

# DEFENCE COMPANIES INDEX (DCI) ON ANTI-CORRUPTION AND CORPORATE TRANSPARENCY 2020

## FINAL ASSESSMENT

### THYSSENKRUPP AG

The following pages contain the detailed scoring for this company based on publicly available information.

The table below shows a summary of the company's scores per section:

Section	Number of Questions*	Score Based on Publicly Available Information
1. Leadership and Organisational Culture	4	8/8
2. Internal Controls	6	10/12
3. Support to Employees	7	12/14
4. Conflict of Interest	4	6/8
5. Customer Engagement	6	9/12
6. Supply Chain Management	5	6/10
7. Agents, Intermediaries and Joint Ventures	10	12/20
8. Offsets	4	3/8
9. High Risk Markets	4	5/8
10. State-Owned Enterprises	0	N/A
<b>TOTAL</b>		<b>71/100</b>
<b>BAND</b>		<b>B</b>

\*This column represents the number of questions on which the company was eligible to receive a score; i.e. where the company did not receive a score of N/A.

## 1. Leadership and Organisational Culture

Question
<b>1.1. Does the company have a publicly stated anti-bribery and corruption commitment, which is authorised by its leadership?</b>
Score
<b>2</b>
Comments
<p>The company has a publicly stated anti-bribery and corruption commitment, which details its stance against any form of bribery or corruption within the organisation. It is clear that this commitment was authorised and endorsed by the company's executive board.</p>
Evidence
<p><b>[1] External Reviews: Transparency International – Leadership (1.1) (Webpage)</b>  Accessed 20/09/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>  Leadership does not just rest with the CEO middle management bear the principal burden in terms of setting the tone and culture of the organisation for frontline staff.</p> <p><i>Does the company have a publicly stated anti-bribery and corruption commitment, which is authorised at the senior level?</i></p> <p>In our daily Compliance business, it is one of the most important things to instill thyssenkrupp with a broad-based and established value culture in which reliability, honesty, credibility and integrity are the cornerstones of our actions. This value culture must be jointly supported and actively lived by all employees – and in particular by our managers. A written code of values is a key component of such a value culture. At thyssenkrupp, our value culture is embedded in our Group mission statement which unequivocally states that Compliance is a must.</p> <p>Through our Compliance Commitment, the Executive Board takes a firm stance rejecting Compliance violations of all kinds, specifically targeting anti-bribery and anti-corruption. This unequivocal commitment is supported by our Code of Conduct and various Group policies, in particular in the areas of anti-corruption and antitrust law.</p> <p>Our Group Regulation Corruption Prevention defines the prohibition of corruption and bribery for all companies, employees, managers and executive board members of thyssenkrupp, the whole thyssenkrupp Group and third parties.</p> <p><b>[5] Code of Conduct (English) (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/co-de-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/co-de-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf</a>  [p.1] Dear Colleagues,</p> <p>Our mission statement describes the values we share and the way we want to work together – both now and in the future. It sets out a clear vision that we must strive to realize in order to secure long-term business success. We can only achieve this goal together – based on the central idea “WE are thyssenkrupp”. Our values such as personal responsibility, openness, transparency as well as legal and ethical compliance play a vital role in this.</p> <p>For the first time, the basic rules and principles governing our behavior now and in the future have been brought together in this Code of Conduct. It provides an orientation framework and applies equally to everyone – board members, managers, and each and every employee. It sets a standard for ourselves and at the same time represents a promise that we will act responsibly both externally in our dealings with business partners and the general public as well as internally in our interactions with colleagues. We bear joint responsibility for our company's reputation. Misconduct by individuals can cause immense harm to all of us. So please read this code of conduct carefully and let us use it to guide our day-to-day conduct.</p>

The Executive Board of thyssenkrupp AG



Guido Kerkhoff



Oliver Burkhard



Johannes Dietsch



Dr. Donatus Kaufmann

**[2] Compliance Commitment – Compliance (Webpage)**

Accessed on 26/03/2020

<https://www.thyssenkrupp.com/en/company/compliance/compliance-commitment>

**Compliance commitment**

In respect of corruption and antitrust violations, the Executive Board of thyssenkrupp AG has issued the following thyssenkrupp Compliance Commitment which unequivocally expresses its stance on compliance with the corresponding laws and Group policies.

**Compliance commitment\***

Corruption and antitrust violations threaten these success factors and will not be tolerated (Zero Tolerance).

For us, bribes and cartel agreements are not a means of winning business. We would rather forgo a contract and fail to reach internal goals than act against the law.

All employees are requested to cooperate actively in their areas of responsibility in implementing the thyssenkrupp compliance program.

With its compliance program, thyssenkrupp has taken wide-ranging measures to ensure compliance with corruption and antitrust regulations and the Group policies based thereon. Infringements will not be tolerated and will result in sanctions against the persons concerned. All Executive board members and managing directors, all senior executives and other employees must be aware of the extraordinary risks which corruption and antitrust violations can signify for thyssenkrupp as well as for them personally.

\* Initially resolved by the Executive Board of thyssenkrupp AG on April 16, 2007.

**[67] Annual Report 2018-2019**

Accessed 26/11/2019

[https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web\\_neu.pdf](https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf)

[p.20] Compliance, in the sense of all Groupwide measures to ensure adherence to statutory requirements and binding internal regulations, is a key management and oversight duty at thyssenkrupp. The Executive Board of thyssenkrupp AG has unequivocally expressed its rejection of antitrust violations and corruption in the thyssenkrupp Compliance Commitment. We treat violations, in particular antitrust or corruption violations, with zero tolerance.

Question
<b>1.2. Does the company have a comprehensive anti-bribery and corruption policy that explicitly applies to both of the following categories:</b> <b>a) All employees, including staff and leadership of subsidiaries and other controlled entities;</b> <b>b) All board members, including non-executive directors.</b>
Score
2
Comments
<p>The company publishes an anti-bribery and corruption policy, which makes specific reference to the prohibition of bribery, payments to public officials, commercial bribery, and facilitation payments. This policy clearly applies to all employees and board members as described in (a) and (b) above.</p>
Evidence
<p><b>[3] External Reviews: Transparency International – Leadership (1.2) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>  <i>Does the company have a comprehensive anti-bribery and corruption policy that explicitly applies to both of the following:</i>  a) <i>All employees, including staff and leadership of subsidiaries and other controlled entities,</i>  b) <i>All board members, including non-executive directors</i></p> <p>Our written codes, which consist of comprehensive anti-bribery and corruption policies, apply to all employees as well as the Members of the Board, regardless of their seniority.</p> <p>Specific references to the prohibition of bribery, payments to public officials, commercial bribery and facilitation payments can be found in our Group Regulation Corruption Prevention.</p> <p><b>[4] Group Regulation Corruption Prevention (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf</a>  [p. 2] This Regulation applies to all companies, employees, managers and executive board members of the thyssenkrupp Group, the Regulation-relevant Shareholdings, and the third parties included under Section 2 of the Group Regulation Document Architecture.</p> <p>[p. 3] No employees of thyssenkrupp may offer, promise, grant or approve any advantages to business partners, clients or any other third party aimed at gaining preferential treatment in the award of contracts or of other kind of business.</p> <p>[p. 4] Employees of thyssenkrupp may not offer, promise, grant nor approve any advantages to public officials. Permitted are only generally accepted customary promotional gifts and acts of hospitality of verifiable small value. It is also prohibited to bribe or make facilitation payments to public officials. Bribes and facilitation payments are improper payments designated to accelerate or otherwise facilitate an official act.</p> <p><b>[5] Code of Conduct (English) (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf</a>  [p. 2] Corruption and antitrust violations threaten these success factors and will not be tolerated (zero tolerance). For us, bribes and cartel agreements are not a means of winning business. We would rather forgo a contract and fail to reach internal goals than act against the law.</p> <p>With its Compliance Program, thyssenkrupp has taken wide-ranging measures to ensure compliance with anti-corruption and antitrust regulations and the Group policies based thereon. Infringements will not be tolerated and will result in sanctions against the persons concerned. All Executive board members and managing directors, all senior executives and other employees must be aware of the extraordinary risks which corruption and antitrust</p>

violations can signify for thyssenkrupp as well as for them personally. All employees are requested to contribute actively in their areas of responsibility in implementing the thyssenkrupp Compliance Program.

**[1] External Reviews: Transparency International – Leadership (1.1) (Webpage)**

Accessed 20/09/2019

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership>

*Does the company have a publicly stated anti-bribery and corruption commitment, which is authorised at the senior level?*

[...]

Our Group Regulation Corruption Prevention defines the prohibition of corruption and bribery for all companies, employees, managers and executive board members of thyssenkrupp, the whole thyssenkrupp Group and third parties.

Question
<b>1.3. Does the board or a dedicated board committee provide oversight of the company's anti-bribery and corruption programme?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company's board, with assistance from two designated board committees, the Audit Committee and the Executive Board Department for Compliance and Legal, is ultimately responsible for the oversight of the company's anti-bribery and corruption programme. This includes reviewing reports from management on the programme's performance, along with the results of internal and external audits, and ensuring that required changes are made.</p>
Evidence
<p><b>[6] External Reviews: Transparency International – Leadership (1.3) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>  Corporate Governance has been systematically strengthened at thyssenkrupp in recent years. Our Chief Compliance Officer Dr. Sebastian Lochen, who is responsible for the operational implementation and further development of the Compliance programme, reports to the Group General Counsel who directly reports to the Executive Board member responsible for Legal &amp; Compliance, Oliver Burkhard. Mr. Burkhard oversees the whole Compliance programme and therefore the company's anti-bribery and corruption programme. He reports regularly to the Supervisory Board and Audit Committee on all relevant Compliance and ethical issues. In their described capacity, the Executive Board as a whole and more specifically the Executive Board member responsible for Legal &amp; Compliance as well as the Supervisory Board and its Audit Committee also review the results of internal and external audits as well as the measures taken on at least a quarterly basis. As an example, we provide the Quarterly Compliance Report (for secrecy reasons we only show the agenda, audit results covered by the section "Identify").</p> <p>Please see below for a screenshot of the thyssenkrupp Compliance Report Q1 2019/20:</p>

## Executive Board of thyssenkrupp AG

Board meeting on 23 January 2020

thyssenkrupp compliance report - quarterly report Q1 2019/20

Dr. Sebastian Lochen  
Chief Compliance Officer

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### [8] Compliance Organization (Webpage)

Accessed on 30/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/compliance-organization>

Compliance organization

The Chief Compliance Officer, Dr. Sebastian Lochen, reports to the Group General Counsel who reports directly to the Executive Board member of thyssenkrupp AG responsible for Legal & Compliance, Oliver Burkhard.

Alongside more than 75 full-time Compliance staff members there are over 350 Compliance Managers worldwide. These are top executives of the individual Group companies (generally the CFO or Managing Director) who as part of the top leadership level are responsible for ensuring the right tone from the top. They represent compliance in the company and are our spokespeople in the operating units worldwide. And of course they work closely together with the Compliance Officers, who disseminate our key messages and support the compliance managers by acting as strategic business partners and providing a "helping hand."

[...]

At thyssenkrupp AG four compliance departments have been installed:

- The Department Awareness & Prevention is responsible for the strategic development of the Compliance Program for the core areas of corruption prevention, antitrust law, data protection and money laundering prevention as well as the monitoring of so-called other compliance topics. In addition to knowledge-sharing

and standardizing advice on core compliance issues, our tasks also include developing Group-wide guidelines and providing training concepts.

**[7] External Reviews: Transparency International – Leadership (1.4) (Webpage)**

Accessed on 26/07/2019

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership>

Our Chief Compliance Officer, who is responsible for the operational implementation and further development of the Compliance programme, reports to the Group General Counsel who reports directly to the Executive Board member responsible for Legal & Compliance, Oliver Burkhard. There is regular reporting on Compliance topics at every Board meeting, at quarterly intervals also with a specific Compliance report. These quarterly reports give detailed insight into Compliance activities and internal as well as external audit results and are formally reviewed and acknowledged by the Board. The Chief Compliance Officer – depending on the topics – participates in Board Meetings as well as on behalf of the Executive board in Audit Committee Meetings of the Supervisory Board.



Question
<b>1.4. Is responsibility for implementing and managing the company's anti-bribery and corruption programme ultimately assigned to a senior executive, and does he or she have a direct reporting line to the board or board committee providing oversight of the company's programme?</b>
Score
<b>2</b>
Comments
<p>There is evidence that a designated senior executive – the Chief Compliance Officer – has ultimate responsibility for implementing and managing the company's anti-bribery and corruption programme and that this person has a direct reporting line to the Executive Board member responsible for Legal &amp; Compliance. There is evidence of reporting and feedback activities between this person and the board as part of the company's reporting structure through participation in Board and Audit Committee meetings. This person is also responsible for a larger network of compliance managers and officers in different Group companies and business divisions.</p>
Evidence
<p><b>[67] Annual Report 2018-2019</b>  Accessed 26/11/2019  <a href="https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf">https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf</a>  [p.20] Up to the end of the 2018/2019 fiscal year the Chief Compliance Officer, who is responsible for the management of the compliance program, reported directly to the Executive Board member with special responsibility for compliance since 2014, Dr. Donatus Kaufmann. As of October 1, 2019 the Chief Human Resources Officer (CHRO) of thyssenkrupp AG is responsible for the compliance function.</p> <p><b>[7] External Reviews: Transparency International – Leadership (1.4) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>  Our Chief Compliance Officer, who is responsible for the operational implementation and further development of the Compliance programme, reports to the Group General Counsel who reports directly to the Executive Board member responsible for Legal &amp; Compliance, Oliver Burkhard. There is regular reporting on Compliance topics at every Board meeting, at quarterly intervals also with a specific Compliance report. These quarterly reports give detailed insight into Compliance activities and internal as well as external audit results and are formally reviewed and acknowledged by the Board. The Chief Compliance Officer – depending on the topics – participates in Board Meetings as well as on behalf of the Executive board in Audit Committee Meetings of the Supervisory Board.</p> <p><b>[8] Compliance Organization (Webpage)</b>  Accessed on 30/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-organization">https://www.thyssenkrupp.com/en/company/compliance/compliance-organization</a>  The Chief Compliance Officer, Sebastian Lochen, is head of the Corporate Function Compliance at thyssenkrupp and reports directly to the Executive Board member of thyssenkrupp AG responsible for Legal &amp; Compliance, Dr. Donatus Kaufmann.</p> <p>Alongside more than 75 full-time Compliance staff members there are over 350 Compliance Managers worldwide. These are top executives of the individual Group companies (generally the CFO or Managing Director) who as part of the top leadership level are responsible for ensuring the right tone from the top. They represent compliance in the company and are our spokespeople in the operating units worldwide. And of course they work closely together with the Compliance Officers, who disseminate our key messages and support the compliance managers by acting as strategic business partners and providing a “helping hand.”</p> <p>The Compliance Officers and Regional Compliance Officers advise, inform, and educate employees around the world about the relevant laws and internal policies. They have access to a network of over 350 Compliance Managers, (generally) managing directors of Group companies, who ensure the compliance program is implemented at operating level in their areas of responsibility.</p> <p>To allow us to take into account local legal or cultural requirements, Regional Compliance Officers have been appointed for eleven regions. Some of these regions include several countries. The Regional Compliance Officers</p>

ensure close cooperation between the compliance departments of the operating companies and Group headquarters.

