

COMPLAINT

Against Twitter International Unlimited Company (“X”)

Regarding violation of Art. 22(1) of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act)

Jointly submitted by
Asociația pentru Tehnologie și Internet (ApTI) and
European Digital Rights AISBL

This submission is set out as follows:

- A. INTRODUCTION
- B. BACKGROUND
- C. EVIDENCE
- D. LEGAL ASSESSMENT
- E. SUGGESTIONS

This submission is filed with supporting documents containing:

- ANNEX - SCREENSHOTS OF THE 'DIGITAL SERVICES ACT' ONLINE FORM IN THE INVESTIGATED LANGUAGES

A. INTRODUCTION

We hereby submit a complaint against the platform X, operated by Twitter International Unlimited Company [hereinafter “**X**” shall be understood as referencing the platform itself] regarding violation of Art. 22(1) of the Digital Services Act (“**DSA**”) by wrongly redirecting Trusted Flagggers that are designated under Article 22 DSA to submit notices about infringing content on a non-functioning online form in all the platform’s EU language versions other than English.¹

While in decline in recent years, X continues to hold major opinion shaping power in the EU. In 2024, X Corp. generated 2.7 billion USD in revenue and employed around 1,500 staff, according to publicly available figures. In the EU, X operates as Twitter International Unlimited Company based in Ireland and notified 115 million monthly active European users under the DSA.

X is under several ongoing DSA investigations conducted by the European Commission, at least one of which² specifically concerns the platform’s failure to “counter the dissemination of illegal content in the EU, as well as the functioning of the notice and action mechanism for illegal content in the EU mandated by the DSA, including in light of X's content moderation resources.”

Research consistently shows^{3,4,5} that the dissemination of illegal and other infringing content on X has surged after changes of internal content moderation policies and practices introduced in the context of the company’s acquisition by Elon Musk.

¹ We tested the following language versions: Bulgarian, Croatian, Danish, Dutch, Finnish, French, Gaelic / Irish, German, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, and Swedish.

² European Commission, “Commission opens formal proceedings against X under the Digital Services Act”, Press Release, 18 December 2023, available at https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6709, accessed on 11 March 2025.

³ Daniel Hickey et al., “X under Musk’s leadership: Substantial hate and no reduction in inauthentic activity”, PLoS ONE 20(2): e0313293, 12 February 2025, available at <https://doi.org/10.1371/journal.pone.0313293>, accessed on 11 March 2025.

⁴ Michael Jensen, “Hate speech on X surged for at least 8 months after Elon Musk takeover – new research”, The Conversation, 12 February 2025, available at <https://theconversation.com/hate-speech-on-x-surged-for-at-least-8-months-after-elon-musk-takeover-new-research-249603>, accessed on 11 March 2025.

⁵ Gitar Johar, Yu Ding, “Elon Musk Has Turned X (Twitter) into a Free-for-All — and Here’s the Proof”, Columbia Business School, 13 February 2024, available at <https://business.columbia.edu/insights/digital-future/opinion-elon-musk-has-turned-x-twitter-free-all-and-heres-proof>, accessed on 11 March 2025.

B. BACKGROUND

X provides a 'Digital Services Act' online form enabling an individual or an entity to "notify us about content that is illegal under EU law or under the national law of an EU member state, in compliance with Union law."⁶ The online form is available in various languages.

The form allows notifying parties to submit a name and email address and asks for information about the username or account handle to be reported. Notifying parties are also required to select the jurisdiction in which the account has violated a law, as well as legal reasons for the notice, such as "Illegal or harmful speech", "Protection of minors" or "Violence". An optional text field allows notifying parties to provide information "about what's happening."

While this online form is generally available to all individuals and entities, the introductory text above the form in English explains that "Entities carrying Trusted Flaggers status per Article 22 of DSA and designated NGOs will be recognized by their email used when submitting the report below." Trusted Flaggers must therefore use the same online form to submit Article 16 notices as everybody else, but X says it is able to distinguish their notices from others by their email address, presumably the professional domain name.

While the above describes the content of the form's English language version, all other EU language versions feature entirely different text for Trusted Flaggers. The language versions we tested all explicitly tell Trusted Flaggers to *not* use the 'Digital Services Act' online form but instead go to X's 'Legal Enquiries' page at <https://t.co/lr> (which redirects to https://legalrequests.twitter.com/forms/landing_disclaimer) to submit their Article 16 notices there.

The 'Legal Enquiries' page, however, explicitly states that it is only meant to be used for "legal requests" by law enforcement agents, government officials, or other unspecified third-parties. It threatens any "unauthorized access or prohibited use" of the page with prosecution,⁷ and thereby strongly discourages anyone else, including Trusted Flaggers, from using it. The page does not contain any reference to Trusted Flaggers in any of the languages we tested.

Our tests also revealed that the 'Legal Enquiries' page in fact does not work for Trusted Flaggers.

⁶ X Digital Services Act form available at <https://help.x.com/en/forms/dsa/report>, last accessed on 10 March 2025.

⁷ X Legal request submissions form available at https://legalrequests.twitter.com/forms/landing_disclaimer, last accessed on 10 March 2025.

C. EVIDENCE

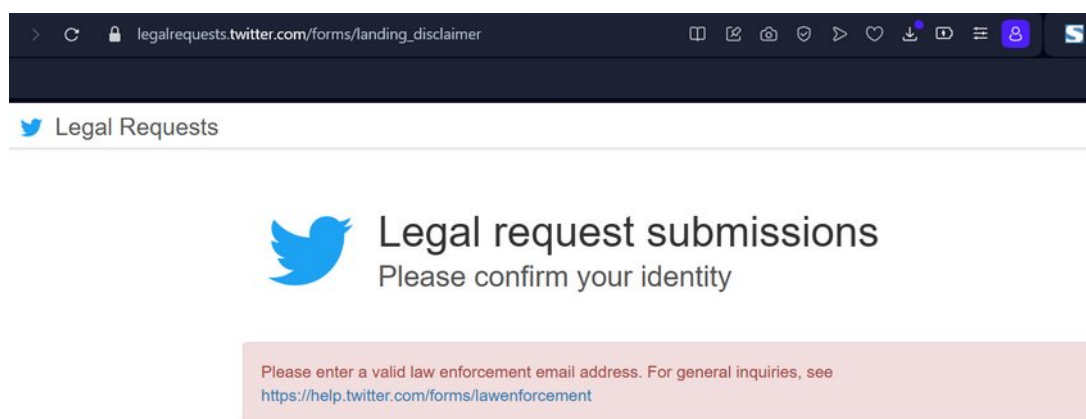
In order to show the difference between the English version, which refers to the correct Trusted Flagger form, and all other language versions that do not, we have systematically verified and created screenshots of the pages concerned, namely in the EU languages Bulgarian, Croatian, Danish, Dutch, Finnish, French, Gaelic / Irish, German, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, and Swedish. All screenshots are listed in the Annex of this complaint.

