

Whistleblowing at thyssenkrupp

We rely on you for
reports on violations of
laws and internal regulations



thyssenkrupp Legal & Compliance.

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Introduction

At thyssenkrupp integrity, compliance with the law and internal regulations are of highest priority. To ensure that these values are upheld and potential risks arising from violations are avoided or minimized, it is crucial that misconduct is identified, clarified, and remedied at an early stage. Every indication of a potential misconduct will be treated seriously and will lead to an investigation following an objective and transparent process without any bias.

Violations of laws and internal regulations bear the risk of considerable damage to the tk Group, the Executive Board, every responsible executive at all levels within the Group as well as any involved employee. Besides large fines, which may even affect thyssenkrupp as a Group, acting individuals are threatened by external personal consequences, which may include fines or depending on the case even imprisonment, as well as internal personal consequences. Beyond that, compliance cases may lead to reputational and economic damage (e.g. negative media coverage, loss of turnover), damage claims (e.g. by customers) and exclusion from public tenders ("blacklisting").

The Executive Board is legally obliged to investigate at their own initiative every suspicion of illegal or improper actions of which they are informed. Compliance violations and infringements of laws identified in this course have to be ceased immediately and sanctions have to be considered. Furthermore, the Executive Board is obliged to verify if civil claims for damages can be made against the offender.

To comply with their legal obligations the Executive Board of thyssenkrupp mandated Legal & Compliance Investigations (Compliance Investigations) as independent department with direct reporting line to the Chief Compliance Officer to investigate all indications and allegations of possible compliance related misconduct. Besides that, information on violations outside the core compliance topics (corruption, antitrust law, data protection, money laundering, trade compliance) can be forwarded to the relevant departments or dealt with in cooperation with them. Information on violations of the International Framework Agreement (violations of global minimum labor standards at thyssenkrupp) is brought to the attention of the representatives on the International Committee and the Labor Relations department at thyssenkrupp AG and processed in consultation with them.

Different legal requirements regarding whistleblower systems and whistleblower protection such as the EU Whistleblower Directive 2019/1937, respective implementation laws, the Act on Corporate Due Diligence Obligations in Supply Chains (LkSG) etc. are taken into consideration by presenting and explaining whistleblowing at thyssenkrupp based on this document.

Whistleblower information helps thyssenkrupp to counteract violations at an early stage, and to reduce the damage caused to our company, our employees, and our business partners.

Scope

Who can inform about a violation?

All thyssenkrupp employees, customers, suppliers, and other third parties (such as directly affected individuals, individuals with knowledge of (possible) violation of a direct/indirect supplier) have an opportunity to contact us through multiple channels in order to report violations.

What can be reported?

Violations of internal regulations and/or applicable laws can be reported through a variety of channels.

Even indications or suspicions of violations can be reported and will be treated seriously. Therefore, in this document "violations" will refer to both actual and potential violations.

Who is responsible for the whistleblower system?

The central department responsible for managing the whistleblower system for the thyssenkrupp Group is the Compliance Investigations department at thyssenkrupp AG. The persons entrusted with the management of the whistleblower system guarantee impartiality, are independent, not bound by instructions and are obliged to confidentiality.

Information about possible violations is handled by a Compliance Officer of thyssenkrupp AG.

Information on violations outside the core compliance topics (corruption, antitrust law, data protection, money laundering, trade compliance) can be forwarded to the relevant departments or dealt with in cooperation with them, depending on the individual case.

Indications of violations of global minimum labor standards at thyssenkrupp can be reported as violations of the International Framework Agreement (IFA), an agreement on compliance with minimum labor standards between thyssenkrupp AG, the European Works Council, the Group Works Council, the trade union IG Metall and the world federation of industrial unions "IndustriALL Global Union" to the International Committee, a co-determination body. In addition to recognition of the ILO core labor standards and the Universal Declaration of Human Rights, these minimum labor standards include principles on good occupational health and safety, opportunities for professional and personal development, the right to adequate remuneration, the prohibition of child and forced labor, and the prohibition of discrimination of any kind. These reports are brought to the attention of the representatives on the International Committee and the Labor Relations department of thyssenkrupp AG and processed in consultation with them.