At the Group companies Compliance Managers are selected from among the top managers. As part of their corporate responsibility in forming a first line of defense, they are responsible for the implementation of the compliance policies. Based on defined roles and responsibilities, they are part of the compliance team and communicate closely with the full-time Compliance Officers.

## 2. Internal Controls

Question
<b>2.1. Is the design and implementation of the anti-bribery and corruption programme tailored to the company based on an assessment of the corruption and bribery risks it faces?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company has a formal bribery and corruption risk assessment procedure that informs the design of its anti-bribery and corruption programme. There is evidence that the results of such reviews are used to develop tailored mitigation plans and to update specific parts of the company's anti-bribery and corruption programme. The company states that its risk assessment procedure is continually updated. The company states that risk assessments are conducted continuously and that the results of these assessments are reviewed by the board at least quarterly.</p>
Evidence
<p><b>[9] External Reviews: Transparency International – Internal Controls (2.1a) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a></p> <p>With the appointment of Dr. Donatus Kaufmann in 2014 as Executive Board member responsible for Legal &amp; Compliance the Compliance function initiated a broad-based process for the strategic development of our Compliance approach. Starting point was a broad-based risk analysis that was carried out in the entire Group on a bottom-up basis. The aim was to make the specific challenges for implementing an effective Compliance programme visible for each and every unit, particularly in our priority regions, and to create the conditions for the efficient management of our Compliance activities. This also included a detailed analysis of all Compliance risks actually confronting us. With our bottom-up risk assessment, we developed a risk map which creates a significant benefit and has a major importance for our daily work. The process and the results of the risk assessment were discussed in depth with the Executive Board and presented in the Audit Committee of the Supervisory Board.</p> <p>The risk analysis and the correlating risk map are continuously updated with the help of internal and external audits as well as with the results and experiences from workshops and business advice in our daily Compliance work. This leads to a continuous re-assessment of Compliance risks at thyssenkrupp. The results are reported to the Executive Board as a whole and more specifically the Executive Board member responsible for Legal &amp; Compliance as well as the Supervisory Board and its Audit Committee for their review. As an example, we provide the Quarterly Compliance Report (for secrecy reasons we only show the agenda).</p> <p>Please see below for a screenshot of the thyssenkrupp Compliance Report Q1 2019/20:</p>

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### [10] External Reviews: Transparency International – Internal Controls (2.1b) (Webpage)

Accessed on 26/07/2019

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls>

*Does the company review its anti-bribery and corruption risk assessment procedure and update it when gaps and issues are identified?*

As stated above under 2.1 we developed a risk map with our Group wide bottom-up risk assessment in 2014, which is continuously updated with the help of internal and external audits as well as with the results and experiences from workshops, and business advice in our daily Compliance work as well as the results of the annual Group-wide assessment of the internal control system.

Based on our holistic understanding of the subject of Compliance, we also started with our strategy "Compliance 2020" initiative in the fiscal year 2013/2014: our ultimate goal is to establish Compliance in a more comprehensive and sustainable way throughout the Group. "Compliance 2020" also contains a specific focus on the areas of anti-corruption and anti-bribery. The initiative contains numerous measures including the further development of our global training concepts, the detailed implementation of Compliance into our business processes, as well as a target group-oriented communication.

Over the past few years, we have further conducted an extensive analysis of the cooperation with our sales agents (especially in the marine sector). This is in particular due to media-effective cases such as the "Israel" case, which made us aware of potential improvements in our Compliance programme, but also serves to illustrate our approach to further developing our Compliance programme:

Due to the “Israel” case inter alia, we today carry out extensive Compliance checks before hiring sales agents. By means of complex verification processes, we have the opportunity to identify risks as early as possible and to minimize them as far as possible. If there are indications of irregularities, we investigate them in full at any time and may sort out doubtful business partners from the outset. Furthermore, we insist on very clear contractual terms with our sales agents, especially with regard to the adherence of antitrust and anti-corruption laws as well as the performance records to be delivered.

**[64] Compliance program (Webpage)**

Accessed 26/11/2019

<https://www.thyssenkrupp.com/en/company/compliance/program>

The three pillars of our compliance program

*Identify*

The “Identify” pillar of the compliance program focuses on regularly reviewing critical business operations based on a risk-oriented, structured audit process.

In addition, in the 2013/2014 fiscal year we carried out a targeted Groupwide risk assessment. Based on a detailed questionnaire the Compliance team analyzed objective risks, mainly in the areas of antitrust law and corruption prevention, and the degree of implementation of the compliance program at the Group companies. In a second step, workshops were held at over 100 Group companies, in which measures were developed to address and reduce the risks identified.

An additional element in the identification of compliance risks is our whistleblowing system. Alongside the options of directly contacting a supervisor or the compliance department, this provides employees with a further channel for reporting possible infringements of laws or policies without revealing their identity.

**[65] Compliance Strategy**

Accessed 26/11/2019

<https://www.thyssenkrupp.com/en/company/compliance/compliance-strategy>

In the 2013/2014 fiscal year we carried out a Groupwide bottom-up risk assessment. Based on a detailed questionnaire the Compliance team analyzed objective risks, mainly in the areas of antitrust law and corruption prevention, and the degree of implementation of the compliance program at the Group companies. In a second step, workshops were held at over 100 Group companies, in which measures were developed to address the risks identified.

The results of the risk analysis enable compliance activities to be managed in a very targeted and efficient way, both at Group level and in the regions. The business areas can include the results of the analysis in their strategies and manage their business activities on a risk-oriented basis. At operating level, the responsible officers can focus more on risk aspects in day-to-day business and reduce compliance risks.

Question
<b>2.2. Is the company's anti-bribery and corruption programme subject to regular internal or external audit, and are policies and procedures updated according to audit recommendations?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company's compliance programme is subject to a regular audit process to ensure that it is consistent with best practice and the business risks facing the company. This includes provisions for continuous improvement and is supplemented by external audits. The company's annual reports show that it conducted such audits in 2017/18 and 2018/19. The company states that high level audit findings are presented to the board on at least a quarterly basis, and that ownership for implementing recommended changes is assigned to the Corporate Compliance Department.</p>
Evidence
<p><b>[11] External Reviews: Transparency International – Internal Controls (2.2) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a></p> <p>It is particularly important to us to continuously exchange ideas with external experts. Our Compliance approach has not only been certified as "suitable", but also as "effective" and thus the highest rating - as certified by independent specialized experts. We were one of the first companies to be certified according to the IDW testing standard PS 980. It is written in our Annual Report 17/18, p. 97, 98, and therefore certified by an auditor, that our Compliance programme comprises the three elements "inform &amp; advise", "identify", and "report &amp; act". "Identify" refers to the aspect, that in the reporting year, our Compliance Officers once again conducted proactive and event-driven audits and investigations. The aim of these is to regularly examine critical business operations based on a risk-oriented, structured audit process.</p> <p>Furthermore, pursuant to the German Commercial Code (HGB = Handelsgesetzbuch) an independent auditor has to also assess the company's tools against bribery and corruption for the mandatory independent auditor's report on the consolidated financial statements.</p> <p>At thyssenkrupp, every internal and external audit report contains recommendations to business processes as well as individual behaviour. These are constantly reviewed by our Compliance Department to further evolve and update our set of guidelines and policies, training material etc. In the end, internal and external audits are part of our regular "Plan-Do-Check-Act" improvement cycle to regularly re-evaluate and adapt our policies and procedures as well as the whole Compliance management system. The ownership of the whole process which is run by the Corporate Compliance Department lies with the Chief Compliance Officer, ultimately reporting to the Executive Board as a whole with the specific oversight by the Executive Board member responsible for Legal &amp; Compliance.</p> <p>Therefore, the Executive Board as a whole and more specifically the Executive Board member responsible for Legal &amp; Compliance as well as the Supervisory Board and its Audit Committee also review the results of internal and external audits as well as the measures taken on at least a quarterly basis. As an example, we provide the Quarterly Compliance Report (for secrecy reasons we only show the agenda, audit results are covered by the section "Identify").</p> <p>Please see below for a screenshot of the thyssenkrupp Compliance Report Q1 2019/20:</p>

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### [13] External Reviews: Transparency International – Internal Controls (2.3) (Webpage)

Accessed 19/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls>

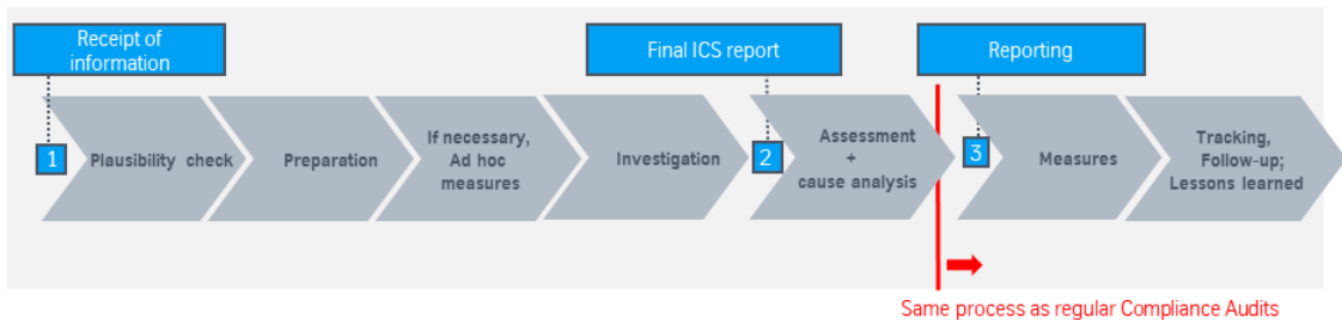
The Compliance Organisation at thyssenkrupp also comprises its own Investigations Department which – in close collaboration with internal auditing – systematically tracks, investigates and responds to bribery and corruption allegations or incidents, explicitly including those reported through our various whistleblowing channels.

A schematic overview of this end-to-end investigation procedure from receipt of a whistleblowing notice to the final outcome can be found here.

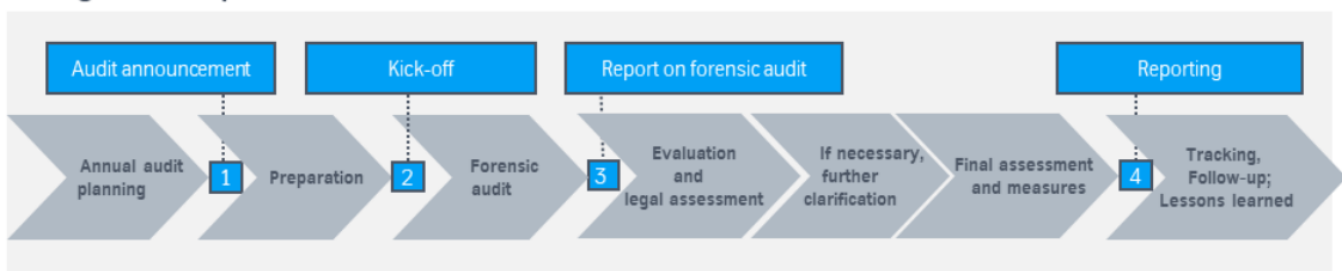
Please see below a screenshot regarding our investigation procedures:

## Department Investigations – how we do it

### Event-driven Compliance Investigations



### Regular Compliance Audits



#### [67] Annual Report 2018-2019

Accessed 26/11/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web\\_neu.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf)

[p.17] The financial statement documents and audit reports for the 2018/2019 fiscal year were discussed in detail in the meetings of the Audit Committee on November 18, 2019 and the Supervisory Board on November 20, 2019. The auditors reported on the main findings of their audit. They also outlined their findings on the internal control and risk management system in relation to the accounting process as well as the risk early detection system, and were available to answer questions and provide additional information. The Chairman of the Audit Committee reported in depth at the full Supervisory Board meeting on the Audit Committee's examination of the parent company and consolidated financial statements.

[p.21] The 3rd line of defense is Corporate Function Internal Auditing, which independently reviews the appropriateness and efficiency of the processes and systems implemented by the other two lines of defense. The head of Corporate Internal Auditing reports on the auditing function to the Audit Committee once a year. Internal Auditing itself is subject to an external quality audit every five years; the last audit took place in spring 2015.

[p.111] "Identify": In the reporting year our compliance officers once again conducted proactive and event-driven audits and investigations. The aim of these is to regularly examine critical business operations based on a risk-oriented, structured audit process. Key elements in the identification of compliance risks are our internal whistleblower system and the ombudsman. Alongside the options of directly contacting a supervisor or the compliance department, these provide employees with additional channels for reporting possible infringements of laws or policies without revealing their identity.

#### [12] Annual Report 2017/2018 (Document)

Accessed 30/07/2019

<https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf>

[p.98] "Identify":

In the reporting year our compliance officers once again conducted proactive and event-driven audits and investigations. The aim of these is to regularly examine critical business operations based on a risk-oriented, structured audit process. Key elements in the identification of compliance risks are our internal whistleblower system and the ombudsman. Alongside the options of directly contacting a supervisor or the compliance



department, these provide employees with additional channels for reporting possible infringements of laws or policies without revealing their identity. Our new ombudsman since October 2017 is attorney-at-law Dr. Carsten Thiel von Herff. He succeeded attorney-at-law Dr. Dietrich Max an, who had held this function since April 2013.

**[66] Audit Reports (Webpage)**

Accessed 26/11/2019

<https://www.thyssenkrupp.com/en/company/compliance/audit-reports>

*External assessments of our compliance program*

In July 2013, thyssenkrupp agreed with Deutsche Schutzvereinigung für Wertpapierbesitz e.V. and the shareholder Christian Strenger, whose motions for a special audit were rejected by the Annual General Meeting in January 2013, to carry out a voluntary special audit – with the aim of creating sustainable value for thyssenkrupp and its shareholders.

The special audit looked into the basic structure of the improved internal control system with regard to its appropriateness in preventing compliance infringements in the future, the status of implementation of certain recommendations in the compliance management system, as well as the appropriateness of the investment control process for future large investment projects and the associated reporting to the Supervisory Board.

[...]

