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Civil Society Groups File a Formal Complaint Against The Metals Company

Letter to the U.S. SEC alleges seriously misleading information in The Metals Company 2023 Annual Report

Three prominent environmental groups — Deep Sea Mining Campaign (DSMC), The Ocean Foundation (TOF), and Blue Climate Initiative (BCI) — have filed a [formal complaint with the Securities and Exchange Commission \(SEC\)](#) against The Metals Company (TMC). The complaint, based on a detailed analysis of TMC's 2023 Annual Report, accuses the company of significantly misleading investors, government officials, and the public through material misrepresentations and omissions.

The submission highlights a pattern of over-optimistic and deceptive shareholder communications regarding TMC's financial forecasts, the feasibility of commencing deep sea mining (DSM) operations, the level of demand for the metals TMC seeks to mine, and the company's qualifications as an environmentally and socially responsible investment. Specifically, the groups assert that TMC has under-reported the growing opposition to DSM, failed to adequately disclose the effect of new battery technologies on the demand for the metals that TMC seeks to mine, and made dubious claims about the use of renewable power in their processes.

The complaint also criticises TMC for misrepresenting its ties and economic benefits to the United States, omitting the severe impacts on Indigenous communities, misrepresenting pricing data and asset values, and failing to update financial models to reflect current interest rates and

capital costs. Moreover, the company has been accused of minimising the substantial regulatory challenges associated with obtaining permits to mine in international waters.

This move by DSMC, TOF and BCI underscores their commitment to holding corporations accountable for ethical breaches and misinformation. The groups emphasise that TMC's misleading communications not only distort the investment landscape but also jeopardise efforts to protect fragile marine environments from the risks of DSM.

The complaint builds on past successful efforts to ensure transparency and honesty in TMC's SEC filings, and follows a previously closed SEC investigation into the company's practices.

In conjunction with this complaint, DSMC released a [new briefing sheet](#), debunking TMC's claims it will easily receive a contract to mine from the International Seabed Authority, including a table that chronicles TMC's history of missed deadlines and unmet promises.

For more information, visit <https://tinyurl.com/DSMCBriefing-2YearRule>. Contact information for spokespeople below.

Deep Sea Mining Campaign (DSMC)

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DSMC collaborates with local communities, civil society, academics, and scientists concerned about the likely impacts of deep sea mining on marine ecosystems and coastal communities. As part of that work it advocates for sustainable practices and policies within the financial and mining sectors, aiming to protect our oceans and promote responsible investment strategies.

See: <https://dsm-campaign.org/>

The Ocean Foundation (TOF)

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TOF is the only community foundation for the ocean, with a mission to improve global ocean health, climate resilience, and the blue economy. TOF creates partnerships to connect all peoples in the communities in which they work to the informational, technical, and financial resources they need to achieve their ocean stewardship goals. The Ocean Foundation executes core programmatic initiatives to make ocean science more equitable, advance blue resilience,

address global marine plastic pollution, and develop ocean literacy for marine education leaders. It also fiscally hosts more than 55 projects across 25 countries.

See: <https://oceanfdn.org/>

Blue Climate Initiative (BCI)

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BCI brings together scientists, innovators, community leaders, investors and global experts to work together on ocean-based solutions to climate change. Deep sea mining has become a priority issue because of the enormous threat deep sea mining poses to ocean health and ecosystems which are critical for planetary health and climate stability.

See: <https://www.blueclimateinitiative.org/>