[210]

The Party-state's acquisition of "golden shares" in private tech companies gives it direct and open insider access to corporate decision-making, and influence through board seats and veto rights. This institutionalisation of Party alignment can limit or eliminate the need for subsequent state intervention.



Source: PRC online corporate databases[211]

In the case of ByteDance, the Cyberspace Administration of China (CAC) – China's internet regulator and the external 'nameplate' and office of the CCP Central Cybersecurity and Informatisation Commission – appointed an official, Wu Shugang, to the board of Beijing Douyin Information Service Limited at the time of the 'golden share' acquisition.[212]

A Financial Times review of the company charter provides details about Wu's powers within the company: Wu reportedly gets a say over business strategy and investment plans, M&A, profit allocation, and a vote on the group's top three executives and remuneration packages.[213] Wu can control the content on ByteDance's media platforms in China, such as Douyin and Today's Headlines, through his right to appoint the group's editor-in-chief and the chair of a "content safety committee".[214]

Wu gained notoriety a decade ago from his June 2012 Weibo post:

> *I only have one wish – that one day I can cut off the dog head of traitors [i.e. liberal voices in China]. Let the Chinese traitors preaching so-called 'human rights and freedom' go to hell!!*[215]

Later, Wu became Party secretary of the Communist Youth League for organs directly under the Ministry of Education.[216]



The notorious 2012 Weibo post of cyber regulator and now Douyin board member Wu Shugang.[217]

Before joining ByteDance, Wu Shugang worked in the Local Guidance Office of the CAC's Online Commentary Work Bureau. He visited internet companies to give lectures to Party members about instructions from Xi Jinping and events such as the 19th Party Congress, particularly in relation to online public opinion and discourse power on the main "battlefield" of the internet.[218]



Wu Shugang, who helps ensure Party alignment within ByteDance through his 'golden share' board seat.

5.7. Communist Party Organisation Members within ByteDance

In a 2022 hearing, U.S. Senator Josh Hawley questioned TikTok COO Vanessa Pappas about whether employees were affiliated with the CCP. Pappas responded that she "*wouldn't be able to tell [Hawley] the political affiliation of any individual",* but that among TikTok's *"U.S. and Singapore leadership, there are no CCP members. . . .Everyone who makes a strategic decision at this platform is not a member of the CCP."*[219]

According to a Party newspaper, Study Times, ByteDance established its first Party branch in October 2014, followed by a Party committee in April 2017 with branches within Review and Operations, Public Affairs, and Technical Support.[220]

The Epoch Times reported that it obtained a list of ByteDance Party members.[221] Out of 138 Party committee members at the Beijing headquarters, most were born in the 1990s and many held management or technical positions.[222] We were not able to verify this list, but we note that the report has informed U.S. and Australian government approaches to questioning TikTok.[223]

The CAC has been pushing internet companies such as Alibaba and ByteDance to build up Party organisations.

The Cyberspace Administration of Beijing Municipality (Beijing CAC) mobilised ByteDance to establish a "public opinion research and evaluation small group" as well as an "internet content security committee", with Party members serving as content "gatekeepers" and overseeing editing, auditing, technology, products, marketing, commercialisation, and other operational areas across the company.[224]

Beijing CAC also prescribed integrating the Party organisation with company management by creating a *"triple-hatted position incorporating the roles of Party Secretary, Editor-in-Chief, and Vice President."*[225]

5.7.1. Red Leadership

TikTok executives refer to ByteDance Ltd.'s incorporation outside of China and the international composition of the board as evidence of their parent company's independence from the CCP. This argument obscures the fact that key executives of parent company ByteDance – which we argue exerts continued influence on TikTok despite structural corporate boundaries – have close ties to the Party.

5.7.2. Party Secrecy Requirements

The Party's systems for concealing its own control mechanisms begins with its rules and systems for governing itself. New Party members are required to pledge that they will "protect Party secrets".[226] The Party Constitution requires Party members to prioritise "the interests of the Party . . . before all else" (Article 16).[227]

These obligations of secrecy and primacy could conflict with legal obligations to disclose information to investors and regulators in rule-of-law jurisdictions.

Red Leaders at ByteDance

Bytedance Role

Party Role



Zhang Yiming

Bytedance Role:
Founder and former CEO

Party Role:
United front system

Zhang Yiming has links to provincial united front organisations in Fujian, including the Fujian People's Political Consultative Conference, the Fujian Province Overseas Friendship Association, and the Fujian Association for Members of Emerging Social Strata.



Zhang Fuping

Bytedance Role:
Vice President, Chief Editor of Douyin Group

Party Role:
ByteDance Party secretary; propaganda system

Before joining ByteDance, Zhang Fuping was Vice President and Deputy Chief Editor of state media Beijing Times.



Feng Kaixu

Bytedance Role:
Vice President of Public Affairs, Deputy Chief Editor

Party Role:
ByteDance Deputy Party secretary, united front system

Feng is a well-known calligrapher with links to the All-China Federation of Trade Unions (ACFTU), a united front organisation.



Chen Zhifeng

Bytedance Role:
VP of Government Relations

Party Role:
United front system

Like Feng Kaixu, Chen Zhifeng has been connected to the united front organisation ACFTU. Chen has discussed collaborating with CCP propaganda and united front figures in Fujian

5.7.3. Founder Zhang Yiming

ByteDance founder and former CEO Zhang Yiming told a reporter from The Atlantic in 2020 that he "isn't a Party member".[229] However, our research has identified his links to several Fujian Province united front bodies.[230] The purpose of the united front system is to increase Party influence outside the Party.

Zhang Yiming was present when the Central United Front Department began a new campaign engaging media professionals.[231] He attended the first ever training for new media professionals in 2015 that focused on how to conduct united front work online. While reflecting on the course, Zhang Yiming shared that the training course allowed him to *"develop stronger self-confidence in rejuvenating the country through science and technology and strengthening the country through the internet."*[232]

5.7.4. Chief-Editor-and-Party-Secretary Zhang Fuping

Zhang Fuping joined ByteDance as Deputy Chief Editor of Today's Headlines in 2016 and rose to Chief Editor the following year.[233] Following the content crackdown on the company in March 2018, he started making public appearances not just as ByteDance Chief Editor but also as Party Secretary.[234] He was appointed a board member of the Beijing Douyin Information Service Co. Ltd. in April 2021 alongside the CAC's Wu Shugang.[235]

Zhang Fuping is not listed as the company's Party Secretary on either the Chinese or English versions of ByteDance's website. Nor does the company identify him as the business's top-ranked official for political matters.

5.7.5. Board Member Neil Shen of Sequoia Capital

Notable also is Neil Shen, Global Steward of Sequoia Capital and Founder and Managing Partner of Sequoia Capital China, who serves on the board of ByteDance.[236] Shen was a member of the 13th National Committee of the Chinese People's Political Consultative Conference (CPPCC), a peak united front forum chaired by a member of the Politburo Standing Committee that brings together Party officials and Chinese elites.[237] He was the CPPCC's only representative from the venture capital sector.[238]

Shen is vice president of the Venture Capital Funds Committee of the Asset Management Association of China, which appears to exercise industry leadership in the venture capital field, and director of the Yabuli China Entrepreneurs Forum, which comes under the guidance of the All-China Federation of Industry and Commerce.[239]

Notably, Shen was absent from the line-up of the 14th National Committee of the CPPCC revealed in January 2023 (and he left the board of Chinese e-commerce giant Pinduoduo in late 2022).[240] This may raise questions about his standing with the Party as it appears to shift its favour from tech firms toward state-owned enterprises.

Sequoia Capital China previously hired Wang Xisha, daughter of former Politburo Standing Committee member Wang Yang, as an investment partner.[241]

6. ByteDance Serves Party Propaganda

This section examines the functional and personnel links between ByteDance and the Party's propaganda apparatus.

a. **Coming to the Party:** ByteDance cooperates with Beijing's security services and organs of repression to guide public opinion and generate support for repressive activity.

b. **Influence Through Personnel:** That ByteDance has a Party Secretary who is also "Chief Editor" is just one strand of a web of personnel connections designed to integrate ByteDance into the state propaganda system.

c. **Narrative shaping:** The biggest risks involve TikTok's unprecedented potential for shaping narratives and curating overseas political landscapes. ByteDance has a demonstrated record of adopting norms in service of Party propaganda.

6.1. Whitewashing the Party-State's Security and Repression Apparatus

ByteDance claims that the company "*does not produce, operate or disseminate any products or services related to surveillance*".[242] However, our research shows that ByteDance platform Douyin, TikTok's analogue in China, serves Beijing's security and repression systems in direct and explicit ways.

Through its network of subsidiaries, ByteDance cooperates with military organs on propaganda work. In November 2017, the People's Armed Police, a paramilitary organisation that reports to the Xi-led Central Military Commission, signed a cooperation agreement with Today's Headlines.[243] Chief Editor Zhang Fuping was pictured at a signing ceremony with the director of the Political Work Department in the People's Armed Police, Yan Xiaodong.[244] A year and a half later, the People's Armed Police announced their forces would be joining Douyin to *"spread the positive energy of the People's Armed Police"*.[245]

ByteDance also engages in formal cooperation with the Ministry of Public Security (MPS), supporting the MPS to influence and guide public opinion and to provide propaganda that portrays the MPS as being in service to citizens.

Built from the CCP's analogues of Stalin's secret police, the MPS combines traditional police roles with the prosecution of political dissent.[246] It is tasked with investigating ideological crimes (including elastic interpretations of inciting the subversion of state power) alongside ordinary crimes recognised and prosecuted in liberal democracies.



