



Sent 8th March 2021

TikTok Written Submission to Oireachtas Committee (Media) on the Online Safety and Media Regulation Bill

1. Executive Summary

- 1.1. TikTok is grateful for the opportunity to provide feedback to the Committee on the General Scheme of the Online Safety and Media Regulation Bill.
- 1.2. TikTok is a global, short-form video platform that provides its users with a vibrant, creative experience in a fun and safe environment. Our mission is to inspire creativity and bring joy. On TikTok, creative ideas matter more than social connection, and people on the platform are celebrated for being their authentic selves. The content tends to be light hearted, real, heart-warming and truly fun.
- 1.3. Ensuring a safe online experience is of paramount importance at TikTok and we support the objectives of the draft legislation and we are committed to Ireland and our Irish users.
- 1.4. TikTok Technology Limited, which is registered in Ireland, is the service provider of TikTok to users who are residents of the EEA and Switzerland.
- 1.5. At the start of 2020 we established our EMEA Trust and Safety Hub in Dublin, appointing a range of senior leaders to shape and define an approach to content policy and user safety fully guided by local culture and context. A newly established European data privacy team is also based in Ireland, focused on upholding the highest standards of data protection and overseen by the Office of the Data Protection Officer. We've also announced our intention to establish a data centre in Ireland by 2022, a further \$500m investment that will create hundreds of jobs and ultimately become the home of European user data.
- 1.6. TikTok welcomes the systemic approach to regulation outlined by the Government, one that looks at systems and processes rather than individual pieces of content. TikTok is also encouraged by the Bill's commitment to a proportionate, consistent and fair approach that recognises the different nature of regulated services and the rapidly evolving technological environment.



- 1.7. There is an important balance between online safety and protecting fundamental rights such as free expression and the enshrinement of democratic values within the proposed Media Commission's constitution is a positive step in the right direction, helping to strike the right balance from the outset. Given this importance, TikTok values the chance to respond to the Committee's invitation to make written submissions, and supports the broader democratic and legal oversight built into the proposed regime.
- 1.8. Furthermore, TikTok endorses the proposed duty for the Commission to promote and educate online safety and media literacy. Education and resilience based initiatives are as critical as any regulatory framework when it comes to keeping people safe online, forming part of a comprehensive and inclusive strategy that empowers users of all ages to navigate the online world safely and securely.
- 1.9. TikTok's response is split into two sections: the first half providing feedback structured on the Heads of the Bill, with comments focused on Part 4 (Online Safety), and the second detailing our overall approach to safety in response to the request for observations on the protection of children online.
- 1.10. The aim of this feedback is to help design and create the most effective, efficient and workable online safety regime, achieving the shared objectives set out in the draft legislation. Our intention is to highlight where further clarity is needed at this stage, to discuss where there are potential gaps or conflicts in the legislation that could interrupt the smooth running of the new regulator, or address practical challenges in the implementation of the Bill as currently drafted.
- 1.11. As detailed in the below response we believe that the draft Bill is a positive step towards enhancing the framework for online safety. The effective running of this new regime could be improved in a few key areas, including:
 - placing greater obligations on the Commission to consult with relevant parties including academics, civil society groups, industry, and leading issue and technical experts, to help shape requirements at an early stage.
 - remaining principles-based and outcomes focussed, recognising the difference in scale and risk associated with different online services. Opting for flexible regulation that enables services to tailor solutions to mitigate risk according to their circumstances and functionality, rather than specific technical measures.
 - Having due regard for, and coordination with, developments at a national and EU level to ensure to the greatest possible extent harmonisation and avoid a patchwork of regulation that would hamper effective, consistent moderation efforts. This includes the IDPC Fundamentals for child-oriented data processing, the ePrivacy Directive and the upcoming Digital Services Act.