In order to test the functionality—and therefore compliance with Article 22(1) DSA—of the ‘Legal Enquiries’ page to which Trusted Flaggers are being redirected in the above languages, we worked with Trusted Flaggers in Finland⁸, Greece⁹, and a third EU member state¹⁰ to assess whether Trusted Flaggers could alternatively use the ‘Legal Enquiries’ page to submit their notices.

The organisations we ran those tests with have all been properly awarded the Trusted Flagger status under Article 22 DSA by their respective Digital Services Coordinators. In all tests they were using their professional email addresses as sender address in X’s ‘Legal Enquiries’ online form.

We found that in all three sample countries the ‘Legal Enquiries’ page failed to accept any of our partners’ attempts to submit an Article 16 notice as Trusted Flagger. Their email addresses were not recognised by X and instead their attempt was met with the following error message:

“Please enter a valid law enforcement email address. For general inquiries, see <https://help.twitter.com/forms/lawenforcement>”



⁸ Pelastakaa Lapset ry, Koskelantie 38, Helsinki, 00601, Finland.

⁹ Disinformation Observatory 'Greece Fact Check', Provincial road Nafpaktou Platanou, Ναύπακτος (Nafpaktos), 30300, Greece.

¹⁰ The third Trusted Flagger requested to remain unnamed in order to not jeopardise its relationship with the online platform.

D. LEGAL ASSESSMENT

The above described pages for Trusted Flaggers and the way those pages are misleading them to submit notices through a wrong, non-functional online form constitute an infringement of Art. 22(1) DSA.

Pursuant to Art. 22(1) DSA, providers of online platforms shall take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers, acting within their designated area of expertise, through the mechanisms referred to in Article 16, are given priority and are processed and decided upon without undue delay.

While complainants have not tested whether X has or has not taken the necessary technical and organisational steps to process notices from Trusted Flaggers in English with priority, we have shown that X discourages and misleads Trusted Flaggers in all other tested languages by redirecting them to a wrong, non-functioning online form.

Complainants have reached out to X by email on 17 February 2025, requesting the company to make the necessary changes to the various language versions in order to be in compliance with the company's obligations under the DSA no later than 3 March 2025.

While complainants received a friendly response from X, claiming this was an "important issue" and promising to "share the information with the relevant teams so they can investigate further," nothing actually changed. To this day, non-English Trusted Flaggers in the EU are still misled to the wrong, non-functioning online form.

E. SUGGESTIONS

It is suggested that the Coimisiún na Meán initiate proceedings against X and order the cessation of any infringements found pursuant to Art. 51 DSA and, if necessary, combine this with the imposition of a fine.

If deemed helpful to inform their own investigations, it is also suggested that the Coimisiún na Meán shares any evidence collected as part of those proceedings, including the content of this complaint, with the relevant services of the European Commission.

