

# Report of Deutsche Börse AG on the Supply Chain Due Diligence Act (LkSG)

(Reporting period from 01.01.2023 to 31.12.2023)

## A. Strategy & Anchoring

### A1. Monitoring risk management & management responsibility

#### **What responsibilities for monitoring risk management were defined in the reporting period?**

Marc Peter Klein, Group Chief Compliance Officer of Deutsche Börse AG, was appointed Human Rights Officer by the Board of Directors in December 2023. The Executive Board follows the legislator's suggestion in accordance with section 4 paragraph 3 sentence 1 LkSG to anchor the organization's internal responsibility for monitoring the LkSG risk management by appointing a Human Rights Officer. Before being appointed Human Rights Officer, Marc Peter Klein had already carried out the duties of such in his role as Group Chief Compliance Officer. The Human Rights Officer is supported in monitoring the LkSG risk management by the so-called "Central Monitoring Function" (hereinafter referred to as CMF), which was already located within the Group Compliance Function as part of the LkSG implementation project in 2022. This was mandated by the Executive Board of Deutsche Börse AG as part of a dedicated project to implement the due diligence obligations under the LkSG to monitor the appropriateness and effectiveness of risk management to comply with the due diligence obligations under section 3 paragraph 1 LkSG. The CMF is located within the Group Compliance department of Deutsche Börse AG and, therefore, falls under the responsibility of the Human Rights Officer and is led by Marija Kozica (Vice President, Head of Law and Regulation). Marija Kozica carries out the activities associated with monitoring the risk management with her employees and is in regular contact with the Human Rights Officer, Marc Peter Klein. The Executive Board of Deutsche Börse AG informs itself about the work of the CMF and the Human Rights Officer at least annually (section 4 paragraph 3 sentence 2 LkSG) in the form of a (standardized) report and on an ad-hoc basis.

#### **Has the management established a reporting process that ensures that it is regularly informed - at least once a year - about the work of the person responsible for overseeing risk management?**

It is confirmed that the management has established a reporting process that, in accordance with section 4 paragraph 3 LkSG, ensures that it is regularly informed - at least once a year - about the work of the person responsible for monitoring risk management (namely the Human Rights Officer).

#### **Describe the process that ensures reporting to management at least once a year or regularly with regard to risk management.**

The Human Rights Officer reports to the Executive Board of Deutsche Börse AG on a regular basis, at least once a year, as well as on an ad hoc basis, on his activities regarding monitoring of LkSG-related risk management. The annual reporting in form of a dedicated LkSG risk management report is sent to the Executive Board of Deutsche Börse AG.

The report is prepared by the CMF in alignment with the Human Rights Officer. In particular, the implementation of the due diligence obligations, the identified potential LkSG-related risks and the mitigating measures taken in this context are presented. The members of the Management Board can address their LkSG-related questions or comments on the LkSG Risk Management Report, e.g. on improving existing processes, to the Human Rights Officer at any time.

The internal report is also sent to the Group Sustainability Committee of Deutsche Börse Group. In addition, the CMF reports certain key figures (e.g., receipt of complaints, status of escalation processes, current key figures on direct suppliers) and other relevant information to the Human Rights Officer on a quarterly basis.

If necessary, the Human Rights Officer is also involved in dedicated escalation processes and decisions by the CMF.

## **A2. Policy statement on human rights strategy**

### **Is there a policy statement that was created or updated based on the risk analysis carried out during the reporting period?**

Deutsche Börse AG published its Policy statement on the Human Rights Strategy of Deutsche Börse AG on the Deutsche Börse Group website in German and English.

### **Has the policy statement for the reporting period been communicated?**

Deutsche Börse AG confirms that the Policy statement on the Human Rights Strategy of Deutsche Börse AG has been communicated to employees, the works council, the public and direct suppliers for whom a risk was identified as part of the risk analysis.

### **Please describe how the policy statement was communicated to the relevant target groups was communicated.**

Deutsche Börse AG communicates its Policy statement on the Human Rights Strategy to its employees, its works council, the public and its direct suppliers. The Policy statement on the Human Rights Strategy of Deutsche Börse AG is made available online on the "Deutsche Börse Group Intranet" for employees of Deutsche Börse Group. The "Group ESG Strategy" team at Deutsche Börse AG, which is responsible for the development and management of the ESG strategy of Deutsche Börse Group, publishes the policy statement in German and English on its dedicated website on the intranet. In addition, the communications team at Deutsche Börse AG publishes a message on the homepage of the "Deutsche Börse Group intranet" to inform employees about the annual update of the policy statement.

Deutsche Börse AG also communicates the Policy statement on the Human Rights Strategy to its works council. The update of the policy statement is communicated by Group ESG Strategy via email to the members of the works council.

Deutsche Börse AG publishes its policy statement on its website in German and English, making it accessible to the public (<https://www.deutscheboerse.com/dbg-de/vernahme/nachhaltigkeit/unser-social-environment/menschenrechte>).

<https://www.deutsche-boerse.com/dbg-de/verponsung/nachhaltigkeit/policies-guidelines>)

Deutsche Börse AG's direct suppliers receive access to the declaration of principles as part of the "onboarding" process in the public "Download Center for documents from the purchasing area of Deutsche Börse AG".