2. Comments on the OSMR Bill: Part 4 - Online Safety

2.1. Head 49A: Categories of Harmful Content

- 2.2. Ensuring TikTok remains a safe and positive environment for our users is our top priority. As described in more detail below we develop and enforce policies for what is and is not acceptable on TikTok through our Terms of Service and Community Guidelines which already go above and beyond the categories proposed by the Bill.
- 2.3. TikTok supports the proposed approach of avoiding a general definition of harm, instead focusing on a number of specific, defined harms. This approach is a proportionate one which will allow for targeted, focused action. For the same reason the exclusion of defamation, data and copyright infringement is also welcome.
- 2.4. While TikTok does not have any objections to the inclusion of the harms outlined in the draft Bill, the proposed Online Safety Codes should recognise that some measures to prevent the dissemination of harmful content will be more effective in certain categories, and not appropriate for others. For example, hash lists and other technologies can be built to proactively detect and remove certain illegal content such as CSAM. On the other hand, cyberbullying is often a pattern of conduct which individual posts on their own may not reveal, and detection of this would need to more heavily rely on user reporting.
- 2.5. It has been proposed that the obligations in the Codes regarding the categories of harmful online content will depend upon the "likelihood of harm" and the "likely intention of the person sharing the material", for example for triggering self-harm content. It is important that the Codes recognise that content moderators have limited scope to determine the intention of the person sharing the material and do not always have knowledge of the relevant context in which a user shares content. There are privacy reasons for this too, for example if a user reports another user's videos it would not be appropriate or proportionate to review private messages, even though further context may be gained. It would not therefore be reasonable to expect moderators to act as adjudicators as to a user's intent when they do not have access to this critical context and background. Our Community Guidelines do not allow imagery that normalises, encourages or triggers self-harm behaviour, regardless of the user's intention of posting it.
- 2.6. Finally, in defining these categories of harm a joined up approach is crucial to ensuring consistent and effective moderation efforts. It is important that due regard is given to other obligations and definitions for example in the ePrivacy Directive or Digital Services Act.

- 2.7. Head 49B: Provision for further categories of harmful content online
- 2.8. The expansion of categories of harmful content could have a significant impact on user expression and it is right that there is a rigorous process, including democratic oversight, to help fulfil the obligations and duties granted to the Commissioner. The inclusion of Ministerial and Parliamentary oversight is an important check and balance to safeguard freedom of expression and prevent knee-jerk reactions to incidents.
- 2.9. We support this measure as ultimately it should be MPs, ministers and government regulators who decide how companies regulate the delicate balance between protecting citizens from harm and illegal behaviour, and preserving and promoting free speech.
- 2.10. Head 49B states that in expanding the categories of harm the Commissioner “may publish such proposals and invite submissions from interested parties...and shall consider any submissions it receives and may amend proposals as it deems warranted”.
- 2.11. It is critical that any expansion of the categories of harm be based on evidence, and kept under regular review to prevent an ever-growing and unmanageable list of harms to be tackled. To better inform this work we believe the Commission should instead have an obligation to consult with relevant parties, including academics, civil society groups, industry and issue and technical experts.
- 2.12. This will help ensure that any expansion to the categories are properly defined, reflecting international developments and avoid pitfalls and unintended consequences so efforts are being rightly and accurately focused on the most significant issues.
- 2.13. Head 49C: Definition of age inappropriate online content
- 2.14. TikTok’s Community Guidelines prohibit users from sharing the types of content that Head 49C proposes would be included within the definition of age inappropriate online content (“material containing or comprising gross or gratuitous violence”; “material containing or comprising cruelty, including mutilation and torture, towards humans or animals”; and “material containing or comprising pornography.” Our Community Guidelines state that users must not share content that is gratuitously shocking, graphic, sadistic, or gruesome or that promotes, normalizes, or glorifies extreme violence or suffering; animal cruelty; torture; pornography and sexually explicit content.



- 2.15. We apply warnings to certain content to warn users that it may not be suitable for all audiences. Some content for example content that depicts a potentially dangerous action will be marked with a warning label which is overlaid onto the screen whilst the video plays, to deter younger users from imitating any behaviour.
- 2.16. Content that may be considered distressing for some users will be preceded by a mask layer; a screen that is placed ahead of the video content to users to warn users that the content behind the screen may be considered disturbing by some users. The user is invited as the primary option to skip the video. Our work in this space is not over: we will continue to refine over time the type of content that may warrant warnings or should be less discoverable by young people.
- 2.17. TikTok also offers users the option to enable Restricted Mode - a feed of content which is more limited than what would appear on another user's For You Feed. It is designed to filter out content that is not a violation of our Community Guidelines but that may not be suitable for some users to see. For example, Restricted Mode is designed to filter out content that contains a warning label or would be preceded by a mask layer. Restricted Mode is one of the tools that parents or guardians can enable for their teen if their accounts are linked through Family Pairing Mode. In Restricted Mode, the user does not see a Following feed and cannot start a livestream.
- 2.18. Head 49C makes reference to Article 28b of the revised AVMSD as one of the possible appropriate measures for VSPs "establishing and operating age verification systems for users of video-sharing platforms with respect to content which may impair the physical, mental or moral development of minors".
- 2.19. We would welcome clarity on the approach that will be taken to age verification or age assurance. It is crucial that any requirements and guidance aligns with the expectations of data protection legislation and regulators, and takes into account ongoing developments. In this respect, TikTok is working towards compliance with UK ICO's Age Appropriate Design Code which requires services to establish age with a level of certainty that is appropriate to the risks; and is reviewing the IDPC's Fundamentals for a Child-Oriented Approach to Data Processing, which currently indicate that services should take a risk-based approach to verifying the age of their users.
- 2.20. Age assurance - which includes ensuring services are used only by those who meet the minimum age requirement and providing an age appropriate experience on the service - is an industry-wide challenge. We know there is more work to be done and we are committed to working collaboratively with industry peers, regulators, and key stakeholders to find a solution.
- 2.21. Head 50A: Online Safety Codes