ByteDance Party Secretary and Chief Editor Zhang Fuping (right) with People's Armed Police Political Work Department Director Yan Xiaodong.[247]

ByteDance is not merely a passive host for public security accounts on its Today's Headlines and Douyin platforms. The company offers expert guidance and big data analysis to assist the MPS in its dissemination of propaganda.

In April 2019, the MPS Information and Propaganda Bureau signed a strategic cooperation framework agreement with ByteDance, as the Australian Strategic Policy Institute first reported.[248] According to a social media account run by the Public Security Bureau of Yangshan County, Guangdong:

> *[T]he strategic cooperation agreement aims to maximise [Today's Headlines'] and* ***Douyin's specialised technology and platform advantages in big data analysis, accuracy of push notifications, and creative strategy****. The cooperation agreement would . . .* ***elevate public security propaganda in its capacity to influence, guide, and gain public trust*** *. . . creating positive public opinion as an environment for the development and progress of public security work in the new era.*[249]

ByteDance's collaboration with the MPS extends to Xinjiang, where it plays a role in disseminating Party propaganda. According to a report by the Australian Strategic Policy Institute, Xinjiang local authorities received guidance to use Douyin to broadcast a sanitised depiction of state poverty alleviation policies in Hotan, a region of Xinjiang with roughly a dozen suspected detention centres for Uyghur Muslims and other minorities.[250] This points to ByteDance's involvement in the Party-state's efforts to whitewash the internment of Uyghurs in Xinjiang.

The United Nations has found that the CCP's repression of non-Chinese ethnic groups may amount to "crimes against humanity" – the most serious allegation the body is able to make, absent an International Criminal Court investigation.[251]

6.2. ByteDance Ties to the Propaganda System

ByteDance and key company executives are members of media associations established to ensure compliance with Party norms. Institutional ties include:

- Kelly Zhang, CEO of Douyin Group, is vice president of the **China Netcasting Services Association**, of which Beijing ByteDance Network Technology is a member.[252] Nie Chenxi, former deputy chief of the Central Propaganda Department and a member of the 19th CCP Central Committee, is president of the association.[253] The CCP Central Committee's Propaganda Department controls the National Radio and Television Administration (NRTA), which supervises the China Netcasting Services Association.[254] As the largest professional association in the industry, China Netcasting Services Association publishes mandatory standards for online short video platforms.[255]

- Party Secretary and Chief Editor Zhang Fuping serves as executive vice president at the **Beijing Communication Industry Association**, of which Beijing Douyin Information Service is a member.[256] The association *"uses Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era as an operational guide"*.[257]

- ByteDance is a member of the **People's Daily Smart Media Research Institute**.[258] One key purpose of the institute is to explore how to use AI in media operations, including "*using mainstream values to control the algorithm, so as to comprehensively improve capacity to guide public opinion*".[259]

- Beijing Douyin Information Service is an executive corporate member of the **Internet Society of China (ISC)**.[260] One of ISC's goals is to *"participate in the formulation of global Internet policies, norms and standards, improve the global internet governance system, and maintain cyberspace order"*.[261]

Outside of institutional ties, a notable number of employees have worked for Party propaganda outfits before joining TikTok and ByteDance. In August 2022, Forbes reported that its analysis of public LinkedIn profiles showed "*300 current employees at TikTok and its parent company ByteDance previously worked for Chinese state media*".[262] ByteDance and TikTok did not challenge the report's findings.

We independently verified that 10 senior leaders (directors, VPs and managers) at ByteDance and its subsidiaries in China have come from traditional state media, particularly the Beijing Times. Senior leaders with a history in traditional state media include Zhang Lidong, current Chairperson of Douyin Group; Zhang Fuping, Party Secretary, Vice President, and Chief Editor of Douyin; and ByteDance managers in Marketing, PR, Content Moderation, Operations, and Overseas Markets. We identified another three TikTok managers with prior experience in China's state media.

6.3. Party Instruction and Supervision

Beijing's cyber authorities mobilise and monitor internet companies such as ByteDance in times of crisis, such as during Covid-19 and the protests against the government's Zero Covid restrictions. Examples:

- In February 2020, as the Party mobilised against Covid-19, the CAC placed ByteDance (among other internet companies) under "special supervision" to ensure support for "*a good internet environment for winning the battle of Covid prevention and control*".[263]

- ByteDance was responsive to Party calls from the Wuhan Internet Industry Party Committee – and from Xi Jinping himself – to crack down on Covid-19 misinformation, anti-government sentiment, foreign reporting and other *"harmful information"*, as defined by the Party.[264] By late February 2020, ByteDance had set up channels on Douyin, Today's Headlines and its other apps for *"broadcasting positive energy"* and information about the government's epidemic control efforts.[265]

- More recently, on 1 December 2022, after anti-lockdown protests across major cities in China, the CAC instructed tech companies such as ByteDance to *"expand censorship of protests"*, pay attention to content about anti-government protests, and restrict information about how to use VPNs to circumvent state internet controls.[266] At an internal meeting, the CAC instructed ByteDance to increase staffing of censorship teams, according to insiders who spoke to the Wall Street Journal.[267]

6.4. Party-State Control of ByteDance Intellectual Property

The Party-state has emphasised the importance of algorithms and their injection with "mainstream values" for the purposes of propaganda work.

In March 2019, Xi Jinping published an article in Qiushi on "*Accelerating the development of media integration and constructing an omni-media broadcast pattern*". He emphasised the importance of "*exploring the use of AI in news acquisition, production, distribution,*

reception, and feedback, [while] using mainstream values to guide and harness 'algorithms', and comprehensively improving public opinion-shaping capabilities".[268]

By the end of the year, Xi's words had been enshrined in official guidelines. The instructions came from the CAC and directed internet companies using personalised recommendation algorithms to promote propaganda and refrain from republishing illegal or harmful content.[269]

Since March 2022, ByteDance has been subject to Article 6 of the CAC's Internet Information Service Algorithmic Recommendation Management Provisions, which reads:

> *Algorithmic recommendation service providers shall uphold the mainstream value orientation, optimise the algorithmic recommendation service mechanism, actively disseminate positive energy, and promote the use of algorithms for good.*[270]

The Party-state has developed additional levers of control over ByteDance's intellectual property, such as export restrictions on recommendation algorithms and requirements for algorithms to be submitted for review to cyber regulators.

6.4.1. Export Controls

On 28 August 2020, while discussions were underway with the U.S. government about ByteDance's potential forced sale of TikTok, China's Ministry of Commerce and Ministry of Science and Technology added new items to their list of sensitive technologies requiring export controls.[271] This list included AI interactive interface technology and data analysis-based personalised information push-service technology, both of which TikTok uses.[272]

Two days later, on 30 August 2020, state media Xinhua published an article titled "*Planned TikTok deal entails China's approval under revised catalogue*".[273] Professor Cui Fan of the University of International Business and Economics advised ByteDance to:

> *. . .carefully study the revised catalogue, seriously and carefully consider whether it is necessary to suspend substantive negotiations on relevant transactions, comply with statutory application and reporting procedures, and then take further actions as appropriate".*[274]

ByteDance responded the same day that it had seen the Ministries' announcement and would strictly abide by the regulations.[275]

On 13 September 2020, ByteDance reportedly informed the U.S. government that its algorithm would not be for sale. A source who spoke to the South China Morning Post said, *"The car can be sold, but not the engine."*[276]

6.4.2. Transfer of Personalised Recommendation Algorithm to Cyber Regulators

In March 2022, the CAC, the State Administration for Market Regulation (SAMR), the Ministry of Public Security, and the Ministry of Industry and Information Technology issued new regulations on recommendation algorithms.[277] In August 2022, ByteDance submitted its personalised recommendation algorithm to cyber regulators.[278] The company professes to use this same algorithm for Douyin, Today's Headlines, Xigua Videos and other products that recommend content.[279]

ByteDance likely uses a similar algorithm for TikTok. In 2017, Li Lei, then the head of ByteDance's AI Lab, said: "*Many of the lessons we have learned can be shared for our international products. . . .We have built the largest machine-learning platform for content. That's our weapon*."[280]

6.5. Censoring Content, Promoting Propaganda

Leaked TikTok documents from 2019 and 2020 established that content moderators were instructed to suppress content about politically sensitive events, figures, and speech, while limiting the viewership of posts from users deemed "ugly", "fat", "poor", "LGBT" or "disabled".[281] These leaked documents show the discretionary power of the platform in its selective and opaque restrictions on content and users. Interviews with former or current ByteDance staff, plus whistleblower accounts from former internet censors, have provided glimpses of a content-moderation process combining machine and human review.[282]

The body of evidence about censorship on TikTok is credible and substantial. Without disputing the veracity of these accounts, ByteDance and TikTok spokespeople have insisted that offending content moderation guidelines have since been retired.[283]

The company has developed a formulaic response to public criticism of censorship on the platform: Explain there was a technical or policy error (instead of an attempt at censorship), apologise for the error, and declare that the error is now fixed.[284] This applied to media reporting about TikTok's promotion of racist and anti-LGBTQ+ content, censorship of posts about #BlackLivesMatter, and removal of teenager Feroza Aziz's account from the platform when she called attention to China's treatment of Uyghurs in a makeup tutorial.[285]

ByteDance and TikTok assert that censorship is not a threat, but a close examination of content moderation on Douyin (and other ByteDance platforms in China) suggests otherwise. Content moderation is an existential issue for internet platforms in China, as we have witnessed with Zhang Yiming's formative experience with Fanfou, one of China's early Twitter equivalents. Li An, former ByteDance censor, explains:

> *What Chinese user-generated content platforms most fear is failing to delete politically-sensitive content that later puts the company under heavy government scrutiny. It's a life-and-death matter. . . .Content moderation policymakers, plus the army of about 20,000 content moderators, have helped shield ByteDance from major political repercussions and achieve commercial success.*[286]

We have demonstrated how key individuals in ByteDance's company structure ensure Party alignment. In the sections that follow, we map the levers of control over the actual content in Douyin and other ByteDance platforms in China – and their implications for TikTok.