Compliance Investigations carries out compliance investigations for all core compliance topics (corruption, antitrust law, data protection, money laundering, trade compliance) and coordinates internal proceedings or proceedings led by authorities (e.g. criminal prosecutors, antitrust agencies).

Compliance Investigations also initiates and monitors the implementation of compliance measures derived from compliance investigations in a structured process.

Whistleblowers can take into consideration the possibility to make a report to the Compliance Manager at their respective Group Company. As a rule, Compliance Investigations as a specialized department at headquarter level will be informed about any report and is authorized to access the report (for the purposes of carrying out the necessary investigation). Due to local requirements, violations might be investigated on local level. In such an exceptional case, Compliance Investigations will receive the necessary information for reporting on group level and will only support the local Compliance Manager as required.

thyssenkrupp North America LLC ("tkNA") investigates alleged misconduct occurring in North America, and the tkNA Legal & Compliance, Audit, or HR teams can be contacted directly with any concerns of potential misconduct.

Anonymity and Confidentiality

Whistleblower anonymity in reporting is permitted (where legally possible). The identity of the whistleblower will remain strictly confidential unless disclosure is legally required in the context of an official investigation. Whistleblower anonymity in reporting is permitted (where legally possible). ([more on page 9](#))

Protection for Whistleblowers (Non-Retaliation)

thyssenkrupp strictly prohibits and does not tolerate any kind of retaliation (e.g. adverse action, disciplinary measures, threats, intimidation) for reporting a violation in good faith or otherwise cooperating in an investigation of a violation.

Any violation should be reported using one of the reporting channels made available by thyssenkrupp to ensure knowledge of Compliance Investigations and by this appropriate protection for whistleblowers.

Reporting knowingly false information ("malicious reporting") is a violation itself and measures taken as a consequence of such malicious reporting are not acts of retaliation.

Other persons concerned

During its investigations, thyssenkrupp strives to protect the legitimate interests of other persons affected by a disclosure (including those of accused persons). Casting suspicion on another person can have serious consequences. thyssenkrupp strictly follows "presumption of innocence" and "need to know" principles during investigations. It is essential that the Whistleblowing System is used responsibly. thyssenkrupp will not support actions based on which employees may fall victim to groundless, or false allegations.

How to report Violations

thyssenkrupp makes a number of whistleblowing channels available which are set out below:

1. Direct contact

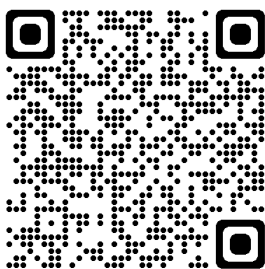
An open communication culture is an essential component of well-functioning compliance. Employees must be able to address errors openly and, above all, at an early stage. Even if you suspect a compliance violation, you can always contact your superior manager, even if this is not an official reporting channel. There is explicitly no obligation to report to the superior manager.

As reporting channels where the requirements of the Rules of Procedure are observed, you can contact the Compliance Manager or other contact persons/functions described in this document. The options described under 2. - 4. are available to you as central reporting channels.

Whistleblowers who are not thyssenkrupp employees can contact their thyssenkrupp business partner/contact person.

2. thyssenkrupp Whistleblowing System

If you prefer to report violations via our Whistleblowing System, or are interested in more information, please go to: <https://www.thyssenkrupp.com/en/company/compliance/whistleblower-system> or scan the QR code below:



If you want to access our Compliance Whistleblowing System directly, please go to: <https://www.bkms-system.net/thyssenkrupp-en>

A separate whistleblowing system, the tkNA Ethics Hotline, is used for United States (incl. Puerto Rico) and Canada:

<https://secure.ethicspoint.com/domain/media/en/gui/57665/index.html>

Violations regarding the International Framework Agreement (thyssenkrupp internal HR violations) can be reported here to representatives on the International Committee and the Labor Relations department at thyssenkrupp AG: <https://www.bkms-system.net/frameworkagreement>

3. Telephone Hotline

You can reach our whistleblower system by telephone on one of the numbers listed below. Please use the **PIN 4541** when asked for the Company Access PIN.