### **What elements does the policy statement contain?**

- Establishment of risk management
- Annual risk analysis
- Anchoring preventative measures in your own business area, in immediate cases suppliers and, if applicable, indirect suppliers and their effectiveness review
- Corrective measures in your own business area, with direct suppliers and, if necessary.
- Indirect suppliers and their effectiveness review
- Providing a complaints procedure within your own business area, with suppliers and
- Their effectiveness review.

- Documentation and reporting requirements
- Description of identified priority risks
- Description of human rights-related and environmental-related expectations of our own employees and suppliers

Further elements: Deutsche Börse AG's commitment to respect and protect human rights along its supply chains; Monitoring of LkSG-related risk management (Assessment of the appropriateness and effectiveness of the implemented due diligence obligations)

**Description of possible updates in the reporting period and the reasons for them.**

The policy statement was updated once (12 months after coming into force) following its initial creation and adoption by the Executive Board of Deutsche Börse AG. The reason for the update is the process-related annual review of the accuracy of the policy statement, which was caused by a non-material adjustment to the description of Deutsche Börse AG's priority risks.

**A3. Anchoring the human rights strategy within your own organization**

**In which relevant departments/business processes was the anchoring of the human rights strategy ensured during the reporting period?**

- Human resources/HR
- Occupational safety & occupational health management
- Communication / Corporate Affairs
- Purchasing/Procurement
- Supplier management
- CSR/Sustainability
- Legal/Compliance
- Mergers & Acquisitions
- Business Development
- Audit

**Describe how the responsibility for the implementation of the strategy is distributed within the departments/business processes.**

The Executive Board of Deutsche Börse AG is primarily responsible for implementing the strategy. It has decided to implement the due diligence obligations of the LkSG and the associated requirements within the framework of the three lines of defense model which is already established at Deutsche Börse AG.

The Purchasing department of Deutsche Börse AG forms the first line of defense for LkSG risk management. The "Supplier Governance & Control" team in this department is responsible for the establishment and compliant implementation of appropriate and effective risk analysis in accordance with paragraph 5 LkSG and the implementation of risk-based preventative measures within the meaning of section 6 paragraph 4 LkSG for direct suppliers. In addition, "Supplier Governance & Control" is responsible for the implementation of preventative measures in Deutsche Börse AG's own business area. These include the development and implementation of suitable procurement strategies and purchasing practices to prevent or minimize identified or potential LkSG-relevant risks, as well as the provision of training for employees in the relevant business area and the implementation of risk-based control measures. The Purchasing department's management reports directly to the Executive Board member responsible for their area.

The "Group ESG Strategy" team is also part of the first line of defense and is responsible for the

preparation, alignment of content and publication of the policy statement in accordance with section 6 paragraph 2 LkSG.

The "Group Human Resources" department within Deutsche Börse AG is responsible for setting human rights-related expectations for Deutsche Börse Group employees. In addition, "Group Human Resources" is responsible for the annual and event-driven determination of employee numbers in Deutsche Börse Group companies, which is needed for the identification of the personal area of applicability of the LkSG within the Group.

The complaints procedure pursuant to section 8 LkSG is also anchored at the level of the first line of defense. This is the responsibility of selected employees of the "Law & Regulation" team in the Group Compliance department of Deutsche Börse AG.

The complaints procedure pursuant to section 8 LkSG is also anchored at the level of the first line of defense. This is the responsibility of selected employees of the "Law & Regulation" team in the Group Compliance department of Deutsche Börse AG.

Considering potential conflicts of interest, the Law & Regulation team, together with the Human Rights Officer, forms the second line of defense for LkSG-related risks, as this is where the CMF is located. The CMF is responsible for monitoring risk management to ensure compliance with due diligence obligations in accordance with section 4 LkSG. The appropriateness and effectiveness of the implementation and execution of the due diligence obligations in accordance with section 3 paragraph 1 LkSG are reviewed at least once a year based on a dedicated LkSG control plan and corresponding deficiencies are addressed in the specialist departments. The CMF also monitors the first line of defense on an ad hoc basis.

"Group Internal Audit" is the audit department of Deutsche Börse AG and represents the third line of defense. It is responsible for monitoring the LkSG-related activities of the first and second lines of defense based on a risk-based control plan.

#### **Describe how the strategy is integrated into operational processes and procedures.**

Deutsche Börse AG has implemented the due diligence obligations under section 3 paragraph 1 of the LkSG as part of a dedicated project to implement new processes and adapt existing processes, thereby integrating the human rights strategy into operational business processes accordingly.

The business areas affected by the requirements of the LkSG were part of the "LkSG implementation project" and were in regular contact during the implementation of the due diligence obligations of the LkSG. The members of the Executive Board of Deutsche Börse AG who are responsible for the affected areas (departments) functioned as a steering committee for the LkSG implementation project, which served as the overarching decision-making body for the project.

The human rights strategy set out in the Policy statement on the Human Rights Strategy is integrated within Deutsche Börse AG's own business area. Based on the results of the risk analysis, the direct suppliers of Deutsche Börse AG and the companies of Deutsche Börse Group, which are covered by Deutsche Börse AG's own business area, are obliged to observe the human rights strategy of Deutsche Börse AG and to pass it on accordingly in their own supply chains.