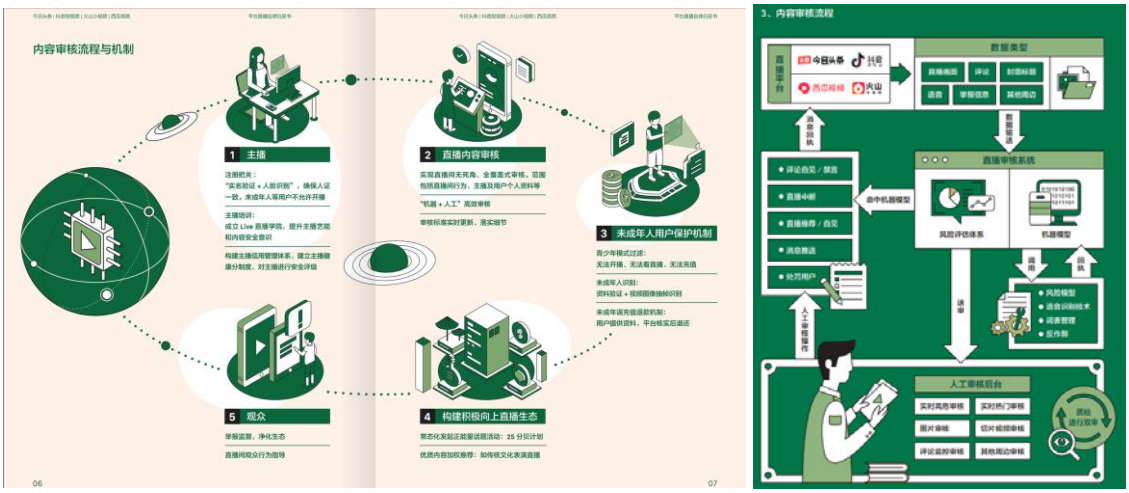
6.5.1. Automated Content Filters

Beijing uses the term "rumour" to label ideas and discourse critical of the Party-state.[287] ByteDance notes in its 2018 Corporate Social Responsibility (CSR) report the measures it took to combat "rumours":

- Created large datasets: "*Created a 'rumour database' of more than 300,000 articles, to filter old rumours. Agreed to cooperate with the CAC's Illegal and Harmful Information Reporting Centre to work with authorities to share information on rumour databases*."[288]
- Developed targeted content distribution: "*Launched an accurate rumour-dispelling function to accurately deliver rumour-dispelling articles to people affected by rumours.*"[289]
- Harnessed technology: "*Collaborated with the University of Michigan to establish an anti-rumour research alliance and develop anti-rumour technology*."[290]

As recently as September 2022, the CAC led 12 internet platforms – including Douyin – in the tagging of online rumours as part of a dedicated campaign.[291] In September 2020, ByteDance attended a meeting with the National Anti-Pornography and Anti-Illegal Publications Office on its shared database for harmful information on the internet.[292]

A 2019 company White Paper on the "*Self-regulatory Mechanism of Live Video Streaming Platforms"* shows the breadth of ByteDance's content-review models.[293] ByteDance combines machine learning models (visual, audio, and textual models) with a risk model to vet livestreams in real time.[294] It bans illegal and political content, inappropriate dressing, pornographic and vulgar content, abusive and provocative content, and superstitious content, among other categories of prohibited content.[295] The rules further prohibit content involving deepfakes, slime, and all-you-can-eat contests.[296]



ByteDance's content review process for livestreams includes a combination of machine and human review, as depicted in this diagram from ByteDance's 2019 White Paper (which has since been taken down).[297]

The use of technology in content moderation extends to facilitating the work of state censors. Li An, former ByteDance censor, described the job as creating "*technology to make the low-level content moderators' work more efficient*".[298] Li said:

> *. . .[the team] received multiple requests from [moderators] to develop an algorithm that could automatically detect when a Douyin user spoke Uyghur, and then cut off the livestream session . . . because they didn't understand the language.*[299]

The tech team decided not to pursue the solution because they *"didn't have enough Uyghur language data points in [their] system, and the most popular livestream rooms were already closely monitored"*.[300]

6.5.2. Calibrating Content Distribution

In 2018, ByteDance Party Secretary and Chief Editor Zhang Fuping held a special Party class to study a National Work Conference on Cybersecurity and Informatisation. He declared then that ByteDance should "*transmit the correct political direction, public opinion guidance and value orientation into every business and product line, use values to guide algorithms, [and] create a Today's Headlines that is more valuable to users and society*".[301]

ByteDance noted in its 2018 Corporate Social Responsibility (CSR) report that it identified users who received "rumours", then pushed articles to them that dispelled such rumours.[302] This shows the control ByteDance retains over the targeting of content distribution and propaganda.

In November 2021, two employees at ByteDance subsidiaries were jailed by public security organs for accepting bribes to push specific content to Douyin's trending list.[303] A Douyin spokesperson responded that Douyin's trending lists are generated by collating real-time trending content and applying content review mechanisms. The feature allows content editors to intervene in trending topics that violate laws and regulations, or public order and customs, or that are overly sensational.[304] These charges foreshadowed Forbes reporting in January 2023 about TikTok's "secret 'heating' button" that would help a video reach wider viewership and achieve virality.[305]

We found a September 2022 ByteDance investor report on a Chinese file-hosting site and assessed it to be authentic based on its visuals and substance.[306] It reported that ByteDance "*adjusted its algorithm systems away from a purely commercial logic, strengthened the social value orientation of platform content, and ultimately strengthened control over content*".[307] According to the investor report, measures to control content included "*comprehensively analysing user behaviour and comment sentiment to crackdown on low-quality content such as clickbait and rumours*"; "*using machine learning to create risk identification and filtering models for pornography, vulgarity, and abuse, among others*"; and ***"training the 'positive energy model' to strengthen the recommendation of content with mainstream values"***.[308]

6.5.3. Content Moderator Guidelines

In our assessment, the public-facing user service agreement for Douyin shows close alignment with norms promulgated by the China Netcasting Services Association (a state-backed professional association) and the National Radio and Television Administration.

The Association forbids *"content harming the socialist system with Chinese characteristics", "separatist content",* and *"content damaging the image of revolutionary leaders and heroes"*.[309] Per the latest Douyin user service agreement, all "*created, commented, published and disseminated information*" on the platform "*must consciously abide by the law, socialist system, national interests, legal rights of citizens, social public order, morality and customs, and informational veracity*".[310] Users must agree not to create or share content that *"threatens national security", "incites separatism", "breaks national unity", "undermines the socialist system",* or *"promotes evil cults and feudal superstitions"*.[311]

The Association further stipulates that, as internet platforms launch their short video services, they should build a content reviewer team of ***"high political quality and strong professional capability"***.[312] The team should undergo training by the National Radio and Television Administration, and there should be a ratio of at least one content reviewer per every thousand new short videos created each day.[313]

Today's Headlines prioritised Party members when hiring 2000 content reviewers in January 2018.[314] ByteDance noted in its 2018 CSR report that it ramped up the size of its content-

auditing team, with a focus on Party membership.[315] According to former censors, content moderation teams at ByteDance must apply directives received from authorities to new and existing content, often self- and over-censoring to avoid offending the Party.[316]

6.5.4. Peddling Party Propaganda Abroad

Reuters reported that ByteDance censored content it perceived as critical of the Chinese government on its Indonesia news aggregator app, Baca Berita (BaBe), from 2018-2020.[317] Beijing headquarters reportedly instructed local moderators to delete articles critical of CCP authorities. [318] In July 2022, BuzzFeed reported claims from former employees that ByteDance pushed "soft" pro-China messaging on its news app TopBuzz, the international version of Today's Headlines.[319] According to these employees, TopBuzz staff needed to provide evidence to ByteDance that they had placed the content on the app.[320]

The company tried to do the same on TikTok, too: In June 2022, Bloomberg reported that a Chinese government entity responsible for public relations attempted to open a stealth account on TikTok targeting Western audiences with propaganda".[321]

6.5.5. Implications for TikTok

ByteDance has demonstrated its capacity to develop automated content filters and calibrate content distribution in service of Party propaganda, apply Party-aligned content norms, and hire Party members as content moderators. Its capabilities to serve Party propaganda are manifold, including a public-opinion early-warning system, AI that automatically generates content, and "automatic targeting" that draws on signals outside its own app.[322]

ByteDance portrays TikTok and Douyin as distinct platforms with no relation to each other. Yet, as mentioned in Section 6.5.2, content-related charges emerged against Douyin employees more than a year before Forbes's explosive reporting on TikTok's "secret 'heating' button".[323] Douyin offers fertile grounds for understanding TikTok, especially due to the current overlap in Douyin and TikTok personnel.

The lack of transparency around algorithm decisions creates additional vulnerabilities. ByteDance retains oversight over TikTok's algorithms and their development through TikTok Global R&D Lead Zhu Wenjia's reporting up to ByteDance VP Yang Zhenyuan. [324]

In our view, ByteDance has demonstrated sufficient capability, intent, and precedent in promoting Party propaganda on its Chinese platforms to generate material risk that they could do the same on TikTok.

7. ByteDance in China's Military-Industrial-Surveillance Complex

In this chapter, we shift focus to the Party's security apparatus, which intersects with ByteDance in significant ways that have to date gone uncharted.

a. **An Academy for "Military-Civilian Fusion":** ByteDance is a founding member of the Beijing Academy of Artificial Intelligence, which developed from a state-endorsed plan to harness civilian scientific research for AI-related national defence endeavours.

b. **Defence Collaborations:** ByteDance researchers have collaborated with defence-linked universities on dual-use technologies such as person re-identification, deepfakes, quantum computing, and deep neural networks.