ANNEX – SCREENSHOTS OF THE ‘DIGITAL SERVICES ACT’ ONLINE FORM IN THE INVESTIGATED LANGUAGES

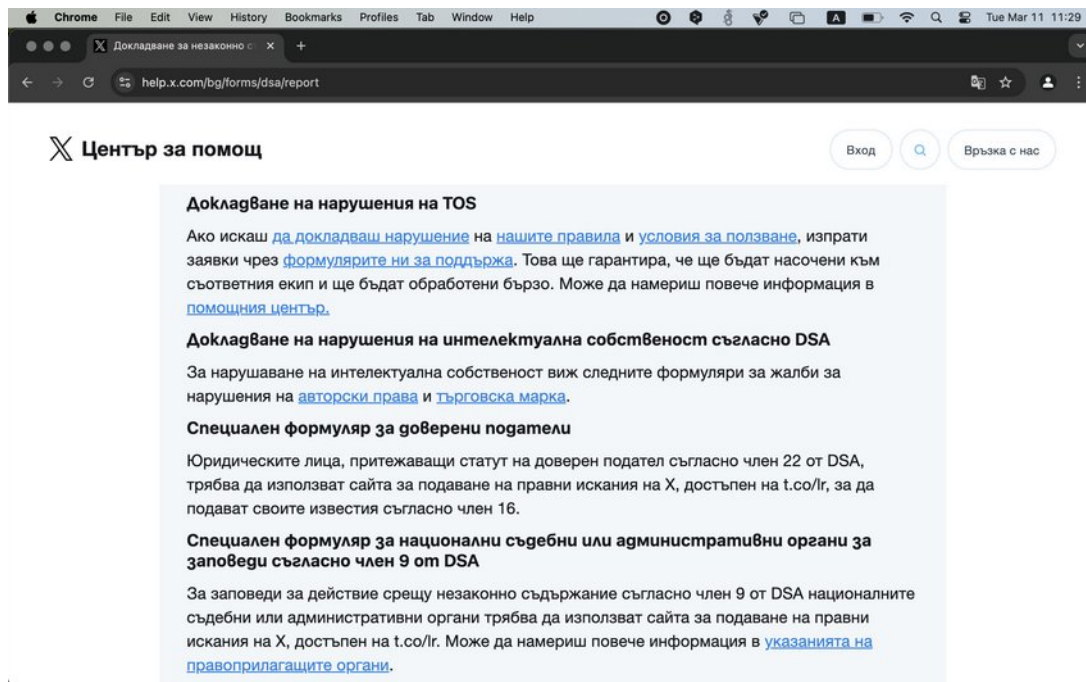


Figure 1: Screenshot of the ‘Digital Services Act’ form in Bulgarian

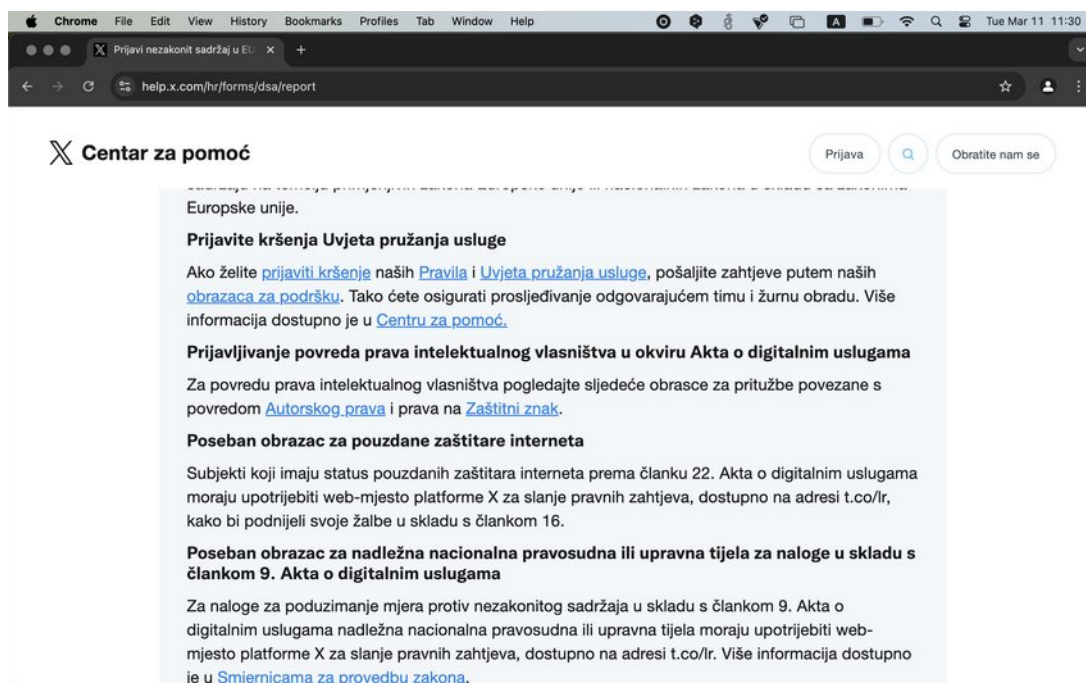


Figure 2: Screenshot of the ‘Digital Services Act’ form in Croatian

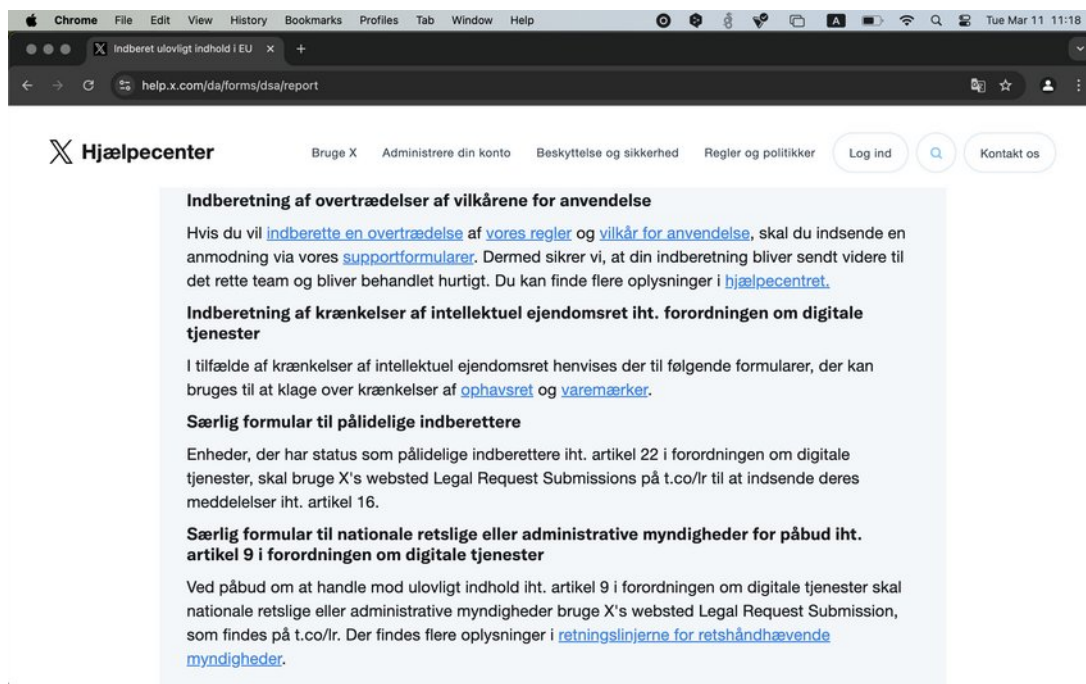


Figure 3: Screenshot of the 'Digital Services Act' form in Danish

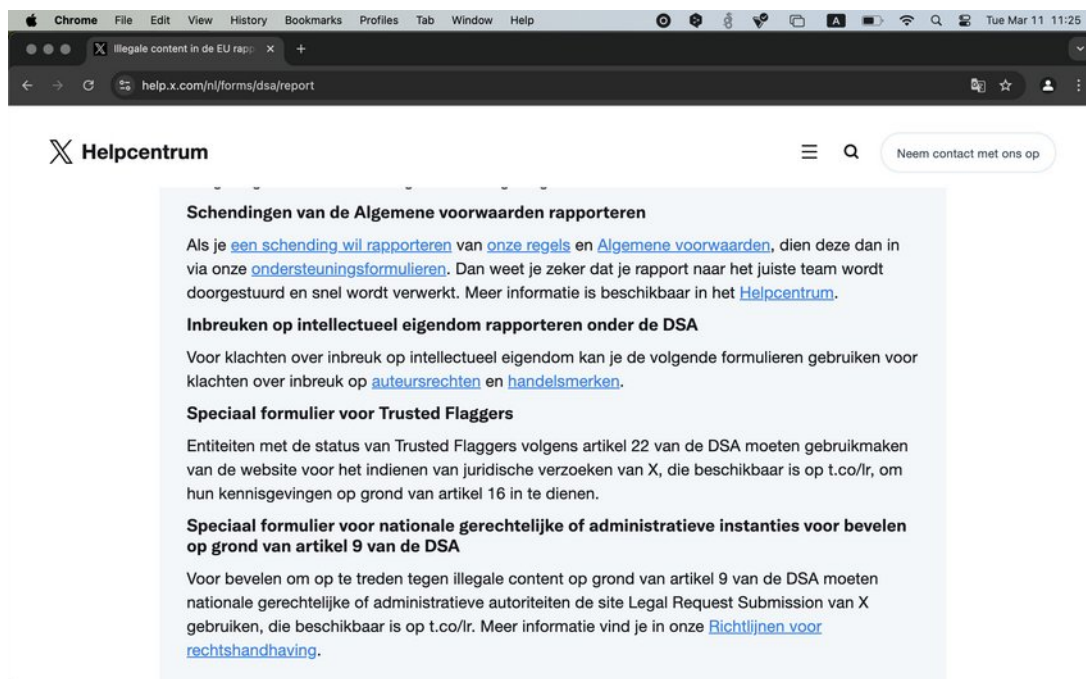


Figure 4: Screenshot of the 'Digital Services Act' form in Dutch

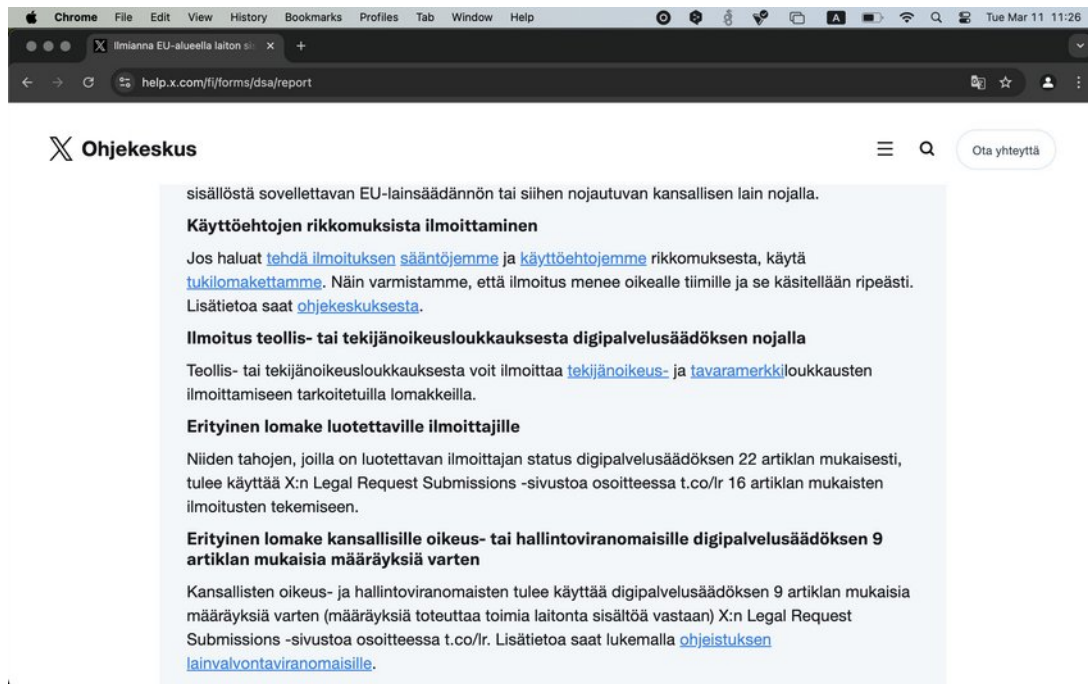


Figure 5: Screenshot of the 'Digital Services Act' form in Finnish

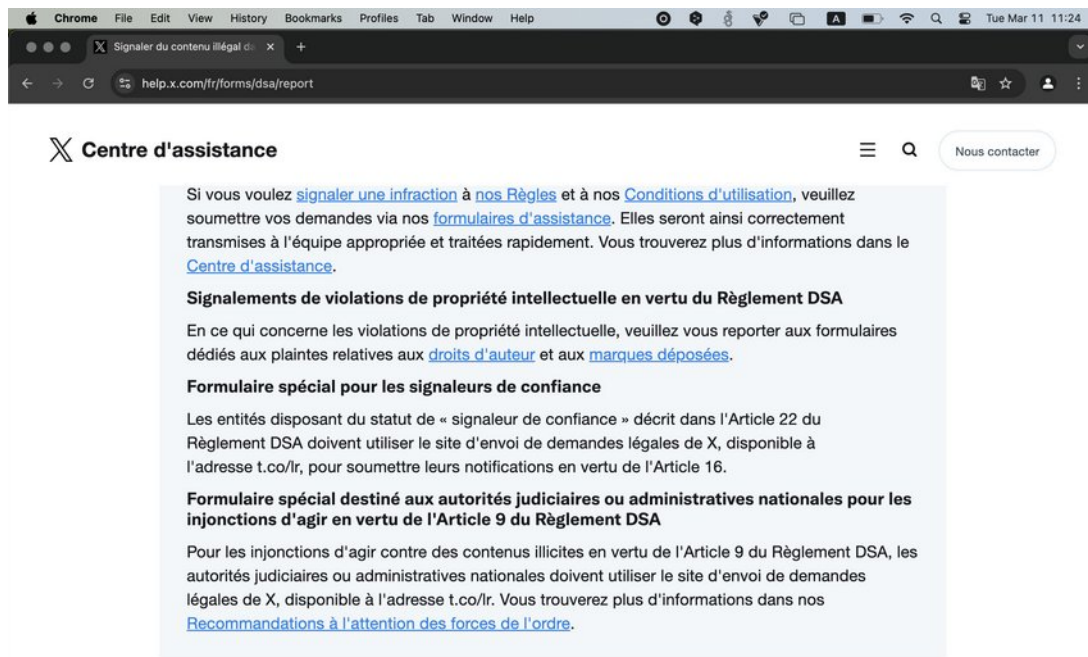


Figure 6: Screenshot of the 'Digital Services Act' form in French

Chrome File Edit View History Bookmarks Profiles Tab Window Help Tue Mar 11 11:34

Abhar neamhdhleathach san X

help.x.com/ga/forms/dsa/report

X Help Center Sign in Contact Us

Comhairle an Fhóin seo a bhfuil níos mó eolais ar na rialacha agus na sonraí a bhaineann le tairneáil a thabairt tuilleadh faoi ábhar neamhdhleathach ar bhonn dlí an Aontais nó an dlí náisiúnta is infheidhme i gcomhréir le dlí an Aontais.

Sárúithe TS a Thuairisciú