Taking into account the dynamic change process at thyssenkrupp, the special auditors conclude in their report that the systems and processes examined have been intensively enhanced, and the concepts and planned measures are constructive. The auditors confirm that the further development of the compliance-relevant internal control system in particular is well advanced, and find the compliance function to be professionally organized and appropriately staffed.

*IDW PS 980 assessment 2011*

thyssenkrupp has subjected its Groupwide compliance program to an examination by KPMG AG according to the Compliance standard PS 980 of the Institute of Public Auditors in Germany (Institut der Wirtschaftsprüfer, "IDW") in relation to the areas of antitrust and anticorruption law, with the period under review being April to September 2011.

The examination involved auditing the appropriateness of the design and implementation, as well as auditing the effectiveness of the thyssenkrupp compliance program, which is the most intensive audit type of IDW PS 980. Due to particular regulations in the USA and Canada, group companies there have not been part of the audit.

KPMG issued an attestation according to which the thyssenkrupp Compliance Management System has been appropriately implemented and effective in the period under review. As far as recommendations have been issued on the ground of findings, their implementation will be subject to review. The report of KPMG is available for download.

**Question**

**2.3. Does the company have a system for tracking, investigating and responding to bribery and corruption allegations or incidents, including those reported through whistleblowing channels?**

**Score**

1

**Comments**

There is some evidence that the company has a system for tracking, investigating and responding to bribery and corruption allegations or incidents, including those reported through whistleblowing channels. There is some evidence that the company documents investigations and updates whistleblowers on progress. There is evidence that investigations are handled by an independent team. The company publishes an overview of its investigations process, from receipt to final outcome.

However, there is no publicly available evidence that a central body reviews summary information on investigations on a regular or annual basis.

**Evidence**

**[13] External Reviews: Transparency International – Internal Controls (2.3) (Webpage)**

Accessed 19/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls>

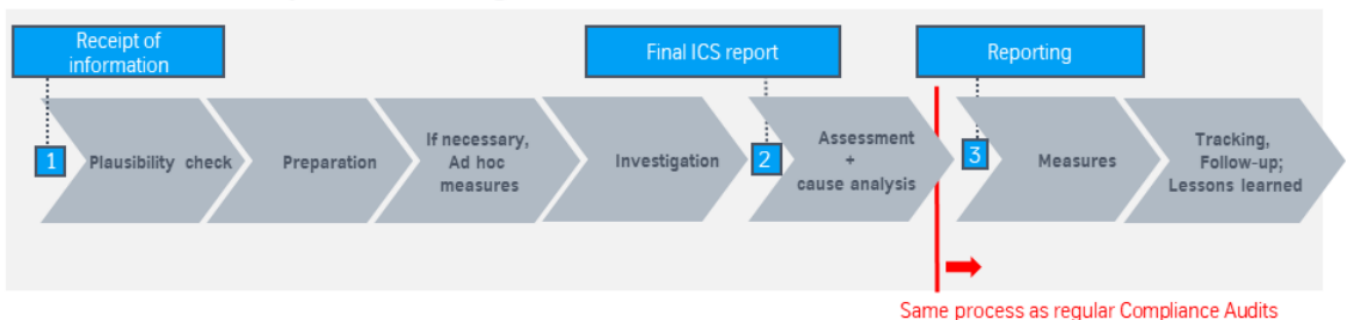
The Compliance Organisation at thyssenkrupp also comprises its own Investigations Department which – in close collaboration with internal auditing – systematically tracks, investigates and responds to bribery and corruption allegations or incidents, explicitly including those reported through our various whistleblowing channels.

A schematic overview of this end-to-end investigation procedure from receipt of a whistleblowing notice to the final outcome can be found here.

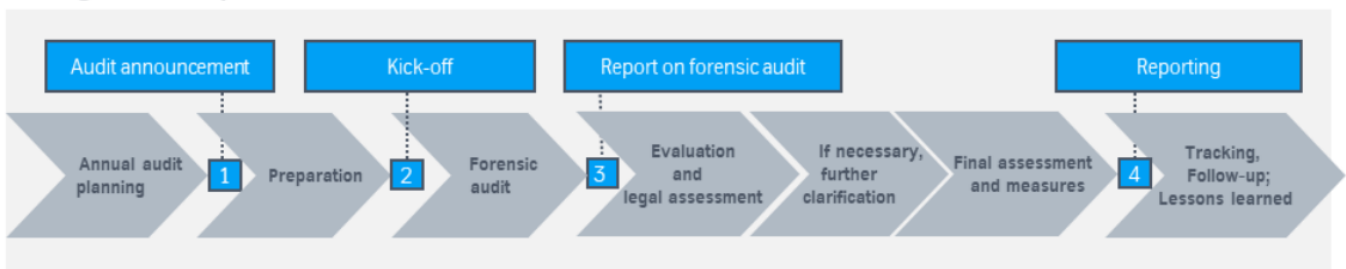
Please see below a screenshot regarding our investigation procedures:

## Department Investigations – how we do it

### Event-driven Compliance Investigations



### Regular Compliance Audits



"In a healthy corporate and management culture, commitment and shared values go hand-in-hand. Violations of the law or internal rules are not compatible with our understanding of Compliance. The following rules therefore apply unequivocally:

We systematically investigate all reports of legal violations and clear up the facts.

Employees who report possible legal violations in good faith enjoy special protection from unfair treatment.

Any violations identified are stopped without delay.

Any violations identified are systematically and appropriately sanctioned as necessary, regardless of the name and function of the person involved."

Bona fide reports help counteract violations at an early stage and limit the damage for our company, our employees, and our business partners. We have therefore set up several channels for contacting us – anonymously if required – to report infringements. This system for reporting information is open to all thyssenkrupp employees as well as third parties such as customers, suppliers and others. thyssenkrupp and the Corporate Function Compliance safeguard the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by the Corporate Function Compliance at thyssenkrupp AG will be treated in confidence. We also provide assurance that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.

During its investigations, thyssenkrupp will also strive to protect the legitimate interests of other persons affected by a disclosure. Casting suspicion on another person can have serious consequences for that person. It is therefore essential that the Whistleblowing System is used responsibly.

The Executive Board as a whole and more specifically the Executive Board member responsible for Legal & Compliance as well as the Supervisory Board and its Audit Committee review the results of internal and external audits as well as the measures taken on at least a quarterly basis. As an example, we provide the Quarterly Compliance Report (for secrecy reasons we only show the agenda, audit results are covered by the section "Identify).

Please see below for a screenshot of the thyssenkrupp Compliance Report Q1 2019/2

## Executive Board of thyssenkrupp AG

Board meeting on 23 January 2020

thyssenkrupp compliance report - quarterly report Q1 2019/20

Dr. Sebastian Lochen  
Chief Compliance Officer

engineering.tomorrow.together.

- CONFIDENTIAL -



### Table of contents



1	Corporate Function Legal & Compliance from 1 January 2020
2	Compliance top-down risk assessment
3	Inform & advise
4	Identify
5	Administrative proceedings

#### [14] Submitting a Report (Webpage)

Accessed on 29/03/2020

<https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report>

Bona fide reports help counteract violations at an early stage and limit the damage for our company, our employees, and our business partners. We have therefore set up several channels for contacting us – anonymously if required – to report infringements.

This system for reporting information is open to all thyssenkrupp employees as well as third parties such as customers, suppliers, and others.

thyssenkrupp and the corporate function compliance safeguard the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by the Corporate Function Compliance at thyssenkrupp AG will be treated in confidence, and that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.

#### [8] Compliance Organization (Webpage)

Accessed on 30/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/compliance-organization>

The Investigation department takes care of routine compliance audits and investigations into suspected infringements. Any information concerning infringements of the thyssenkrupp compliance program is addressed and investigated on the basis of defined processes and procedures.

**[15] Compliance at thyssenkrupp – please give us your support (English) (Webpage)**

Accessed on 01/09/2019

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11>

*Will I receive feedback/information on the process status?*

Yes, if you set up a secured postbox.

As part of your report submission, you can set up a secured postbox. This postbox will be used by a thyssenkrupp Compliance Officer to give progress reports or ask further questions should there be any aspect requiring further clarification.

You can access your secured postbox by clicking on the "Login" button and entering the personal pseudonym/username and password you chose when you submitted your report. This ensures that, if desired, you remain anonymous during any subsequent dialogue with our Compliance Department.

**[16] External Reviews: Transparency International – Internal Controls (2.4) (Webpage)**

Accessed 19/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls>

Our Compliance Officers in the Investigations Department have a professional background in either law or economics or other related studies. They continuously receive trainings covering updates of applicable laws and investigation techniques. In case of complaints about the investigation procedure, the Head of the Investigation Department and the Chief Compliance Officer are overseeing complaints. Ultimately, all Compliance processes including the investigations process are subject to the review of internal auditing

To ensure independent investigation at all times, our Investigation Department is further strictly separated from the preventive part of our Compliance Organisation in charge inter alia for Compliance advice.

Our investigations process as a whole is regularly reviewed, especially as a response to changes in the regulatory environment, recently due to the introduction of the General Data Protection Regulation.

For verification, see Appendix 1/7 of external Compliance Auditing IDW PS 980.

Important related documents and links:

Audit reports

Question
<b>2.4. Does the company have appropriate arrangements in place to ensure the quality of investigations?</b>
Score
<b>2</b>
Comments
<p>There is some evidence that the company assures itself of the quality of its internal investigations and that the staff conducting investigations are properly trained and qualified. The company states that its Head of the Investigation Department and Chief Compliance Officer oversee the handling of complaints about the investigations process. The company additionally states that it reviews its investigations process regularly and in response to any changes in the regulatory environment.</p>
Evidence
<p><b>[16] External Reviews: Transparency International – Internal Controls (2.4) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>  Our Compliance Officers in the Investigations Department have a professional background in either law or economics or other related studies.</p> <p>They continuously receive trainings covering updates of applicable laws and investigation techniques. In case of complaints about the investigation procedure, the Head of the Investigation Department and the Chief Compliance Officer are overseeing complaints. Ultimately, all Compliance processes including the investigations process are subject to the review of internal auditing</p> <p>To ensure independent investigation at all times, our Investigation Department is further strictly separated from the preventive part of our Compliance Organisation in charge inter alia for Compliance advice.</p> <p>Our investigations process as a whole is regularly reviewed, especially as a response to changes in the regulatory environment, recently due to the introduction of the General Data Protection Regulation. For verification, see Appendix 1/7 of external Compliance Auditing IDW PS 980.</p> <p>Important related documents and links:</p> <p>Audit reports</p>
<p><b>[15] Compliance at thyssenkrupp – please give us your support (English) (Webpage)</b>  Accessed on 01/09/2019  <a href="https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11">https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11</a>  This whistleblowing system is operated by Business Keeper AG in Berlin, an external provider acting on behalf of thyssenkrupp AG. The system is certified regularly by external experts with respect to its data security and protection.</p>
<p><b>[17] Audit Report, 30 September 2011 (Abridged Translation) (Document)</b>  Accessed on 26/07/2019  <a href="https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf">https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf</a>  [p. 23] The Corporate Center Legal &amp; Compliance, headed by the Chief Compliance Officer Dr. Kremer, has two departments currently with 9 full-time Compliance Officers, one of which ("Department Compliance Program &amp; Investigation") is devoted to circumstantial Compliance audits, fundamental issues and investigations in case of suspicion, while the other ("Department Compliance Business Areas") focuses on consultancy and training. In all Business Areas, one member of the Business Area Executive Board (generally the member responsible for finance) is appointed as a so-called Compliance Executive. He or she is regularly informed about the Compliance status of their Business Area and serves as a point of contact for the implementation of Compliance measures (such as investigating the training requirements, audit planning, required actions in case of Compliance investigations) in relation to their Business Area. The Compliance Officers and Compliance Executives hold regular meetings, at least once a quarter and additionally when needed.</p>

Question
<b>2.5. Does the company's investigative procedure include a commitment to report material findings of bribery and corruption to the board and any criminal conduct to the relevant authorities?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company reports material findings of bribery and corruption from investigations to the board. The company states that its Chief Compliance Officer is responsible for ensuring that the disclosure of criminal offences to relevant authorities is evaluated and acted upon if necessary.</p>
Evidence
<p><b>[18] External Reviews: Transparency International – Internal Controls (2.5) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>  Material findings of bribery and corruption are reported to the thyssenkrupp AG Executive Board and to the Supervisory Board according to a clearly defined process.</p> <p>A cooperative relationship with public authorities is important for us. thyssenkrupp is considering itself a good corporate citizen. The Chief Compliance Officer – ultimately under the oversight of the Executive Board – is responsible for ensuring that the disclosure of criminal offences to relevant authorities is evaluated and acted upon if necessary or reasonable. To provide a recent example: in the investigations carried out by the Israel state attorney in connection with naval projects thyssenkrupp shared internal findings with the relevant public authorities in Germany and Israel by handing over the preliminary internal investigation report.</p> <p>Important related documents and links:</p> <p>Compliance (Annual Report 17/18)</p> <p><b>[64] Compliance program (Webpage)</b>  Accessed 26/11/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/program">https://www.thyssenkrupp.com/en/company/compliance/program</a>  The three pillars of our compliance program</p> <p><i>Report &amp; Act</i>  The third pillar, "Report &amp; Act", encompasses intensive compliance reporting in all three dimensions of our organizational matrix. In the event of proven antitrust law infringements or corruption, our "zero tolerance" policy applies: Sanctions are systematically imposed on the employees concerned.</p> <p><b>[67] Annual Report 2018-2019</b>  Accessed 26/11/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf</a>  [p.112] "Report &amp; act": As well as our regular reports to the Supervisory Board and Audit Committee, our intensive compliance reporting covers all levels of our organizational matrix: Executive Board of thyssenkrupp AG, business area boards, Group company managements, and regional officers and project managers with market responsibility. In the event of proven infringements, our "zero tolerance" policy applies: Where necessary, sanctions are systematically imposed on those concerned.</p> <p><b>[17] Audit Report, 30 September 2011 (Abridged Translation) (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf</a>  [p. 23] The Corporate Center Legal &amp; Compliance, headed by the Chief Compliance Officer Dr. Kremer, has two departments currently with 9 full-time Compliance Officers, one of which ("Department Compliance Program &amp; Investigation") is devoted to circumstantial Compliance audits, fundamental issues and investigations in case of suspicion, while the other ("Department Compliance Business Areas") focuses on consultancy and training. In all Business Areas, one member of the Business Area Executive Board (generally the member responsible for finance)</p>

is appointed as a so-called Compliance Executive. He or she is regularly informed about the Compliance status of their Business Area and serves as a point of contact for the implementation of Compliance measures (such as investigating the training requirements, audit planning, required actions in case of Compliance investigations) in relation to their Business Area. The Compliance Officers and Compliance Executives hold regular meetings, at least once a quarter and additionally when needed.