7.1. The Party-State Nurtures, Guides, and Benefits from ByteDance Tech

ByteDance's technological advancements have benefited from the Party-state's incubation of priority science and technology programs. Zhongguancun National Innovation Demonstration Dongcheng Park is one such program – a science and technology park in Beijing established as a government-backed incubation zone for startups. In 2017, ByteDance founder Zhang Yiming won the Zhongguancun Innovation and Entrepreneurship Youth Hero Award, acknowledging the science hub's contribution to his success:

> *Today's Headlines is representative of enterprises that grew up in Zhongguancun. . . .The growth of Today's Headlines has benefited from Zhongguancun's talent and policy advantages.*[325]



Then-Science and Technology Minister Xu Guanhua (left) congratulates Zhang Yiming (right) on winning the Zhongguancun Innovation and Entrepreneurship Youth Hero Award in 2017.

Zhang Yiming acknowledged the symbiotic relationship he and his company enjoyed with the Party-state. His award acceptance speech, entitled *"Innovation and Responsibility of Technology Enterprises"*, described the special responsibilities companies like his were required to shoulder as they became more successful.[326] He said:

> *In the past, a company might be a node, but after becoming a platform, you are the infrastructure of the society, and the impact on the economy and society is bigger and you need to take on more responsibilities*.[327]

At the time, Today's Headlines had begun cooperation with the Gansu Province Cyberspace Affairs Office to provide a sales platform to merchants in poor counties and assist in tracking down lost people.[328]

Party-state support and guidance is ongoing. The current 14th Five-Year Plan for Zhongguancun seeks to *"promote capacity for innovation"* by:

> *Encouraging high-tech enterprises to strengthen technological R&D […]. Through strategic cooperation with companies such as Xiaomi, ByteDance, and Tencent, advance the establishment of an innovation platform with leading innovative internet tech companies as the main body, in-depth cooperation among industry, university, and research institutions, and with high-tech industries that connect the upstream and downstream.*[329]

ByteDance is pursuing technological advancement in areas the Party has prioritised. After the Party's crackdown on the tech sector in 2021, ByteDance set out a plan for achieving "hard technological breakthroughs" in Extended Reality (XR), chips, life sciences, and enterprise intelligence tech. The language of ByteDance's 2021 CSR report aligns closely with Party policy-speak.[330] For example:

1. *"Based on accumulated advantages, extend upstream of the technological chain to AI chips, server CPU chips, and strive to achieve the greatest degree of autonomy and controllability of the technological chain."*
2. *"Continue to explore and apply the company's accumulated AI tech to more fields and fields with greater social value, such as smart devices, medical care, and enterprise services."*
3. *"Carry out basic research and explore the frontiers at the intersections of AI+."*[331]

7.2. Beijing Academy of Artificial Intelligence

ByteDance was a founding member of the Beijing Academy of Artificial Intelligence, established by China's Ministry of Science and Technology and the Beijing Municipal People's Government in 2018.[332] Peking University, Tsinghua University, the Chinese Academy of Sciences, and AI giant Megvii are also members. The U.S. government placed Megvii on its export-control Entity List for enabling repression in Xinjiang in 2019, then blacklisted U.S. public investment into the firm in 2021.[333]

The Beijing Academy of Artificial Intelligence originated out of China's 2017 Development Plan for New-Generation Artificial Intelligence, which aimed to "*build a first-mover advantage in the development of AI in China*".[334] The Plan stipulates that China will *"promote the formation of an all-element, multi-field, high-efficiency AI military-civilian fusion pattern".*[335] The Plan also includes instructions to:

> *. . .encourage prominent civilian scientific research forces to participate in national defence for major scientific and technological innovation tasks in AI, to promote AI technologies to become quickly embedded in the field of national defence innovation.*[336]



7.3. Working with Defence Universities

Heeding guidance to serve national defence, ByteDance researchers have collaborated with defence-linked universities powering China's military. The Australian Strategic Policy Institute has rated Chinese universities' risk of ties to the People's Liberation Army,[337] which we review below:

- Huazhong University of Science and Technology: Rated "very high risk" for its large number of defence laboratories and close links to the defence industry.[338] A ByteDance researcher collaborated with scientists from this university's State Key Lab of Multi-spectral Image Information Processing Technology, a major defence lab, on person re-identification.[339]
- People's Public Security University of China: Rated "very high risk" for its affiliation with the Ministry of Public Security.[340] ByteDance researchers collaborated with this university on deepfakes.[341]
- Tsinghua University: Rated "very high risk" for its substantial involvement in defence research and alleged involvement in cyberattacks. [342] ByteDance researchers collaborated with Tsinghua on quantum computing and deep neural networks.[343]
- Peking University: Rated "high risk" for its involvement in defence research.[344] ByteDance worked with Peking University researchers on intelligent text generation.[345]

State organisations that funded ByteDance's research would likely have access to their findings. Funders include the Beijing Academy of Artificial Intelligence, the Ministry of Public Security Technology Research Program, and the Natural Science Foundation of China.[346]

7.4. Surveillance Tech Partners

As detailed in Section 6.1, ByteDance whitewashes Ministry of Public Security work in Xinjiang and broadcasts sanitised depictions of the region. In business operations and research, ByteDance has cooperated with companies identified as part of the military-industrial-surveillance complex enabling repression in Xinjiang:

- Lion Technology: On the U.S. Entity List since 2019 for ties to repression in Xinjiang.[347] ByteDance cooperates with Lion Tech in data centers.[348]
- SenseTime: On the U.S. Entity List since 2019 for alleged ties to repression in Xinjiang.[349] Sanctioned by Washington again in 2021 for ties to Beijing's

military-industrial complex. ByteDance used facial recognition technology developed by SenseTime.[350]

- **Dawning Information Industry, a.k.a. Sugon:** A subsidiary of the Chinese Academy of Sciences sanctioned for ties to Beijing's military-industrial complex and enabling repression in Xinjiang.[351] ByteDance was a major client of Sugon cloud services. Sugon also makes data centers for ByteDance.[352]

- **iFlytek:** On the U.S. Entity List since 2019 for enabling repression in Xinjiang.[353] ByteDance uses iFlytek for voice synthesis technology and music on Douyin and for office collaboration products on Feishu.[354]

- **Megvii:** Sanctioned by Washington in 2019 and 2021, as noted above.[355] ByteDance collaborated with Megvii on computer vision research.[356]

7.5. Serving the Ministry of Public Security

ByteDance's flagship China products – Douyin and Today's Headlines – serve as resources for surveillance, particularly for China's Ministry of Public Security (MPS).

In 2015, the MPS announced a raft of internet measures, including cybersecurity bureaus for major websites and major internet enterprises. The cybersecurity bureaus target cybercrime, including the Party-defined offence of spreading rumours.[357]

In September 2018, ByteDance Party Secretary Zhang Fuping announced Douyin's integration with the MPS Network Security and Protection Bureau. The cybersecurity bureaus, together with Douyin and Douyin users, would collaborate to clean up cyberspace and promote the constructive environment of platform governance.[358]



Douyin's official ceremony marking its cooperation with the Ministry of Public Security.[359]

The strategic cooperation agreement between ByteDance and the MPS signed in April 2019 includes a clause for *Douyin to cooperate with public security organs and jointly plan "offline activities"*.[360] The agreement is vague on the meaning of cooperation and joint planning. But ByteDance's 2019 CSR report documented the company's efforts in establishing an *"integrated linkage mechanism [linking] behaviour recognition, online confrontation, and cooperation with public security agencies to crack down on behaviour offline"*.[361]

There is evidence of arrests made as a result of ByteDance cooperation with the security services. ByteDance claims that it has aided in solving police cases, some involving hundreds of arrests, facilitated by an in-house official police cybersecurity team.[362] According to ByteDance's 2022 Anti-Fraud Report, on which state media reported, between January 2021 and March 2022, Douyin helped public security organs apprehend 140 fraud-related criminal gangs, arrest 576 suspects, and solve more than 800 cases.[363]

8. Analysing the App: Content Quality and Access to Sensitive User Data

This section presents preliminary analysis of the TikTok app to assess its potential involvement in controlling narratives, and capacity to harvest user data.

a. **TikTok as an Information Ecosphere:** Our original content analysis reveals higher proportions of misinformation and content favourable to the CCP on TikTok than on some other major social media platforms.

b. **Data Harvesting Concerns:** Our analysis of TikTok's code shows that the app can access data beyond what is required for it to function, including sensitive data. This poses a risk to individual user data privacy, and lends itself to potential mass surveillance and intelligence applications.

8.1. Analysing Content on TikTok

In recent years there have been numerous examples of social media-based influence operations originating in China.

The Party and an army of state-backed cyber actors have led coordinated campaigns to harass journalists and human rights activists.[364] They have also sought to shape global opinion on China's human rights record in Xinjiang and to interfere in multiple elections, including in the United States.[365] U.S. officials warned before the 2022 midterm elections that Chinese agents of foreign interference were likely to "hinder candidates perceived to be particularly adversarial to Beijing".[366]

In late 2021, media reports identified a Shanghai Public Security Bureau soliciting bids for public opinion management services and seeking to register fake accounts on Western social media platforms, disguise and maintain them, and create original content.[367]

8.1.1. Prior Analyses of Content on TikTok

Media reporting and research by non-profit organisations present evidence that TikTok appears to censor content sensitive to the CCP, and hosts political misinformation. TikTok's coverage of issues considered sensitive by the CCP (such as Hong Kong's pro-democracy movement and China's human rights record in Xinjiang) appears to depart from that of Western-owned social media platforms, in ways that align with CCP interests.