- | | |
|--|--|
| • Arabic
+90 216 9002897 Turkey | • Marathi
+65 3138 2063 Singapore |
| • Bulgarian
+36 1 7011807 Hungary | • Dutch
+33 1 87212291 France |
| • Chinese
+65 3138 2063 Singapore | • Polish
+48 22 1523361 Poland |
| • German
+49 30 99257146 Germany | • Portuguese
+55 61 35507564 Brazil
+39 02 81480081 Italy |
| • Danish
+49 30 99257146 Germany | • Romanian
+36 1 7011807 Hungary |
| • English
+55 61 35507564 Brazil
+49 30 99257146 Germany
+33 1 87212291 France
+39 02 81480081 Italy
+48 22 1523361 Poland
+90 216 9002897 Turkey
+65 3138 2063 Singapore
+36 1 7011807 Hungary | • Slovak
+48 22 1523361 Poland |
| • French
+33 1 87212291 France | • Spanish
+55 61 35507564 Brazil
+39 02 81480081 Italy |
| • Italian
+39 02 81480081 Italy | • Czech
+48 22 1523361 Poland |
| | • Turkish
+90 216 9002897 Turkey |
| | • Hungarian
+36 1 7011807 Hungary |

A separate whistleblowing telephone hotline is used for United States (including Puerto Rico) and Canada:
1-888-884-5592

4. Mail

Contact thyssenkrupp via following postal address:

thyssenkrupp AG, CO/L&C-INV
thyssenkrupp Allee 1
45143 Essen
Germany

We encourage all whistleblowers to report violations to the tk whistleblower system. However, there are also external whistleblower channels, maintained by the respective responsible authorities.

To get comprehensive information about the ways of reporting concerns, please visit [Whistleblower system](#)

Regarding the International Framework Agreement, please visit <https://www.thyssenkrupp.com/de/unternehmen/nachhaltigkeit/soziale-verantwortung/menschenrechte/international-framework-agreement>

In the event of violations of the International Framework Agreement (internal HR violations at thyssenkrupp), please contact: frameworkagreement@thyssenkrupp.com

Rights and Duties of a Whistleblower

1. Confidentiality

The identity of the Whistleblower will be protected with the utmost care. thyssenkrupp safeguards the interests of the Whistleblower by providing a secure Whistleblowing System, and assuring that all information received is treated confidentially.

2. Protection from retaliation

thyssenkrupp strictly prohibits and does not tolerate any kind of retaliation for reporting a violation in good faith or otherwise cooperating in an investigation of a violation. We apply the EU directive (EU) 2019/1937 (so-called Whistleblower Directive and its respective EU member state implementation acts) and in different jurisdictions worldwide, their respective local whistleblower protection and non-retaliation laws and policies. Other persons involved in an investigation are similarly protected.

3. Possibility for anonymous reporting

thyssenkrupp provides a number of reporting channels which allow anonymous reporting and communication (anonymous where legally possible). Whistleblowers will be encouraged to identify themselves. Regardless of anonymity, all reports are treated seriously.

4. Reporting based on reasonable grounds

All reports must be based on reasonable grounds (thyssenkrupp must have verifiable and serious information about a violation), which led the Whistleblower to believe that the reported matter is true (report made in good faith). No financial advantages are offered or provided to Whistleblowers.

Proportionate and applicable legal actions may be taken in respect of Whistleblowers, where it is established that false information was knowingly reported.

5. No investigation by whistleblowers

For legal and security reasons we do not expect a Whistleblower to investigate compliance violations.

Initial collection of information for reporting, on the other hand, is allowed and can help enabling a focused and efficient investigation. In such a case, acquisition of and/or access to the information must be in line with laws and regulations.