Question
<b>2.6. Does the company publish high-level results from incident investigations and disciplinary actions against its employees?</b>
Score
<b>1</b>
Comments
<p>The company publishes some high-level information on its ethics and compliance-related incident reports received, including through whistleblowing channels, and subsequent investigations involving company employees at all levels, including board members.</p> <p>However, the data is insufficiently detailed, and does not include exact figures of the number of reports received, the number of investigations launched, and the number of disciplinary actions as a result of investigation findings. There is also no evidence that the company publishes this data on an annual basis.</p>
Evidence
<p><b>[19] External Reviews: Transparency International – Internal Controls (2.6) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a></p> <p>We publish high-level investigation results in an aggregated way also publicly. Depending on the case at hand and subject to legal requirements and restrictions, we also consider publicly reporting or commenting on individual actions.</p> <p>On average, we have received a lower three-digit number of whistleblowing reports via our different whistleblowing channels annually over the last years. This information applies to employees at all levels, it would also include board members if applicable. We investigate every single case thoroughly. In case of proven violations of our policies or even legal violations, action is taken to remedy the violation immediately, risks are eliminated or at least mitigated and individual sanctions on employees imposed which might range from warnings to immediate dismissals. Where appropriate we also consider suing former employees for damages they have caused to thyssenkrupp.</p> <p>As an example of the transparent way in which we also communicate incidents to the public, we refer to an interview with our Management Board Member Dr. Dontatus Kaufmann on November 17, 2018, who commented as follows on the question of the extent to which our whistleblowing system is used:  “How much is your whistleblower system used?”</p> <p>Kaufmann: “We have around 120 reports a year, some of them anonymous, but only a small proportion of which turns out to be really Compliance-relevant. More important are the 15,000 requests for advice from employees to the Compliance team every year. This shows that Compliance is already very well integrated into our business processes... For example, when the steel joint venture with Tata was initiated, the experts repeatedly sought advice on how to deal with the competitor. Tata remains a competitor until the transaction is completed. The exchange of sensitive data can quickly become an antitrust problem. It is the task of our more than 75 Compliance employees to provide orientation here and to design the processes.”</p>

### 3. Support to Employees

Question
<b>3.1. Does the company provide training on its anti-bribery and corruption programme to all employees across all divisions and geographies, and in all appropriate languages?</b>
Score
<b>2</b>
Comments
<p>There is some evidence that the company provides a training module that outlines the basic principles of its anti-bribery and corruption policy, including the whistleblowing options available to employees. The company states that training is delivered to all employees across all divisions and countries of operation, and in all appropriate languages. Although the company does not provide a specific timeframe, there is evidence that employees undertake training regularly (at least every three years).</p>
Evidence
<p><b>[20] External Reviews: Transparency International – Support to Employees (3.1) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>  Regular risk-based training is an integral part of our Compliance programme. We provide basic training on our anti-bribery and corruption programme to employees across different divisions and geographies in all appropriate languages.</p> <p>Our employees are informed about our Compliance requirements, potential risks, possible sanctions and all of our options to file a whistleblowing report. The requirements are based on the relevant laws as well as our Group wide policies. They also have the aim to implement international standards. They cover for example rules for dealing with competitors and business partners, responding to invitations and gifts as well as the prohibition of facilitation payments.</p> <p>All of our trainings are provided on a rolling basis, especially our in-class trainings for our focus groups. We regularly conduct e-learning, currently the fourth group-wide round of anti-corruption e-learning since 2007. The number of completed in-class trainings and e-learning courses is reported on an annual basis in the group's annual reports:</p> <p>Important related documents and links:</p> <p>Annual report 2018/2019, p. 111  Annual report 2017/2018, pp. 97/98  Annual report 2016/2017, p. 96</p> <p><b>[64] Compliance program (Webpage)</b>  Accessed 26/11/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/program">https://www.thyssenkrupp.com/en/company/compliance/program</a>  The three pillars of our compliance program</p> <p><i>Inform &amp; Advise</i>  Central components of the "Inform" pillar of our compliance program are the antitrust law and corruption prevention training programs carried out by the compliance officers. In the programs, employees are informed about compliance requirements, risks, and possible sanctions. The requirements are based on law and our Groupwide policies. They also serve the implementation of international standards. They cover for example rules for dealing with competitors and business partners and responding to invitations and gifts, as well as the prohibition of facilitation payments.</p> <p>In the fiscal year 2017/2018, around 5,500 employees worldwide attended classroom courses, mainly on antitrust law and corruption prevention. In addition we continued the fourth cycle of the e-learning program on corruption prevention and antitrust law launched in November 2015. A total of more than 112,000 courses, net of disposals, were completed by the end of the fiscal year.</p>

**[8] Compliance Organization (Webpage)**

Accessed on 30/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/compliance-organization>

- The Regions department strengthens our compliance advice activities in high-risk regions through regional compliance officers who, acting at local level and with knowledge of local laws and culture, advise selected foreign thyssenkrupp companies and carry out training programs on compliance-related issues.

In the business areas, compliance advice and classroom training are provided by centrally responsible compliance officers, who report directly to the Chief Compliance Officer.

Question
<b>3.2. Does the company provide tailored training on its anti-bribery and corruption programme for at least the following categories of employees:</b> <b>a) Employees in high risk positions,</b> <b>b) Middle management,</b> <b>c) Board members.</b>
Score
1
Comments
<p>There is evidence that the company tailors its anti-bribery and corruption training programme to the different levels of risk facing employees in different roles, with specific reference to the three categories of employee referred to in the question.</p> <p>However, the company states that employees in high-risk positions must refresh their training in this area regularly but does not specify if this occurs on at least an annual basis.</p>
Evidence
<p><b>[21] External Reviews: Transparency International – Support to Employees (3.2) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a></p> <p>Regular risk-based training is an integral part of our Compliance programme. We provide continuously differentiated, target group oriented face-to-face classroom trainings and Compliance Principles Workshops which are especially aimed to create the adequate Compliance awareness with employees in high-risk positions, middle management as well as board members. The Compliance function also conducts so-called face-to-face Compliance onboarding interviews with employees in the above-mentioned categories who are specifically exposed to Compliance risks. On top of that, target-group specific trainings are developed for high-risk positions, e.g. a special eLearning course designed for employees in procurement positions.</p> <p>All of our trainings are provided on a rolling basis, especially our in-class trainings for our focus groups. We regularly conduct e-learning, currently the fourth group-wide round of anti-corruption e-learning since 2007. The number of completed in-class trainings and e-learning courses is reported on an annual basis in the group's annual reports:</p> <p>Important related documents and links:</p> <p>Annual report 2018/2019, p. 111  Annual report 2017/2018, pp. 97/98  Annual report 2016/2017, p. 96</p> <p>-&gt; Compliance eLearning Programme Guidelines, p. 8, 11:</p> <p>Page 8:</p>



## 5. Currently active Compliance eLearning courses

### 5.1 Anti-corruption (2015)

**Learning objective:** The Compliance eLearning anti-corruption has the objective to inform employees, who could potentially come into contact with compliance issues, on compliance risks and to offer them advice on how they can protect themselves against corruption. The eLearning has been completely reviewed in 2015 and addresses on the one hand new employees and on the other hand, for the refreshment of their compliance knowledge, employees who have finished the Compliance eLearning before.

After the last content page a number of questions provide a testing of the personal knowledge.

**Content:**

- Compliance at thyssenkrupp
- Why corruption prevention?
- Legal norms
- What is corruption?
- Corruption-related risks
- Consequences of violations
- Cases
- Test

**Learning duration:** The time required is about 60 minutes. The learning program can be paused anytime and continued at a later time.



## Appendix: Catalogue of compulsory participants

This appendix defines which employees must be registered for the Compliance eLearning programs as compulsory participants. As a general rule, all employees subject to compliance risks must complete the corresponding eLearning course covering said risk. Section a. "Compulsory participants" provides detailed criteria for each eLearning. Section b. "Examples of compulsory participants" gives an indicative list of employees / departments, which fall within the scope of each eLearning.

### a. Compulsory participants

#### i) Anti-corruption (2015)

All employees to whom one of the following **criteria** applies must be registered for the **anti-corruption eLearning** course:

- The employee in question is in direct contact with customers / suppliers or service providers.
- The employee can directly or indirectly influence acquisition or sales processes.
- The employee has a duty or responsibility towards thyssenkrupp, which
  - allows him or her to conclude contracts with third parties on behalf of thyssenkrupp.
  - allows him or her to transfer a financial advantage or disadvantage to another thyssenkrupp employee or a third party.

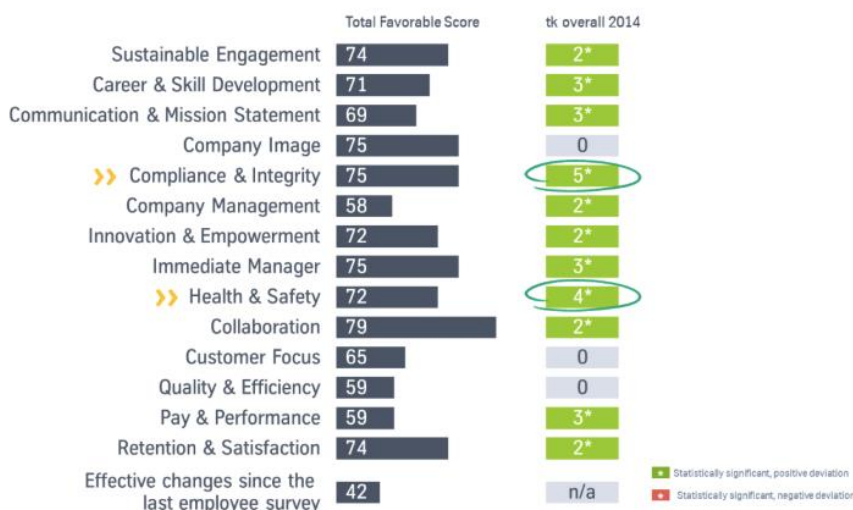
#### [17] Audit Report, 30 September 2011 (Abridged Translation) (Document)

Accessed on 26/07/2019

<https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf>

[p. 97] Numerous Compliance 2020 Strategy measures were implemented in the past fiscal year. One was the company-wide roll-out of an e-learning program for compliance managers. It is designed to inform them about their duties in even more detail and – in combination with our new compliance toolbox – provide them with a wide range of aids to help them perform their role effectively and efficiently.



Question																																																
3.3. Does the company measure and review the effectiveness of its anti-bribery and corruption communications and training programme?																																																
Score																																																
2																																																
Comments																																																
<p>There is evidence that the company reviews its anti-bribery and corruption communications and personnel training programme through KPI measures of participant and fulfilment rates. In addition, the company reviews the effectiveness of training through staff evaluations, surveys and workshops. The company commits to assuring itself of this on a continuous basis. There is evidence that the results of such reviews are used to update specific parts of the company's anti-bribery and corruption communications and training programme.</p>																																																
Evidence																																																
<p><b>[22] External Reviews: Transparency International – Support to Employees (3.3) (Webpage)</b> Accessed on 26/07/2019 <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a></p> <p>Our Compliance function has its own "Projects, Reporting &amp; Processes" Department, whose tasks include monitoring the effectiveness of our Compliance work by continuously measuring different KPIs such as participant and fulfilment rates. The results are reported to the Board at least on a quarterly basis and are used to continuously update our programme.</p> <p>We measure and review the effectiveness and continuous participation of our anti-bribery and corruption communications and training programme systematically, e.g. by staff surveys or workshops.</p> <p>For example, at the end of each training course, an evaluation is carried out with the participants. Compliance is also part of a regular, Group wide employee survey. The Compliance Department achieved an outstanding result in the last Group wide employee survey in 2016, even improving vis-à-vis the already positive result of the 2014 survey, as shown in the graph below:</p> <div><table><thead><tr><th></th><th>Total Favorable Score</th><th>tk overall 2014</th></tr></thead><tbody><tr><td>Sustainable Engagement</td><td>74</td><td>2*</td></tr><tr><td>Career &amp; Skill Development</td><td>71</td><td>3*</td></tr><tr><td>Communication &amp; Mission Statement</td><td>69</td><td>3*</td></tr><tr><td>Company Image</td><td>75</td><td>0</td></tr><tr><td>Compliance &amp; Integrity</td><td>75</td><td>5*</td></tr><tr><td>Company Management</td><td>58</td><td>2*</td></tr><tr><td>Innovation &amp; Empowerment</td><td>72</td><td>2*</td></tr><tr><td>Immediate Manager</td><td>75</td><td>3*</td></tr><tr><td>Health &amp; Safety</td><td>72</td><td>4*</td></tr><tr><td>Collaboration</td><td>79</td><td>2*</td></tr><tr><td>Customer Focus</td><td>65</td><td>0</td></tr><tr><td>Quality &amp; Efficiency</td><td>59</td><td>0</td></tr><tr><td>Pay &amp; Performance</td><td>59</td><td>3*</td></tr><tr><td>Retention &amp; Satisfaction</td><td>74</td><td>2*</td></tr><tr><td>Effective changes since the last employee survey</td><td>42</td><td>n/a</td></tr></tbody></table><p>■ Statistically significant, positive deviation ■ Statistically significant, negative deviation</p></div>		Total Favorable Score	tk overall 2014	Sustainable Engagement	74	2*	Career & Skill Development	71	3*	Communication & Mission Statement	69	3*	Company Image	75	0	Compliance & Integrity	75	5*	Company Management	58	2*	Innovation & Empowerment	72	2*	Immediate Manager	75	3*	Health & Safety	72	4*	Collaboration	79	2*	Customer Focus	65	0	Quality & Efficiency	59	0	Pay & Performance	59	3*	Retention & Satisfaction	74	2*	Effective changes since the last employee survey	42	n/a
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<p><b>[10] External Reviews: Transparency International – Internal Controls (2.1b) (Webpage)</b> Accessed on 26/07/2019 <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a></p> <p>Does the company review its anti-bribery and corruption risk assessment procedure and update it when gaps and issues are identified?</p>																																																
[...]																																																

Based on our holistic understanding of the subject of Compliance, we also started with our strategy “Compliance 2020” initiative in the fiscal year 2013/2014: our ultimate goal is to establish Compliance in a more comprehensive and sustainable way throughout the Group. “Compliance 2020” also contains a specific focus on the areas of anti-corruption and anti-bribery. The initiative contains numerous measures including the further development of our global training concepts, the detailed implementation of Compliance into our business processes, as well as a target group-oriented communication.

**[65] Compliance Strategy**

Accessed 26/11/2019

<https://www.thyssenkrupp.com/en/company/compliance/compliance-strategy>

Our “Compliance 2020” strategy was initiated in the 2013/2014 fiscal year. Its aim is to embed compliance more extensively and sustainably throughout the Group.

