

Decision

- Case ID: [REDACTED] -

In the out-of-court dispute settlement process between

[REDACTED]

- Complainant -

Representative under Art. 86 DSA: [REDACTED], represented by [REDACTED] [REDACTED]

and

TikTok

- Online-Plattform -

because of

**the removal of content based on TikTok's Policy on Violent and
Hateful Organizations and Individuals**

the certified out-of-court dispute settlement body User Rights decided through its independent reviewers on **30/10/25**:

User Rights finds that TikTok's decision to remove the content from the platform was not justified. User Right's assessment is that the content does not violate the

Policy on Violent and Hateful Organizations and Individuals. TikTok should therefore reinstate the content.

I. Summary

User Rights finds that TikTok's decision to remove the content was unjustified. The complainant's content, a satirical caricature of Donald Trump alongside notorious dictators, aimed to critique the behavior of sanctioning critics. It did not promote or support violence or hateful ideologies, aligning with TikTok's allowance for criticism and satire. TikTok's removal likely stemmed from a misinterpretation of the satire as promotion. Therefore, User Rights overturns TikTok's decision and instructs the platform to reinstate the content.

II. Facts of the case

The complaint deals with content posted by the complainant. The video displays a caricature of Donald Trump accompanied by text suggesting that punishing his critics is normal. Beneath this illustration appears a line indicating that he is portrayed in continuity with those who came before him. Further down, four smaller images are shown, each representing a well-known dictator: Vladimir Putin, Adolf Hitler, Kim Jong-un, and Idi Amin Dada.

In October 2025 TikTok removed the content from the platform.

On the same day, the complainant, represented by [REDACTED], appealed TikTok's decision to User Rights. The compliance with the requirements of Art. 86 DSA was confirmed by the complainant at the time the complaint was filed. When filing their complaint to User Rights, the complainant was asked to provide relevant context. The complainant stated that the platform removed the content under its policy against the promotion of hateful and violent individuals, likely due to the inclusion of several dictatorial figures in the content. The complainant mentioned that the same content was shared on an Instagram account they operated, accessible via the provided link. They argued that the post did not glorify hateful and violent individuals but instead condemned them by criticizing a current political figure,

Donald Trump, for policies that, in their view, resembled those of dictatorial figures. Therefore, the complainant believed the moderation decision was misguided.

On October 9, 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 indicated that the content breached their Community Guidelines concerning Violent Behaviors & Dangerous Actors, leading to its removal. They stated that the decision to remove the content is being maintained.

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, English, French or Italian. TikTok is a social media platform. TikTok removed content that the complainant had shared on TikTok. The removal of content constitutes a measure which, in accordance with Art. 20 para. 1 a) and 21 para. 1 DSA, can be appealed to User Rights. The complainant may be represented by [REDACTED]. According to Art. 86 (1) DSA recipients of intermediary services have the right to mandate a body, organisation or association to exercise the rights conferred by the DSA on their behalf, provided the body, organisation or association meets all of the following conditions: it operates on a not-for-profit basis; it has been properly constituted in accordance with the law of a Member State; its statutory objectives include a legitimate interest in ensuring that the DSA is complied with.

The compliance with these requirements was confirmed by the complainant at the time the complaint was filed.

IV. Merits

The complaint is justified.

User Rights overturns TikTok's decision to remove the content from the platform. The content does not violate the Policy on Violent and Hateful Organizations and

Individuals, and should not have been removed on that basis. TikTok should therefore reinstate the content.

1. Scope of review

The online platform explained that it relied on its Policy on Violent and Hateful Organizations and Individuals to moderate the content.

When moderating the content of a user, TikTok has an obligation to provide a statement of reason satisfying the requirements of Art. 17 DSA. This statement of reason must, among other information, reference the specific contractual ground relied on, Art. 17 (3) e) DSA. The subject of the complaint is thus primarily determined by which regulation the platform bases its action on.

Should TikTok later determine that the invoked policy was not violated but a different policy was, it needs to make a new content moderation decision, provide a statement of reason for that decision to the user, and the user has the right to appeal that decision, Art. 20 or 21 DSA.

2. Substantive Assessment

User Rights bases its decision on the most recent version of the platform's general terms and conditions

The content does not violate the Policy on Violent and Hateful Organizations and Individuals.

The image features a caricature of Donald Trump alongside a caption asserting that it is natural to sanction those who criticize him. Surrounding text and smaller inset portraits frame the piece as pointed satire, drawing historical parallels with leaders who have punished dissent—whether from journalists, civil servants, academics, or other opponents. The publication's implication is clear: Trump's posture towards critics echoes that of these leaders. Figures such as Vladimir Putin, Adolf Hitler, Kim Jong-un, and Idi Amin Dada are invoked as emblematic examples of regimes that relied on intimidation and coercion to silence political opposition. By juxtaposing Trump's likeness with these leaders, the content amplifies its critique, using

exaggeration and association to warn about the dangers of normalizing reprisals against dissenting voices in a democratic society.

TikTok's policy prohibits the presence and promotion of violent and hateful organizations or individuals, including those who advocate for violence against civilians or promote hateful ideologies. The policy allows for criticism and satire about violent or hateful actors, provided there is no promotion or support for these entities. The content in question appears to fall under the exception for criticism and satire, as it does not promote or support any violent or hateful organization or individual but rather critiques the behavior of sanctioning critics, especially in the person of Donald Trump.

The complainant's content is a satirical illustration that critiques the behavior of political figures who sanction critics. The text and imagery do not promote or support violence or hateful ideologies but instead highlight the issue of suppressing dissent. The platform's decision to remove the content may have been based on a misinterpretation of the satire as promotion, but the content aligns with the policy's allowance for criticism and satire. Therefore, the platform's decision to remove the content was not justified.

V. Result

User Rights finds that TikTok's decision to remove the content from the platform was not justified. User Right's assessment is that the content does not violate the Policy on Violent and Hateful Organizations and Individuals. TikTok should therefore reinstate the content.

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.