In September 2019, the Washington Post reported that searches for *#hongkong* on Twitter and TikTok revealed starkly different results.[368] On Twitter, the hashtag surfaced "*the city's unavoidable protests, including pro-China agitprop, sympathetic memes and imagery from the hundreds of thousands of pro-democracy marchers who have braved police crackdowns*".[369] By contrast, TikTok surfaced "*playful selfies, food photos and singalongs, with barely a hint of unrest in sight*".[370]

In November 2019, a Vice Germany journalist found that most of the videos he uploaded to TikTok with the hashtag *#Xinjiang* disappeared from search results.[371]

The Australian Strategic Policy Institute (ASPI) followed up in August 2020 and found that the top 100 videos listed under *#Xinjiang* were 15% pro-CCP (denying the persecution of Uyghurs), 33% propaganda (*"[depicting] Xinjiang in an exclusively idyllic way*"), 12% critical of the CCP, and 40% entertainment.[372] ASPI noted that TikTok's depiction of Xinjiang with *"smiling and dancing Uyghurs"* is a more *"politically convenient version for the CCP"*.[373] The ASPI researchers wrote:

> *While it's unlikely that ByteDance would manipulate TikTok's algorithm as blatantly as it does on its PRC-based equivalent, Douyin, there's ample room for it to* ***covertly tweak users' feeds, subtly nudging them towards content favoured by governments and their ruling parties*** *– including the CCP. . . . Even if ByteDance successfully ringfences TikTok from its China operations, censorship and information control can still be achieved via the* ***app's opaque algorithm****, which is developed by ByteDance's China-based engineering teams.*[374]

TikTok also faces allegations of propagating election misinformation.

TikTok says it does not allow political advertising on its platform.[375] However, in October 2022, an independent investigation by rights group Global Witness and New York University's Cybersecurity for Democracy (C4D) team found that TikTok failed to detect and remove advertisements containing election misinformation ahead of the 2022 U.S. midterms.[376] TikTok approved 90% of the ads containing election misinformation that the researchers sought to upload:

> *TikTok performed the worst out of all of the platforms tested in this experiment, with only one ad in English and one ad in Spanish – both relating to covid vaccinations being required for voting – being rejected. Ads containing the wrong election day, encouraging people to vote twice, dissuading people from voting, and undermining the electoral process were all approved. The account we used to post the election disinformation ads was still live until we informed TikTok.*[377]

8.1.2. Content Analysis

To test some of these claims, we designed and iterated over time a preliminary content analysis experiment that sought to identify the levels of pro-CCP content and misinformation present in top search results across TikTok, Twitter, Instagram and YouTube.

Given that TikTok functions uniquely (in that it generates recommended content without ever requiring the user to search for a topic or follow a creator), we focused our analysis on the content returned by each app's search function, thereby ensuring our experiment could be reliably repeated across platforms. This minimised the extent to which each app's content recommendation functions affected the content encountered. We also assessed that an analysis of the top search results returned for each term would provide valuable insight into the kinds of content users would likely encounter when seeking out information on certain topics via each app's search function.

The experiment tested two hypotheses:

1. TikTok hosts a higher proportion of content favourable to the CCP than competing social media platforms; and

2. TikTok hosts a higher proportion of misinformation than other platforms.

Based on our expertise in identifying PRC propaganda talking points, as well as a review of the existing literature on censorship, propaganda and misinformation on social media, we developed a list of 25 search terms across the two target issues and analysed the top 20 search results returned for each term. In total we analysed 2000 search results across the four platforms combined.

In the table below, we list the search terms examined, provide examples of the claims and representations we encountered, and note how we coded content. In order to reduce bias, we used fact-checking services such as Snopes and PolitiFact to assess the truthfulness of particular claims and coded content as 'disinformation' only if it presented untruths as fact.

We emphasise that this analysis is limited and preliminary in nature. It investigates the quality of content present in top search results for a limited set of terms, across a limited time period. Presence of pro-CCP content is not evidence that the app promotes propaganda or censors anti-CCP views. Similarly, presence of misinformation is not evidence that the app promotes this kind of content. Any assessment of the extent of propaganda, censorship or disinformation occurring on the platforms would require investigation into the origins of and intentions behind content appearing in top search results (on the content creator side) and evidence of the functions of TikTok's recommendation algorithm and content moderation processes (on the platform side).

Content Analysis Methodology

Assessing depictions of the CCP

Search terms

- "CCP"
- "China"
- "Mao Zedong"
- "China military"
- "PLA "
- "China human rights"
- "Tiananmen"
- "Tibet"
- "Hong Kong protest"
- "Uyghur"
- "Taiwan is a country"
- "Xi Jinping"
- "Xinjiang"
- "Wuhan lab"
- "Taiwan invasion"

Notes on how content was coded

Favourable depictions of the CCP

Content coded as such included refutations of so-called 'Western lies' about genocide in Xinjiang, rosy pictures of 'happy Uyghurs', criticism of Hong Kong's pro-democracy protest movement, PRC military propaganda, praise for the Chinese Communist Party, etc.

Unfavourable depictions of the CCP

Content coded as such included criticisms of Xi Jinping's leadership and China's human rights record, expressions of support for Tibetan and Taiwanese independence, content deriding CCP censorship practices, etc.

N/A

Content was coded as such if it was either unrelated to the target topic, or did not present either a favourable or unfavourable depiction of the CCP.

Assessing the presence of misinformation

Search terms

- "Mail ballot"
- "MAGA"
- "Uvalde TX conspiracy"
- "January 6 FBI"
- "Covid vaccine debunked"
- "Red wave"
- "Hunter Biden laptop"
- "Crisis actors"
- "mRNA vaccine"
- "Bucha fake"

Notes on how content was coded

Content containing misinformation

Content coded as such included misleading claims related to 'crisis actors' and the Uvalde, Texas school shooting, vaccine misinformation (including the claim that mRNA vaccines alter human DNA), false claims regarding the January 6 Capitol riots, etc.

Content absent misinformation

Content coded as such included factual reporting on election outcomes, expressions of personal political views (including personal opinion on the presence or absence of a "red wave" during the U.S. 2022 midterms), press reporting on investigations into the laptop that allegedly belonged to Hunter Biden, etc.

Content coded as N/A

Content was coded as such if it was unrelated to the target topic, or did not make any discernible claim.

8.1.3. Control Variables

We conducted this content analysis over a 48-hour period (20-22 November 2022). We performed the searches on newly created sock puppet accounts on an Apple device using a VPN to spoof the device IP's location, deleting accounts made for one app before making those for the next. This was done to reduce the potential for targeted recommendations generated by third-party user data sharing that may occur across apps.

8.1.3. Findings

Our experiment revealed that top search results on TikTok (and Twitter) featured higher proportions of content favourable to the CCP, compared to Instagram and YouTube.

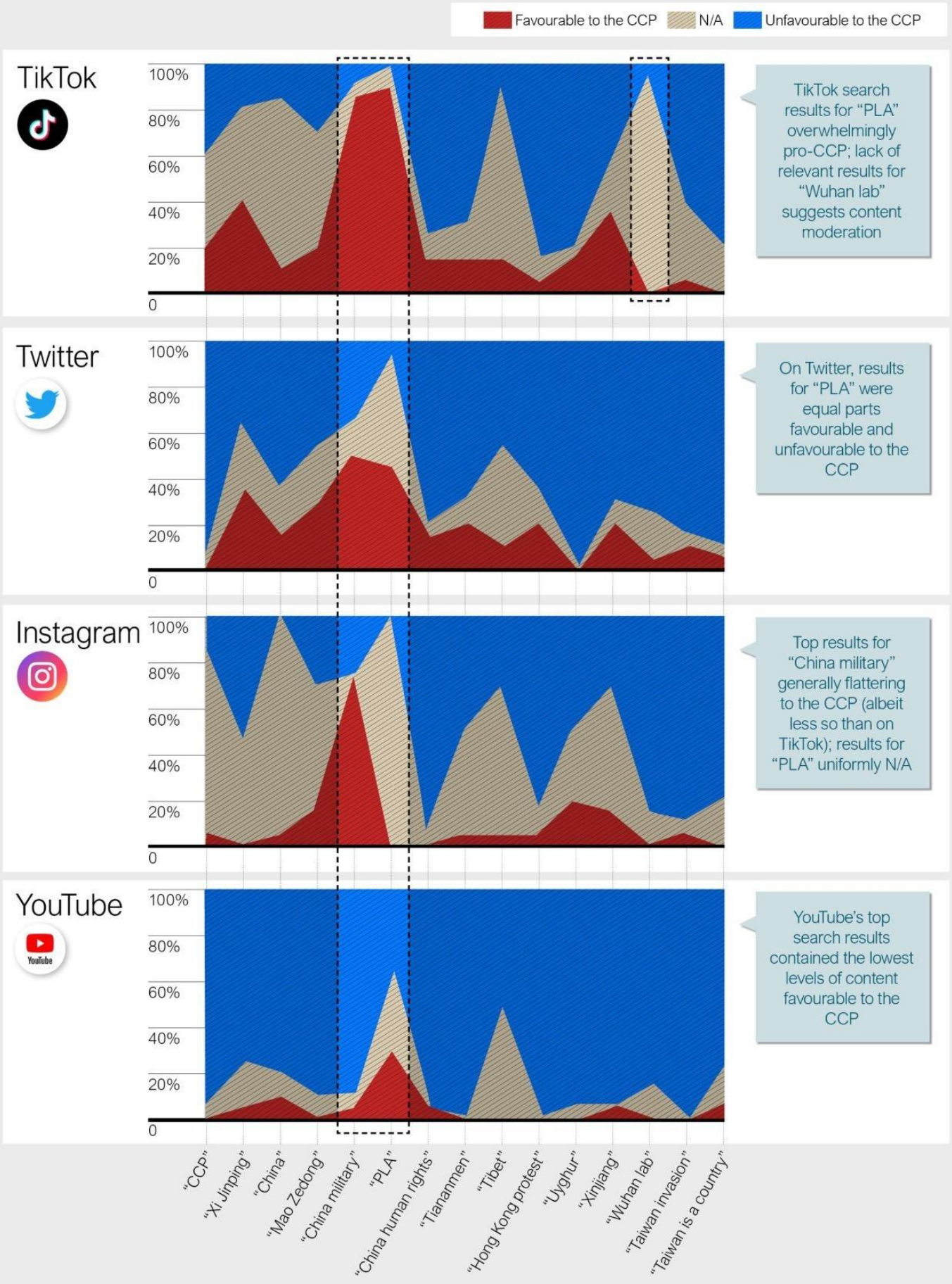
In the absence of direct evidence of policies, practices, and human or technical mechanisms for managing content on the platform, we cannot determine the specific causes of the elevated proportion of pro-CCP content and disinformation on TikTok vis-à-vis other apps. That is, our experiment does not enable us to determine whether this result stems from internal TikTok content moderation, algorithm manipulation, or a higher volume of pro-CCP content creators active on the platform.

