

Judge Hales Trump's WeChat Restrictions on Freedom of Expression

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Body

The Trump administration's restrictions on WeChat were suspended on Sunday by a California judge, which turned an effort to stop the use of Chinese-owned end-to-end application in the United States.

Judge Laurel Beeler in San Francisco issued a preliminary court order at the request of a group of WeChat users in the United States, who argued that the bans would violate the freedom of expression rights of millions of Chinese-speaking Americans who rely on it to communicate. The app, which was supposed to disappear from U.S. app stores this day, has 19 million regular users in the United States and one billion worldwide.

WeChat "serves as a virtual public square for the Chinese-speaking and Chinese-American community in the United States and is (as a practical matter) its only means of communication," the judge wrote in the ruling, dated Saturday and published earlier this Sunday. Prohibiting it effectively "excludes meaningful access to communication in your community and therefore operates as a pre-restriction on your right to freedom of expression".

The U.S. administration had argued that WeChat posed a threat to national security, but the judge said there was insufficient evidence of that. "Certainly, the government's general national security interest is significant," he wrote. "But in this register, while the government has established that China's activities raise significant national security concerns, it has provided little evidence that its effective WeChat ban for all U.S. users to address these concerns."

The Department of Justice and Commerce did not respond immediately to requests for comment.

The United States has claimed that WeChat is a threat because its owner, Tencent Holdings, is intertwined with the Communist Party of China, which can use the app to spread propaganda, track users, and steal their private and proprietary data.

This is a similar argument that the administration has used to target the TikTok application, while forging the sale of that application's operations in the US nation.

TikTok delay

On Saturday, the U.S. government delayed its plan to ban downloads from TikTok, the popular video-sharing app after Trump said it approved Oracle's bid for TikTok's U.S. operations "as a whole." TikTok's ban would also take effect on Sunday, but the order was delayed until September 27. TikTok filed a lawsuit in Washington, D.C. on Friday.

WeChat users have said that restrictions on implementation are driven by election year policy.

At a court hearing Saturday, Michael Bien, a lawyer for WeChat's user group, said the restrictions on WeChat are a long way from the 'strictly designed' measures that the government must impose so as not to unnecessarily restrict people's constitutional rights.

Michael Drezner, a government lawyer, said that anxiety and uncertainty that U.S. WeChat users may experience because prohibitions do not entitle them to an order to stop the implementation of restrictions. Its dependence on

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WeChat is the result of China's ban on other social networks, which has made WeChat the exclusive Chinese government-controlled option for communicating with people in China, according to Drezner.

The case judge rejected a preliminary court order application on Friday, which users had requested on the grounds that the executive order was too vague. Commerce detailed on Friday what transactions with WeChat and its Chinese parent company will not be allowed under the August 6 executive order. The judge scheduled the hearing on Saturday in response to a revived request from the user group.

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