Más mian [leat sárú ar ár Rialacha](#) agus [Téarmaí Seirbhíse](#) a thuairisciú, cuir iarratais isteach trínár [bhfoirmeacha](#) tacaíochta. Cinnteoidh sé seo go gcuirfear ar aghaidh chuig an bhfoireann chuí iad agus go ndéanfar iad a phróiseáil go gasta. Tá tuilleadh eolais ar fáil san [Ionad Cabhrach](#).

Sárúithe maoinínteachtúla a thuairisciú faoi DSA

Maidir le Sárú Maoinínteachtúla, féach ar na foirmeacha seo a leanas le haghaidh [gearáin faoi Chóipcheart](#) agus faoi [shárúithe Trádmhairc](#).

Foirm Speisialta do Chomharthóirí Iontaofa

Ba cheart d'eintitis a bhfuil stádas Comharthóra Iontaofa acu de réir Airteagal 22 de DSA úsáid a bhaint as suíomh Tíolachta Iarratas Dílthiúil X, atá ar fáil ag t.co/lr chun a bhfógraí a chomhdú faoi Airteagal 16.

Foirm speisialta d'údarás bhreithiúnacha nó riaracháin náisiúnta le haghaidh orduithe faoi Airteagal 9 de DSA

Maidir le hOrduithe chun gníomhú i gcoinne ábhar neamhdhleathach faoi Airteagal 9 de DSA, ba cheart d'údarás bhreithiúnacha nó riaracháin náisiúnta úsáid a bhaint as láithreán Tíolachta Iarratas Dílthiúil X, atá ar fáil ag t.co/lr. Tá tuilleadh eolais ar fáil sna Treoirínte [maidir le forfheidhmiú an dlí](#).