Our findings do support a conclusion that, when searching for information on contentious topics related to China and, separately, to U.S. political issues, the average TikTok (and Twitter) user is more likely to be exposed to content favourable to the CCP and misinformation in search results than the average Instagram and YouTube user. These findings have significant implications for Gen Z users who increasingly use TikTok as a search engine to learn about political issues.[378]

We emphasise the limited and preliminary nature of this investigation, which focused on results returned for a limited set of search terms within a limited time period.

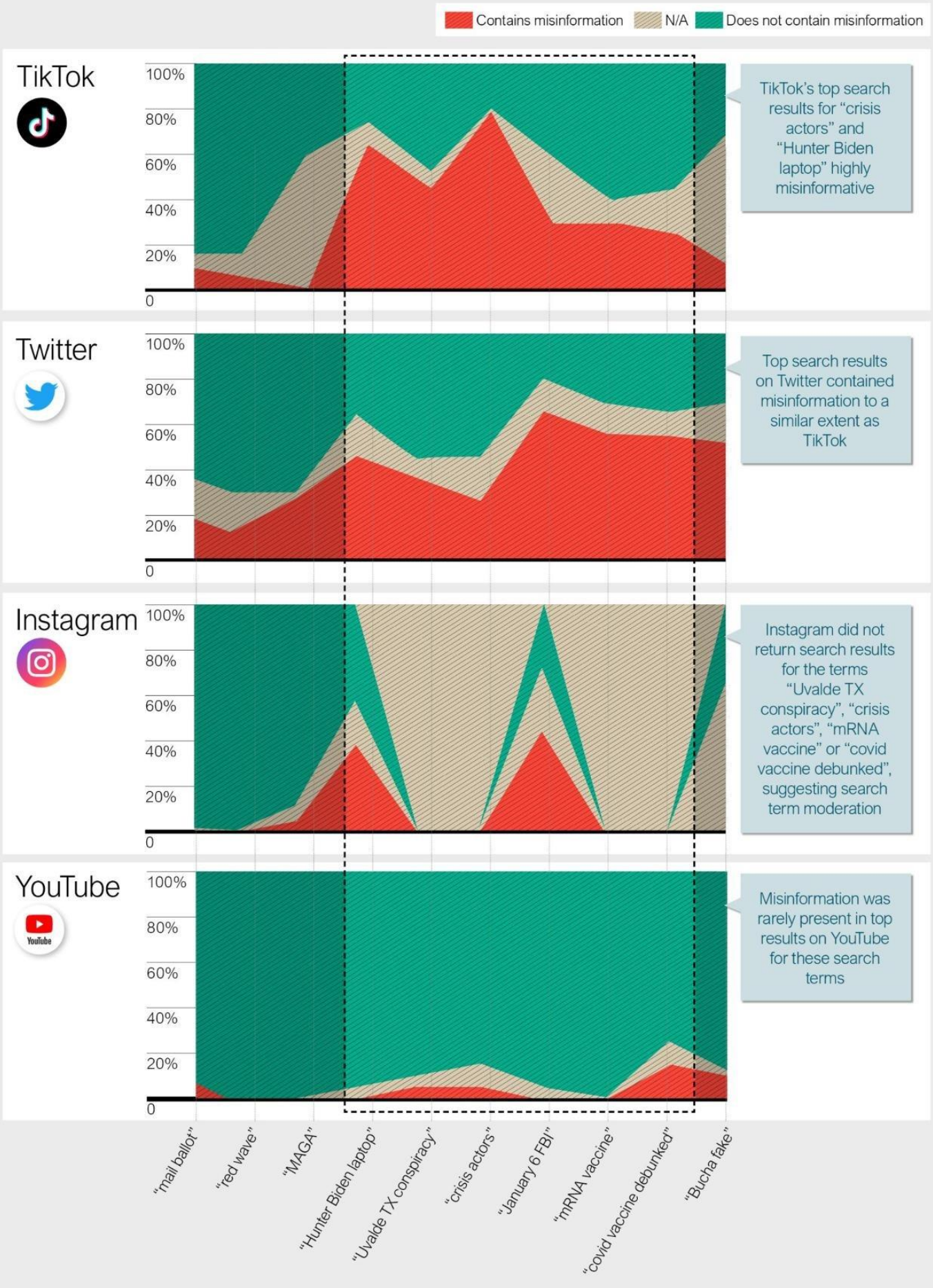
Preliminary Comparative Analysis of Content Across Major Platforms (Part 1)

We assessed depictions of the CCP present in the top 20 search results on TikTok, Twitter, Instagram and YouTube over a 48-hour period (20-22 November 2022):



Preliminary Comparative Analysis of Content Across Major Platforms (Part 2)

We assessed the presence of misinformation in the top 20 search results on TikTok, Twitter, Instagram and YouTube over a 48-hour period (20-22 November 2022):



8.1.4. Possible Intervening Variables: Twitter Takeover

This content analysis was conducted after Elon Musk completed his takeover of Twitter but prior to reports of substantial changes to content algorithms and moderation functions. In December, Twitter reportedly dismissed a number of key executives and, by some estimates, half of the workforce, including some of those working on content moderation.[379]

8.1.5. Suggestions for Future Analyses

These results capture only a snapshot of content on TikTok for a limited 48-hour period. Follow-up experiments could repeat the experiment multiple times, or over a longer period, examining a broader range of search terms, for more reliable results. This would allow stronger conclusions about the app's treatment of particular topics. For instance, in our experiment, almost all top search results for the terms "PLA" and "China military" contained favourable depictions of the CCP. However, we would require more robust evidence to draw firm conclusions about the reasons for and implications of this.

8.2. Technical Analysis: Data Accessed by the App

A July 2022 investigation by cybersecurity firm Internet 2.0 alleges abuses of data privacy and security by the TikTok app, including the claim that *"Permissions and device information collection are overly intrusive and not necessary for the application to function"*.[380]

The report cites a number of examples of data TikTok collects which the authors argue should be considered excessive, including information on other applications installed and running, hourly location data, persistent calendar access, contacts, and unique device identifiers such as the International Mobile Equipment Identifier (IMEI).[381]

To independently verify some of these findings, we performed a limited technical analysis of the TikTok app designed to be verifiable and repeatable by others. Our technical analysis was conducted on the Android v25.1.3 app (the same version analysed by the Internet 2.0 investigation).[382] In summary, we found that the app requests permission to access a vast array of data, including sensitive data, and it also requests permission for data seemingly unnecessary for the functioning of the app (based on its current features).

Based on our understanding of the app's personalised recommendation algorithm, we assess that TikTok may be able to build user profiles that reflect personal proclivities relating to engagement with 'compromising' material. These user profiles could conceivably be used to publicly discredit or blackmail individuals for the purposes of political interference or transnational repression. Agents of the CCP regularly participate in campaigns of harassment and repression via social media.[383]

8.2.1. Static Analysis of the Android App

Our researchers performed a static analysis of the TikTok app (Android v25.1.3) in order to independently verify some of the findings of the Internet 2.0 report.[384] (For our methodology for the purposes of replication, see Appendix 1.)

Our findings are based on an initial analysis of the decompiled code of the app. It is important to note that a significant proportion of the code is obfuscated, so we were unable to determine the functions of much of the code.

Moreover, static analysis is limited in its ability to inform definitive conclusions about whether data is being sent outside of the device. The TikTok Android app is a large, well-protected and complex program. Outside reference points would be required to determine whether TikTok's collection and handling of data varies significantly from that of other popular social media applications. However, third-party security evaluation services rate TikTok poorly compared with other social media platforms.

We used the security analysis tool Mobile Security Framework (MobSF) to run two separate static analyses of the Android Package Kits (APKs) for TikTok (v25.1.3) and Instagram (v261.0.0.21.111). The MobSF reports scored TikTok's security risks as "critical" (21/100) and gave the app an "F" grade with 5/428 trackers detected. Comparatively, Instagram scored as "medium" risk (50/100) and received a "B" grade with 2/428 trackers detected. MobSF flagged 48 "high severity findings" for TikTok and 5 for Instagram.



Risk ratings provided by Mobile Security Framework, based on an automated security evaluation.

8.2.2. Data Access

Our limited investigation of this particular version of the TikTok Android app found that it requests permission to collect a large number of datapoints about the user and their device.