- 2.22. The Online Safety Codes will play an important role in creating clear expectations on regulated services, and driving positive outcomes. As with the expansion of harms, it is right that the Commission have regard to several matters in the development of the Codes, including proportionality and fundamental rights.
- 2.23. We believe the existing consultation process could be strengthened by requiring the Commission to consult with relevant academics, civil society groups, industry and issue and technical experts in the development of the Codes. In the case of age inappropriate content it would also be helpful to consult with child development experts, parents and carers, and young people themselves. Formally including these groups in this process will enable the Commission to give due regard to its obligations and duties, while helping to make sure that the Codes produced are workable, effective and technically feasible.
- 2.24. This could be achieved through a process of multi stakeholder forums referenced under Head 32, while also meeting the obligation in recital 49 of the AVMS Directive to “involve video-sharing platform providers as much as possible when implementing the appropriate measures”.
- 2.25. In the development of the Codes TikTok would also urge the Commission to remain principles-based and outcomes focussed, recognising the difference in scale and risk associated with services differ. Rather than considering specific technical measures this principles-based approach can provide flexibility to each regulated service to tailor solutions in a way that best mitigates risk according to their circumstances and functionality, driving the best possible outcomes.
- 2.26. In keeping with this, TikTok would support clarity that it is for the regulated service to decide what are the “appropriate measures” they should implement in order to protect users from certain categories of content based on their own assessment, rather than the regulator (for example, as is the case in the UK implementation of AVMS).
- 2.27. TikTok is committed to prioritising safety and we always strive to make sure our interventions are effective. We have invested significantly in our moderation systems and we would want to be clear that obligations enhance our overall safety ecosystem, not detract from it.
- 2.28. To this end, in preparing the online safety codes the Commission should also have regard to:
- the proposed impact and efficacy of suggested interventions
 - developments at an EU level - to ensure to the greatest possible extent harmonisation and avoid to a patchwork of regulation
 - provisions in the AVMSD that suggest measures shall be practicable and proportionate, taking into account the size of the VSP and the nature of the service that is provided.

- provisions in the AVMSD that declare member state measures shall not lead to any ex-ante control measures or upload-filtering of content which do not comply with the eCommerce Directive.

2.29. We note that Head 50A proposes that the Online Safety Codes will set out the measures that may be taken by designated online services or categories thereof in relation to commercial communications available on their service. We would welcome early clarity from the Commission as to how it will implement and interpret provisions of AVMSD relating to commercial communications such as Article 28b(3)(c) which states that VSPs should have a functionality for users who upload user-generated content to declare whether such videos contain audio visual commercial communication as far as they know or can be reasonably expected to know.

2.30. Head 50B: Compliance assessments

2.31. Sharing our progress and achievements in ensuring user safety with a wider audience is a major priority for TikTok and as such we publish [Transparency Reports every half year](#). The reports set out our approach and policies to protect the safety of our community, including how we establish and enforce our Community Guidelines, how we empower our community with tools and education, and the volume of videos removed for violating our Community Guidelines.

2.32. Last year we also launched the [TikTok Transparency Centre](#) which provides outside experts an opportunity to directly view how our teams at TikTok go about the day-to-day challenging, and critically important, work of moderating content on the platform. While physical visits are currently limited due to coronavirus, through this direct observation of our Trust & Safety practices, experts will get a chance to evaluate our moderation systems, processes and policies in a holistic manner. That includes, but is not limited to, seeing:

- how our trained content moderators apply those Guidelines to review the technology-based actions that are escalated to them, and to identify additional potential violations that the technology may miss;
- how users and creators are able to bring concerns to our attention and how those are handled;
- ultimately, how the content that is allowed on the platform aligns with our Guidelines.