Figure 7: Screenshot of the 'Digital Services Act' form in Gaelic / Irish

Chrome File Edit View History Bookmarks Profiles Tab Window Help Tue Mar 11 11:24

Illegale Inhalte in der EU melden

help.x.com/de/forms/dsa/report

X Hilfe-Center X verwenden Account-Verwaltung Sicherheit Regeln und Richtlinien Ressourcen Anmelden Kontakt

Wenn du [einen Verstoß](#) gegen [unsere Regeln](#) und die [Allgemeinen Geschäftsbedingungen](#) melden möchtest, stelle deine Anfrage bitte über unsere [Support-Formulare](#). Dann werden sie an das zuständige Team weitergeleitet und zügig bearbeitet. Weitere Informationen findest du im [Hilfe-Center](#).

Meldung von Verstößen gegen geistiges Eigentum im Rahmen des Gesetzes über digitale Dienste

Bei Verstößen gegen geistiges Eigentum nutze bitte die folgenden Formulare für Beschwerden in Bezug auf [Urheberrecht](#) und [Marken](#).

Spezielles Formular für vertrauenswürdige Hinweisgeber

Juristische Personen, die nach Artikel 22 des Gesetzes über digitale Dienste (Digital Services Act, DSA) den Status eines vertrauenswürdigen Hinweisgebers haben, sollten für Einreichungen im Rahmen von Artikel 16 die X Website für rechtliche Anfragen unter t.co/lr nutzen.

Spezielles Formular für nationale Justiz- oder Verwaltungsbehörden für Anordnungen unter Artikel 9 des Gesetzes über digitale Dienste

Für Anordnungen zu Maßnahmen gegen illegale Inhalte unter Artikel 9 des Gesetzes über digitale Dienste (Digital Services Act, DSA) sollten nationale Justiz- oder Verwaltungsbehörden die X Website für rechtliche Anfragen unter t.co/lr nutzen. Weitere Informationen stehen in unseren [Richtlinien für Strafverfolgungsbehörden](#) zur Verfügung.

Figure 8: Screenshot of the 'Digital Services Act' form in German

Ez az űrlap azzal a céllal készült, hogy rajta keresztül egy magánszemély vagy szervezet értesíthesse minket az alkalmazandó uniós jog vagy az uniós joggal összhangban lévő nemzeti jog alapján illegálisnak minősülő tartalmakról.

A Felhasználási feltételek megsértésének jelentése

Ha [jelenteni szeretnéd](#) a [szabályaink](#) és a [Felhasználási feltételek](#) megsértését, akkor kérünk, küldj bejelentést a [támogatási űrlapunkon](#) keresztül. Ez biztosítja, hogy a bejelentésed a megfelelő csapathoz kerüljön és gyorsan feldolgozzák azt. További információt a [Segítőközpontban](#) találsz.

A szellemi tulajdonjogok megsértésének bejelentése a DSA alapján

A szellemi tulajdonjogok megsértése esetén, kérünk, tekintsd meg a következő űrlapokat a [szerzői jogi](#) és [védjegybitöréssel](#) kapcsolatos panaszok benyújtásához.

Speciális űrlap Megbízható bejelentőknek

A DSA 22. cikke szerinti Megbízható bejelentő státusszal rendelkező szervezetek 16. cikk szerinti bejelentéseik benyújtásához az X jogi kérelmek benyújtására szolgáló, a t.co/lr címen elérhető webhelyét kell használniuk.

Speciális űrlap a nemzeti igazságügyi vagy közigazgatási hatóságok számára a DSA 9. cikke szerinti végzésekhez

A DSA 9. cikke szerinti illegális tartalmak elleni fellépésre vonatkozó végzésekhez a nemzeti igazságügyi vagy közigazgatási hatóságoknak az X jogi kérelmek benyújtására szolgáló oldalát kell

Figure 9: Screenshot of the 'Digital Services Act' form in Hungarian

tramite i [moduli di assistenza](#), così verrà assegnata al team di competenza ed elaborata in modo tempestivo. Maggiori informazioni sono disponibili nel [Centro assistenza](#).

Segnalazione di infrazione della proprietà intellettuale in base alla normativa sui servizi digitali

In caso di infrazione della proprietà intellettuale, utilizza i seguenti moduli per reclami di infrazione in materia di [copyright](#) e [marchi](#).

Modulo speciale per le entità segnalatrici attendibili

Le entità segnalatrici considerate attendibili ai sensi dell'articolo 22 della normativa sui servizi digitali devono utilizzare il sito di presentazione delle richieste legali di X (disponibile all'indirizzo t.co/lr) per presentare i propri avvisi ai sensi dell'articolo 16.

Modulo speciale per le autorità amministrative o giudiziarie nazionali per le ordinanze ai sensi dell'articolo 9 della normativa sui servizi digitali

Per gli ordini di provvedimento nei confronti di contenuti illegali ai sensi dell'articolo 9 della normativa sui servizi digitali, le autorità amministrative o giudiziarie nazionali devono utilizzare il sito di presentazione delle richieste legali di X all'indirizzo t.co/lr. Ulteriori informazioni sono disponibili nelle [Linee guida per le forze dell'ordine](#).

Il tuo nome

Figure 10: Screenshot of the 'Digital Services Act' form in Italian

ar Savienības tiesību aktiem.

Ziņošana par Pakalpojumu sniegšanas nosacījumu pārkāpumiem

Ja vēlaties [zinot par](#) Pakalpojumu [sniegšanas](#) noteikumu un [nosacījumu pārkāpumu](#), lūdzu, iesniedziet pieprasījumus, izmantojot mūsu [atbalsta veidlapas](#). Tas nodrošinās, ka tie tiks novirzīti attiecīgajai komandai un ātri apstrādāti. Sīkāka informācija ir pieejama, sazinoties ar [Palīdzības dienestu](#).

Ziņošana par intelektuālā īpašuma pārkāpumiem saskaņā ar DSA

Lai iegūtu informāciju par intelektuālā īpašuma pārkāpumiem, lūdzu, skatiet tālāk norādītās veidlapas sūdzībām par [autortiesību](#) un [preču zīmju](#) pārkāpumiem.

Īpašas veidlapas uzticamiem signalizētājiem

Personām, kam ir uzticama signalizētāja statuss saskaņā ar DSA 22. pantu, paziņojumu iesniegšanai saskaņā ar 16. pantu ir jāizmanto X juridisko pieprasījumu iesniegšanas vietne, kas pieejama šeit: [t.co/lr](#).