#### **Describe the resources and expertise provided for implementation.**

The initial implementation of the due diligence obligations pursuant to section 3 paragraph 1 LkSG was carried out with existing resources of Deutsche Börse AG with the involvement of all departments affected by the LkSG. In addition, Deutsche Börse AG was supported externally by KPMG (auditing and consulting firm) in the implementation of the risk analysis in accordance with section 5 LkSG.

Deutsche Börse AG has created two new dedicated full-time positions within the Purchasing department and one new full-time position in Group Compliance for the ongoing implementation of and compliance with the due diligence obligations. All new positions have already been filled;

until the position was filled, Group Compliance was supported externally in its function as CMF in monitoring the appropriateness and effectiveness of the implementation and execution of the due diligence obligations pursuant to section 3 paragraph 1 LkSG in accordance with the LkSG control plan.

## B. Risk analysis and Preventative measures

### B1. Implementation, procedure, and results of the risk analysis

**Was a regular (annual) risk analysis carried out during the reporting period to identify, weight and prioritize human rights and environmental risks?**

Yes, for Deutsche Börse AG's own business area as well as for direct suppliers.

**Describe the period during which the annual risk analysis was carried out.**

The risk analysis in accordance with section 5 paragraph 1 to 3 LkSG was carried out for the period from January 1st to December 31st, 2023.

**Describe the risk analysis process.**

The risk analysis to determine human rights and environmental risks in our own business area and among direct suppliers is carried out by the "Purchasing" department. The risk analysis according to LkSG is carried out twice a year (in January and July of a financial year). The results of the risk analysis serve as a basis for preventative measures and are communicated to the CMF immediately after they are available.

#### Immediate suppliers

The risk analysis for Deutsche Börse AG's direct suppliers takes place in two steps: the initial "risk mapping" to determine the gross risk and the net risk analysis (supplier self-assessment). First, relevant company data (companies that fall within the company's own business area and their direct suppliers) are compiled for the gross risk analysis. With the help of an external service provider (EcoVadis), all companies within Deutsche Börse AG's own business area as well as all direct suppliers are analyzed and weighted and prioritized regarding their human rights and environmental risks. The weighting and prioritization of the relevant risks is reflected in a risk scoring determined by EcoVadis in risk categories (very low, low, medium, medium-high, high and very high risk). The country and industry risk are evaluated in these categories. The external service provider determines an industry risk by analyzing a total of 227 industries based on 16 criteria from the areas of labor and human rights. For these areas, criteria such as the health and safety of employees and forced child labor are used. For example, the use of raw materials and chemical products, including waste, is considered around the environment. These criteria are assessed using a range of public, private and non-profit sources (e.g. WWF, Fair Labor Association, European Commission).

To measure a supplier's country risk, various indices, such as the Global Slavery Index Voice and Accountability (Walk Free) or the Environmental Performance Index (Yale and Columbia), are weighted and added to an overall score for each area.

Using the risk-based approach, the next step is the net risk analysis. As part of this, direct suppliers in the "high" and "very high" risk categories are invited to a "supplier self-assessment". By submitting further information about their human rights and environmental efforts, direct suppliers will influence their initial risk score and consequently their risk categorization and reduce or increase the risk identified based on publicly available information.

If direct suppliers cannot take part in the self-assessment or refuse for any reason, Deutsche Börse

AG has set up appropriate escalation procedures. The CMF and the Human Rights Officer are informed accordingly and involved in relevant processes for further action in such cases.

Own business area of Deutsche Börse AG

Before the LkSG was announced, Deutsche Börse AG had already taken numerous measures within its own organization, but also for Deutsche Börse Group, to mitigate and avoid human rights-related risks. For this purpose, various measures have been taken, such as the Business Code of Conduct, which must be observed by all employees of Deutsche Börse Group, and the Anti-Harassment/Disciplinary Action Policy. implemented. When selecting new employees, care is taken to ensure that certain human rights-related violations (e.g. the employment of children) are avoided as part of the established selection process (Candidate Selection Process). To enforce internal guidelines, there are measures that are taken regularly and as needed by “Group Compliance” and “Group Human Resources”.

At the time the LkSG came into force, there were no human rights-related and environmental violations within the meaning of the LkSG within Deutsche Börse AG's own business area, as these were avoided by appropriate measures before they potentially occurred or were due to the German Group's business model. exchange can be excluded. To be able to have a mitigating effect on future (potential) LkSG-relevant risks, Deutsche Börse AG and the companies belonging to its own business area are taken into account as part of the risk analysis located in the “Purchasing” area and, with regard to their risks, by the external service provider EcoVadis – rated.

**Were event-related risk analyzes also carried out during the reporting period?**

No.

**Justify your answer.**

During the reporting period, no relevant complaints were received regarding direct or indirect suppliers of Deutsche Börse AG or any of the companies belonging to its own business area. Also, no potential violations of LkSG legal positions were identified as part of the negative news screening. Furthermore, changes in Deutsche Börse AG's business area in the reporting period did not require an event-related risk analysis.

**Results of risk determination**

**Which risks were identified as part of the risk analysis in your own business area?**

None.

**Results of risk determination**

**Which risks were identified as part of the risk analysis(s) for direct suppliers?**

Disregard for occupational safety and work-related health hazards.

