



**Declaration of the Executive Board and the Supervisory Board
of Merck KGaA, Darmstadt, Germany
on the recommendations of the
“Government Commission German Corporate Governance Code”
pursuant to section 161 German Stock Corporation Act
(Aktiengesetz, AktG)**

In accordance with section 161 AktG, applying the provisions of the German Corporate Governance Code correspondingly, the Executive Board and the Supervisory Board issued the following Declaration of Conformity with the recommendations of the Government Commission of the German Corporate Governance Code:

“Declaration of the Executive Board and the Supervisory Board of Merck KGaA on the recommendations of the Government Commission of the German Corporate Governance Code pursuant to section 161 of the German Stock Corporation Act (AktG). Since the last Declaration of Conformity in February 2022, we have complied with the recommendations of the Government Commission of the German Corporate Governance Code in the version dated December 16, 2019, as published in the official section of the German Federal Gazette.

In view of future compliance with the current recommendations of the Government Commission of the German Corporate Governance Code, the Executive Board and the Supervisory Board declare the following: The company will comply with the recommendations of the Code in the version dated April 28, 2022.”

Darmstadt, February 2023

For the Executive Board

A blue ink signature of s. Belén Garijo, consisting of a large, stylized 'B' and 'G' intertwined, with a horizontal line extending to the right.
s. Belén Garijo

For the Supervisory Board

A blue ink signature of s. Wolfgang Büchele, featuring a large, stylized 'W' and 'B' intertwined, with a horizontal line extending to the right.
s. Wolfgang Büchele