- 2.33. TikTok also recognises the need for the Commission to have appropriate powers to seek information to better understand compliance with the new regime. In exercising these powers there is a need to be mindful of not creating unreasonable resource burdens through the duplication of processes, data provision and regulatory compliance where it is not necessary to do so.
- 2.34. There will also be a need for coordination with other regulators to reflect where there might be regulatory clash, for example if there are legal or technical barriers to achieving measures outlined in the Commission’s proposals.
- 2.35. Head 51B: Advisory notices
- 2.36. TikTok would welcome greater clarity on the process for the development of advisory notices. Due to the discrete and topical nature of the notices we understand that flexibility is required, however, better safeguards and processes over the use of notices is required.
- 2.37. This would help protect the Commission against undue pressure for action against a particular piece of content, company or issue. It would also help set clear expectations over the role of notices so that they are not inappropriately used as an avenue to seek action in areas or issues better suited to the jurisdiction of the online safety codes.
- 2.38. We would also welcome clarity on whether advisory notices are intended to be made available to the public. Given the topical nature of the notices we believe publication potentially runs the risk of exacerbating harmful hoaxes or dangerous challenges, particularly through greater media scrutiny, as seen with the “Momo Challenge”.
- 2.39. In preparing advisory notices the Media Commission is required to have regard to the same range of matters as it is required to consider when making online safety guidance materials. As discussed in other sections of this submission we believe there is a case to extend the issues to have regard to in order to ensure any advisory notice is reasonable, proportionate and effective, without unintended consequences.
- 2.40. Head 52A: Auditing complaints handling

- 2.41. TikTok is committed to transparency, whether through our regular transparency reporting or Transparency and Accountability Centre referenced above. At this stage we would welcome clarity against what standards user complaints and issue handling mechanisms will be held against, including the removal or restoral of individual pieces of content. One proposal could include a list of standards you would expect a company of relative size to feature at an account or content level: for example, there being an element of human review, or a reasonable length of time for reports to be actioned.
- 2.42. TikTok currently offers creators the ability to appeal their video's removal. When we receive an appeal, we review the video and will reinstate it if it doesn't violate our policies. In [H2 2020 we reinstated](#) 2,927,391 videos after they were appealed. We aim to be consistent and equitable in our moderation and will continue our work to reduce false positives and provide ongoing education and training to our moderation team.
- 2.43. While we understand audits could take place on a periodic or ad-hoc basis guidance would be welcome as to any thresholds required to launch an audit, whether this could be triggered by a one-off complaint or case, 'super-complaint', a wider investigation by the Commission or following a formal notice.
- 2.44. As highlighted above, it is also important that any recommendations regarding content or changes to systems undergo a similar process of input and scrutiny from relevant stakeholders.
- 2.45. [Head 52C: Obligation to consider mediation](#)
- 2.46. If users believe that we have made the wrong decision to remove content, they may appeal and ask us to reconsider.
- 2.47. If a user's video is removed because we believe it violates our Terms of Service and/or Community Guidelines, we will inform the user that we have taken down their content for this reason. The user is given the in-app option to indicate that they believe we have made a mistake and should reconsider. If the user makes such a request, a human moderator will consider the appeal and if it is determined that the content violates our Terms of Service and/or Community Guidelines, the content will not be reinstated. If the moderator determines that the content does not violate our Terms of Service and/or Community Guidelines, it will be reinstated to its original status on the platform.
- 2.48. If a user's video is removed because we believe it constitutes infringement of intellectual property rights, the user may submit a Counter Notification Form and their application will be handled by a specialist team.

- 2.49. If other action is taken on the user's account, for example a suspension or an account ban (for severe or persistent violations of our Terms of Service and/or Community Guidelines), the user may ask us to reconsider our decision. The matter will subsequently be considered by a human moderator or escalated as appropriate. If we decide that the action was not necessary, we may reinstate the user's account.
- 2.50. With regards to the obligation to consider mediation, clarity is required on what types of dispute would be suitable to be considered under this Head and whether this would be delivered through a third party, state-sponsored body or the Commission itself.
- 2.51. In the [second half of 2020 alone, TikTok removed 89,132,938 videos globally](#), which equates to less than 1% of total videos uploaded. The vast majority of these videos were identified and removed before a user reported them and before they received any views. Introducing a mediation process at this scale, even for a fraction of these removals, could add significant pressure on content moderation, and even the mediator or regulator's ability to fulfil its functions in a timely manner.
- 2.52. There is also a question of when mediation would be of most value, especially given the legal restrictions often present in sharing data with third parties, including mediators, even with user consent. The top three reasons for content removal on TikTok in 2020 were minor safety; adult nudity and sexual activities; and illegal activities and regulated goods. Without access to the necessary data, which in many cases would not be appropriate or legal to share, the moderation process would not be based upon facts and could lead to the wrong decision being reached.
- 2.53. As this provision does not prevent a user or any other person bringing relevant matters to the attention of the Commission, or prevent the Commission from exercising its investigatory, auditing or other relevant powers, the mediation process also runs the risk of replicating other avenues of redress, complicating the moderation process.
- 2.54. The resource required to undertake a mediation structure is likely to be significant, and consideration should be given to the incentives this will set for moderators and users, particularly if there are no disincentives for abuse of the system by bad actors (for example, if cost for mediation is borne solely by one party).
- 2.55. Head 53: Compliance and warning notices
- 2.56. In the explanatory notes it is stated that if the Commission is of the view that a designated service is not compliant it could set a timeframe of "several hours to a longer period" for issues raised in compliance notices to be addressed.