**Were the risks identified during the reporting period weighted and, if necessary, prioritized and, if so, based on what appropriateness criteria?**

Yes, based on the expected severity of the injury by degree, number of people affected and irreversibility.

**Describe in more detail how the grade of importance and, if necessary, prioritization was carried out and what considerations were made.**

The risk assessment (risk score) for direct suppliers is calculated as part of the gross risk analysis based on the risk disposition of the supplier's industry and country, with the main topics being the environment, labor and human rights. The country risk covers all locations of the corporate unit, with an industry focus being set for each corporate unit. Based on this, a materiality analysis is

carried out with an intensity factor (the intensity factor is used to weight the industry within the risk areas considered by EcoVadis (environment, human rights, etc.)) based on the external service provider's experience with the ISIC classification of the United Nations (UN). A risk level (score) comparable to the school grade principle is determined for each direct supplier: 1- very low risk / 2- low risk / 3- medium low risk / 4- medium high risk / 5- high risk / 6- very exposed to high risk. Suppliers with a "high" and "very high" risk rating (high-risk suppliers) are given special priority. If a high-risk supplier is classified as "LkSG-relevant", i.e. the goods purchased or services provided by it are necessary for the provision of the (own) services of Deutsche Börse AG and the companies included in its own business area, these will be covered within the framework the net risk analysis and must also submit the "Supplier Self-Assessment" described as part of the risk analysis process in order to be able to carry out a more detailed risk assessment.

## **B2. Preventative measures in your own business area**

**Which risks were prioritized in your own business area during the reporting period?**

None.

**If no risks were selected, please justify your answer.**

No LkSG-relevant risks were identified in Deutsche Börse AG's own business area, which also includes other companies within Deutsche Börse Group. As already explained under B1, Deutsche Börse AG had successfully implemented comprehensive measures to mitigate and prevent human rights violations in its own business area before the LkSG came into force. Furthermore, the environmental risks defined in accordance with section 2 paragraph 3 LkSG can be excluded in the case of Deutsche Börse Group and its business model in its own business area.

**What preventative measures were implemented for the reporting period to prevent and minimize the priority risks in your own business area?**

Conducting training in relevant business areas.

Other/further measures: Although no risks were identified in Deutsche Börse AG's own business area, it has implemented the following measures to prevent potential risks: Code of conduct for business life, implementation of the policy statement on Deutsche Börse AG's human rights strategy in relevant business areas, development and implementing appropriate procurement strategies and purchasing practices that can avoid or mitigate risks.

Conducting training in relevant business areas

**Describe the measures implemented and specify the scope (e.g., number, coverage/area of application).**

Employees in the relevant business areas, especially those directly related to the implementation of the due diligence obligations of the LkSG, were trained by the "Purchasing" department and made aware of the relevance and requirements of the LkSG. "Purchasing" also considers potential changes in responsibilities and new business areas in its training concept.

The training material is available to all employees centrally on Deutsche Börse Group intranet and is regularly updated by the "Purchasing" department and sent to the responsible people.

The CMF has also made the "Internal Auditing" functional area of Deutsche Börse AG, the work council and the supervisory board fully aware of the requirements of the LkSG so that they can adequately fulfill their corresponding functions.

**Describe how training is appropriate and effective in preventing and minimizing the priority risks.**

The appropriateness and effectiveness regarding the training of relevant employees at Deutsche Börse AG as well as responsible persons in the companies belonging to Deutsche Börse AG (own business area) on LkSG-relevant processes and procedures was assessed as part of the annual controls by the central monitoring body based on Samples checked. The training materials are suitable and appropriate. No weaknesses were identified during the review period as part of the adequacy and effectiveness review of the training courses to prevent and minimize LkSG-related risks.

**Other/further measures****Describe the measures implemented and, in particular, specify the scope (e.g. number, coverage/scope).**

Deutsche Börse Group obliges its employees to comply with the Code of Business Conduct, which, in addition to numerous principles, addresses the protection and defense of human rights. This Code of Conduct applies to all employees working at Deutsche Börse AG or a company within Deutsche Börse Group. The Code of Business Conduct is part of the employment contract of employees and knowledge of it is confirmed accordingly upon employment by the employees. When it comes to protecting and upholding human rights, Deutsche Börse Group aims to set a good example through holistic corporate responsibility and its disclosure. This therefore includes respect for human rights both along the supply chain and within Deutsche Börse Group. In the Code of Conduct, Deutsche Börse Group makes it clear that it supports conventions that aim to eliminate forced labor and child labor and promote freedom of association and equality. Deutsche Börse Group recognizes that modern slavery is a crime and a violation of fundamental human rights. The commitment to protecting human rights is anchored in the corporate culture and values of Deutsche Börse Group and is reflected in its policies and behavior towards employees, business stakeholders and its customers, as well as the communities and countries in which it operates.

As a preventive measure in its own business area and towards direct suppliers, Paragraph 6 Section 2 LkSG provides for the implementation of the declaration of principles on human rights strategy in relevant business areas. How the policy statement was implemented in Deutsche Börse AG's own business area is described in Chapter A.3 of this report.