Īpaša veidlapa valsts tiesu vai administratīvajām iestādēm rīkojumiem saskaņā ar DSA 9. pantu

Lai veiktu pasākumus pret nelikumīgu saturu saskaņā ar DSA 9. pantu, valsts tiesu vai administratīvajām iestādēm ieteicams izmantot X juridisko pieprasījumu iesniegšanas vietni, kas pieejama šeit: [t.co/lr](#). Sīkāka informācija ir pieejama [Vadlīnijās tiesībsardzības iestādēm](#).

Figure 11: Screenshot of the 'Digital Services Act' form in Latvian

Skaitymeninių pasiaugų įstatymas

Ši forma parengta siekiant leisti asmeniui arba subjektui pranešti mums apie neteisėtą turinį pagal taikomą Sąjungos teisę arba nacionalinę teisę, atitinkančią Sąjungos teisę.

Pranešimas apie PTS (paslaugų teikimo sąlygų) pažeidimus

Jei norite [pranešti](#) apie [mūsų taisyklių](#) ir [paslaugų teikimo sąlygų](#) pažeidimą, pateikite užklausas naudodami [pagalbos formas](#). Tai užtikrins, kad jie būtų nukreipti į atitinkamą komandą ir būtų greitai apdoroti. Daugiau informacijos rasite [pagalbos centre](#).

Pranešimas apie intelektinės nuosavybės pažeidimus pagal SPĮ

Intelektinės nuosavybės pažeidimo atveju žr. toliau pateiktas skundų dėl [autorijų teisių](#) ir [prekių ženklų](#) pažeidimų formas.

Speciali forma patikimiems žymėtojams

Subjektai, turintys patikimų žymėtojų statusą pagal SPĮ 22 straipsnį, norėdami pateikti pranešimus pagal 16 straipsnį, turėtų naudoti X teisinių užklausų pateikimo svetainę, pasiekiamą adresu [t.co/lr](#).

Speciali forma nacionalinėms teisminėms ar administracinėms institucijoms įsakymams pagal 9 SPĮ straipsnį

Nacionalinės teisminės arba administracinės institucijos, siekdamos imtis veiksmų prieš neteisėtą turinį pagal SPĮ 9 straipsnį, turėtų naudoti X teisinių užklausų pateikimo svetainę, pasiekiamą adresu [t.co/lr](#). Daugiau informacijos rasite [Teisėsaugos gairėse](#).