To this end we continuously optimize our global training programs, promote the deeper integration of compliance into our business processes, and expand our targeted communications.



Question
<b>3.4. Does the company ensure that its employee incentive schemes are designed in such a way that they promote ethical behaviour and discourage corrupt practices?</b>
Score
<b>1</b>
Comments
<p>There is some evidence that the company incorporates ethical and anti-corruption principles in its incentive schemes for its employees and executives by way of ethical conduct evaluations as part of performance appraisals. The company states that incentives are denied on the basis of compliance infractions.</p> <p>However, there is no evidence that the company ensures that financial rewards are proportionate to the salaries of high-risk employees. Although the company indicates that more detail on these measures can be found in an appendix, this document is not publicly available.</p>
Evidence
<p><b>[23] External Reviews: Transparency International – Support to Employees (3.4) (Webpage)</b>  Accessed 19/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a></p> <p>Our Group wide incentives are calculated on both the achievements of financial targets as well as individual performance based targets. At management events, our Executive Board repeatedly addresses its clear claim that values and performance are two sides of the same coin.</p> <p>Targets have to be realistic in order to set the right incentives. Unrealistic targets encourage employees to go illegal ways. Therefore, Compliance is an integral part of the strategic and operational planning process to ensure a Group-wide realistic target setting.</p> <p>The planning process, which usually starts in November, is opened with a letter signed by the Chief Compliance Officer and the Head of the Strategy Department who point out that it is crucial that all suppositions are based on realistically attainable goals. An appendix further contains an overview of the process of Compliance involvement and Compliance measures along the individual stages of planning</p> <p>See an extract of the letter below:</p> <p><b>Compliance in the Strategic Dialog</b></p> <p>Dear Sir or Madam,</p> <p>Compliance risks and requirements are influenced significantly by business models, distribution and procurement channels, customer structures, geographical markets, and cooperation models.</p> <p>The scenarios elaborated in the context of the Strategic Dialog process can therefore have a significant influence on the type and scope of our compliance risks, especially in the fields of corruption and anti-money laundering, antitrust law, and data protection. It is also crucial that all suppositions in this planning process are based on realistically attainable goals.</p> <p>On this basis, we would like to strengthen and systematize the integration of compliance into the Strategic Dialog process even further.</p> <p>The appendix contains an overview of the measures along the individual stages of planning.</p> <p>It is important for you to ensure that the respective BA Compliance Officers are integrated into the planning process as soon as possible.</p> <p>We are sure that this will help to strengthen compliance at ThyssenKrupp further and prevent potential compliance risks in the strategically relevant areas in advance.</p> <p>If you have any further questions, please contact our Compliance Officers.</p>

At thyssenkrupp, we are incorporating our principles and values also into our appraisal processes, e.g. for our top executives which also includes those in high-risk roles. As an example, please see an extract of our central appraisal form:

## II. thyssenkrupp Values: Appreciation, Integrity, Credibility, Reliability, Consistency

- |   |   |   |   |   |
|---|---|---|---|---|
| <input type="checkbox"/> Handelt nicht immer im Sinne aller Werte | <input type="checkbox"/> Handelt im Sinne der Werte | <input type="checkbox"/> Stellt sicher, dass die Werte im eigenen Verantwortungsbereich gelebt werden | <input type="checkbox"/> Stellt sicher, dass die Werte gelebt werden und handelt als „Multiplikator“ auch über den eigenen Bereich hinaus | <input type="checkbox"/> Ohne Aussage (z. B. < 12 Monate in Position) |
|---|---|---|---|---|

Anmerkungen:

### Translation:

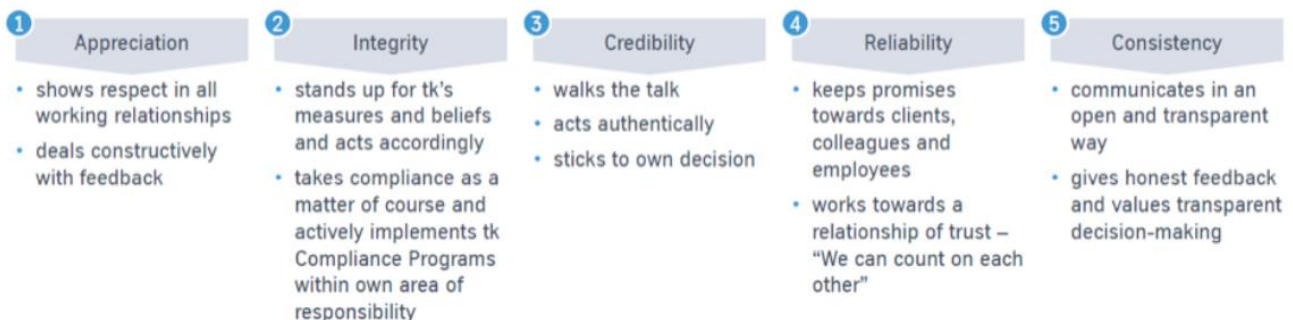
- does not always act in the sense of all values
- acts in the sense of values
- ensures that the values are lived within the company's own area of responsibility
- ensures that the values are lived and acts as a multiplier beyond your own area
- without statement

[end of translation, document continues in English]

The above-mentioned values are detailed out in order to give our executives guidance on what the company expects from them:

## The thyssenkrupp Values describe expectations towards our executives

### The executive ...



Furthermore, for the group's top executives the annual bonus is subject to the condition that no material compliance incidents, in or withhold the annual bonus at its reasonable discretion. The bonus may be reduced even if the respective particular no anti-trust violations or corruption cases, occur or are identified in the relevant assessment period in the business for which the respective executive is responsible. To this extent the company reserves the right to reduce executive is not personally accused of any breach of duty in connection with the respective compliance incident because it is part of the management responsibility to be accountable, regardless of fault, for observance of the thyssenkrupp compliance program in his/her area of responsibility.

Certainly, in cases where material compliance incidents result in the dismissal of the respective executive, all claims to payments from ongoing incentive schemes usually will lapse without replacement.

Question													
<b>3.5. Does the company commit to and assure itself that it will support and protect employees who refuse to act unethically, even when it might result in a loss of business?</b>													
Score													
<b>2</b>													
Comments													
There is evidence that the company expects employees to act ethically, even if this could result in loss of business, and that it assures itself of employees' confidence in this commitment through surveys.													
Evidence													
<p><b>[24] External Reviews: Transparency International – Support to Employees (3.5) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>  In its Compliance Commitment, the thyssenkrupp Management Board unmistakably states:</p> <p>“For us, bribes and cartel agreements are not a means of winning business. thyssenkrupp stands for fair and straight business. We would rather sacrifice a contract than win it by breaking the rules.”</p> <p>All employees are requested to cooperate actively in their areas of responsibility in implementing the thyssenkrupp Compliance programme. The message of our Compliance Commitment was measured in the Employee Surveys by asking questions regarding Compliance and Integrity.</p> <p>The message of our Compliance Commitment was measured in the Employee Surveys by asking:</p> <table> <thead> <tr> <th></th><th>Total Favorable</th></tr> </thead> <tbody> <tr> <td><b>Compliance &amp; Anstand</b></td><td><b>75</b></td></tr> <tr> <td><b>4</b> At thyssenkrupp we adhere to the relevant rules and regulations related to employees.</td><td><b>82</b></td></tr> <tr> <td><b>5</b> At thyssenkrupp we adhere to the relevant rules and regulations related to external clients and suppliers.</td><td><b>77</b></td></tr> <tr> <td><b>8</b> In principal, I feel sufficiently informed about the thyssenkrupp Compliance Program.</td><td><b>74</b></td></tr> <tr> <td><b>12</b> I could report instances of dishonest or unethical practices to the appropriate level of authority without fear of negative consequences.</td><td><b>68</b></td></tr> </tbody> </table>			Total Favorable	<b>Compliance &amp; Anstand</b>	<b>75</b>	<b>4</b> At thyssenkrupp we adhere to the relevant rules and regulations related to employees.	<b>82</b>	<b>5</b> At thyssenkrupp we adhere to the relevant rules and regulations related to external clients and suppliers.	<b>77</b>	<b>8</b> In principal, I feel sufficiently informed about the thyssenkrupp Compliance Program.	<b>74</b>	<b>12</b> I could report instances of dishonest or unethical practices to the appropriate level of authority without fear of negative consequences.	<b>68</b>
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<p><b>[15] Compliance at thyssenkrupp – please give us your support (English) (Webpage)</b>  Accessed on 01/09/2019  <a href="https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11">https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11</a>  thyssenkrupp ensures that no employee is disadvantaged in any way as a result of information disclosed in good faith.</p>													
<p><b>[63] What we stand for (Webpage)</b>  Accessed 26/11/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/what-we-stand-for">https://www.thyssenkrupp.com/en/company/compliance/what-we-stand-for</a>  thyssenkrupp stands for fair and straight business – this is the standard we resolutely pursue. We would rather sacrifice a contract than win it by breaking the rules.</p>													
<p><b>[2] Compliance Commitment (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-commitment">https://www.thyssenkrupp.com/en/company/compliance/compliance-commitment</a>  For us, bribes and cartel agreements are not a means of winning business. We would rather forgo a contract and fail to reach internal goals than act against the law.</p>													

All employees are requested to cooperate actively in their areas of responsibility in implementing the thyssenkrupp compliance program.

**[5] Code of Conduct (English) (Document)**

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en\\_code\\_of\\_conduct-neu\\_final.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf)

[p. 2] Compliance with law, rules and regulations is for us an essential basic principle of responsible business conduct. We adhere to legal prohibitions and requirements at all times, even if this involves short-term business disadvantages or difficulties for the Company or individuals. Where national laws are more restrictive than the rules applying at thyssenkrupp, the national laws take precedence.

[...]

[p.2] For us, bribes and cartel agreements are not a means of winning business. We would rather forgo a contract and fail to reach internal goals than act against the law.

**[p.4] 6. Implementation and contacts**

thyssenkrupp AG and the Group companies shall actively promote communication of the Group policies and agreements on which the Code of Conduct is based. The individual companies shall ensure that they are implemented and that no employee is disadvantaged by complying with the policies/agreements.

In their special capacity as role models, our managers have a particular responsibility to ensure that their actions measure up to the Code of Conduct. They are the first point of contact for questions on understanding the rules and must ensure that all employees know and understand the Code of Conduct. As part of their management duties, they shall prevent unacceptable conduct and take suitable measures to avoid infringements of rules in their area of responsibility. Good and trusting relations between employees and managers are reflected in honest and open communication and mutual support.

Question
<b>3.6. Does the company have a clear policy of non-retaliation against whistleblowers and employees who report bribery and corruption incidents?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company promotes a policy of non-retaliation against whistleblowers who report concerns via its reporting system, which is open to all company employees and those employed by the group as third parties. There is evidence that the company assures itself of its employees' confidence in this commitment through surveys.</p>
Evidence
<p><b>[14] Submitting a Report (Webpage)</b>  Accessed on 29/03/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report">https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report</a>  thyssenkrupp and the corporate function compliance safeguard the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by the Corporate Function Compliance at thyssenkrupp AG will be treated in confidence, and that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.</p> <p>During its investigations, thyssenkrupp will also strive to protect the legitimate interests of other persons affected by a disclosure. Casting suspicion on another person can have serious consequences for that person. It is essential that the Whistleblowing System is used responsibly.</p> <p><b>[25] External Reviews: Transparency International – Support to Employees (3.6) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>  Bona fide reports help counteract violations at an early stage and limit the damage for our company, our employees and our business partners. We have therefore set up several channels for contacting us – anonymously if required – to report infringements.</p> <p>This system for reporting information is open to all thyssenkrupp employees as well as third parties such as customers, suppliers and others.</p> <p>thyssenkrupp and the corporate function Compliance safeguard the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by the Corporate Function Compliance at thyssenkrupp AG will be treated in confidence, and that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.</p> <p>During its investigations, thyssenkrupp will also strive to protect the legitimate interests of other persons affected by a disclosure. Casting suspicion on another person can have serious consequences for that person. It is essential that the Whistleblowing System is used responsibly.</p> <p><b>[15] Compliance at thyssenkrupp – please give us your support (English) (Webpage)</b>  Accessed on 01/09/2019  <a href="https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11">https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11</a>  All information received is handled by a Compliance Officer of thyssenkrupp AG in the strictest confidence. thyssenkrupp ensures that no employee is disadvantaged in any way as a result of information disclosed in good faith. As casting suspicion on another person can have serious consequences for that person, it is essential that the whistleblowing system is used responsibly.</p> <p><i>Can I also submit information anonymously?</i></p> <p>[...]</p> <p>We treat all information with the strictest confidentiality. thyssenkrupp ensures that no whistleblower is disadvantaged in any way as a result of information disclosed in good faith.</p>

The BKMS® process places the utmost importance on protecting the whistleblower. The system's anonymity protection function has been certified by a publicly appointed and sworn expert. You can further ensure your anonymity by using a public computer.

**[24] External Reviews: Transparency International – Support to Employees (3.5) (Webpage)**

Accessed on 26/07/2019

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees>

All employees are requested to cooperate actively in their areas of responsibility in implementing the thyssenkrupp Compliance programme. The message of our Compliance Commitment was measured in the Employee Surveys by asking questions regarding Compliance and Integrity.