The "Purchasing" department has developed suitable procurement strategies and purchasing practices through which identified LkSG-related risks can be avoided or reduced and implemented them accordingly in its own business area. The adjusted strategies and principles were communicated to relevant employees.

**Describe the extent to which the measures to prevent and minimize the priority risks are appropriate and effective.**

The measures to prevent and minimize the LkSG-related (prioritized) risks were developed and implemented in accordance with the requirements of the LkSG. The measures consider the (potential) risks identified as part of the risk analysis as well as the general business area of Deutsche Börse AG and the companies that fall within Deutsche Börse AG's own business area. There are clear responsibilities for the implementation of the various measures within Deutsche Börse AG's own business area and relevant employees are informed about these and trained regarding their responsibilities for compliance. The appropriateness and effectiveness of the measures are checked by the CMF at least annually and on an ad-hoc basis. If are weaknesses identified, they are addressed and corrective measures are implemented within a reasonable period of time. There are appropriate escalation processes in place for non-compliance with measures.



### **B3. Preventative measures for direct suppliers**

#### **Which risks were prioritized by direct suppliers for the reporting period?**

Disregard for occupational safety and work-related health hazards.

#### **What specific risk is involved?**

The risk of non-compliance with occupational health and safety regulations applicable at the place of employment, such as the lack of measures to prevent excessive physical and mental fatigue, especially due to inappropriate work organization in terms of working hours and rest breaks or (see section 2 paragraph 2 number 5 letter c) LkSG.

#### **Where does the risk occur?**

China

#### **What preventative measures were implemented for the reporting period to prevent and minimize priority risks among direct suppliers?**

- Development and implementation of appropriate procurement strategies and purchasing practices
- Obtain contractual assurance for compliance and implementation of expectations the supply chain
- Training and education to enforce contractual assurances
- Agree and implement risk-based control measures

#### **Describe the extent to which the measures to prevent and minimize the priority Risks are appropriate and effective.**

In relation to a direct supplier of Deutsche Börse AG, for which a high or very high risk was identified as part of the risk analysis in accordance with section 5 LkSG, the following preventative measures were anchored in compliance with section 6 paragraph 4 LkSG.

##### (1) Integration of expectations into supplier selection

Deutsche Börse AG has adapted its purchasing practices and procurement strategies so that aspects relevant to LkSG are considered when selecting (potential) suppliers. The selection of suppliers is carried out centrally with the involvement of the “Purchasing” department. The suppliers undergo a comprehensive background check, in which, among other things, potential human rights-related and environmental risks are assessed.

##### (2) Obtaining contractual assurance of adherence to and implementation of expectations along the supply chain and (3) training and education to enforce the contractual assurances and (4) agreeing and implementing risk-based control measures

Deutsche Börse AG requires its direct suppliers to comply with the human rights and environmental expectations required by management and to appropriately address them along their supply chains. For this purpose, it has created a dedicated appendix as part of its framework agreements, which applies to direct suppliers (in the sense of paragraph 2 section 7 LkSG) which fall under the “high” and “very high” risk categories. Deutsche Börse AG obtains assurances from the affected direct suppliers of the following:

- Fulfilment of the obligation to cooperate in carrying out the risk analysis, preventative and corrective action in accordance with the Supply Chain Due Diligence Act

- Compliance with the “Policy Statement on Human Rights Strategy in accordance with LkSG”
- Carrying out training and further education for DBAG employees regarding the obligations arising from the policy statement
- Passing on compliance with the human rights-related expectations contained in the policy statement along its supply chain and checking compliance with the policy statement
- Obligation to inform (immediately) in the event of a possible violation of the policy statement by the supplier
- Obligation to cooperate in the immediate development of a common approach to terminating and minimizing the violation and in taking appropriate corrective measures

Deutsche Börse AG is also contractually entitled to check the supplier's compliance with the above-mentioned obligations and reserves the right to carry out risk-based checks on the direct supplier and its subcontractors after prior notification, either itself or through third parties commissioned by it, on a risk-based basis to check the points mentioned above.

In accordance with the intentions of the legislator, Deutsche Börse AG is only entitled to extraordinary termination of the contract with the direct supplier based on LkSG-related reasons, considering the “ultima ratio” principle.

#### Category: Sourcing Strategy & Purchasing Practices

- Development and implementation of appropriate procurement strategies and purchasing practices

#### **Describe the measures implemented and to what extent delivery times were determined, purchase prices or the duration of contractual relationships have been adjusted.**

LkSG-relevant aspects are considered when planning the selection of potential suppliers, onboarding, contract conclusion and business relationship.

#### **Describe the extent to which adjustments have been made to your own procurement strategy and the purchasing practices should contribute to the prevention and minimization of priority risks.**

When selecting potential suppliers, onboarding, concluding contracts and during the business relationship with suppliers, the risks and requirements addressed by the LkSG are considered.

By developing and implementing appropriate procurement strategies and purchasing practices, obtaining contractual assurances for compliance and implementation of expectations along the supply chain, training, and further education to enforce contractual assurances, and agreeing and implementing risk-based control measures, LkSG -relevant risks are mitigated before starting business with suppliers. If an increased risk is identified, further preventative measures can then be introduced, or the business initiation can be terminated.