Figure 12: Screenshot of the 'Digital Services Act' form in Lithuanian

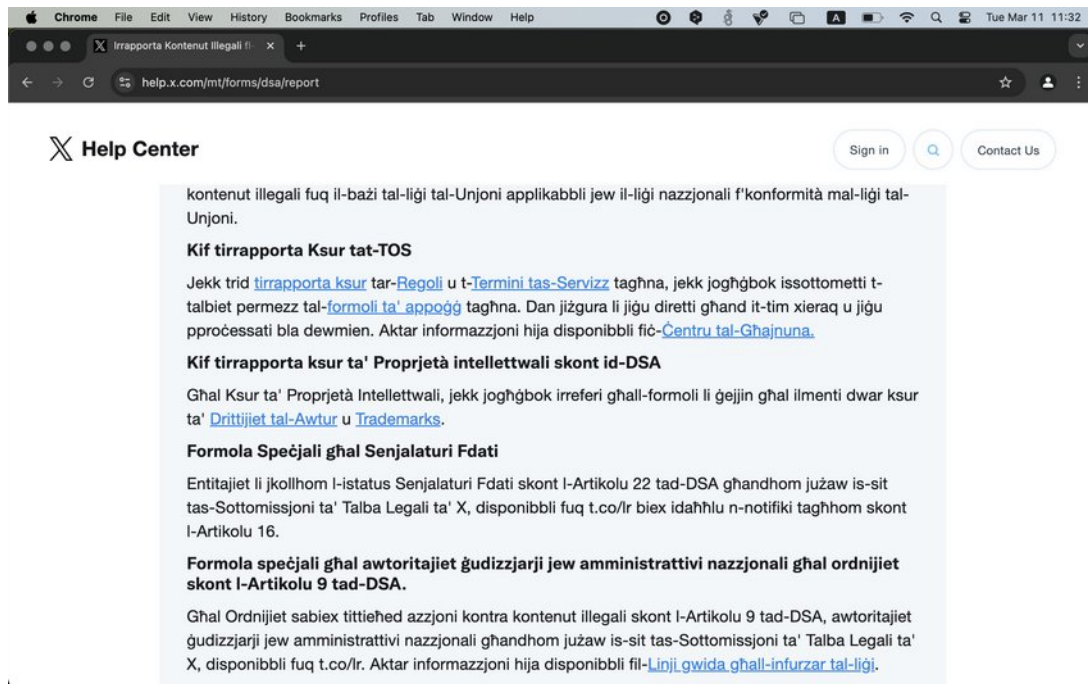


Figure 13: Screenshot of the 'Digital Services Act' form in Maltese

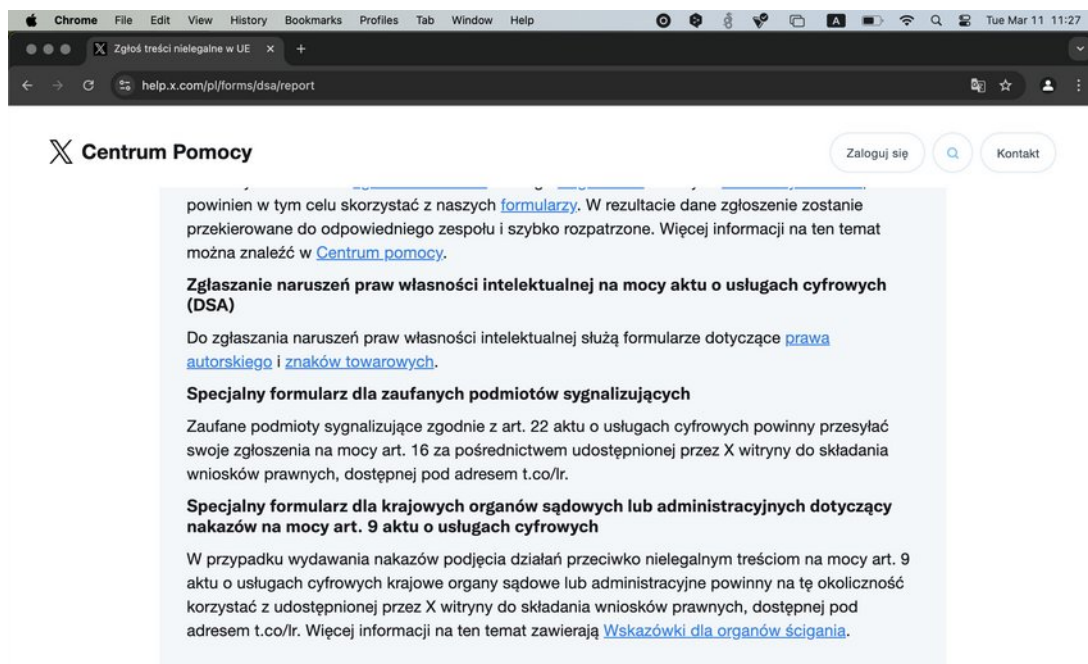


Figure 14: Screenshot of the 'Digital Services Act' form in Polish

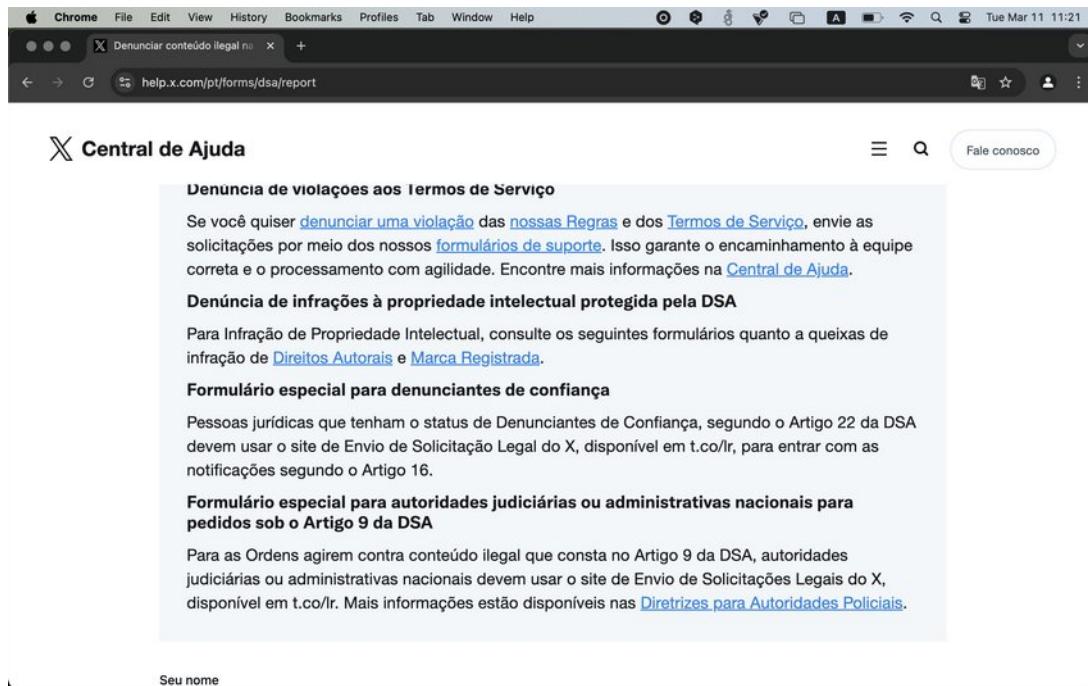


Figure 15: Screenshot of the 'Digital Services Act' form in Portuguese

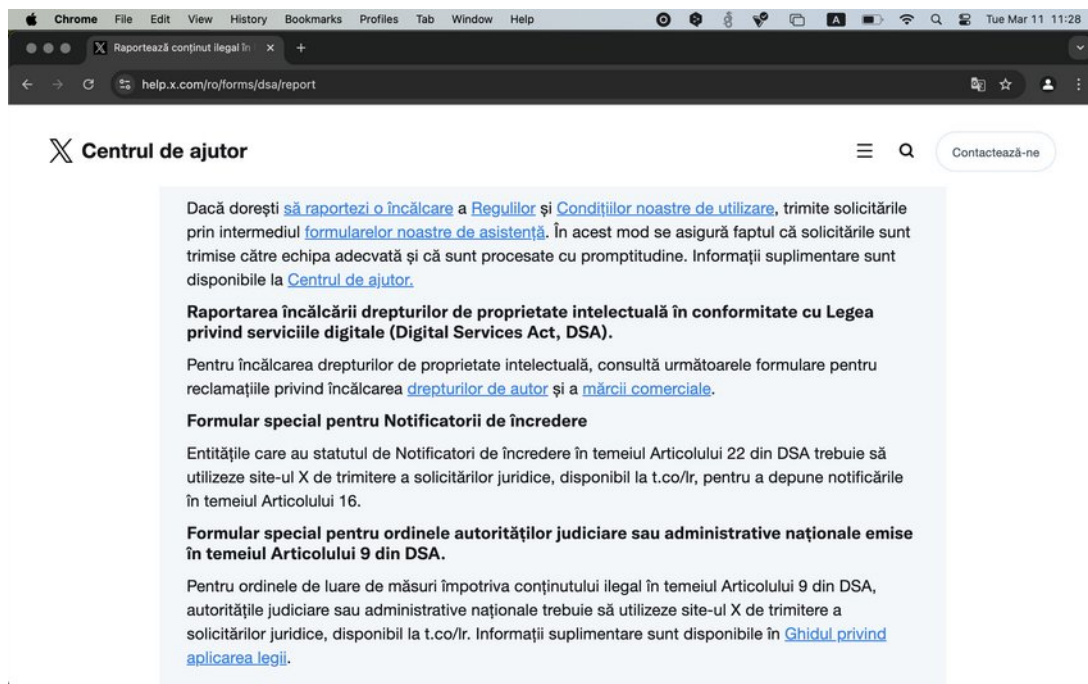


Figure 16: Screenshot of the 'Digital Services Act' form in Romanian

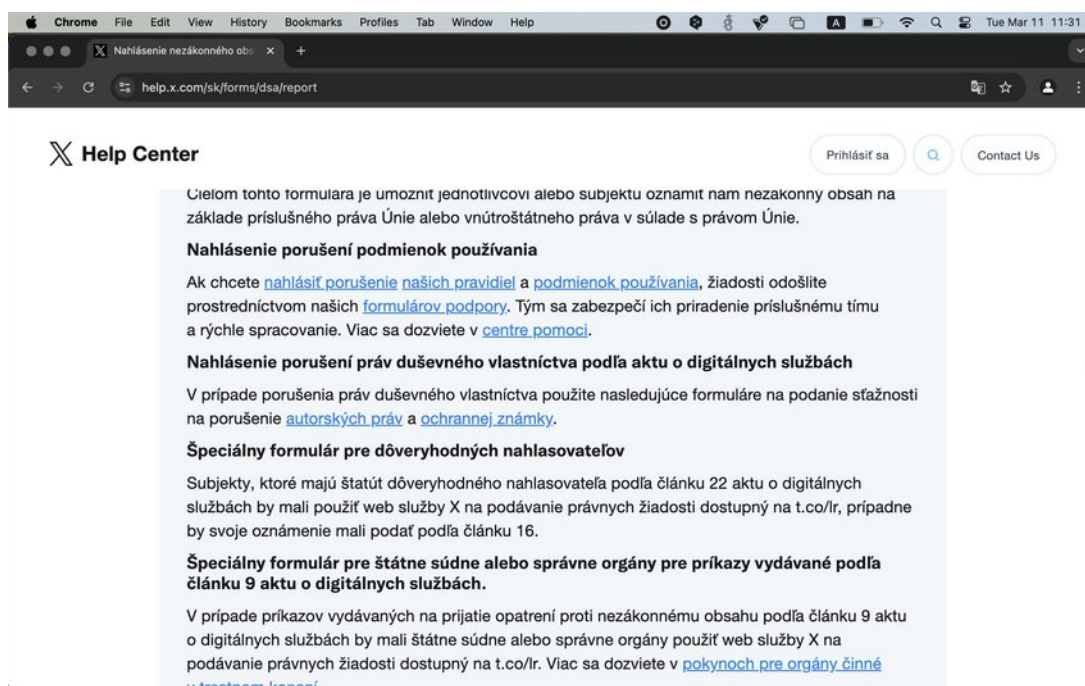


Figure 17: Screenshot of the 'Digital Services Act' form in Slovak

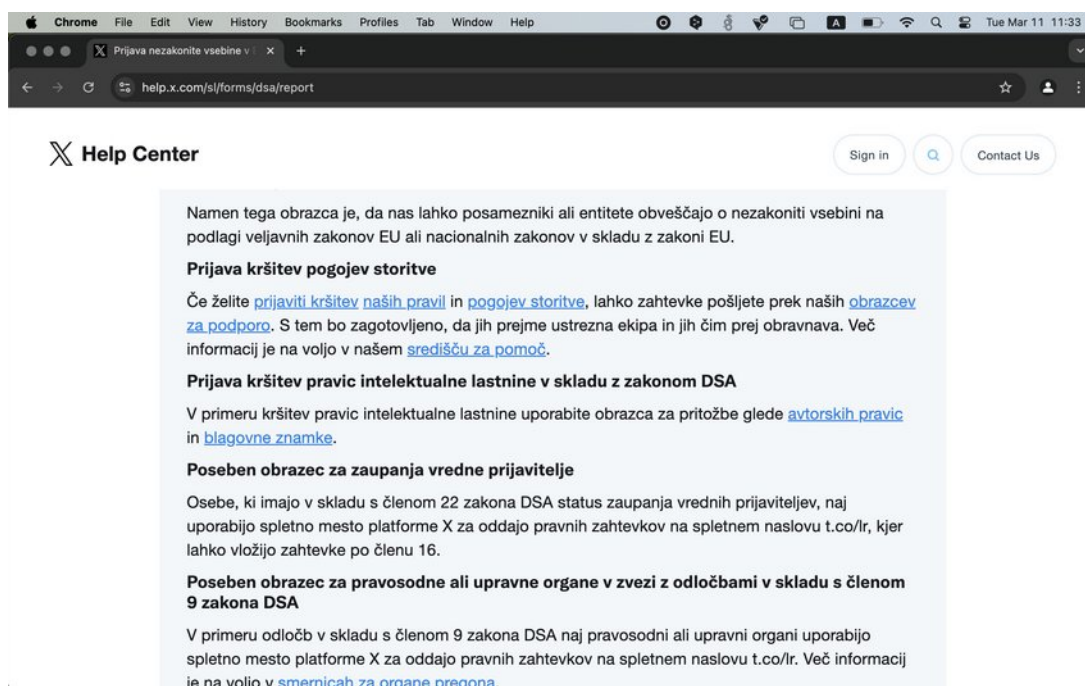


Figure 18: Screenshot of the 'Digital Services Act' form in Slovene

Denunciar incumplimientos de los TOS

Si deseas [denunciar un incumplimiento](#) de [nuestras Reglas](#) y de los [Términos de servicio](#), envía solicitudes a través de nuestros [formularios de soporte](#). Esto asegurará que estas lleguen al equipo correspondiente y que se procesen con rapidez. Hay más información disponible en el [Centro de ayuda](#).

Denunciar las infracciones de propiedad intelectual en virtud de la DSA

En caso de infracciones de propiedad intelectual, consulta los siguientes formularios para reclamos por infracción de [derechos de autor](#) y [marca](#).

Formulario especial para marcadores de confianza

Las entidades que, de acuerdo con el Artículo 22 de la DSA, tengan el estado de marcadores de confianza, deben utilizar el sitio de envío de requerimientos judiciales de X, disponible en [t.co/r](#) para presentar sus avisos en virtud del Artículo 16.

Formulario especial para autoridades judiciales o administrativas para mandamientos en virtud del Artículo 9 de la DSA

