

Translated Excerpt



The PRC Ministry of Commerce recently announced new technology export restrictions that would likely complicate the proposed sale of short video app TikTok to a U.S. buyer. On August 28, 2020, the Ministry publicized a list of various technologies added to or deleted from China's list of export-controlled technology. The list includes technologies that Chinese companies are flat-out prohibited from exporting, as well as export-restricted technologies that can be exported only if the exporter receives special permission. Although the export control list does not mention TikTok or its PRC parent company ByteDance by name, the additions to the export-restricted list include two types of technology that PRC state press agency Xinhua identified with TikTok. The following excerpt is a translation of the newly added TikTok-related items in the PRC export control list.

Title

Revisions to the Content of the *Catalog of Prohibited or Restricted Technology Exports*
《中国禁止出口限制出口技术目录》调整内容

Author

PRC Ministry of Commerce (商务部)

Source

Ministry of Commerce website, August 28, 2020.

The Chinese source text is available online at:

<https://web.archive.org/web/20200831190724/http://images.mofcom.gov.cn/fms/202008/20200828200911003.pdf>

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Translator

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Revisions to the Content of the *Catalog of Prohibited or Restricted Technology Exports*

I: Prohibited Exports Section [omitted from translation]¹

II: Restricted Exports Section

[Omitted from translation: Additions and deletions to Articles 1-14 of the Restricted Exports Section (Clauses 10-44), involving agriculture, fisheries, chemicals, healthcare, pharmaceuticals, metallurgy, 3D printing, machine tools, specialized equipment for various industries, traffic and transportation technology, telecommunications, remote sensing and radar, UAVs, and electric and thermal power generation.]

¹ Translator's note: The additions and deletions to Section I of China's export control list involve agriculture, pharmaceuticals, traffic and transportation technology, machine tools, and telecommunications.

Article 15: The Computer Services Industry

Clause 45. Add the following controlled items to the information processing technology item (code: 056101X): “17. Speech synthesis technology (including textual corpus design, recording, and tagging technology, speech signal feature analysis and extraction technology, text feature analysis and prediction technology, speech feature statistical probability method construction technology, etc.). 18. Artificial intelligence (AI) interactive interface technology (including speech recognition technology, microphone array technology, speech waking technology, interactive understanding technology, etc.).² 19. Speech evaluation technology (including automated scoring technology for reading aloud, automated scoring technology for spoken expression, error checking technology for pronunciation, etc.). 20. Intelligent grading technology (including technology for recognizing scans of printed text, technology for recognizing scans of handwritten text, technology for recognizing photos of printed text, technology for recognizing photos of handwritten text, Chinese and English exam correcting technology, etc.). 21. Personalized recommendation technology based on data analysis.”³

[Omitted from translation: Clauses 46-49 of Article 15, all additions to the Restricted Exports Section involving cryptography, quantum cryptography, network security, data discovery, and cyberattack countermeasures.]

[Omitted from translation: Articles 16-17 of the Restricted Exports Section (Clauses 50-53), involving software and specialized equipment for various industries.]

² Translator’s note: An August 29, 2020 article in Chinese state press agency Xinhua cited “authoritative expert” Professor Cui Fan (崔凡) of University of International Business and Economics as saying that item 18 is one of two new additions to China’s export control list that “may involve” ByteDance’s technology, to include TikTok. Xinhua’s publication of Cui’s comments suggests that the Chinese leadership is moving toward blocking the sale of TikTok to the United States. However, the fact that Xinhua is quoting an academic rather than a PRC government official indicates that Beijing has not made a final decision and is preserving some plausible deniability in case the Communist Party leadership decides to allow the sale of TikTok to go forward. To view this article (in Chinese), visit: https://web.archive.org/web/20200831203957/http://www.xinhuanet.com/2020-08/29/c_1126428865.htm

³ Translator’s note: Professor Cui Fan, in the Xinhua article cited above, identified item 21 as the second of two new additions to the export control list that “may involve” ByteDance and TikTok.