- 2.57. In many situations a timeframe of “several hours” may not be sufficient to make required changes, which could involve employees from around the world. This is especially true of technical measures which could take a significant amount of time to implement, depending on their complexity.
- 2.58. Given the severity of sanctions for non-compliance, greater guidance is required on expected timeframes for changes required under compliance notices to ensure they can be made quickly, effectively and without unintended consequences. Amending this section to require the Commission to only recommend “reasonable timeframes” which take into account these factors would help achieve this.
- 2.59. Head 54A: Sanctions for non-compliance
- 2.60. There is a spectrum of harmful content, some legal and some illegal. This spectrum should be reflected in any sanctions proposed for non-compliance with codes. For example, administrative financial sanctions should be limited to the most serious, repeated and systemic cases to ensure that systemic failures are penalised, rather than individual ones.
- 2.61. Head 16A, which sets out the considerations that should be taken into account when deciding to impose sanctions, includes “*the seriousness of the breach*”. This could be tied more explicitly to the legality or illegality of content and the systemic nature of a breach, with other mitigating factors included in the legislation, for example the self-reporting of a breach. This would also allow an option for escalation, beginning with court issued warning notices, moving up to ISP blocking and financial sanctions.
- 2.62. The Bill also does not provide detail on the scope of appeal of a decision of the Commission, for example whether this would be a full re-hearing or limited to points of law. As recommended by the Law Reform Commission’s 2018 Report on Regulatory Powers and Corporate Offences we believe this should be updated and made clear in the final legislation.

3. Comments on the OSMR Bill: Part 6 - Miscellaneous AVMSD Provisions

- 3.1. Head 76: Content levy establishment
- 3.2. The Committee also asked for specific observations on the application of a content levy on broadcasters and on-demand services to fund the production of European works. As VSPs sit outside the scope of the proposed content levy, TikTok has not considered in detail the benefits or otherwise of a content levy, or whether this is the best or most sustainable way to support the production of European works in the future.



- 3.3. TikTok has been, and is, a window to a creative, diverse world and a source of joy, inspiration and fun.
- 3.4. TikTok is proud to be home to so many European creators, including those highlighting the Irish culture, heritage and experience. As our community has grown, it has become a hub to millions of budding creatives and artists. In the face of adversity, people are taking the time to pursue their passions on TikTok, whether that's music, comedy, performing arts, writing, gaming, crafts or fashion.
- 3.5. TikTok is truly a platform that champions where Culture starts. We support the starting points of culture, the places where it all begins and people winning their breaks. From the young people who provide the workforce and ideas, to the platforms that give them a place to share and enjoy their talents. Musicians, comedians and creatives are being scouted on our platform, while young people find their creative communities and role models, being emboldened to follow careers in the creative industries.
- 3.6. But while creativity is thriving on TikTok, we know the real-world reality is tough. Creative industries have been disproportionately impacted by the pandemic. Whole industries have been shut down, leaning on government support to survive. We want TikTok to play a role in helping the creative industries recover by harnessing the new ideas and fresh perspectives that already exist within our community.
- 3.7. In March 2021 [TikTok announced a new year-long partnership with St Patrick's Festival taking place across the country](#). To celebrate the partnership with the St. Patrick's Festival, we will also launch a global hashtag challenge calling on creators around the world to celebrate Irish culture and illuminate what makes the Irish population so unique. The challenge will see a host of creators from across Ireland and the wider diaspora, create their own original content under #AwakenIreland.
- 3.8. As part of the partnership, we will invest €500,000 of funding into creative communities and projects across Ireland. Working with St Patrick's Festival we will lend support to community groups across Ireland, bringing them together with multi-disciplinary Irish artists, creators and makers, to build creative projects throughout the summer. These projects will be captured on TikTok as they develop, with the finished projects presented as part of the programme for St. Patrick's Festival 2022.



