



Modern Slavery Statement 2023 of Merck KGaA Darmstadt, Germany

This joint statement is published in accordance with the Australian Modern Slavery Act 2018 (Cth). It sets out the steps that Merck KGaA, Darmstadt, Germany and the relevant Group companies in Australia including Merck Healthcare Pty Ltd and Merck Life Science Pty Ltd (collectively referred to as "Merck Australia"), all affiliated to Merck KGaA, Darmstadt, Germany have taken during the 2023 financial year to prevent slavery and human trafficking in any of our supply chains and in any part of our own business.

In order to prepare for this joint statement, Merck KGaA, Darmstadt, Germany and our Australian subsidiaries engaged with the reporting entities covered by this statement. The reporting entities covered by this joint statement share common processes and approaches to assessing and managing modern slavery risk. The Board of Directors of each reporting entity was consulted and this joint statement has been approved by the Chair of the Executive Board of Merck KGaA, Darmstadt, Germany as well as the relevant Australian subsidiaries' Board of Directors.

In Australia, the reporting entities (aside from those mentioned herein) do not have any actively- owned or controlled entities.

Introduction

Our ambition is to leverage science and technology to achieve progress for mankind. For us, sustainable entrepreneurship and profitable growth go hand in hand.

Responsible action is an integral part of our company culture. This also includes respecting the interests of our employees, customers and investors, as well as society. For more than 356 years, our company has been shaped and guided by strong [values](#). Our success is built on courage, achievement, responsibility, respect, integrity, and transparency - values that underpin our understanding

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of sustainable entrepreneurship. Respecting and supporting human rights is an integral part of our responsibility.

We know that slavery and human trafficking are hidden in many global supply chains and may be also in ours. We are constantly striving to minimize the risk for any potential violations and are committed to taking effective steps towards preventing and mitigating harm to people in our operations, supply chains and business relationships.

Structure, business and supply chains

We are a vibrant science and technology company, operating across Life Science, Healthcare and Electronics. In our Australian subsidiaries, more than 220 employees work to make a positive difference to millions of people's lives every day by creating more joyful and sustainable ways to live. In 2023, our Australian subsidiaries generated sales of € 204.5 Million (approximately AUD 337 Million).

Merck KGaA, Darmstadt, Germany comprises the following business sectors in Australia:

- Our Life Science business sector provides the tools, high-grade chemicals and consumables that accelerate scientific breakthroughs and enable the biopharmaceutical industry to ensure that medicines are safe and effective for a global population.
- In our Healthcare business sector, we advance innovation through our research, enable life-changing therapies for serious illnesses, treat patients with cancer, cardiovascular, diabetes, thyroid disorders, and multiple sclerosis, and help people to realize their wish to have a child.

In 2023, we derived 44% of net sales from Life Science, 56% from Healthcare. We require numerous raw materials, packaging materials, technical products, components and services (including R&D services), which we procure from approximately 55,000 suppliers in more than 140 countries. All goods and services purchased in 2023 amounted to around €9.8billion, compared with approximately €10.2 billion in 2022. Of these, we purchased 46% from suppliers based in Europe, 28% from suppliers based in North America, 19% from suppliers based in the Asia-Pacific region, 3% from suppliers based in Latin America and 1% from suppliers based in the Middle East and Africa.



Purchase volume and suppliers per region in 2023¹



At Merck KGaA, Darmstadt, Germany, safeguarding people and the environment stands as a foremost priority, and our aim is to perpetually enhance our practices. As a worldwide enterprise with an excess of 62.908 employees, we inevitably confront various human rights risks, notably those related to forced labor. Within our supply chain, we recognize that the procurement of raw materials presents the highest potential for modern slavery risks, particularly in countries deemed at risk due to higher human rights concerns. Accordingly, we have implemented procedures to meticulously recognize and mitigate such risks.

Policies in relation to slavery and human trafficking

As a signatory to the [UN Global Compact](#) since 2005, we have committed to upholding the [Ten Principles](#) based on key UN conventions, including the elimination of all forms of forced and compulsory labor.

¹ For data processing reasons, 2% of our purchase volume (1,161 suppliers) is currently not assigned to any purchase region. This equates to 3.5% of our supplier spend.



Our [Human Rights Charter](#) sets out our overarching commitment to human rights and defines the requirements for our company. The Charter brings together and complements the human rights aspects from other regulations and guidelines, such as our [Code of Conduct](#), the [Environment, Health and Safety Policy](#), and the [Supplier Code of Conduct](#).² In our [Human Rights Policy Statement](#), we commit to upholding and endorsing human rights due diligence obligations within our own business operations and throughout our supply chain. This policy statement applies to all our legal entities and subsidiaries worldwide.

For our own **employees**, our [Global Social and Labor Standards Policy](#) sets out our commitment to international social and labor standards. The policy specifically states that Merck KGaA, Darmstadt, Germany and its affiliates do not accept any form of forced or compulsory labor, child labor, modern slavery or human trafficking in any of our global operations or facilities. It prohibits practices such as confiscating or withholding worker identity documents and notes our commitment to ethical recruitment and the Employer Pays Principle.