The message of our Compliance Commitment was measured in the Employee Surveys by asking:

		Total Favorable
<b>Compliance &amp; Anstand</b>		<b>75</b>
<b>4</b>	At thyssenkrupp we adhere to the relevant rules and regulations related to employees.	<b>82</b>
<b>5</b>	At thyssenkrupp we adhere to the relevant rules and regulations related to external clients and suppliers.	<b>77</b>
<b>8</b>	In principal, I feel sufficiently informed about the thyssenkrupp Compliance Program.	<b>74</b>
<b>12</b>	I could report instances of dishonest or unethical practices to the appropriate level of authority without fear of negative consequences.	<b>68</b>



Question
<b>3.7. Does the company provide multiple whistleblowing and advice channels for use by all (e.g. employees and external parties), and do they allow for confidential and, wherever possible, anonymous reporting?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company has multiple channels to report instances of suspected corrupt activity and seek advice on the company's anti-bribery and corruption programme. Channels are sufficiently varied to allow the employee to raise concerns across the management chain and to relevant external bodies. These channels allow for confidential and, wherever possible, anonymous reporting. They are available and accessible to all employees in all jurisdictions where the company operates, including those employed by the group as external parties, and in all relevant languages.</p>
Evidence
<p><b>[26] External Reviews: Transparency International – Support to Employees (3.7) (Webpage)</b>  Accessed on 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>  Bona fide reports help counteract violations at an early stage and limit the damage for our company, our employees and our business partners. We provide multiple whistleblowing and advice channels – most importantly our internet-based Whistleblowing System - for use by employees as well as external parties, which allow for confidential and anonymous reporting:</p> <p>Potential channels for advice and whistleblowing:</p> <ul style="list-style-type: none"> <li>• Compliance Officers or Compliance Manager</li> <li>• Supervisor</li> <li>• Internet-based Whistleblowing System</li> <li>• Telephone hotline (toll-free in 34 languages)</li> <li>• External lawyer of trust (Ombudsman)</li> </ul> <p><b>[14] Submitting a Report (Webpage)</b>  Accessed on 29/03/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report">https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report</a>  Bona fide reports help counteract violations at an early stage and limit the damage for our company, our employees, and our business partners. We have therefore set up several channels for contacting us – anonymously if required – to report infringements.</p> <p>This system for reporting information is open to all thyssenkrupp employees as well as third parties such as customers, suppliers, and others.</p> <p>thyssenkrupp and the corporate function compliance safeguard the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by the Corporate Function Compliance at thyssenkrupp AG will be treated in confidence, and that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.</p> <p>During its investigations, thyssenkrupp will also strive to protect the legitimate interests of other persons affected by a disclosure. Casting suspicion on another person can have serious consequences for that person. It is essential that the Whistleblowing System is used responsibly.</p> <p><i>Ideally: Your supervisor</i>  An open communication culture is a key component of a functioning compliance program. Employees must be able to talk about mistakes openly and above all in good time. For this reason your primary point of contact should always be your supervisor. Non-employees should contact their business partner.</p> <p><i>Alternatively: Your compliance officer or compliance manager</i>  If you have the feeling – for whatever reason – that you cannot address your matter with your supervisory or business partner, contact our Compliance department:</p>

thyssenkrupp AG  
CO/CPL  
thyssenkrupp Allee 1  
45143 Essen

E-Mail: [whistleblowing@thyssenkrupp.com](mailto:whistleblowing@thyssenkrupp.com)

Telephone: + 49 201 844 545454

If you work for thyssenkrupp, you can also contact your compliance officer or the compliance manager responsible for your company directly. A detailed list of contacts is available on the intranet.

*Internet-based whistleblowing system*

The thyssenkrupp Whistleblowing System can be used to report possible violations of laws or guidelines in the context of competition law and corruption within the Group, also anonymously if so desired.

Our electronic Whistleblowing System on the internet is available in 34 languages, and is open to all thyssenkrupp employees, but also to customers, suppliers, and other third parties. Access to the internet-based Whistleblowing System can be found using the link at the end of this page.

Reports received will be checked and handled by the Compliance Officers of thyssenkrupp AG (exception North America/Canada: NAVEX Global). Follow-up communication between the Compliance Officer/NAVEX Global and the whistleblower is possible, anonymously if desired, by means of setting up a secure mailbox.

thyssenkrupp safeguards the interests of the whistleblower not only through this secure Whistleblowing System, but also by providing assurances that all information received by Corporate Function Compliance at thyssenkrupp AG will be treated in confidence, and that all means at our disposal will be used to protect whistleblowers acting in good faith from any disadvantages as a result of their disclosures.

During its investigations, thyssenkrupp will also strive to protect the legitimate interests of other persons affected by a disclosure. Casting suspicion on another person can have serious consequences for that person. It is essential that the Whistleblowing System is used responsibly.

You can reach our electronic Whistleblower System via Internet [here](#).

In North America and Canada you can reach the TKNA Ethics Hotline [here](#).

*Toll-free in 34 languages: Telephone hotline*

Reports can also be submitted at any time via a telephone hotline. Reports received are reviewed and handled by thyssenkrupp AG compliance officers. Here, too, we promise to treat information received in confidence and to do everything possible to protect informants acting in all conscience against possible disadvantages resulting from reporting information.

Our general telephone number (subject to charges) is: +49 30 120 909 – 28

The hotline is available in 34 languages. Toll-free numbers have been set up in more than 50 countries.  
[Overview free phone numbers](#)

*In-person advice: External lawyer of trust (Ombudsman)*

Employees can also contact the external ombudsman, if there is a suspicion of an offense or violation of internal regulations. The Ombudsman is an independent attorney-at-law. He respects the anonymity of the reporter, if desired. The use is voluntary and free of charge for reporters.

Dr. Carsten Thiel von Herff is acting as Ombudsman of thyssenkrupp AG. He has extensive experience as Ombudsman for various well-known companies, including the German Football League, Allianz AG and IKEA.

Dr. Carsten Thiel von Herff, LL.M.



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D - 33604 Bielefeld

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Cell phone: +49 151 582 303 21

Send email [www.thielvonherff.de](mailto:www.thielvonherff.de)

**[15] Compliance at thyssenkrupp – please give us your support (English) (Webpage)**

Accessed on 01/09/2019

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11>

This whistleblowing system allows you to report violations of laws or policies about specific compliance topics to thyssenkrupp AG if those violations concern companies of the thyssenkrupp Group. You can choose to remain anonymous if this is legal in the respective country and situation.

This whistleblowing system is operated by Business Keeper AG in Berlin, an external provider acting on behalf of thyssenkrupp AG. The system is certified regularly by external experts with respect to its data security and protection.

The whistleblowing system is open to all thyssenkrupp employees as well as third parties (customers, suppliers, etc.). Please report any information concerning USA and Canada directly to the thyssenkrupp North America whistleblowing system, [www.thyssenkrupp-north-america.com](http://www.thyssenkrupp-north-america.com).

All information received is handled by a Compliance Officer of thyssenkrupp AG in the strictest confidence. [...]

Reports submitted via this system are one way of providing us with information about possible compliance violations. However, in the spirit of a corporate culture based on openness, we encourage all employees to first turn to contacts within the company, e.g. their line managers or the Legal and Compliance Departments.

*Can I also submit information anonymously?*

As a general rule, you can submit reports anonymously if this is legal in the respective country and the respective situation. Stating your name is only required in certain exceptional circumstances in specific countries or situations, and we highlight this during the reporting process.

In general, however, thyssenkrupp prefers you to tell us your name. We treat all information with the strictest confidentiality. thyssenkrupp ensures that no whistleblower is disadvantaged in any way as a result of information disclosed in good faith.

The BKMS® process places the utmost importance on protecting the whistleblower. The system's anonymity protection function has been certified by a publicly appointed and sworn expert. You can further ensure your anonymity by using a public computer.

## 4. Conflict of Interest

Question
<b>4.1. Does the company have a policy defining conflicts of interest – actual, potential and perceived – that applies to all employees and board members?</b>
Score
<b>2</b>
Comments
There is evidence that the company formally addresses conflicts of interest as a corruption risk, and has a policy that defines conflicts of interest, including those actual, potential and perceived. This policy covers employee relationships, financial interests, government interests and other employment and applies to all employees and board members.
Evidence
<p><b>[27] External Reviews: Transparency International – Conflict of Interest (4.1) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a></p> <p>At thyssenkrupp, business decisions are made exclusively in the best interests of the Company. Any actual, potential or perceived conflicts of interest with personal matters or other business or non-business activities, including those of relatives or other related parties should be avoided. Should such conflicts nevertheless occur, they must be resolved in accordance with the law and Group policies. Conflicts must be dealt with openly and transparently.</p> <p>Our Group Regulation Corruption Prevention provides detailed explanations concerning “Conflicts of interest”, which applies to all employees and board members:</p> <p>Conflicts of interest may arise from any personal interests, which may exist in connection or conflict with the performance of the work for thyssenkrupp, e.g.:</p> <p>Personal relation to or any other close relationship with business partners of thyssenkrupp in cases in which the employee places orders, gives approvals or the like with respect to such business partners.</p> <p>Secondary employment at other companies or self-employment that infringes on the interest of thyssenkrupp.</p> <p>Share ownership in competitors or business partners of thyssenkrupp that enables the exertion of business influence.</p> <p>Placing of private orders for products and services with distributors, suppliers or clients of thyssenkrupp, especially if the employee exercises or is capable of exercising a direct or indirect influence on the business relationship of the respective business partner with thyssenkrupp.</p> <p>The hiring of persons related to employees of thyssenkrupp if the respective thyssenkrupp employee is able to influence the hiring decision.</p> <p>Direct reporting lines between thyssenkrupp employees being closely related to each other.</p> <p>Employees must therefore declare any conflicts of interest to their superiors and the responsible Compliance Officer or Regional Compliance Officer in writing.</p> <p>Without the prior written approval of their superiors, employees who are related to or maintain any other close relationship with business partners are not entitled to place orders, give approvals or the like to such business partners.</p> <p>In cases where a conflict of interest may arise, employees of thyssenkrupp may only place private orders for products and services with distributors, suppliers or clients if the market price is paid and the payment is documented.</p>

In the reporting year, there were no consulting or other service agreements between Supervisory Board members and the Company. Information on conflicts of interest and how they were dealt with is provided in the section "Report by the Supervisory Board". Details of the other directorships held by Executive Board and Supervisory Board members on statutory supervisory boards or comparable German and non-German control bodies of business enterprises are provided in the sections of the same name under "Additional information". Details of related party transactions are given in Note 22 to the consolidated financial statements.

Important related documents and links:

Group Regulation Corruption Prevention  
Avoiding conflicts of interest

**[28] External Reviews: Transparency International – Conflict of Interest (4.3) (Webpage)**

Accessed 22/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest>

thyssenkrupp group-wide does not employ serving politicians as directors, employees or consultants.

In order to reduce legal risks, potential conflicts of interest and to avoid reputational damage, on top of this general approach, thyssenkrupp Marine Systems has implemented a specific policy, "Employment of public officials", in place that defines the process regarding the employment of public officials and former public officials. The policy distinguishes between different risk groups and includes scenarios for potential conflicts of interest.

These risk groups reflect inter alia the (former) public sector position of the applicant, and the time passed since the applicant left this position.

**[4] Group Regulation Corruption Prevention (Document)**

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group\\_regulation\\_corruption\\_prevention.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf)

[p.2] 3.2 Avoiding Conflicts of Interest

The Group expects all its employees to make business decisions solely in the best interest of thyssenkrupp. Conflicts of interest may arise from any personal interests which may exist in connection or conflict with the performance of the work for thyssenkrupp, e.g.:

[p.3]

- Personal relation to or any other close relationship with business partners of thyssenkrupp in cases in which the employee places orders, gives approvals or the like with respect to such business partners.
- Secondary employment at other companies or self-employment that infringes on the interest of thyssenkrupp.
- Share ownership in competitors or business partners of thyssenkrupp that enables the exertion of business influence.
- Placing of private orders for products and services with distributors, suppliers or clients of thyssenkrupp, especially if the employee exercises or is capable of exercising a direct or indirect influence on the business relationship of the respective business partner with thyssenkrupp.
- The hiring of persons related to employees of thyssenkrupp if the respective thyssenkrupp employee is able to influence the hiring decision.
- Direct reporting lines between thyssenkrupp employees being closely related to each other.

Employees must therefore declare any conflicts of interest to their superiors and the responsible Compliance Officer or Regional Compliance Officer in writing. Without the prior written approval of their superiors, employees who are related to or maintain any other close relationship with business partners are not entitled to place orders, give approvals or the like to such business partners. In cases where a conflict of interest may arise, employees of thyssenkrupp may only place private orders for products and services with distributors, suppliers or clients if the market price is paid and the payment is documented.

**[5] Code of Conduct**

Accessed 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en\\_code\\_of\\_conduct-neu\\_final.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf)

[p.2] Avoiding conflicts of interest

At thyssenkrupp business decisions are made exclusively in the best interests of the Company. Any conflicts of interest with personal matters or other business or non-business activities, including those of relatives or other related parties should be avoided. Should such conflicts nevertheless occur, they must be resolved in accordance with the law and Group policies. Conflicts must be dealt with openly and transparently.

Question
<b>4.2. Are there procedures in place to identify, declare and manage conflicts of interest, which are overseen by a body or individual ultimately accountable for the appropriate management and handling of conflict of interest cases?</b>
Score
<b>1</b>
Comments
<p>There is evidence that the company has procedures to identify, declare and manage conflicts of interest. Employees must declare conflicts of interest in writing to their superiors and the responsible Compliance Officer or Regional Compliance Officer. The company provides examples of criteria for recusals and also states that disciplinary measures will apply if the conflicts of interest policy is breached. The company states that it has a central repository for conflict of interest declarations when it is assessing candidates for leadership positions, which is accessible to the compliance officers responsible for overseeing the process.</p> <p>However, there is no evidence that the company has a unified repository which holds all employee and board member declarations and which is accessible to those responsible for overseeing conflict of interest management across the organisation.</p>
Evidence
<p><b>[29] External Reviews: Transparency International – Conflict of Interest (4.2) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>  Our Group Regulation Corruption Prevention states that employees must declare any conflicts of interest to their superiors and the responsible Compliance Officer or Regional Compliance Officer in writing.</p> <p>Without the prior written approval of their superiors, employees who are related to or maintain any other close relationship with business partners are not entitled to place orders, give approvals or the like to such business partners.</p> <p>In cases where a conflict of interest may arise, employees of thyssenkrupp may only place private orders for products and services with distributors, suppliers or clients if the market price is paid and the payment is documented.</p> <p>In case a conflict of interest which may arise is not declared in writing to the superior and the Compliance officer the employee will be sanctioned according to tk's internal guidelines for violating the Group Regulation Corruption Prevention.</p> <p>As an outcome of tk's bottom-up risk assessment and the on-going compliance dialogues between the Compliance function and the group companies, tk has set up a de-centralised approach with regard to how to manage the topic conflict of interests in the local businesses. Therefore, depending on business models, particularities in the different industries and also differing local legal requirements, companies with a high risk in this area have implemented tailored processes matching their particular risks.</p> <p>However, on a group-wide level tk has implemented a specific conflict of interest check in the compliance clearing process when assessing potential candidates for its top management positions. The respective declarations are kept centrally, accessible for those responsible for oversight of the process, i.e. the Chief Compliance Officer and the relevant Compliance Officers.</p> <p>Important related documents and links:</p> <p>see 3.2 Group Regulation Corruption Prevention</p> <p><b>[4] Group Regulation Corruption Prevention (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf</a></p>

[p.3] Employees must therefore declare any conflicts of interest to their superiors and the responsible Compliance Officer or Regional Compliance Officer in writing. Without the prior written approval of their superiors, employees who are related to or maintain any other close relationship with business partners are not entitled to place orders, give approvals or the like to such business partners. In cases where a conflict of interest may arise, employees of thyssenkrupp may only place private orders for products and services with distributors, suppliers or clients if the market price is paid and the payment is documented.


