

(English version)

**Question for written answer E-000057/25
to the Commission
Dirk Gotink (PPE)
(9 January 2025)**

Subject: The online promotion of crypto-assets by Elon Musk in relation to the Markets in Crypto-Assets Regulation (MiCA)

A lawsuit in the United States against Elon Musk and Tesla was dismissed in August 2024 ⁽¹⁾. Mr Musk was accused of influencing the price of the crypto-asset Dogecoin via statements on X before making trades. We have indeed regularly observed statements by Mr Musk on X favouring the crypto-assets Dogecoin and Bitcoin. These have resulted in significant price effects for Dogecoin ⁽²⁾. There have also been allegations of Mr Musk promoting his own content on the platform (X) that he controls ⁽³⁾. Such practices illustrate the vulnerability of crypto-assets to price manipulation. The availability of Dogecoin and Bitcoin on EU financial markets exposes EU investors in these coins to potential price manipulation.

1. Can Elon Musk's practices of online promotion of specific crypto-assets be considered an example of market manipulation as defined in point (c) of Article 91(2) of MiCA?
2. Does the Commission intend to look into cases such as these to ensure that crypto-assets do not become a source of loss and fraud to EU investors?
3. Does the Commission intend to investigate the potential systemic risks of crypto-assets becoming more mainstream and less regulated in the United States?

Submitted: 9.1.2025

**Answer given by Ms Albuquerque on behalf of the European Commission
(8 April 2025)**

The Markets in Crypto-Assets (MiCA) ⁽¹⁾ Regulation on the prevention and prohibition of market abuse involving crypto-assets, applies to acts carried out by any person concerning crypto-assets that are admitted to trading or in respect of which an admission to trading on a crypto-asset platform has been made, in the EU (Article 86).

Provided Mr Musk's actions refer to crypto-assets admitted to trading or a request for admission has been made in the EU, Article 91(2)(c) which prescribes that no person shall engage in or attempt to engage in market manipulation, including the dissemination of information through the media would apply.

The supervision and enforcement of the MiCA Regulation is the competence of the national competent authorities. The national competent authorities have the power to investigate and impose any appropriate sanction for actions that are found to be in violation of the provisions of the MiCA Regulation, including the provisions for the prevention of market abuse.

The Commission is scheduled to review the MiCA Regulation at regular intervals. Article 140 lists all the areas that the review will cover, including the functioning of markets in crypto-assets in the EU and any market developments and trends, therefore possibly covering indirectly international developments that may affect crypto-asset markets.

¹ <https://casetext.com/case/gorog-v-musk-3>

² <https://www.sciencedirect.com/science/article/pii/S0040162522006333>.

³ <https://www.politico.eu/article/eu-lawmakers-call-upon-commission-to-look-into-musk-favoring-own-posts/>

⁽¹⁾ OJ L 150, 9.6.2023, p. 40-205.