We were unable to confirm whether the data is indeed collected, what it might be used for, or where it is sent. However, the data the app requests permission to collect contains numerous unique identifiers and would facilitate device "fingerprinting" – the practice of profiling a machine based on its unique software and hardware configuration.[385] (For a list of device data the TikTok app is able to read, see Appendix 2.)

The app can perform checks for a user's contacts, location and calendar information. (For the full list of 'android.permission' strings and the number of times each is observed in the decompiled code, see Appendix 3.) From this list, we can see that the app can collect users' precise location, and collect location data even while the app is not in use.[386]

Given recent revelations regarding TikTok's surveillance of American journalists using the app to monitor their locations, these findings present individual privacy and security risks that warrant further examination.[387]

9. Taking Stock of the Evidence

In this section, we show how TikTok's attempts to defuse controversy and allay policymakers' concerns have failed to address the fundamental risks facing democratic governments.

a. **Recent Events Confirm the Risks Are Real:** Late-2022 revelations of data privacy violations by ByteDance, including the tracking of journalists reporting on TikTok, show the emptiness of supposed safeguards.

b. **"Project Texas" Problems:** TikTok's promises to house data in the United States cannot negate how Beijing's comprehensive national security and intelligence laws weave ByteDance and TikTok into its global data goals and can obligate them to share any data the Party may demand, in secret.

c. **Beijing's Regulatory Veto:** Some U.S. regulators may want to stop short of a ban by instead forcing ByteDance to divest TikTok, but Beijing has repeatedly signaled that it would oppose such a solution, including by imposing export controls on algorithms.

9.1. TikTok's Late-2022 Troubles

TikTok has faced increasing scrutiny in democratic capitals for several years, dating most significantly to the Trump administration's August 2020 attempt to ban the app altogether. However, the month of December 2022 was especially eventful. The highlights:

9.1.1. Tracking U.S. Journalists

ByteDance admitted on 22 December that an internal-audit team – including employees in China – had inappropriately tracked journalists from the Financial Times and Forbes by accessing their location data in an attempt to identify their sources inside TikTok.[388] While the Christmas-week timing of the news probably limited its immediate splash, this revelation hurt TikTok's standing in Washington. Critics have long warned that ByteDance could access user data for abusive purposes, including to track and intimidate, whether on ByteDance's initiative or on behalf of the Chinese government. This appeared to prove it.

Reporting On TikTok Reached Fever Pitch In Late 2022

JUN 2022

BuzzFeed News

Leaked Audio From 80 Internal TikTok Meetings Shows That US User Data Has Been Repeatedly Accessed From China

17 June

The leaks reveal that PRC-based engineers were able to access US TikTok users' app data, even while U.S. employees were not.

JUL 2022

FINANCIAL REVIEW

TikTok's 'alarming', 'excessive' data collection revealed

18 July

Technical analysis of the TikTok app by Australian cybersecurity firm Internet 2.0 judged the app's data access requirements excessive.

AUG 2022

Forbes

LinkedIn Profiles Indicate 300 Current TikTok And ByteDance Employees Used To Work For Chinese State Media—And Some Still Do

11 August

At least 500 TikTok and ByteDance employees—including those working in strategy and content—have previously worked for PRC state media.

OCT 2022

Forbes

TikTok Parent ByteDance Planned To Use TikTok To Monitor The Physical Location Of Specific American Citizens

20 October

An Internal Audit team at ByteDance intended to surveil specific U.S. citizens through the TikTok app's location tracking function, including some who had no employment relationship with either company.

NOV 2022

Forbes

TikTok May Be Suppressing Videos About The Midterms And Voting, New Research Suggests

7 November

TikTok is accused of censoring videos about the U.S. midterm elections, including politically-neutral content containing how-to-vote information.

DEC 2022

Forbes

EXCLUSIVE: TikTok Spied On Forbes Journalists

22 December

ByteDance confirms it used TikTok to track the locations of U.S. journalists reporting on the company, in an attempt to identify the sources of recent leaks.



U.S. Federal Communications Commissioner Brendan Carr highlights how TikTok parent ByteDance's pre-Christmas admission of snooping backs up allegations that have long dogged the company.

Democrat Mark Warner, chair of the U.S. Senate Intelligence Committee, said:

> *This new development reinforces serious concerns that the social media platform has permitted TikTok engineers and executives in the People's Republic of China to repeatedly access private data of U.S. users despite repeated claims to lawmakers and users that this data was protected.*[389]

9.1.2. Intelligence Officials Sound the Alarm

Also toward the end of last year, key U.S. national security officials intensified their warnings about TikTok. In November, FBI chief Chris Wray stated that the FBI has "a number of concerns" regarding TikTok as a "national security threat":

> *They include the possibility that the Chinese government could use it to control data collection on millions of users or control the recommendation algorithm which could be used for influence operations if they so chose, or to control software on millions of devices which gives it the opportunity to potentially technically compromise personal devices.*[390]

On 3 December, Director of National Intelligence Avril Haines addressed TikTok at the Reagan National Defense Forum:

> *It is extraordinary the degree to which China, in particular . . . are developing just frameworks for collecting foreign data and pulling it in and their capacity to then turn that around and use it to target audiences for information campaigns or for other things, but also to have it for the future so that they can use it for a variety of means that they're interested in.*[391]

On 16 December, CIA Director William Burns echoed such concerns:

> *I think it's a genuine concern, I think, for the U.S. government, in the sense that, because the parent company of TikTok is a Chinese company, the Chinese government is able to insist upon extracting the private data of a lot of TikTok users in this country, and also to shape the content of what goes on to TikTok as well to suit the interests of the Chinese leadership. . . .What I would underscore, though, is that it's genuinely troubling to see what the Chinese government could do to manipulate TikTok.*[392]

9.2. "Project Texas" Doesn't Measure Up

TikTok has gone to great efforts to allay Western policymakers' data security concerns, and convince governments against a ban, forced divestment or other major action. In the U.S., the company has proposed and begun to implement a number of measures relating to data security, the most notable set of which is known as "Project Texas".[393] However, these measures fail to address fundamental issues, as detailed below.

9.2.1. Oracle's Role Doesn't Address the Underlying Problem: While Oracle is responsible for the provision and maintenance of the data storage architecture under "Project Texas", the cloud servers themselves are administered by TikTok and, according to an Oracle official, TikTok maintains "*full control of everything they're doing*".[394]

Regardless of where data is stored, according to company spokesman Ken Glueck, Oracle would have "*absolutely no insight one way or the other*" into whether entities or individuals in China had access to TikTok data stored on the Oracle cloud, nor where it was being sent from there.[395] As TikTok's Head of Data Defense said in leaked recordings:

> *It's almost incorrect to call it Oracle Cloud, because they're just giving us bare metal, and then we're building our [virtual machines] on top of it.*[396]

9.2.2. Oracle's Financial Conflict: As TikTok's business partner, Oracle may not be in a position to serve as independent auditor of TikTok's algorithms as part of "Project Texas". Insiders told The Washington Post in late 2022 that "*audits have not been started or closely planned*" and that Oracle merely serves as TikTok's server provider *"with no authority to police operations*".[397]

9.2.3. ByteDance Policy Remains Clear on China Data Access: TikTok leadership have claimed that the company would not agree to government requests for data if asked.[398] However, TikTok's privacy policy enshrines ByteDance access to U.S. (and European) user data.[399] According to U.S. Senator Josh Hawley, when questioning TikTok executive Vanessa Pappas:

> *You have hundreds of employees with access to U.S. user data that may very well be members of the Chinese Communist Party. You have no way to assure me that they have no access to our citizens' data. And you won't answer my question in a straightforward way about whether a CCP member has ever gained access or not. From my own point of view, that's a huge security problem.*[400]

TikTok shared an update to its Europe privacy policy in November 2022 that confirmed China-based employees have access to European user data:

> *Based on a demonstrated need to do their job, subject to a series of robust security controls and approval protocols, and by way of methods that are recognised under the GDPR, we allow certain employees within our corporate group located in Brazil, Canada, China, Israel, Japan, Malaysia, Philippines, Singapore, South Korea, and the United States remote access to TikTok European user data.*[401]

TikTok's Pappas did not commit to stopping data flows to China.[402] Instead, TikTok has said that it will "*[minimise] employee access to US user data and [minimise] data transfers across regions*".[403] TikTok describes these ostensible data flow-minimisation measures on its website:

> *We have policies and procedures that limit internal access to user data by our employees, wherever they're based, based on need. Like many global companies, TikTok has engineering teams around the world—including in Mountain View, London, Dublin, Singapore, and China – and those teams might need access to data for engineering functions that are specifically tied to their roles. That access is subject to a series of robust controls, safeguards*

> *like encryption for certain data, and authorisation approval protocols overseen by our U.S.-based security team. To facilitate those approvals, we also have an internal data classification system; the level of approval required for access is based on the sensitivity of the data according to the classification system.*[404]

These policies and procedures are internal, with oversight by a "US-based security team". TikTok's U.S. privacy policy says, *"We may share all of the information we collect with a parent, subsidiary, or other affiliate of our corporate group."*[405]

TikTok's refusal to implement an effective quarantine of U.S. user data from China-based staff, and from other entities in its global corporate group, means that this data will continue to be vulnerable to potential requests for access coming from Beijing made possible by the PRC's National Intelligence Law (see Section 2.2.2 and Section 5.5.1).

9.3. Biden's CFIUS Decision – and Beijing's Potential Countermove

TikTok may claim it is not controlled by the Chinese government but, if we revisit a series of key events in 2020, it is clear the Chinese government cares about controlling TikTok.

Amid the failure of "Project Texas" to address fundamental concerns, U.S. policymakers continue to consider stronger measures that Beijing would, based on the evidence, likely seek to thwart.