4. TikTok's approach to safety

- 4.1. In response to the Committee's request for observations on the protection of children across online services and platforms, we have outlined our approach to safety in this section.
- 4.2. TikTok is a global, short-form video platform that provides its users with a vibrant, creative experience in a fun and safe environment. Our mission is to inspire creativity and bring joy. On TikTok, creative ideas matter more than social connection, and people on the platform are celebrated for being their authentic selves. The content tends to be light hearted, real, heart-warming and truly fun.
- 4.3. Millions of people come to the platform every day to express themselves creatively, share their talent, enjoy entertaining content, and engage with a diverse and global community.
 - We do this by building a safe space for positive, creative expression.
 - Over a short space of time we have built a diverse and highly engaged community.
 - This has resulted in a unique space for creativity in many different forms – from music, humour and sport to beauty, comedy and magic.
 - TikTok is a place where the emphasis is on ideas, rather than image.
- 4.4. TikTok's top priority is to promote a safe and positive experience so that everyone - from emerging artists to dancing grandparents - can feel free and empowered to express their creativity.
- 4.5. There are three main ways we do this, explained below:
 1. Our **Terms of Service and Community Guidelines** reflect our values and establish the kind of behaviour we expect from our community. We enforce these rules using a combination of cutting-edge technology and thousands of safety experts based around the world.
 2. We develop **robust safety policies and features**, including default settings, restricting direct messaging and livestream to over 16s and, through Family Pairing, enabling parents to work with their teen to help them to manage their TikTok experience. We actively promote these features to our users to ensure they have a genuine impact.
 3. We **collaborate with industry partners** to make the digital world safer for everyone. We work with issue experts and safety organisations, and our signatories to industry-wide initiatives such as the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse, the EU's Code of Practice on Disinformation and the Code of Conduct on Countering Illegal Hate Speech Online.



4.6. As a newer platform we are uniquely positioned to set the bar high for safety. We will never stop working to make TikTok a safe platform for our community, so that our users feel truly free to express themselves.

4.7. **Terms of Service & Community Guidelines**

4.8. Our [Terms of Service](#), which apply to all users in the EEA, include and go beyond the categories of harm listed in the OSMR, stating that users may not:

"intimidate or harass another, or promote sexually explicit material, violence or discrimination based on race, sex, religion, nationality, disability, sexual orientation or age"

"use the Services to either intentionally, recklessly or negligently upload, transmit, distribute, store or otherwise make available:

- *any material which does or may infringe applicable laws or which infringes someone else's rights;*
- *any material which infringes privacy or personality rights of any other person or deceased person;*
- *any material which is defamatory of any person, obscene, offensive, pornographic, hateful or inflammatory;*
- *any material that would constitute, encourage or provide instructions for a criminal offence, dangerous activities or self-harm;*
- *any material that is deliberately designed to provoke or antagonise people, especially trolling and bullying, or is intended to harass, harm, hurt, scare, distress, embarrass or upset people;*
- *any material that contains a threat of any kind, including threats of physical violence;*
- *any material that is racist or discriminatory, including discrimination on the basis of someone's race, religion, age, gender, disability or sexuality*
- *any material that, in the sole judgment of TikTok, is objectionable or which restricts or inhibits any other person from using the Services, or which may expose TikTok, the Services or its users to any harm or liability of any type."*

4.9. Users must agree to our Terms of Service when they register for a TikTok account. Users are also required by our Terms of Service to comply with our Community Guidelines. Our Terms of Service also reserve the right to temporarily or permanently suspend or terminate a user account or impose limits on or restrict access to parts or all of the service with or without notice at any time for any or no reason including:



- *"if we reasonably believe you violate, or we have objective grounds to reasonably believe they are about to violate, the Terms, including any incorporated agreements, policies or guidelines (such as our Community Guidelines), or any applicable laws or regulations";*
- *"in response to requests by law enforcement or other government agencies under valid legal process".*

4.10. Community Guidelines

4.11. Meanwhile, our [Community Guidelines](#) reflect our values and establish the standards we expect our community to adhere to. Our Community Guidelines describe in detail the categories of content that are prohibited on TikTok including:

- Dangerous individuals and organisations, including terrorist and terrorist organizations;
- Illegal activities and regulated goods;
- Violent and graphic content;
- Suicide, self-harm, and dangerous acts;
- Hate speech, including hateful ideology;
- Harassment and bullying;
- Adult nudity and sexual activities, including grooming behaviour;
- Minor safety;
- Integrity and authenticity, including misleading information; and
- Threats to platform security.

4.12. We are constantly reviewing our Community Guidelines to ensure they evolve with changing behaviour, mitigate emerging risks, and keep TikTok a safe place for our users.

4.13. Our Trust & Safety teams have developed detailed policies on each of these categories of content. We carefully review feedback from users and from our moderators, as well as quantitative information related to the application of our policies, in order to continuously improve these policies. We have teams of experts whose job it is to craft new content policies to make TikTok a safe and engaging platform globally. We frequently review our policies and enforcement criteria to check their effectiveness, to test moderators' understanding and assess fairness to users.

