

## Decision

- Case ID: [REDACTED] -

In the out-of-court dispute settlement process between

---

[REDACTED]

- Complainant -

and

TikTok

- Online Platform -

because of

TikTok's decision not to suspend the account of a third party

---

the certified out-of-court dispute settlement body User Rights decided through its independent reviewers on **19/08/25**:

---

**User Rights finds that TikTok does not need to suspend the reported account from its platform. User Rights assessed whether the content of the reported account violates the platform's general terms and conditions. It reached the conclusion that it does not.**

## I. Summary

User Rights reviewed a complaint regarding TikTok's decision not to suspend the account [REDACTED]. The complainant alleged that the account promoted hateful ideologies and included extremist symbols. However, User Rights found no evidence of such symbols or content violating TikTok's guidelines on hate speech or suicide promotion. The mentioning of hatred of men was interpreted within the context of femcel communities, often used as parody or social critique, not as genuine hate speech. User Rights found that the account highlighted issues like gender-based violence, without advocating violence or exclusion. Therefore, User Rights upholds TikTok's decision to retain the account.

## II. Facts of the case

The complaint deals with the following account of a third user:

The username displayed is [REDACTED]. The profile shows that the user has [REDACTED] followers, and has received [REDACTED] likes. There is a link labeled [REDACTED].

Various posts appear beneath the title of the profile. One of them contains a misogynistic statement about the sexual conduct of women, followed by a dismissive reply. Below, there is a chart addressing population decline and falling birth rates. Another post discusses spaces dominated by men, presenting a numbered list that includes examples such as gun stores, extreme bodybuilding, car dealerships, and similar environments.

The complainant informed TikTok of the presence of a user account they believed to be in violation of the platform's community guidelines. In response TikTok informed the complainant on July [REDACTED], 2025 that the user account would not be suspended.

On July 21, 2025, the complainant appealed TikTok's decision to User Rights. When filing their complaint to User Rights, the complainant was asked to provide relevant context. The complainant stated that every video on the account was propaganda and agitation. Some videos included right-wing symbols, such as the black sun, which were obscured with effects. Additionally, some videos addressed the topic of suicide, promoting it and mocking the suicide rates. The complainant believed that

the username implying hatred of men, already indicated that it was a hateful account.

On July 23, 2025, User Rights informed TikTok about the complaint to User Rights and gave it the opportunity to provide a submission. User Rights invited TikTok to provide additional information justifying its contested content moderation decision. The platform did not respond before the deadline expired.

### **III. Admissibility**

The complaint is admissible.

User Rights is certified to resolve disputes between platforms and complainants regarding moderation of content posted on a social media platform in German or English. TikTok is a social media platform. The relevant content is in English, thus a language for which User Rights is certified. The complainant notified the TikTok of the account of [REDACTED]. They believed that the user posted content that violated the platform's terms and conditions. TikTok notified the complainant that it would not suspend the account. In accordance with Art. 20 para. 1 a) and 21 para. 1 DSA, the decision not to suspend user accounts can be appealed to the out-of-court dispute settlement body User Rights.

### **IV. Merits**

#### **1. Scope of review**

When providers of online platforms decide to retain accounts on the platform after receiving a notice of a potential violation of platform policies by the account or the content published through the account, User Rights solely examines whether the account or the content published through it actually violates the platform's policies. In such cases, User Rights does not assess whether the account or the content published through it breaches any legal provisions. This applies even if the complainant raises an allegation of a legal violation with User Rights for the first time.

## 2. Substantive Assessment

a. User Rights reached the conclusion that the content is not incompatible with Policy on Hate Speech and Hateful Behavior.

Firstly, the complainant draws attention to the alleged use of the black sun symbol. This symbol is indeed historically connected to Nazi ideology and, in particular, to the SS brigade. Its use would constitute a clear violation of TikTok's guidelines, which prohibit the promotion of hateful ideologies that exclude, oppress, or discriminate against individuals on the basis of protected attributes such as religion or ethnicity. However, none of the content reviewed, nor the materials provided by the complainant, display the black sun or any other prohibited extremist right-wing symbols.

Secondly, the account name denotes contempt or prejudice against men. At first glance, this may raise questions regarding TikTok's prohibition of hateful Ideologies. However, in digital culture, particularly within femcel communities, the term often functions not as a literal declaration of hatred but as a form of dark humor, parody, or ironic self-expression. Such use is commonly understood as a coping mechanism in response to feelings of loneliness, social exclusion, or frustration with gender norms. Unlike misogynistic rhetoric frequently found in certain "incel" communities -which has demonstrable ties to harassment and violence- expressions of hatred toward men in these contexts are generally self-referential, satirical, and not intended to incite harm against men.

The account seems to designate itself as part of the femcel community. A number of the account's posts include language and imagery associated with both femcel and incel communities. For example, one post claims that a group is deliberately overlooked in order to direct all sympathy toward others. This phrasing reflects a common sentiment in femcel discourse -namely, that women who struggle with dating and social isolation feel that their experiences are often overlooked or minimized in comparison to the greater visibility of male "incels."

On top of that, the account's content appears primarily aimed at raising awareness of ongoing discrimination and violence faced by women. The posts frequently highlight issues such as gender-based violence, coercion within intimate relationships, and harmful stereotypes surrounding women's roles in society. Rather than promoting hatred or exclusion, these posts function as commentary on systemic inequalities and as social critique of patriarchal norms that can perpetuate harm.

For example, a post begins with a misogynistic quote about the sexual conduct of women. The account replies with a simple, ironic response and adds beneath this exchange an image of a demographic chart addressing population decline and falling birth rates. It exposes the contradiction between the shaming of women for their sexuality and the simultaneous societal anxiety about declining birth rates. In effect, the post highlights a double bind: women are pressured both to refrain from sexual expression and, paradoxically, to reproduce in service of demographic or national interests.

TikTok's rules prohibit hateful behavior that attacks individuals or groups based on protected attributes such as gender, religion, ethnicity, or race. In this instance, however, the content is not advocating for violence against men, nor is it attempting to exclude men from participation in the platform. Instead, it draws attention to violence against women, a matter of public interest and human rights concern.

**b.** User Rights considers the account's content to be compatible with TikTok's policy on Suicide and Self-Harm.

The complainant further alleges that the account in question promotes or trivializes suicide. TikTok's Community Guidelines prohibit any content that depicts, promotes, or glorifies suicide or self-harm. Such material would raise serious concerns both in terms of community safety and compliance with TikTok's duty of care to its users.

Nonetheless, the user's content reveals no evidence of suicide promotion, encouragement of self-harm, or content mocking suicide rates. The complainant did

not provide materials substantiating this claim, and the review of the available posts and imagery similarly found no such violations. Therefore, the allegation of suicide-related harmful behavior is unsupported.

## **V. Result**

**User Rights finds that TikTok does not need to suspend the reported account from its platform. User Rights assessed whether the content of the reported account violates any of the legal provisions within its scope or the platform's general terms and conditions. It reached the conclusion that it does not.**

*Note: The decisions of out-of-court dispute settlement bodies are not binding for platforms according to Art. 21 para. 2, third sentence of the DSA. However, as part of their duty to cooperate in good faith pursuant to Art. 21 para 2, first sentence of the DSA, platforms must assess whether there are reasons against implementing the decision and must inform the dispute resolution bodies about the implementation of the decision.*