

Decision

- Case ID: [REDACTED] -

In the out-of-court dispute settlement process between

[REDACTED]

- Complainant -

and

LinkedIn

- Online Platform -

because of

the removal of content based on LinkedIn's Policy on Hateful and Derogatory Content

the certified out-of-court dispute settlement body User Rights decided through its independent reviewers on **23/07/26**:

User Rights finds that LinkedIn's decision to remove the content from the platform was not justified. User Rights' assessment is that the content does not violate the Policy on Hateful and Derogatory Content. LinkedIn should therefore reinstate the content. Regarding the costs, User Rights refers to Art. 21(5) subparagraph 1 sentence 1 DSA.

I. Summary

The complainant, [REDACTED], challenged LinkedIn's decision to remove a comment he had posted on the platform. LinkedIn justified the removal by citing a violation of its Policy on Hateful and Derogatory Content. The complainant disputed this, arguing that the post constituted a critical assessment of a political figure and his movement rather than prohibited hate speech or bullying.

User Rights finds that LinkedIn's decision to remove the content was not justified. The relevant policy is designed to protect individuals and groups based on inherent traits, whereas the complainant's comments targeted a political figure and a political movement, which falls outside the scope of this policy. Therefore, User Rights overturns the decision and concludes that LinkedIn should reinstate the content.

II. Facts of the case

The complaint deals with content posted by the complainant. The content refers to a comment posted by [REDACTED] which reads as follows:

"It's worth saying again and again: Trump is a demented, corrupt p43d0ph1l3, and he's wrecking the U.S. while lining his own pockets. And the MAGA crowd cheers him on no matter what he does.

Honestly, I've mostly given up on America. I'm tired of the constant insults and betrayals aimed at Europe. If this rotten government collapses, so be it. And I say that as someone who used to be quite fond of the U.S.

But if you're an American who actually cares about your country, removing and impeaching Trump has to come first. If not, go ahead and enjoy the crushing debt and runaway inflation. Don't expect us to rescue you when you won't stand by us.

Regards, everyone else on the planet"

On April [REDACTED], 2026 LinkedIn removed the content from the platform. On the same day, the complainant appealed LinkedIn's decision to User Rights. When filing their complaint to User Rights, the complainant was asked to provide relevant context. The complainant stated that LinkedIn had once again removed their comment,

citing either “hate speech” or “bullying” as the reason. They described the platform’s decision as vague and lacking in substance. The complainant expressed the view that LinkedIn, as a Silicon Valley-based and therefore American company, was motivated by a desire to suppress criticism of the current US president, whom they described in negative terms. They argued that their comment did not constitute hate speech or bullying by any reasonable standard. According to the complainant, their post was a colorful but truthful criticism of a prominent public figure and his political movement, and was not based on any protected characteristics such as race, ethnicity, sex, or sexuality. The complainant accused LinkedIn of knowingly misapplying its rules as an act of censorship.

On May █, 2026, User Rights informed LinkedIn about the complaint to User Rights and gave it the opportunity to provide a submission. LinkedIn stated that the complainant’s comment had been removed on █ April 2026 because it did not comply with their Professional Community Policies regarding hateful speech. The complainant was given the opportunity to appeal this decision via a provided link. After the complainant submitted an appeal on the same day, LinkedIn reviewed the comment again and informed the complainant that it still did not meet their policies on hateful speech.

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. LinkedIn is a social media platform. The relevant content is drafted in a language for which User Rights is certified; where, in exceptional cases, the language of the content is not decisive for the assessment, the content falls within User Rights’ scope of competence regardless. LinkedIn removed content that the complainant had shared on LinkedIn. 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.

IV. Merits

The complaint is justified.

User Rights overturns LinkedIn's decision to remove the content from the platform. The content does not violate the Policy on Hateful and Derogatory Content, and should not have been removed on that basis. LinkedIn should therefore reinstate the content.

1. Scope of review

The online platform explained that it relied on its Policy on Hateful and Derogatory Content to moderate the content.

When moderating the content of a user, LinkedIn 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. Compliance with other potentially applicable provisions is not assessed.

Should LinkedIn, after the conclusion of the present proceedings, 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. User Rights found that the content does not violate the Policy on Hateful and Derogatory Content.

Under this policy, content that attacks, denigrates, intimidates, dehumanizes, or incites violence or discrimination against individuals or groups based on protected inherent traits – namely race, ethnicity, national origin, caste, gender, gender identity, sexual orientation, religious affiliation, or disability status – is strictly prohibited. The policy specifically bans identity-based slurs, harmful stereotypes, expressions of superiority or disgust, calls for group banishment, wishing death or serious harm on protected groups, subhuman characterizations (such as

comparisons to animals, filth, or disease), promoting hate groups or their symbols, and denying historical events like U.S. slavery or the Holocaust. Ultimately, the policy is designed to safeguard protected characteristics. Attacks on political figures, political movements, or governments do not, in themselves, fall within its scope unless they are based on such characteristics, which is not the case here.

The content in the present case does not attack, denigrate, intimidate, dehumanize, incite or threaten hatred, violence, prejudicial or discriminatory action against individuals or groups based on protected characteristics such as race, ethnicity, national origin, caste, gender, gender identity, sexual orientation, religious affiliation, or disability status, nor does it contain slurs or pejoratives used to demean others on the basis of inherent traits. Attacks or denigration in the sense of the relevant standard require that the content targets individuals or groups defined by protected characteristics and uses slurs or pejoratives specifically referencing those traits.

In the present case, the post contains strong language, including 'demented, criminal p43d0ph1l3' directed at the President of the United States, Mr. Donald Trump and 'fanatical morons known as MAGA' directed at President Trump's supporters. The term 'morons' is a pejorative, but it is used in reference to political affiliation, not to a protected characteristic. The criticism of President Trump is harsh and includes accusations of criminality and the term "demented", which may refer to a cognitive impairment. However, considered in the context of the overall statement, these remarks are directed at his political conduct and leadership rather than constituting an attack based on an actual or perceived disability. The statement 'I don't care much for America anymore' and references to 'rotten regime' are political opinions and do not target Americans as a group based on inherent traits. There are no slurs or pejoratives used to demean individuals or groups based on their race, ethnicity, national origin, caste, gender, gender identity, sexual orientation, religious affiliation, or disability status. The language is aggressive and denigrating, but it is directed at political figures and supporters, not at protected groups.

Furthermore, the content does not meet the threshold for any other specific violations under this policy. Specifically, it does not promote hate groups or hateful ideologies, express disgust or superiority based on inherent traits, call for the exclusion or banishment of any protected group, or wish death, violence, or disease upon anyone. Additionally, the post contains no negative stereotypes rooted in inherent traits, subhuman characterizations, Holocaust denial or symbology, or denial of U.S. slavery. Because all hostile phrasing and aggressive commentary in the post remain directed solely at political figures, political movements, and government administration, no violation of the Policy on Hateful and Derogatory Content is established.

Lastly, User Rights notes that while the content may potentially violate other platform guidelines – such as those regarding harassment, defamation, or professional decorum – evaluating potential violations beyond the specific policy submitted falls outside the scope of this review.

V. Result

User Rights finds that LinkedIn’s decision to remove the content from the platform was not justified. User Rights’ assessment is that the content does not violate the Policy on Hateful and Derogatory Content. LinkedIn 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.