Our expectations towards **suppliers** are outlined in our [Supplier Code of Conduct](#). We expect our suppliers to uphold human rights, adhere to the United Nations Guiding Principles on Business and Human Rights, and carry out human rights due diligence. This entails respecting all internationally recognized human rights, including those articulated in the International Bill of Human Rights and the fundamental rights principles specified by the International Labor Organization (ILO). No forms of slavery, practices akin to slavery, serfdom, or other forms of domination or oppression in the workplace, such as extreme economic exploitation and humiliation, shall be tolerated.

Our [Responsible Minerals Sourcing Charter](#) demonstrates our commitment to responsible sourcing of minerals from conflict-affected and high-risk areas. It applies to all our legal entities and subsidiaries worldwide. The charter complements the requirements set out in our Supplier Code of Conduct.

Our Group Standard on Contractor Environment, Health and Safety Management sets out our commitment to the working conditions of contractors. It requests to include labor and human rights in the management processes and contractor relationship management. Knowledge exchange and feedback loops are used to enable collaborative learning and improvements on environmental, safety and labor/human rights standards.

² Supplier Code of Conduct (SCoC) replaces the Responsible Sourcing Principles as of January 2023



Contractors may be eliminated from the bidding list if human rights violations are noticed during the qualification and performance tracking process.

Our [compliance hotline](#) is our key grievance mechanism available to employees and external stakeholders worldwide to safely report actions that (potentially) violate the principles of our Code of Conduct, internal rules and laws, including those related to the Human Rights Charter. All suspected violations can be reported in the local language to the compliance hotline via telephone or a web-based application, free of charge and, if desired, anonymously. Our company ensures proper whistleblower protection and guarantees confidentiality on a need-to-know basis and non-retaliation in a trusted environment.

Risk management and due diligence processes

Protecting people and the environment is a top priority at Merck KGaA, Darmstadt, Germany and our objective is to continuously improve ourselves. As a global company with around 62.908 employees worldwide, we inevitably face potential human rights risks. This is particularly the case in so-called risk countries (countries with higher human rights risks). We have a number of different measures in place to meet our human rights due diligence obligations. The aim is to protect people who are or may be potentially affected and prevent, end or at least minimize adverse effects on human rights. In line with our [Human Rights Due Diligence Group Standard](#), we carry out a risk-based, systematic review on human rights risks at our Group companies and in our supply chains and have a wide range of measures in place to prevent and, where possible, end or at least minimize adverse effects on human rights around the world in connection with our business activities. We continue to develop our processes on an ongoing basis. Our focus when further developing our due diligence processes is on stakeholder collaboration, for example through the UN Global Compact and its local networks and as part of sector-specific initiatives.

Governance

We have defined clear responsibilities for carrying out and complying with our human rights due diligence obligations. Overarching responsibility for human rights in our sphere of influence lies with our Executive Board. The Executive Board requires binding compliance from our Managing Directors³. Our human rights officer is responsible for monitoring human rights and environmental due diligence obligations.

³ The Managing Directors are responsible for ensuring that our subsidiaries, including the R&D and production centers, comply with all applicable laws and regulations, including internal guidelines.



The Executive Board is informed of the work of the human rights officer and the implementation status of the due diligence obligations regularly and at least once a year.

We consider respect for human rights an interdisciplinary issue and so we collaborate systematically with various functions. The experts in the respective Group Functions, business sectors and local units implement the specific measures, for instance by integrating human rights due diligence into existing processes.

Our Human Rights Working Group is tasked to implement effective cross-organizational efforts to fulfil our commitments to respect human rights across our operations, supply chain, business relationships and potentially impacted communities. In addition, the group discusses activities and current developments regarding business and human rights. It comprises representatives from e.g. Group Compliance, Group Procurement, Group Human Resources, Corporate Environment, Health and Safety, Corporate Security as well as Group Corporate Sustainability. The group met twice in 2023.

Risk Analysis

We conduct an annual risk analysis to identify human rights-related risks in our operations and at our direct suppliers. The results of the risk analysis are evaluated on an ongoing basis and integrated into our company decision-making processes. The process and the results of the regular risk analysis for the fiscal year 2023, are as follows:

For our own operations, we verify compliance with the principles of our [Global Social and Labor Standards Policy](#) at our local subsidiaries on a phased and risk-based approach. In 2023, no procedural violations were identified.

Risks regarding our suppliers are analyzed in two phases, in an abstract way followed by a specific analysis: Firstly, we determine abstract risks for our direct suppliers using country and sector indices based on external data and also consider the extent of our business activities with the respective suppliers. Following this, the second phase involves analyzing specific human rights and environmental risks. Among other things, we use questionnaires to further increase transparency. We draw on the internal expertise of our employees who communicate directly with the suppliers.

Within the scope of the regular risk analysis for the fiscal year 2023, we have identified i.a. forced labor as one of the potential risks with regards to our direct suppliers which we prioritize. The risk analysis is the basis for appropriate preventive or remedial actions within our own operations and at our direct suppliers. Further information about our preventive measures can be found in our [Human Rights Policy statement](#).