**[5] Code of Conduct**

Accessed 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en\\_code\\_of\\_conduct-neu\\_final.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf)

[p.2] Avoiding conflicts of interest

At thyssenkrupp business decisions are made exclusively in the best interests of the Company. Any conflicts of interest with personal matters or other business or non-business activities, including those of relatives or other related parties should be avoided. Should such conflicts nevertheless occur, they must be resolved in accordance with the law and Group policies. Conflicts must be dealt with openly and transparently.


Question
<b>4.3. Does the company have a policy and procedure regulating the appointment of directors, employees or consultants from the public sector?</b>
Score
<b>1</b>
Comments
<p>There is evidence that the company has a policy that addresses the risks associated with the employment of public officials. The company indicates that it implements a cooling-off period when recruiting such officials as legally required.</p> <p>However, the policy does not indicate whether the cooling-off period is at least 12-months long or whether it requires senior compliance officer approval for the initiation of any employment discussions with former or current public officials.</p>
Evidence
<p><b>[28] External Reviews: Transparency International – Conflict of Interest (4.3) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>  thyssenkrupp group-wide does not employ serving politicians as directors, employees or consultants.</p> <p>In order to reduce legal risks, potential conflicts of interest and to avoid reputational damage, on top of this general approach, thyssenkrupp Marine Systems has implemented a specific policy, "Employment of public officials", in place that defines the process regarding the employment of public officials and former public officials. The policy distinguishes between different risk groups and includes scenarios for potential conflicts of interest. These risk groups reflect inter alia the (former) public sector position of the applicant, and the time passed since the applicant left this position.</p> <p>The policy foresees the mandatory alignment with the Compliance function. It further provides that where a potential conflict of interest has been identified, the authority for which the official has worked/is working shall be informed before hiring the (former) public official.</p> <p>If former public officials for whom potential conflicts of interest have been identified are subsequently hired a conflict of interest review takes place potentially resulting in the imposition of clear restrictions on their functional responsibility.</p> <p>Furthermore, in our group-wide hiring process we explicitly demand a cooling off period for former serving politicians. Please see a screenshot of the relevant process description (Compliance in HR processes, page 13):</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p><b>1 Recruitment III</b> Memberships / external positions / "cooling-off period"</p> <ul style="list-style-type: none"> <li>When hiring new employees at level L2 and higher (in some cases, L3 as well), self-declarations as to relevant external positions, conflicts of interest and ongoing and completed investigations or cases must be requested<sup>1</sup>.</li> <li>In this context, it is mandatory to take the Group Guidelines on Corporate Citizenship Activities, Memberships, and Ticket Purchases into account and make employees aware thereof.</li> <li>Furthermore, particularly for candidates having previously worked for a governmental entity, and/or in the public sector or in politics, it must be checked whether they are prevented from working for the Group due to a statutory/contractual "cooling-off period".</li> </ul> </div> <div style="width: 45%; text-align: right;">  </div> </div>

Question
<b>4.4. Does the company report details of the contracted services of serving politicians to the company?</b>
Score
<b>2</b>
Comments
The company publishes a clear statement that it has a policy to not contract serving politicians at any level.
Evidence
<p><b>[28] External Reviews: Transparency International – Conflict of Interest (4.3) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>  thyssenkrupp group-wide does not employ serving politicians as directors, employees or consultants.</p> <p><b>[31] External Reviews: Transparency International – Conflict of Interest (4.4) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>  thyssenkrupp group-wide as a general principle does not employ serving politicians regardless of hierarchy level or function.</p>



## 5. Customer Engagement

### 5.1 Contributions, Donations and Sponsorships

Question
5.1.1. Does the company have a clearly defined policy and/or procedure covering political contributions?
Score
2
Comments
The company publishes a statement that it prohibits corporate political contributions. Corporate political contributions whether by the company itself or by any other entity or individual acting on the company's behalf are prohibited under any circumstance.
Evidence
<p><b>[32] External Reviews: Transparency International – Customer Engagement (5.1) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a></p> <p>In our Group Regulation on Corporate Citizenship Activities, Memberships and Ticket Purchases we underline, that "financial contributions in particular donations and sponsorships to political parties in Germany and abroad, organizations related or similar to political parties, individual office incumbents or candidates for political offices are not permissible. In the case of other contributions granted to this group of individuals by companies in connection with their business activities, reference is made to the applicable laws and relevant Group Compliance policies. Furthermore, group companies are not permitted to hold memberships in political parties or organizations related or similar to political parties. "</p> <p>Important related documents and links:  Group Regulation on Corporate Citizenship Activities, Memberships and Ticket Purchases:</p> <p>Group Regulation  on Corporate Citizenship Activities,  Memberships and Ticket Purchases  Version 1.0</p>  <p>Page 8:</p> <p><b>1.3 Appropriateness</b></p> <p><b>1.3.1 Objectivity of government decisions</b></p> <p>Corporate Citizenship activities are not permitted where they represent a risk to the objectivity of government decisions or such a risk appears to exist.</p> <p>Page 9:</p> <p><b>1.3.2 Involvement in the political sphere</b></p> <p>(1) Financial contributions (in particular donations and sponsorships) to political parties in Germany and abroad, organizations related or similar to political parties, individual office incumbents or candidates for political offices are not permissible.</p> <p>(2) In the case of other contributions granted to this group of individuals by companies in connection with their business activities, reference is made to the applicable laws and relevant Group compliance policies.</p>

Page 12:

### **III. Memberships**

#### **1. Guidelines for the ThyssenKrupp Group**

##### **1.1 Membership areas**

Memberships of alliances and associations active in the following areas are permissible:

- Business and enterprise cooperation,
- Science and exchange of knowledge,
- Research and development,
- Promotion of technology,
- Art and culture,
- Social welfare and other areas relevant to the community.

Group companies are not permitted to hold memberships in political parties or organizations related or similar to political parties.

Page 18:

### **V. Transparency**

At least once each fiscal year the Corporate Centers Corporate Affairs and Corporate Sustainability, Environment & Politics in association with the business areas shall prepare a report on Corporate Citizenship, memberships and ticket purchases, which shall also serve as a basis for the catalogue of questions at the Annual General Meeting and for the sustainability report. The Corporate Centers Corporate Affairs and Corporate Sustainability, Environment & Politics shall report to the Executive Board of ThyssenKrupp AG. The Supervisory Board of ThyssenKrupp AG shall also be informed in a suitable way.

#### **[5] Code of Conduct (English) (Document)**

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en\\_code\\_of\\_conduct-neu\\_final.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf)

[p.3] We make no financial contributions, in particular donations or sponsorships, to political parties in our home country or abroad, organizations related or similar to parties, individual office incumbents or candidates for political offices.

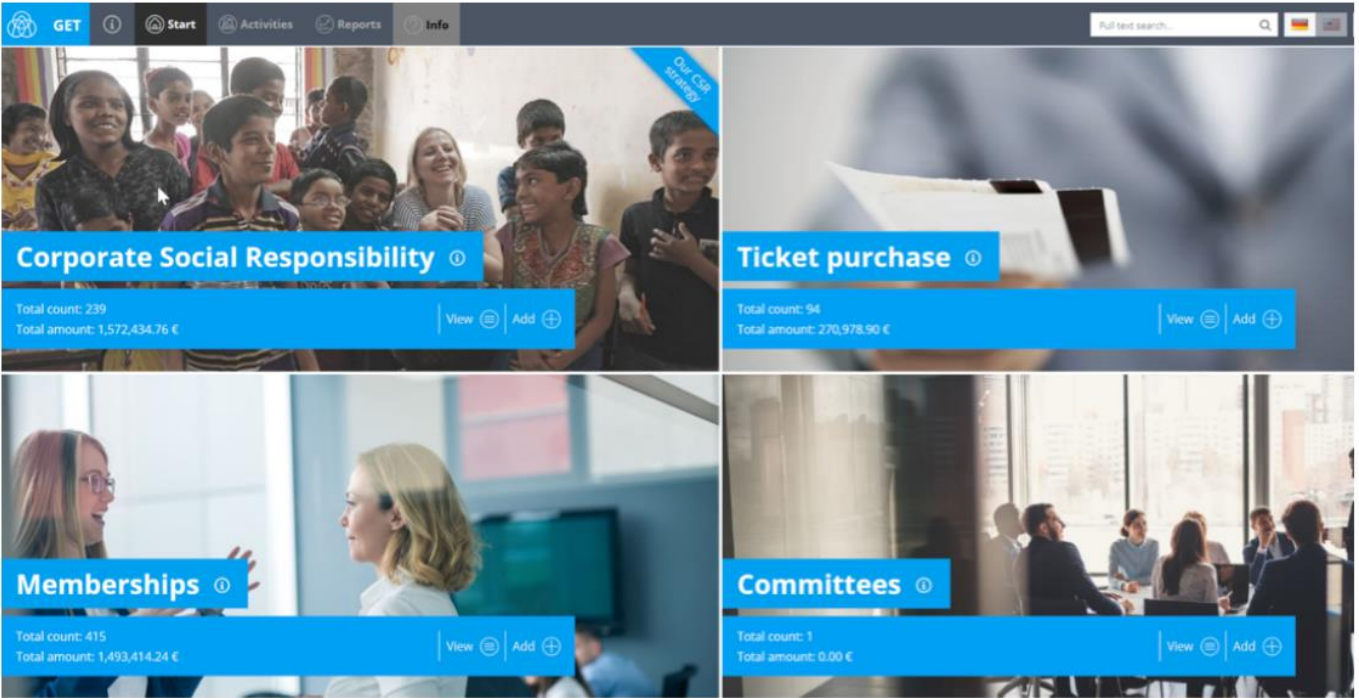
#### **[12] Annual Report 2017/2018 (Document)**

Accessed 30/07/2019

<https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf>

[p.95] Donations to political parties or organizations, elected representatives or candidates for political office at home or abroad are not compatible with the Group's values and are therefore not permitted.

Question
<b>5.1.2. Does the company publish details of all political contributions made by the company and its subsidiaries, or a statement that it has made no such contribution?</b>
Score
<b>N/A</b>
Comments
The company states that it makes no political contributions and is therefore exempt from scoring on this question.
Evidence
<p><b>[32] External Reviews: Transparency International – Customer Engagement (5.1) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>  thyssenkrupp prohibits any financial contributions, in particular donations and sponsorships, to political parties in Germany and abroad, organizations related or similar to political parties, individual office incumbents or candidates for political offices.</p>

Question
5.1.3. Does the company have a clearly defined policy and/or procedure covering charitable donations and sponsorships, whether made directly or indirectly, and does it publish details of all such donations made by the company and its subsidiaries?
Score
1
Comments
<p>There is some evidence the company has a policy on charitable donations and sponsorships.</p> <p>However, the company does not publish details of the donations made.</p>
Evidence
<p><b>[32] External Reviews: Transparency International – Customer Engagement (5.1) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a></p> <p>The Group Regulation on Corporate Citizenship Activities, Memberships and Ticket Purchases regulates that activities and contributions in connection with Corporate Citizenship shall be directed at the following areas: Science and exchange of knowledge, Research and development, Technology, Art and culture, Education, Sport, Faith-communities, Social welfare, Environment.</p> <p>At thyssenkrupp, we operate an IT supported group-wide uniform process (Global Engagement Tool) for the internal approval and documentation of – inter alia - donations/sponsoring, memberships and ticketing. With this Global Engagement Tool we thoroughly document all the mentioned activities and contributions in connection with corporate citizenship and are able to give reports to external and internal requests on thyssenkrupp's group-wide activities.</p> <p>Please see below for a screenshot of the Global Engagement Tool:</p>  <p>The screenshot shows the 'GET' (Global Engagement Tool) interface. It features a navigation bar with 'Start', 'Activities', 'Reports', and 'Info'. Below the navigation bar, there are four main sections, each with a header, a background image, and a summary box. The sections are: 'Corporate Social Responsibility' (Total count: 239, Total amount: 1,572,434.76 €), 'Ticket purchase' (Total count: 94, Total amount: 270,978.90 €), 'Memberships' (Total count: 415, Total amount: 1,493,414.24 €), and 'Committees' (Total count: 1, Total amount: 0.00 €). Each section has a 'View' button and an 'Add' button.</p>
<p><b>[5] Code of Conduct (English) (Document)</b>  Accessed on 26/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/co-de-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/co-de-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf</a></p>

[p. 3] Donations

We regard ourselves as an active corporate citizen and demonstrate our commitment in a variety of ways. Donations and other forms of corporate citizenship are carried out solely in the interests of the company.

**[12] Annual Report 2017/2018 (Document)**

Accessed 30/07/2019

<https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf>

[p.95] In our corporate citizenship activities, we are guided by our slogan “engineering.tomorrow.together”. For this reason thyssenkrupp promotes enthusiasm for technology and innovation, education, and local engagement. To ensure we maintain our high compliance standards in all our work, we have among other things a global documentation and approval system for corporate citizenship activities. More than 400 measures were documented worldwide in the reporting year.

**[4] Group Regulation Corruption Prevention (Document)**

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group\\_regulation\\_corruption\\_prevention.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf)

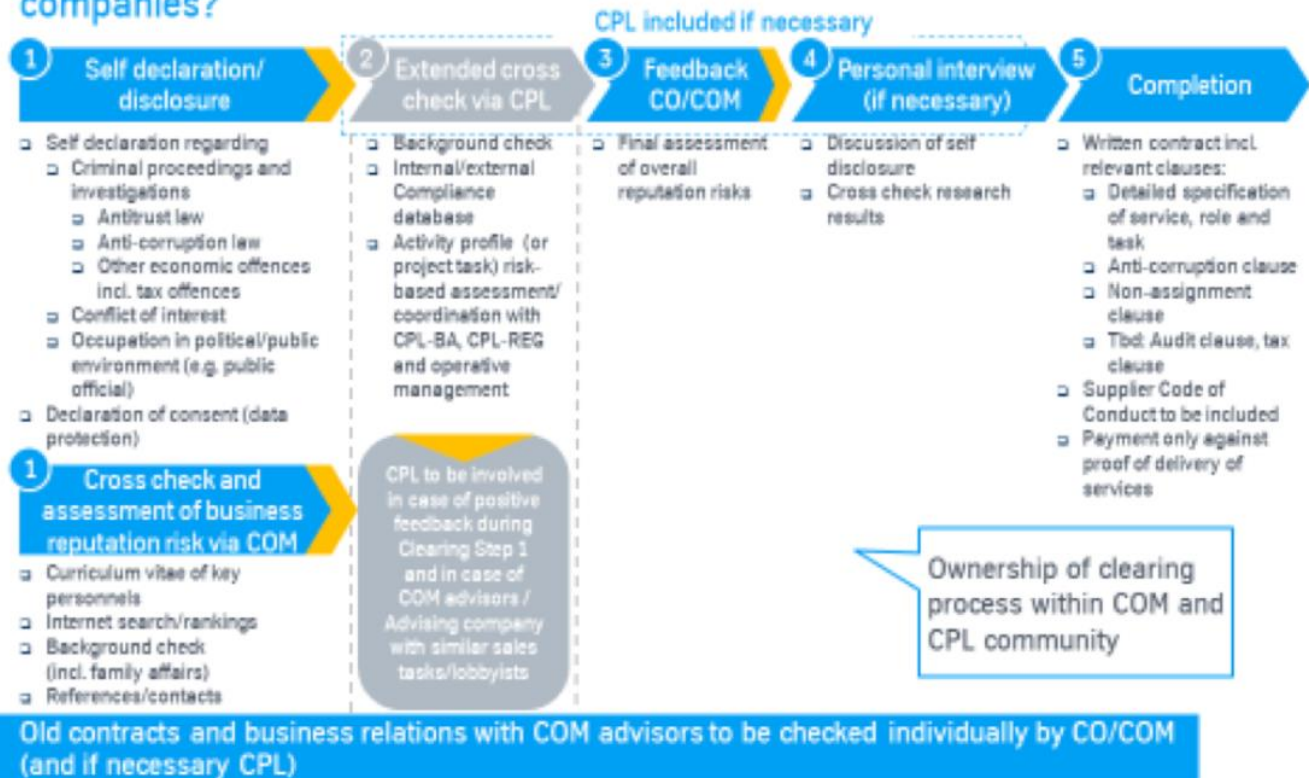
[p.6] In matters of donations and sponsoring the binding requirements of the Group Regulation on Corporate Citizenship Activities, Memberships, and Ticket Purchases in its current version must be observed.