On the other hand, existing suppliers with a “high” and “very high” risk assessment can be contractually obliged to meet the requirements of the LkSG and, for example, to implement preventative and corrective measures.

Ultimately, the measures carried out are monitored through control measures and efforts are made to ensure the appropriateness and effectiveness of the due diligence obligations.

#### **B4. Communication of results**

##### **Were the results of the risk analysis(s) for the reporting period communicated internally to key decision-makers?**

It is confirmed that the results of the risk analysis(s) for the reporting period were communicated

internally to the relevant decision-makers, such as the board of directors, management or the purchasing department, in accordance with paragraph 5 section 3 LkSG.

#### **B5. Changes in risk disposition**

**What changes have occurred in terms of priority risks compared to the previous one reporting period?**

Since this report was created for the first time, no changes in priority risks could be identified compared to the previous reporting period.

## **C. Determination of injuries and Corrective measures**

### **C1. Determination of violations and corrective measures in your own business area**

**Were there any violations identified in your own business area during the reporting period?**

No.

**Describe the procedures that can be used to detect violations in your own business area.**

(Potential) violations of protected legal positions relevant to the LkSG are identified at Deutsche Börse AG via the complaint mechanism which is set up in accordance with section 8 LkSG and through the tool-based so-called “Negative News Screening” (Sphera). Deutsche Börse AG notifies the CMF of (potential) LkSG-related violations by direct and indirect suppliers of its business area.

### **C2. Identify violations and take corrective action with direct suppliers**

**Were any injuries identified among direct suppliers during the reporting period?**

No

**Describe the procedures used to avoid injuries to direct suppliers can be determined.**

Potential or existing violations of protected legal positions relevant to the LkSG are identified at Deutsche Börse AG via the complaint procedure set up in accordance with Section 8 LkSG and through the tool-based so-called “Negative News Screening” (Sphera). Negative News Screening”, Deutsche Börse AG receives notifications of (potential) LkSG-related violations from direct and indirect suppliers of its business area. In the case of LkSG-relevant “negative news”, the purchasing department responsible for the tool notifies the CMF.

### **C3. Determination of violations and remedial action against indirect suppliers**

**Were any violations identified by indirect suppliers during the reporting period?**

No.

## **D. Complaints procedure**

### **D1. Establishment of or participation in a complaints procedure**

**In what form was a complaints procedure offered for the reporting period?**

The company's own complaints procedure.

**Describe the company's own process and/or the process in which your company participates.** Deutsche Börse AG has introduced a complaints procedure in accordance with paragraph 8 LkSG, which

enables the reporting of (potential) human rights and environmental-related risks and violations within its own business area and among its direct and indirect suppliers.

All persons who are affected by economic activities in Deutsche Börse AG's own business area or by economic activities of a direct supplier, all persons who could be injured in a protected legal position and all persons who are aware of a possible violation of a human rights or have an environmental obligation can submit information and reports via the LkSG complaint procedure of Deutsche Börse AG. This includes internal people, such as employees of Deutsche Börse AG or other companies in Deutsche Börse Group as well as employees of direct or indirect suppliers. In addition, external persons, such as external consultants who have been commissioned by a company in Deutsche Börse Group or one of its direct or indirect suppliers, as well as all other persons who have knowledge of corresponding risks and violations, are also free to do so. to provide information about any injuries or risks via the complaint's procedure.

The complaint procedure itself and information provided to employees and external third parties are available in German, English and French. Information on submitting complaints and reports is published on Deutsche Börse Group website and intranet (<https://www.deutsche-boerse.com/dbg-de/unternehmen/kontakt/contact-for-whistleblowers>).

#### Complaint channels

The LkSG-related complaint procedure was integrated into the existing electronic whistleblower system (BKMS whistleblower system) at Deutsche Börse AG, which is used as a central reporting and information channel within Deutsche Börse Group.

The BKMS whistleblower system was implemented at Deutsche Börse AG in compliance with the law for better protection of whistleblowers (Whistleblower Protection Act - HinSchG) and aims to avoid illegal or unethical behavior in all business relationships within Deutsche Börse Group. In addition to numerous focus categories (market manipulation, fraud, violation of internal conduct guidelines or other compliance-relevant violations) for tips and complaints, a dedicated new tip category "Violation of protected legal interests within the meaning of the Supply Chain Due Diligence Act (LkSG)" has been added to the BKMS- Whistleblower system included. People can use this notice category to complain about human rights or environmental-related risks or (potential) human rights or environmental-related breaches of duty resulting from the economic activities of a company belonging to Deutsche Börse Group or one of its direct or indirect suppliers.

LkSG-related complaints can also be submitted by telephone via Deutsche Börse AG's BKMS whistleblower system. When making a complaint by telephone, the complainant is guided through an automated telephone dialogue. During this process, the person can describe his concern in detail and answer a few questions that will help Deutsche Börse AG to classify the matter in question.

After submitting a complaint via the electronic or telephone BKMS whistleblower system, the complainant can set up a protected mailbox through which feedback from the complaint handler can be viewed and the complainant is informed of the status of the investigation. In addition to the web-based and telephone BKMS whistleblower system, Deutsche Börse AG has set up a functional email address ([humanrightsofficer@deutscheboerse.com](mailto:humanrightsofficer@deutscheboerse.com)) through which LkSG-related complaints can be transmitted directly to the responsible complaint handlers and the Human Rights Officer.