Para mandamientos de actuar contra contenido ilegal en virtud del Artículo 9 de la DSA, las autoridades judiciales o administrativas nacionales deben usar el sitio de requerimientos judiciales de X, disponible en [t.co/r](#). Encontrarás más información en las [Directrices para agentes de policía](#).

Figure 19: Screenshot of the 'Digital Services Act' form in Spanish

Förordningen om digitala tjänster

Det här formuläret har tagits fram i syfte att låta en enskild person eller en organisation meddela oss om olagligt innehåll enligt en tillämplig EU-lag eller nationell lag som överensstämmer med en EU-lag.

Rapportera överträdelser mot användarvillkoren

Om du vill [rapportera en överträdelse](#) mot [våra regler](#) och [användarvillkor](#), ber vi dig lämna in en sådan begäran via våra [supportformulär](#). Detta garanterar att de hamnar hos rätt team och behandlas skyndsamt. Mer information finns i [hjälpcentret](#).

Rapportera intrång i immateriella rättigheter enligt förordningen om digitala tjänster

I fråga om intrång i immateriella rättigheter kan du använda följande formulär för att lämna in klagomål om [upphovsrätts-](#) och [varumärkesintrång](#).

Specialformulär för betrodda anmälare

Organisationer som har ställning som betrodd anmälare enligt artikel 22 i förordningen om digitala tjänster bör använda X:s webbplats för inlämning av juridiska yrkanden. Den finns på [t.co/r](#) och där ska yrkanden enligt artikel 16 inlämnas.

Specialformulär för nationella juridiska eller administrativa myndigheter för order enligt artikel 9 i förordningen om digitala tjänster

Figure 20: Screenshot of the 'Digital Services Act' form in Swedish