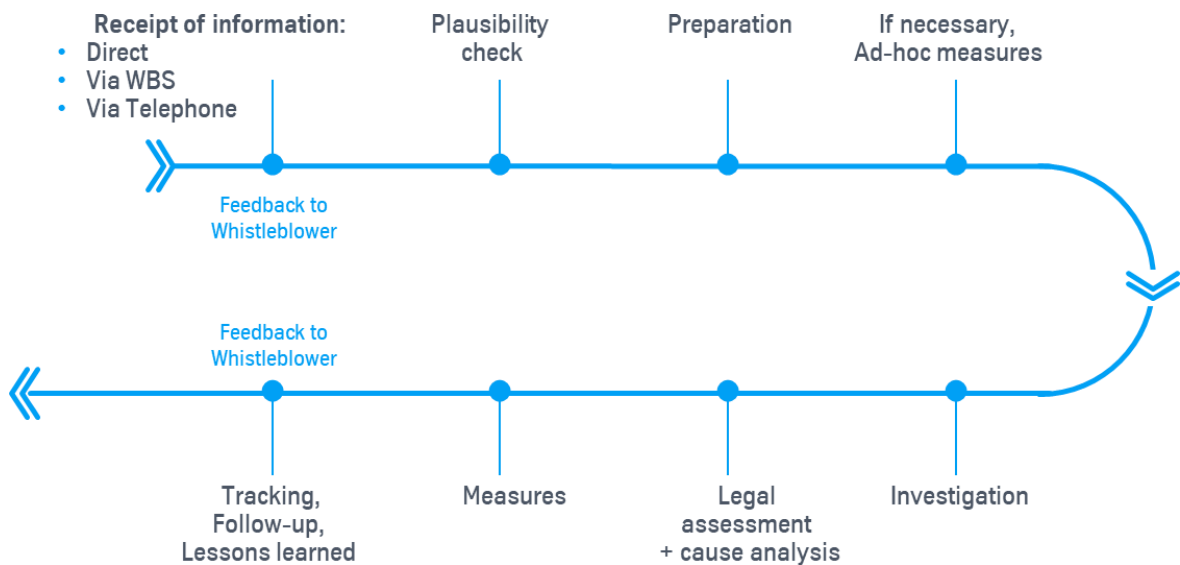
6. Information to third parties

We encourage Whistleblowers to use our available whistleblowing channels to address any violations in an effective way to thyssenkrupp. Nothing in this document, however, is intended to prohibit reporting of violations to external whistleblowing channels.

Investigations

Investigations

The overall investigation process from receipt of a report until the result of the investigation is shown below:



Feedback to Whistleblower

The Whistleblower will be notified about the receipt of the report within 7 days of that receipt. No later than 3 months of the acknowledgement of receipt, the Whistleblower will receive a feedback. Feedback can only be provided only when a communication channel with the Whistleblower exists (e.g. email address or BKMS post-box).

Different timeframes may apply according to local law.

Investigation principles

Following are the Investigation Principles:

1. Core principle

We analyze all indications of compliance violations or risks through internal investigations based on transparent and clearly defined processes. This is how we ensure that our internal standards are consistently executed and that our management boards and other managers meet their legal and entrepreneurial responsibilities.

2. Compliance with legal regulations

Our investigations are always executed under consideration of all applicable laws and regulations.

3. Right to be heard

No person needs to be concerned about facing consequences derived from an investigation until said person has had the chance to comment on the allegations.

4. Strict “Need-to-know” principle

Only individuals who are factually needed for an investigation are involved in our activities. The information on investigation results are only provided to those parties who actively require them for further proceedings or to comply with legal obligations.

5. Confidentiality

All information that is gathered during compliance investigations is treated confidentially. The identity of the whistleblower will be protected with the utmost care.

6. Fairness and mutual respect

Investigation activities are conducted fairly and with respect for all parties concerned investigation following an objective and transparent process without any bias. “Presumption of innocence” applies throughout internal investigations. Any kind of compulsion, threat or the like is not allowed.

7. Efficiency

Investigation activities are conducted without undue delay in order of priority and urgency as well as cost and effort efficiency.

8. Admissibility of results

Compliance investigations are conducted in a way that the results generally could be admissible in courts.

9. Mutual Agreement

If possible, a settlement of disputes might be agreed in a mutual agreement.

Data Protection

While carrying out internal investigations, Compliance Investigations and, where required, local investigators ensure that the requirements of the applicable data protection laws are complied with.

If you wish to get specific information or have inquiries regarding processing of your personal data, you can contact the data protection officer of thyssenkrupp AG using the below contact details:

thyssenkrupp AG
thyssenkrupp Allee 1, 45143 Essen, Germany
Phone: +49 201 844-0
Fax: +49 201 844-536000
datenschutzbeauftragter@thyssenkrupp.com

For detailed information on the subject, please visit:
<https://www.thyssenkrupp.com/compliance-INV-DP>

In cases when investigations are carried out on a local level, questions regarding data protection subject should be addressed to the respective data protection officer (or similar responsible data protection person) of the same group company.

Legal & Compliance

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