Tips, reports and complaints via the BKMS whistleblower system can be submitted while maintaining the person's anonymity. The complainant's information will be treated as strictly confidential - regardless of the complaint channel - and will only be passed on to those responsible for further investigation of the complaint or report.

### Handling complaints

As soon as a complaint is received under the category “Violation of protected legal interests within the meaning of the Supply Chain Due Diligence Act (LkSG)”, the complaint handler will immediately receive an email notification that a new report has been received. In the case of complaints and reports via the BKMS whistleblower system, the complainant has the option of setting up an anonymous mailbox in order to communicate with the complaint handler. In the case of complaints and reports sent via email to the CMF or the Human Rights Officer, communication with the complainant takes place via email or via the contact details provided by the complainant. The complaint handler will confirm receipt of the complaint within one week and inform the complainant about the next steps in the complaint process, the timing and the rights of the complainant. The complaint handler checks whether the complaint or the subject of the complaint constitutes a (potential) human rights or environmental violation within the meaning of the LkSG. If the complaint does not fall within the scope protected by the LkSG or if it is identified as unjustified (not substantiated) after examining the facts, the complainant will be informed of this. If the complaint is considered valid and a more intensive investigation is deemed necessary, further steps will be taken to clarify the matter. If, after carefully examining the matter, the complaint handler determines that the complaint is justified, Deutsche Börse AG will ensure that the impending or actual human rights and environmental risk is appropriately addressed.

### **Which potentially interested parties have access to the complaint's procedure?**

- Own employees
- Communities near own locations
- Employees at suppliers
- External stakeholders such as NGOs, trade unions, etc.

### **How will access to the complaint's procedure be for the different groups of potential those involved?**

- Publicly accessible rules of procedure in text form
- Information about accessibility
- Information about the process
- All information is clear and understandable
- All information is publicly available

### Publicly accessible rules of procedure in text

#### **Optional: Describe.**

Deutsche Börse AG publishes a procedural regulation “Submission and processing of human rights and environmental complaints in Deutsche Börse Group”, which, in addition to general information on the complaint procedure in accordance with paragraph 8 LkSG, describes access to the complaint procedure and complaint processing. The rules of procedure are published in German and English on Deutsche Börse Group website with the general information on the BKMS whistleblower system in a dedicated PDF file. The works council of Deutsche Börse AG and the employees of Deutsche Börse Group were informed about the expansion of the BKMS whistleblower system to include a dedicated complaint category for LkSG-related complaints via the company's internal intranet.

### Information about accessibility

The accessibility of the complaint's procedure is described on Deutsche Börse Group website, on its intranet and in the dedicated rules of procedure.

### Information about the process

The information on the complaint processing process is published in the rules of procedure “Submission and processing of human rights and environmental complaints in Deutsche Börse Group”. In addition, Deutsche Börse AG points out the possibility of contacting the central monitoring function or the Human Rights Officer directly via an email address set up for this purpose if you have any questions about the process. The contact details are provided in the rules of procedure and on Deutsche Börse Group website for the general information on the BKMS whistleblower system.

### All information is clear and understandable

The information published for the various groups is written in simple German and English.

### All information is publicly available

All relevant information regarding the submission of LkSG-related complaints and the appropriate processing of these is publicly available.

### **Were the rules of procedure for the reporting period publicly available?**

Yes. Here you can find the rules of procedure in German and English.

## **D2. Requirements for the complaints procedure**

### **Indicate the person(s) responsible for the procedure and their function(s).**

#### (1) Responsibility for the availability and functionality of the BKMS whistleblower system

The BKMS whistleblower system is managed centrally by the Anti-Financial Crime (AFC) team in the “Group Compliance” function of Deutsche Börse AG. The AFC team is particularly responsible for ensuring that the complaint handlers related to the LkSG have access to the BKMS whistleblower system and that complaints that are of a human rights or environmental law nature are received by the responsible complaint handlers. The IT-related functionality of the BKMS whistleblower system is the responsibility of the IT function of Deutsche Börse AG (testing, IT security, etc.).

#### (2) Responsibility for handling complaints

Two people in the Group Compliance department in the “Law & Regulation” team are responsible for processing complaints, regardless of which complaint channel they are received through (complaint handlers). They have comprehensive knowledge of the Supply Chain Due Diligence Act and the relevant BAFA handouts. When processing complaints, the complaint handlers adhere to work instructions for complaint processing and investigation procedures, which comply with the requirements of Section 8 LkSG, the relevant handouts and FAQs from BAFA as well as the internal regulations of Deutsche Börse AG. The complaint handlers report to the Human Rights Officer.

Deutsche Börse AG confirms that the criteria contained in section 8 paragraph 3 LkSG are met for those responsible, i.e. This means that they offer the guarantee of impartial action, are independent and not bound to instructions and are obliged to maintain confidentiality.

Deutsche Börse AG confirms that precautions were taken for the reporting period to protect those potentially involved from being disadvantaged or punished because of a complaint.

### **Describe what precautions have been taken, how the complaints procedure ensures the confidentiality of the identity of whistleblowers.**

Deutsche Börse AG ensures that the privacy of complainants and other whistleblowers is protected through appropriate data security and confidentiality measures. Any collection, processing or use of personal data will be limited to the minimum and it will be deleted as quickly as possible.