The most immediate policy landmark for TikTok globally was long expected to be the verdict of the Committee on Foreign Investment in the United States (CFIUS) review, led by the U.S. Treasury Department since 2019. Since late last year, CFIUS has reportedly been considering two approaches:

First, CFIUS could allow ByteDance to maintain ownership of TikTok as long as it moves TikTok's U.S. operations (including its data) into a new subsidiary with a separate board composed of U.S. national security veterans. This approach, avoiding a ban, has reportedly been Treasury's preference.[406] (This would trigger criticism from Congress).

Alternatively, CFIUS could force ByteDance to sell TikTok's U.S. operations altogether, requiring it to relinquish ownership and control of this significant portion of the company, along with its algorithms and its data. This is reported to be the preferred approach of the Defense Department, the Justice Department and the Intelligence Community. (TikTok critics in Congress have signalled that a forced sale could be satisfactory.[407])

Beijing could balk at a forced sale. Back in 2020, as the Trump administration considered forcing a sale to U.S. buyers such as Microsoft, Beijing rolled out a series of countermeasures, including warnings and new export controls on algorithms (as outlined in Section 6.4.1). Official organs referred to a would-be forced sale as "bullying", "robbery" and "contemporary piracy":

- 24 August 2020: TikTok and ByteDance sued the Trump administration for banning the app.[408] China's Ministry of Foreign Affairs spokesperson said at a press conference: *"China supports relevant companies in taking up legal weapons to protect their legitimate rights and interests, and will continue taking all necessary measures to resolutely safeguard the legitimate rights and interests of PRC companies."*[409] State outlet Xinhua published a commentary titled, "Say 'no' to economic bullying using legal weapons".[410]

- 28 August 2020: The PRC's Ministry of Commerce and the Ministry of Science and Technology announced new export controls pertaining to AI technologies relevant to TikTok.[411] (See Section 6.4.1.) Xinhua spelled out the implications of the export controls for ByteDance's algorithms.[412] ByteDance promised to strictly follow Beijing's rules.[413]

- 12 September 2020: Reuters reported that, according to sources, Chinese authorities would rather see TikTok shut down than forcibly sold.[414]

- 20-26 September 2020: Global Times and China Daily published at least seven editorials on TikTok.[415] One announced: "*China is prepared to prevent Chinese firm TikTok and its advanced technologies from falling into US hands at all cost, even if that means the vastly popular video sharing app risks being shut down in the US. . . .The case goes way beyond just a mafia-style robbery of a lucrative Chinese business and cutting-edge technologies, but a threat to its national security, because the US could find loopholes in those technologies to launch cyber and other attacks on China and other countries to preserve its hegemony."*[416]

A similar crop of commentaries from Chinese state media emerged in response to late-2022 news of the Biden CFIUS review possibly pointing toward forced divestment.[417] There is no reason to think Beijing would be any warmer to the notion of a forced sale today than in 2020, even though blocking a sale would probably require TikTok to withdraw from the U.S. market at great commercial cost to ByteDance.

The attempts to regulate or restrict TikTok in 2020 revealed the CCP's interest in retaining control over the app. So long as that is the case, TikTok poses risks to democracies.

Australia has a duty to consider these risks. In our view, Australian policymakers are well-placed to address this issue in a bipartisan way, as was the case when Australia developed and delivered a counter foreign interference strategy in 2017-18.[418] ■

Appendix 1: Static Analysis Methodology

To reconstruct our technical analysis and verify findings, follow the steps below:

Download the TikTok Android v25.1.3 (ARM64) Android Package Kit (APK) from https://www.apkmirror.com/apk/tiktok-pte-ltd/tik-tok-including-musical-ly/tik-tok-including-musical-ly-25-1-3-release/#downloads.

Decompiling the APK

a. Install Python at https://www.python.org/downloads/.

b. Install Androguard (a tool and Python library for interacting with Android files) in Windows Command Prompt (CMD) ("*pip install androguard*").

c. Ensure that the Python scripts directory (*C:\Users\[username]\AppData\Local\Packages\PythonSoftwareFoundation.Python.3.8\LocalCache\local-packages\Python38\Scripts*) is located within the system environmental variables.

OR

a. Navigate to "*entry_points.py*" in the Androguard install directory (*Androguard/CLI*) and run "*python entry_points.py gui*" in the CMD.

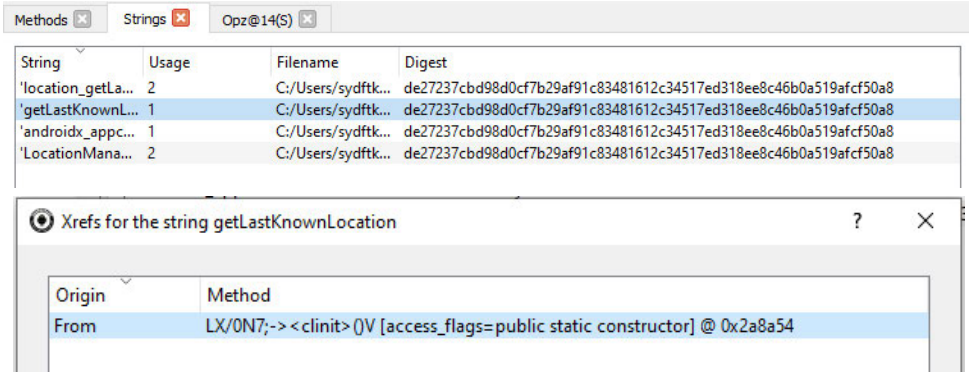
b. Select "File" > "Open" > ".APK file".

c. Select "View" > "String".

d. Filter by desired string variable.

e. Select the entry.

f. Select the method.



Appendix 2: Device Data Accessible to TikTok App

The following table shows the device data that the TikTok app is able to read:

Type	Issue
Telephony Identifier	This application reads the ISO country code equivalent for the SIM provider's country code
Telephony Identifier	This application reads the ISO country code equivalent of the current registered operator's Mobile Country Code (MCC)
Telephony Identifier	This application reads the MCC and Mobile Network Code (MNC) of the provider of the SIM
Telephony Identifier	This application reads the Service Provider Name (SPN)
Telephony Identifier	This application reads the constant indicating the state of the device SIM card
Telephony Identifier	This application reads the device phone type value
Telephony Identifier	This application reads the numeric name (MCC and MNC) of current registered operator
Telephony Identifier	This application reads the operator name
Telephony Identifier	This application reads the radio technology (network type) currently in use on the device for data transmission
Location	This application reads location information from all available providers (WIFI, GPS etc.)
Connection Interfaces	This application reads details about the currently active data network
Connection Interfaces	This application tries to find out if the currently active data network is metered
Telephony Services	This application can make phone calls
PIM Data	This application accesses the calendar
PIM Data	This application accesses the downloads folder

Appendix 3: 'android.permission' Strings in TikTok Code

Below is the list of 'android.permission' strings and the number of times each is observed in the decompiled code (usage number). Usage number is not necessarily representative of the significance of the data to which access is requested. The usage numbers may also be underestimations, given the proportion of TikTok's code that is obfuscated (and therefore unreadable). For a string to be used in a command, it must first be defined. Therefore, '1' is the minimum number of times a used string can appear in code.

String	Usage
'android.permission.WRITE_CONTACTS'	1
'android.permission.WRITE_CALL_LOG'	1
'android.permission.WRITE_CALENDAR'	9
'android.permission.WAKE_LOCK'	3
'android.permission.VIBRATE'	1
'android.permission.USE_CREDENTIALS'	1
'android.permission.UPDATE_DEVICE_STATS'	3
'android.permission.SYSTEM_ALERT_WINDOW'	2
'android.permission.SEND_SMS'	1
'android.permission.REQUEST_INSTALL_PACKAGES'	2
'android.permission.RECORD_AUDIO'	38
'android.permission.RECEIVE_SMS'	1
'android.permission.RECEIVE_MMS'	1
'android.permission.READ_SMS'	2
'android.permission.READ_PHONE_STATE'	8
'android.permission.READ_PHONE NUMBERS'	5
'android.permission.READ_EXTERNAL_STORAGE'	25
'android.permission.READ_CONTACTS'	18
'android.permission.READ_CALL_LOG'	1
'android.permission.READ_CALENDAR'	9
'android.permission.PROCESS_OUTGOING_CALLS'	2
'android.permission.MANAGE_EXTERNAL_STORAGE'	2
'android.permission.MANAGE_ACCOUNTS'	1

‘android.permission.INTERNET’	5
‘android.permission.GET_ACCOUNTS’	4
‘android.permission.CHANGE_WIFI_STATE’	1
‘android.permission.CHANGE_WIFI_MULTICAST_STATE’	2
‘android.permission.CAMERA’	52
‘android.permission.BROADCAST_SMS’	1
‘android.permission.BODY_SENSORS_BACKGROUND’	1
‘android.permission.BODY_SENSORS’	3
‘android.permission.BLUETOOTH_ADMIN’	2
‘android.permission.BLUETOOTH’	6
‘android.permission.BIND_JOB_SERVICE’	2
‘android.permission.ANSWER_PHONE_CALLS’	3
‘android.permission.ACTIVITY_RECOGNITION’	3
‘android.permission.ACCESS_WIFI_STATE’	4
‘android.permission.ACCESS_NOTIFICATION_POLICY’	2
‘android.permission.ACCESS_NETWORK_STATE’	10
‘android.permission.ACCESS_MEDIA_LOCATION’	3
‘android.permission.ACCESS_FINE_LOCATION’	10
‘android.permission.ACCESS_COARSE_LOCATION’	21
‘android.permission.ACCESS_BACKGROUND_LOCATION’	3
‘android.permission.ACCEPT_HANDOVER’	2

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