

TikTok Technology Limited
The Sorting Office
Ropemaker Place
Dublin 2
Dublin
D02 HD23
Ireland

Ref: Preventing online harm from unauthorised financial advertisements

Dear Sir/Madam,

The European Securities and Markets Authority (ESMA) is an independent public Authority of the European Union (EU) that was established on 1 January 2011. ESMA's mission is to enhance investor protection, promote orderly financial markets and safeguard financial stability.

I am writing on behalf of ESMA and all the national competent authorities (NCAs) of the 27 Member States of the European Union, as we seek to collaborate with online platforms and digital service providers such as TikTok to mitigate the harm caused by unauthorised firms promoting financial products and services through online tools and applications.

The increasing spread of online scams targeting retail investors poses a serious risk to investors themselves and to society as a whole, with fraudulent actors exploiting digital platforms to advertise unlawful financial services. These activities often mislead consumers into engaging with firms that lack proper authorisation resulting therefore in financial losses and also in the loss of trust in the financial sector and, more widely, in social media platforms and in the digital environment.

We also refer to the recent initiative by the International Organization of Securities Commissions (IOSCO) highlighting the global concern regarding online harm linked to financial misconduct.¹ We encourage TikTok to consider IOSCO's initiative alongside ESMA's request, as we believe a coordinated, international approach is essential to safeguarding investors and maintaining trust in digital platforms. That said, we believe a focused European approach is necessary to address EU-specific investor protection requirements, as defined under the EU's regulatory framework.

Certain platforms have already implemented measures to restrict financial advertisements to authorised entities in specific jurisdictions. We urge TikTok to take proactive steps to prevent the promotion of unauthorised financial services. This could be achieved by consulting the

¹ [IOSCO's Statement on Combatting Online Harm and The Role of Platform Providers](#)

ESMA register on MiFID II investment firms² to verify whether the firm that wishes to promote on your platform has been authorised to provide investment services by an EU supervisory authority or is acting on behalf of an authorised firm.

We welcome the opportunity to engage with you in developing a robust approach to protecting European consumers from financial harm. Our team is available to discuss how we can collaborate to implement effective safeguards against unauthorised promotions of financial instruments.

We would greatly appreciate if you could confirm receipt of this letter and your availability to arrange a meeting to further discuss this topic, which is important for citizens and public trust.

We appreciate your attention to this critical issue and look forward to your response.

This letter and your response will be made public, unless you explicitly request your response not to be published.

Yours faithfully,

Verena Ross

² https://registers.esma.europa.eu/publication/searchRegister?core=esma_registers_upreg