Access to personal data is restricted exclusively to authorized employees (the LkSG complaint handlers, Human Rights Officers).

The LkSG-related complaint procedure and the whistleblower system ensure that people who report violations in good faith receive the greatest possible confidentiality and the greatest possible protection against actual or threatened retaliation or reprisals based on the information they provide.

Deutsche Börse AG ensures that the privacy of complainants and other whistleblowers is protected through appropriate data security and confidentiality measures. Any collection, processing or use of personal data will be limited to the minimum and it will be deleted as quickly as possible. Access to personal data is restricted exclusively to authorized employees (in particular the LkSG complaint handlers, Human Rights Officers).

The LkSG-related complaint procedure and the whistleblower system ensure that people who report violations in good faith receive the greatest possible confidentiality and the greatest possible protection against actual or threatened retaliation or reprisals based on the information they provide.

**Describe what precautions have been taken, what other measures will be taken to protect whistleblowers.**

The circle of complaint handlers is deliberately kept small. Personal data is anonymized.

### **D3. Implementation of the complaint's procedure**

**Were there any reports received about the complaint's procedure during the reporting period?**

Yes

**Please provide further details on the number, content, duration and results of the procedures.**

8

**On what topics have complaints been received?**

- Disregard for occupational safety and work-related health hazards
- Prohibition of unequal treatment in employment
- Prohibition of withholding adequate wages

**Describe what conclusions were drawn from the complaints/tips received and to what extent these findings led to adjustments in risk management.**

The complaints received by Deutsche Börse AG were not covered by the scope of application of the LkSG. Although the facts of the respective complaints related (potentially) to protected rights in accordance with section 2 paragraph 2 LkSG, the complaints did not concern the supply chain of Deutsche Börse AG (did not concern Deutsche Börse's own business area AG, direct or indirect suppliers of this). Deutsche Börse AG recommended that the complainants address their complaints to BAFA.

## **E. Risk management review**

**Does a process exist that ensures risk management is appropriate and comprehensive?**

**In which subsequent areas of risk management is appropriateness and effectiveness tested?**

- Resources & Expertise
- Risk analysis and prioritization process
- Preventative measures
- Corrective measures

- Complaints procedure
- Documentation

Describe how this test is carried out for the respective area and for which purposes. Describe the process especially about the prioritized risks.

Deutsche Börse AG reviews the appropriateness and effectiveness of the measures taken to implement and comply with the due diligence obligations under the LkSG at least once a year and as required, with a view to the identified human rights risks in its own business area and direct suppliers that represent a prioritized risk exhibit. For this purpose, a monitoring framework for LkSG-related controls was created at Deutsche Börse AG, which was integrated into the group control framework of Group Compliance. The CMF is responsible for the monitoring framework for LkSG-related controls.

The due diligence review was carried out in those areas of Deutsche Börse AG in which processes for implementing and complying with the due diligence obligations under the LkSG are located and implemented (Purchasing, Group ESG Strategy, Group Human Resources, Group Compliance). The controls are based on a control plan and are carried out by the CMF together with another Deutsche Börse AG employee from the control team in "Group Compliance".

1. The checks will be announced in the affected area
2. The documents that serve as the basis for checking processes and samples are requested
3. The inspection procedure is documented and (potential) findings are recorded
4. The findings and the severity of the findings are discussed with the department concerned and a reasonable period of time for their processing is agreed
5. A findings report will be drawn up by the CMF and sent to the department concerned
6. The processing of the findings within the agreed period will be tracked by CMF and reported to the Human Rights Officer of Deutsche Börse AG. The Human Rights Officer decides at his own discretion in which cases the responsible board will be informed accordingly.

The following controls were completed at Deutsche Börse AG for the financial year of 2023:

- Appropriateness and effectiveness of the risk analysis implemented and carried out in accordance with section 5 LkSG;
- Appropriateness and effectiveness of the preventative measures implemented and carried out in accordance with section 6 LkSG;
- Appropriateness and effectiveness of the Corrective measures implemented in accordance with section 7 LkSG;
- Adequacy and effectiveness of the complaints procedure implemented in accordance with section 8 LkSG and the processing of complaints.

As part of the control measures, the presence of suitable resources was checked and the expertise of the responsible employees as well as the documentation requirements of section 10 paragraph 1 LkSG.

No violations of the duty of care according to the LkSG were identified. The findings related to internal processes and documents, which were adapted for the purpose of improved process organization and documentation.

**Are there processes or measures in place to ensure that when setting up and implementing risk management, the interests of your employees, those within your supply chains and those who are**



otherwise affected by the economic activities of your company or by the economic activities? The actions of a company in your supply chains in a protected legal position that may be directly affected should be adequately considered.

**In which areas of risk management do processes or measures exist to take the interests of those potentially affected into account?**

- Resources & Expertise
- Preventative measures
- Corrective measures
- Complaints procedure

**Describe the processes or measures for the respective area of risk management.**

Complaints or reports from employees of Deutsche Börse Group, employees within the supply chains and those otherwise affected, which indicate a (potential) violation or the risk of a violation of human rights and the environment.