Mica

The businesses of Merck KGaA, Darmstadt, Germany operate as EMD Serono, MilliporeSigma and EMD Electronics in the U.S. and Canada.



In the Indian states Jharkhand and Bihar social and economic factors contribute to poor working conditions, including child labor. This is why we have installed special oversight for our purchase of mica in this region. We are also supporting this region by safeguarding local employment and livelihoods. We source the raw material only from suppliers operating in formal working environments and we monitor compliance with our standards, including the prohibition of child and forced labor.

Our mica suppliers are informed of our standards and have confirmed that they adhere to the principles of our [Human Rights Charter](#) as well as the requirements of our [Supplier Code of Conduct](#). In the event of non-compliance with our standards, we work with suppliers to ensure the appropriate implementation of corrective measures.

We do not tolerate child labor and contractually prohibit our suppliers from employing children. If one of our suppliers were found to be using child labor, we would terminate the business relationship immediately. We are driving initiatives and taking measures to improve the conditions of mica sourcing based on our high standards. For example, we have contractually agreed with our suppliers to pay above living wage to mine workers and to workers in the processing units. Furthermore, we continuously review our monitoring processes to improve their effectiveness.

Environmental Resources Management ([ERM](#)), a leading global provider of environmental, health, safety, risk, and social consulting services, conducts external audits of mines and processing plants, investigating working conditions as well as **environmental, health and safety issues**.

Since 2013, IGEP Consult, an Indian non-governmental organization, has conducted regular unannounced monitoring to review labor standards throughout our supply chain. During these visits, IGEP officials monitor occupational safety and **compliance with laws preventing child labor**.

We are also a founding member of the multi-stakeholder group Responsible Mica Initiative ([RMI](#)). Since 2017, we have held the presidency of the organization. The initiative aims to eradicate child labor and unacceptable working conditions in the Indian mica supply chain by **joining forces across industries**.

Training and awareness-raising

We continue with the integration of human rights-related aspects, including modern slavery, into existing training and awareness-raising formats for relevant internal functions. An **online course** trains our Managing Directors and senior management in how to meet the requirements of our [Global Social and Labor Standards Policy](#) in their area of responsibility.

We consistently broaden our internal communication channels to further solidify our dedication to human rights throughout the Group. This includes heightening awareness of human rights and modern slavery. For instance, via our global sustainability



network, we conducted a webinar on human rights in the corporate sphere in 2023. Moreover, **virtual informational sessions** concerning the implementation of the [German Supply Chain Due Diligence Act](#) were provided to specific target audiences.

We conduct training sessions for suppliers on the [Supplier Code of Conduct](#) and to gather contractual assurance. This involves the use of an interactive e-learning tool that we have developed in various language formats based on our [Supplier Code of Conduct](#).

In addition to our [Supplier Code of Conduct](#), we introduced the training platform TfS Academy together with Together for Sustainability (TfS). Through the platform, employees at TfS member companies and their suppliers can access a total over 300 courses in up to nine languages. The module on human rights due diligence, for instance, covers the topics child labor, forced labor, human trafficking, discrimination and harassment. We also participated in the #TfSTalks, an interactive webinar series. Furthermore, we also conducted specific activities in our Australian subsidiaries such as trainings for all employees including those with responsibilities in Australia regarding the Australian Modern Slavery laws.

Effectiveness

We evaluate the effectiveness of our risk management and of our due diligence processes once a year and on an ad hoc basis. We place particular focus on checking the effectiveness of our complaint's procedure, risk management, remedial action and preventive measures.

Looking ahead

Merck KGaA, Darmstadt, Germany took the first step towards implementing the [UN Guiding Principles on Business and Human Rights](#) in 2012, and we have since worked to continuously improve our human rights due diligence.

At the same time, we acknowledge that there is further progress to be made, particularly in our efforts to combat modern slavery. In summary, our focus areas for action include:

- Continue to conduct internal audits to ensure that our local subsidiaries comply with the principles of our [Global Social and Labor Standards Policy](#)
- Continue to provide training and enablement to our internal investigators that are reviewing alleged cases linked to the principles of our [Global Social and Labor Standards Policy](#)
- Continue to review the effectiveness of our current supplier assessments and audit procedures
- Continue to strengthen our internal communication and awareness-raising about human rights and modern slavery



We are committed to continuously enhancing our approach in accordance with our values and international standards for corporate human rights and labor rights due diligence.

Date: 13 May 2024

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Belen Garijo
Chair of the Executive Board
and CEO



Appendix

List of our Australian subsidiaries that fall under the Australia Modern Slavery Act

Merck Healthcare Pty Ltd, an affiliate of Merck KGaA, Darmstadt, Germany.

Merck Life Science Pty Ltd, an affiliate of Merck KGaA, Darmstadt, Germany.

Sigma-Aldrich Oceania Pty Ltd, an affiliate of Merck KGaA, Darmstadt, Germany.