4.14. We invest significant resources into ensuring our Terms of Service and Community Guidelines are upheld, and are constantly reviewing and refining how they are applied to ensure they are fully achieving their goals. For example, at the start of the Covid-19 pandemic we introduced new policies banning misinformation likely to cause societal panic and real-world harm, this covered new types of conspiracy theories linking Covid-19 to 5G.



- 4.15. We enforce these rules using a combination of cutting-edge technologies and thousands of moderators around the world.
- 4.16. *Regional hubs for local policy development*
- 4.17. Content moderation decisions can depend on context and require a sophisticated understanding of cultural nuances. To reflect this we employ local teams to design and enforce our policies.
- 4.18. We have set up an EMEA Trust and Safety hub in Dublin which enables us to work closely with communities in Ireland to keep users safe. The regional hub focuses on strengthening our policies, technologies and moderation strategies and ensuring that they complement both local culture and context.
- 4.19. It enables us to collaborate closely with regional regulators, policymakers, government and law enforcement agencies where required in the continued pursuit of promoting the highest possible standard of user safety.
- 4.20. **Robust Safety Policies & Features**
- 4.21. Importantly, we are constantly evolving our safety policies and practices to keep our users safe.
- 4.22. Most recently we have updated our policies as they relate to younger users. As young people start their digital journey, we believe it's important to provide them with age-appropriate privacy settings and controls, so we have made a number of changes for users under the age of 18 aimed at driving higher default standards for user privacy and safety.
- 4.23. In January 2021, we [changed the default privacy settings](#) for accounts registered with an age of 13-15, to private, meaning only someone who the user approves as a follower can view their videos. Additional changes we have rolled out to promote a safe experience for our younger users include:
- Tightened options for commenting on videos created by those aged 13-15. These users can only choose between Friends or No One for their account; the Everyone comment setting has been removed.
 - Changed Duet and Stitch settings to make these features available on content created by users age 16 and over only. For users aged 16-17, the default setting for our Duet and Stitch features is set to Friends.
 - Only allowing downloads of videos that have been created by users 16 and over. Other users can decide whether they want to allow downloads of their videos, though for users ages 16-17 the default setting is set to Off unless they decide to enable it.



- Setting the "Suggest your account to others" to Off by default for users aged 13-15.

4.24. These changes build on previous updates we've made to promote child safety, including:

- Restricting direct messaging and hosting live streams to accounts 16 and over.
- Restricting the buying, sending, and receiving of virtual gifts to users 18 and over.
- Enabling parents and guardians caregivers to work with their teen to set guardrails on their teen's TikTok experience through our Family Pairing features.

4.25. *Our parental control tools and policies*

4.26. To give parents' greater control over their kids' TikTok experience, we recently introduced Family Pairing which enables a parent or guardian to link their TikTok account to their teen's to provide tools so that they can collaborate with their teen to choose appropriate settings.

4.27. Family Pairing allows a parent or guardian to link their TikTok account to their teen's and collaborate with their teen to set controls, including:

- Screen Time Management: decide how long teens can spend on TikTok each day. In addition, TikTok has partnered with top creators to make short videos that appear in the For You feed and [encourage users to keep tabs on their screen time](#). These fun videos use the upbeat tone our users love while offering suggestions to take a break and do something offline, like read a book;
- Restricted Mode: Users can turn on Restricted Mode to Limit the appearance of content that may not be appropriate for all audiences. Even without Family Pairing enabled, parents can help their teen use Screen Time Management and Restricted Mode by visiting the app's Digital Wellbeing controls at any time;
- Search: Parents or guardians can choose to turn off the search functionality for their child.

4.28. Our "[For Parents](#)" page is a resource available for parents who want to understand how TikTok works, how to keep their teens safe on the platform and the parental control tools available to them.

4.29. However we know that parents also seek online safety information from trusted third parties. We therefore work with online safety charities such as Internet Matters to develop safety resources. [Internet Matters' Parents Guide to TikTok](#) has been viewed over half a million times and the charity's [guide to our Privacy Settings](#) has been viewed over 100,000 times.



4.30. We actively promote safety features to our users so they know how best to stay in control of their TikTok experience.

