(English version)

Question for written answer E-001615/25
to the Commission

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(23 April 2025)

Subject: Acquisition of X by Elon Musk's artificial intelligence start-up xAI

Elon Musk has announced that his artificial intelligence start-up, xAI, has acquired X through a deal that valued Twitter's successor at USD 45 billion, and xAI itself at USD 80 billion.

This acquisition will enable xAI to leverage the vast amounts of data from X, generated by its 600 million users, to train its AI models.

Musk's concentration of power, as an advisor to the US Government on bureaucratic efficiency and owner of Tesla, SpaceX, Starlink and Neuralink, is concerning from both a socioeconomic and a legal perspective.

The deal appears to give little consideration to antitrust regulations, personal data protection or financial transparency.

Moreover, X, which does not adhere to the EU Code of Practice on Disinformation, is a platform inundated with fake news and propaganda, driven by its algorithms. For this reason, the deal raises concerns about potential risks of information manipulation, especially since xAI will be trained using data from the platform.

We therefore ask the Commission:

1. Will it launch an investigation under EU antitrust law?

2. Does it consider this massive data acquisition to be in compliance with the General Data Protection Regulation?

3. How will it protect European consumers from AI models trained on fake news?

Submitted: 23.4.2025

Answer given by Executive Vice-President Ribera on behalf of the European Commission

(14 July 2025)

This transaction has not been formally notified to the Commission. It is up to the companies to notify transactions for merger control clearance, if they constitute a concentration with an EU dimension under the Merger Regulation ([1]).

The processing of personal data requires a legal basis under the General Data Protection Regulation (GDPR) ([2]). The acquisition of the shares in a company that is a controller of personal data does not provide a legal basis for the processing of personal data by the acquiring company.

The transmission of personal data by X to xAI and any further processing of individuals' personal data by xAI would therefore require a legal basis in the GDPR.

Without prejudice to the competences of the Commission as guardian of the Treaties, the enforcement of the GDPR in individual cases lies primarily with the competent national supervisory authorities and courts.

For instance, in April 2025, the Irish Data Protection Commission announced the commencement of an investigation into the processing of personal data comprised in posts on the X social media platform for the purposes of training generative artificial intelligence models, in particular the Grok Large Language Models (LLMs), developed by xAI.

([1]) Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings, OJ L 24, 29.1.2004, p. 1.
([2]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.

In 2024, the EU adopted the Artificial Intelligence Act (AI Act) ([3]). The AI Act in Article 53 sets out specific transparency requirements regarding training data for general-purpose AI (GPAI) models.

In addition, Article 55 imposes an obligation on providers of GPAI models with systemic risks to identify and mitigate those risks arising from the development and use of such models.

The AI Act's enforcement mechanism is key to ensuring that AI models placed in the EU market are not threatening consumers' rights and the democratic values of the EU.

([3]) Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence, OJ L, 12.7.2024, 2024/1689.