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# TikTok ban - Are there limits to the defence against aggressive Chinese data collection?



Belgium is the latest in a series of countries that have introduced restrictions on the use of the TikTok app, due to the risk associated with collecting user information for the Chinese government.

“We can't be naive: TikTok is a Chinese company that is currently mandated to cooperate with Chinese intelligence services”, Belgian Prime Minister Alexander De Croo said in a statement shared with Politico.

The scope of the ban introduced by the Belgian National Security Council last Friday is similar to many previous cases. The ban refers to the use of TikTok on government-issued devices.

Several dozen countries have already introduced such a ban, for the same reasons, and many are considering it and are likely to follow the same path.

The US, followed by Canada, recently gave federal agencies 30 days to remove the TikTok app from government-issued devices.

All three of the EU's highest bodies, the Parliament, the Commission and the Council, have ordered their staff to remove TikTok from official devices by March 20, also for security reasons.

Before Belgium, the Netherlands, Sweden, Finland, and Estonia decided to ban the use of the app and in another dozen countries, the possible risk of using TikTok on government-issued devices is being observed and assessed.

In 2020, India introduced a complete ban on the use of TikTok and dozens of other Chinese apps, due to suspected violations of privacy rights and security concerns.

## Loopholes in prohibitions

A number of Western governments plan to ban the use of this app and it is only a matter of time before others join them.

Security reasons, namely the suspicion that

the app is passing on collected data to the Chinese government, have already been identified in the decisions of governments or security services, so a complete ban on TikTok in the West is probably only a matter of time.

However, the scope and effects of such decisions are questionable. The bans apply to a relatively narrow circle of users, to government staff and officials.

This is understandable, because data and information of importance to states and governments are available to them, so the previous bans on the use of TikTok on government-issued devices narrow the scope for abuse.

Previous bans on the use of TikTok generally do not refer to the personal devices of government officials, because that would influence their privacy.

One exception is Estonia, where defence ministry officials are banned from using TikTok on both official and personal devices.

## Where does security end and censorship begin?

Privacy and the guaranteed freedom of access to information has been the main obstacle to the wider implementation of the ban on the use of Chinese apps.

“A broader, government-imposed ban that stops Americans from using an app that allows them to share their views and art could face legal challenges on First Amendment grounds”, said Caitlin Chin, a fellow at the Centre for Strategic and International Studies, according to The New York Times.

“In democratic governments, the government can't just ban free speech or expression without very strong and tailored grounds to do so and it's just not clear that we have that yet”, added Chin.

Of the estimated one billion TikTok users who

use the app daily, more than 110 million are from the US, which is the country with the largest number of users.

Attempts to extend the ban from government officials to a general ban for the entire population would likely be challenged in the courts on the basis of the First Amendment's protection of free speech.

However, there are other methods for overcoming problems, which have been implemented in some other cases, and which can allow governments to neutralise the use of platforms they consider pose a security risk.

They are technological and business-related and do not invade privacy, particularly free access to information.

Experts suggest bans or disabling of advertising on the disputed platform or denial of updates for a particular app, which would make it unusable over time.

Spreading inappropriate content, for which TikTok has been criticised since 2016 when it was launched, could also be a motive for restrictions.

## China's valuable intelligence resource

TikTok has been under a wave of bans for two reasons. The first reason has been its policy of very aggressive user data collection - downloading contact lists, accessing personal calendars, scanning hard drives and geo-locating users in near real time.

Another and perhaps more important reason is that TikTok's owner, ByteDance, is a company from China, and as such is quite rightly perceived as an entity that must cooperate with its government and its intelligence services.

Although ByteDance tries to reject any abuse of private user data, and particularly accusations that it poses a security threat, it is

hard to imagine that the government in Beijing could be indifferent to an intelligence resource like TikTok, the sixth most popular social media on the planet.

As long as China is labelled as the biggest security rival and threat to major Western powers, its digital giants with global influence, such as TikTok, will be treated as a security risk.

Given the wave of recent bans on the video app, it would not be surprising to see TikTok banned in the West, at least within the reach of the government's decisions.