4.31. *Ensuring users understand our policies*

4.32. We take a number of steps to ensure users are made aware of our trust and safety policies. The following resources are available in-app (via the Settings and Privacy section) and/or on our website:

- Our educational video series, "You're in Control": the series presents TikTok's safety and privacy controls in an accessible and easy to understand fashion. We created this short-form video series, and involved several of our most popular creators, to educate users about safety in the TikTok format they're most accustomed to viewing. These videos reinforce our Community Guidelines and offer users mini 'how to' tutorials including how to: block a user; report inappropriate behaviour; filter comments; make an account private; and set screentime limits. The videos can be accessed through the [Safety Centre](#) and can also be accessed directly in-app [@TikTokTips](#).
- Our [Youth Portal](#): teens and their families can learn about internet safety and the tools and controls built into TikTok in a user-friendly format. In the "TikTok community" section of the Youth Portal, users can find a simplified version of the principles that ensure TikTok remains a safe and positive environment, as well as a link to our more detailed Community Guidelines.
- Our [Safety Centre](#): the centre contains resources to help users further understand our policies on topics including anti-bullying and impersonation. The Safety Centre also contains our Transparency Report, which provides insight into the volume and nature of content removed for violating our Community Guidelines or Terms of Service.

4.33. When people report potentially abusive content to our teams, or when we remove inappropriate content from our platform, we seek to communicate clearly to users to help them understand the rationale behind a removal to enhance understanding about our policies.

4.34. **Collaboration with Industry Partners**

4.35. At TikTok we place great emphasis on hiring staff with the latest and most relevant expertise, and on ensuring that this knowledge remains up to date with the latest trends.

4.36. We have hired staff with deep expertise in counter-terrorism, minor safety, tackling hate speech, and suicide/self-harm prevention from a range of backgrounds including academia, public policy and the technology industry.

4.37. We strive to ensure that those responsible for specific policy areas have a deep understanding of the relevant harms both offline and online. These teams work in a collaborative way with our operations teams to guarantee that there is a rapid feedback loop in relation to new trends and developing risks of harm.

4.38. *Informing policy development*

4.39. We also conduct research with users themselves. We recently commissioned a series of focus groups with parents and children, including in Ireland, and other European countries to seek their views on our safety strategy.

4.40. In addition to this, our Trust and Safety teams have partnerships and engage with a wide range of external stakeholders and initiatives to keep abreast of developments, develop expertise, and identify new potential risks and harms. These stakeholders and initiatives include, but are not limited to:

- INHOPE;
- The Alliance to Better Protect Minors Online
- The EU Code of Practices on disinformation and hate speech (respectively);
- WeProtect;
- SpunOut.ie;
- Webwise;
- CyberSafeKids;
- BeLonGTo;
- Bodywhys;
- ISPC.

4.41. On March 2nd 2021 TikTok announced a new [European Safety Advisory Council](#). The Council, which brings together leaders from academia and civil society from all around Europe, will provide subject matter expertise as members advise on TikTok's content moderation policies and practices.

4.42. Each member brings a different, fresh perspective on the challenges faced by TikTok and the Council will also help to develop policies to tackle emerging issues that may impact TikTok's community in the future.

4.43. In addition to the nine inaugural Council members TikTok will add additional members from more countries and different areas of expertise in the future as we continue our journey to help make TikTok a place where joy and creativity can thrive.



4.44. *On-platform campaigns*

4.45. Working with partners is one of the important ways in which we keep our community safe, inviting in external knowledge and expertise to tackle issues such as hate speech, for example blocking certain search terms or promoting verifiable, authoritative sources of information on some subjects.

4.46. For example, to [mark this year's Holocaust Memorial Day](#) we worked with the Holocaust Educational Trust, the Antisemitism Policy Trust and the Community Security Trust. When a TikTok user opened the app that day, they they found at the top of their For You feed an educational video featuring top creators to encourage our community to access the new educational resources and learn more about Holocaust Memorial Day.

4.47. We also made permanent changes to our search function so that when a user looks for terms related to the Holocaust, we serve as their top result a link to a [new in-app information hub](#). This is populated with educational videos about the Holocaust, the Jewish community and antisemitism today.

4.48. In addition, while searches to Holocaust denial, certain historical figures or other related violating terms or phrases were already blocked, we made further changes to prompt users to visit the information hub so that they can access authoritative content.

4.49. *Global Product Partnerships*

4.50. We also partner with external stakeholders such as fact checking partners in the development of new tools. In February 2021 TikTok [introduced its Know the Facts feature to encourage people to pause before sharing videos containing unverified information](#).

4.51. We remove misinformation as we identify it and partner with fact checkers at PolitiFact, Logically, Lead Stories, and SciVerify to help us assess the accuracy of content. If fact checks confirm content to be false, we'll remove the video from our platform. Sometimes fact checks are inconclusive or content is not able to be confirmed, especially during unfolding events. In these cases, a video may become ineligible for recommendation into anyone's [For You feed](#) to limit the spread of potentially misleading information.

4.52. If a viewer attempts to share a flagged video, they'll see a prompt reminding them that the video has been flagged as unverified content. This additional step requires a pause for people to consider their next move before they choose to "cancel" or "share anyway."