## 5.2 Lobbying

Question
<b>5.2.1 Does the company have a policy and/or procedure covering responsible lobbying?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company has a policy that defines lobbying which applies to all employees and board members, and also applies to both internal and external lobbyists. The company states that all lobbyists are contractually obliged to adhere to the same standards as outlined in the company's Code of Conduct. There is evidence of specific controls in place regulating lobbyists' activities, including due diligence, audit rights, anti-corruption clauses and payment subject to specific, agreed activities.</p>
Evidence
<p><b>[33] External Reviews: Transparency International – Customer Engagement (5.2) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>  thyssenkrupp internally defines lobbying as any activity of direct or indirect communication with public officials, political decision makers or representatives with the aim to articulate our views towards political decision makers.</p> <ul style="list-style-type: none"> <li>As indirect lobbying activities, we consider activities with partners like associations, external advisors and measures related to public relations.</li> <li>As direct lobbying activities, we consider communication activities of Group representatives with political stakeholders.</li> </ul> <p>For employees, managers, and the board, the thyssenkrupp Code of Conduct provides framework guidance on political lobbying:</p> <p>Political lobbying  "Our political lobbying is centralized, open and transparent. We comply with the legal requirements on lobbying and avoid at all costs unfairly influencing government policy and legislation. We have voluntarily joined the European Union Transparency Register and comply with the European Union Code of Conduct."</p> <p>External lobbyists are contractually obliged to comply with the lobbying rules in the thyssenkrupp Code of Conduct and are bound to the same high compliance standards which we as thyssenkrupp are following ourselves.</p> <p>thyssenkrupp has a group-wide process which deals with so-called communications advisers, which are defined as persons who (in the context of communications) consult, support and deliver strategic and communicational content and advice to COM and/or businesses. This also covers lobbyists:</p>



## Clearing process: How to handle independent COM advisors / Advising companies?



### [5] Code of Conduct (English) (Document)

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en\\_code\\_of\\_conduct-neu\\_final.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf)

#### [p.3] Political lobbying

Our political lobbying is centralized, open and transparent. We comply with the legal requirements on lobbying and avoid at all costs unfairly influencing government policy and legislation. We have voluntarily joined the European Union Transparency Register and comply with the European Union Code of Conduct.

Question
<b>5.2.2 Does the company publish details of the aims and topics of its public policy development and lobbying activities it carries out?</b>
Score
<b>1</b>
Comments
<p>The company publishes limited details of the topics on which it lobbies through an active link to an external online register maintained by the European Union.</p> <p>However, it does not publish information on the aims of its activities in the European Union. There is also no evidence that the company publishes details of the aims and topics of its lobbying activities in all jurisdictions in which the company operates.</p>
Evidence
<p><b>[33] External Reviews: Transparency International – Customer Engagement (5.2) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>  We have joined the European Union Transparency Register for many years where we disclose our activities and comply with the -&gt; tk Code of Conduct and the -&gt; European Union Code of Conduct.</p> <p>Our representative offices are based in Brussels and Berlin.</p> <p>Important related documents and links:  European Union Transparency Register  European Union Code of Conduct  Code of Conduct</p> <p>Our political contacts, especially in the defence sector, are under the full scrutiny of the parliament, the German Bundestag, e.g. <a href="http://dip21.bundestag.de/dip21/btd/19/162/1916291.pdf">http://dip21.bundestag.de/dip21/btd/19/162/1916291.pdf</a>.</p> <p><b>[68] European Union Transparency Register</b>  Accessed 29/03/2020  <a href="https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en">https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en</a>  Goals / remit of the organisation:</p> <p>Bei thyssenkrupp arbeiten über 161.000 Mitarbeiterinnen und Mitarbeiter in 78 Ländern an Produktlösungen für nachhaltigen Fortschritt. thyssenkrupp ist ein Technologiekonzern mit Industriegüter- und Werkstoffgeschäften.</p> <p>Der Fokus liegt auf der Entwicklung von hochwertigen Produkten, intelligenten industriellen Verfahren und Dienstleistungen auf Basis eines umfassenden technologischen Know-hows und hoher Werkstoffkompetenz.</p> <p>[...]</p> <p>Specific activities covered by the Register</p> <p>Main EU initiatives, policies and legislative files followed by the organisation:</p> <p>Inhaltlich stehen wirtschaftliche und technische Themen im Vordergrund, insbesondere: Energie- und Klimapolitik (ETS, 2030 Ziele, Energie Union), Beihilferecht, Industriepolitik, Ressourceneffizienz, Rohstoffpolitik, Steuer- und Finanzmarktpolitik, Handelspolitik (Freihandelsabkommen, TDI), Forschungsprogramme (Horizon 2020, FP9), Nachhaltigkeit, European Corporate Governance, Digital Single Market, Clean Energy Package, u.a.</p> <p>[...]</p> <p>Fields of interest  The organisation's fields of interests are:</p>



- Business and Industry
- Climate Action
- Competition
- Customs
- Economy, finance and the euro
- Education and training
- Employment and Social Affairs
- Energy
- Environment
- External Relations
- Foreign affairs and security policy
- International co-operation and development
- Research and innovation
- Single market
- Taxation
- Trade
- Trans-European Networks
- Transport
- Youth

**[69] European Commission meetings (Document)**

Accessed 02/04/2020

[https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do;TRPUBLICID-prod=ANEnETEsF0DXQXTdCq13Hqu1u1LbkVe0sDQL\\_ZzJmOoYIzGcM4dw!2040717126?id=721647010823-15&pdf=true](https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do;TRPUBLICID-prod=ANEnETEsF0DXQXTdCq13Hqu1u1LbkVe0sDQL_ZzJmOoYIzGcM4dw!2040717126?id=721647010823-15&pdf=true)

[p.1]

List of meetings **thyssenkrupp AG** has held with Commissioners, Members of their Cabinet or Director-Generals since 01/12/2014 under its current ID number in the Transparency Register: 721647010823-15.

Nr	Commission representative	Portfolio	Date	Location	Subject(s)
1	Ditte Juul Jorgensen, Director-General	Energy (ENER)	22/10/2019	Brussels, Belgium	Clean energy transition in energy intensive industries
2	Joost Korte, Director-General	Employment, Social Affairs and Inclusion (EMPL)	02/04/2019	Brussels	Discussion to merge the European steel business of thyssenkrupp Steel and Tata Steel
3	Kilian GROSS, Cabinet member of Günther Oettinger	Budget & Human Resources	05/03/2019	Brussels	Competition policy
4	Maria Asenius, Cabinet member of Cecilia Malmström Nele Eichhorn, Cabinet member of Cecilia Malmström	Trade	08/02/2019	Brussels	Steel in general / a proposed merger
5	Christian Burgsmueller, Cabinet member of Cecilia Malmström	Trade	03/09/2018	Brussels	US 232 section on steel and aluminium + developments in global steel & aluminium market
6	Roberto Viola, Director-General	Communications Networks, Content and Technology (CNECT)	25/07/2018	Brussels	International Data Spaces
7	Dominique Ristori, Director-General	Energy (ENER)	08/06/2018	Brussels, Belgium	clean energy transition
8	Miguel Arias Cañete, Commissioner	Climate Action & Energy	08/06/2018	Brussels	Energy transition and the energy intensive industry
9	Günther Oettinger, Commissioner	Budget & Human Resources	16/02/2018	München	steel market

[continued]

10	Miguel Ceballos Baron, Cabinet member of Cecilia Malmström	Trade	16/02/2017	Brussels	steel sector in China
11	Alexander Italianer, Secretary-General	Secretariat-General (SG)	24/02/2016	Brussels	meeting with CEO's of steel industry
12	Günther Oettinger, Commissioner	Digital Economy and Society	19/02/2016	Berlin	MES China, digitisation
13	Günther Oettinger, Commissioner	Digital Economy and Society	08/10/2015	Rottweil	Digital Skills
14	Maria Asenius, Cabinet member of Cecilia Malmström	Trade	23/07/2015	Brussels	Anti-dumping case
15	Karmenu Vella, Commissioner	Environment, Maritime Affairs and Fisheries	26/03/2015	Kiel	Blue Growth
16	Stefaan Hermans, Cabinet member of Marianne Thyssen Julie Fionda, Cabinet member of Marianne Thyssen	Employment, Social Affairs, Skills and Labour Mobility	10/02/2015	Brussels	Dual learning and apprenticeships
17	Rolf Carsten Bermig, Cabinet member of Elzbieta Bienkowska	Internal Market, Industry, Entrepreneurship and SMEs	18/12/2014	Brussels, Belgium	Meeting with Gunnar Jungk on AST agreement and restructuring

[p.2]

**References:**

Publication of meetings is based on the provisions of

Commission decision on the publication of information on meetings held between Directors-General of the Commission and organisations or self-employed individuals - [\(2014/838/EU, Euratom\) of 25 November 2014](#).

and

Commission decision on the publication of information on meetings held between Members of the Commission and organisations or self-employed individuals - [\(2014/839/EU, Euratom\) of 25 November 2014](#).

Question				
5.2.3 Does the company publish full details of its global lobbying expenditure?				
Score				
1				
Comments				
<p>The company publishes a summary of the costs incurred via its lobbying activities in Germany and in the European Union covering the most recent financial year.</p> <p>However, the data provided does not cover the company's lobbying activities in all jurisdictions. Additionally, the company's dataset is lacking sufficient detail: it does not provide a breakdown of spending by corporate entity, or differentiate between internal or external lobbyists, or association lobbying expenditures.</p>				
Evidence				
<p><b>[33] External Reviews: Transparency International – Customer Engagement (5.2) (Webpage)</b> Accessed 22/06/2020 <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a> Our representative offices with permanent employees are based in Brussels and Berlin. Accordingly, the majority of our lobbying expenditure is incurred here.</p> <p>The expenditure disclosed on the website of the European Union Transparency Register (<a href="https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=456211534646-58">https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=456211534646-58</a>) mainly covers the costs of our Brussels office and includes certain membership fees regarding associations mentioned there as well.</p> <div><table><tr><td>Financial year:</td><td>10/2018 - 09/2019</td></tr><tr><td>Estimate of the annual costs related to activities covered by the register:</td><td>700,000 € - 799,999 €</td></tr></table></div> <p>The costs of our Berlin office were in the range of 350,000 – 400,000 € in the financial year 2018/2019.</p> <p><b>[33] External Reviews: Transparency International – Customer Engagement (5.2) (Webpage)</b> Accessed 22/06/2020 <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a> We have joined the European Union Transparency Register for many years where we disclose our activities and comply with the -&gt; tk Code of Conduct and the -&gt; European Union Code of Conduct.</p> <p>Our representative offices are based in Brussels and Berlin.</p> <p>Important related documents and links: European Union Transparency Register European Union Code of Conduct Code of Conduct</p> <p>Our political contacts, especially in the defence sector, are under the full scrutiny of the parliament, the German Bundestag, e.g. <a href="http://dip21.bundestag.de/dip21/btd/19/162/1916291.pdf">http://dip21.bundestag.de/dip21/btd/19/162/1916291.pdf</a>.</p> <p><b>[68] European Union Transparency Register</b> Accessed 29/03/2020 <a href="https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en">https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en</a></p>	Financial year:	10/2018 - 09/2019	Estimate of the annual costs related to activities covered by the register:	700,000 € - 799,999 €
Financial year:	10/2018 - 09/2019			
Estimate of the annual costs related to activities covered by the register:	700,000 € - 799,999 €			

Financial Data

**Financial year:** 10/2017 - 09/2018

**Estimate of the annual costs related to  
activities covered by the register:** 800,000 € - 899,999 €

### 5.3 Gifts and Hospitality

Question
<b>5.3.1 Does the company have a policy and/or procedure on gifts and hospitality to ensure they are bona fide to prevent undue influence or other corruption?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company has a policy on the giving and receipt of gifts and hospitality with procedures designed to ensure that such promotional expenses are bona fide and not used for bribery. This policy establishes financial limits, along with an approval procedure, for the different types of promotional expense that employees may encounter. The policy also explicitly addresses the risks associated with gifts and hospitality given to and/or received from domestic and foreign public officials, by specifying a different financial threshold. There is further evidence that all gifts and hospitality above a certain threshold are recorded in a dedicated register that is accessible to those responsible for oversight of the process.</p>
Evidence
<p><b>[34] External Reviews: Transparency International – Customer Engagement (5.3) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a></p> <p>Our Group wide gift policy says that invitations and gifts must not be misused to influence decisions of business partners, customers or public officials. Invitations and gifts may therefore only be accepted or granted if occasion and scope are reasonable, i.e. of low value and of local customary business practice. In order to avoid the suspicion of attempting to influence business decisions, strict standards are to be applied when considering the value and local customs. The acceptance of invitations to sporting, cultural or similar events which are not directly connected in time and place with an employee's work obligations and/or which include related persons require prior approval of the superior.</p> <p>We use innovative formats to sensitize our employees for the topic of gifts and invitations. In 2018, for example, this was achieved through a lottery where received gifts that were above our indicative thresholds of reasonableness were raffled off to employees.</p> <p>Guidance Note on dealing with invitations, gifts and private discounts, page 10:</p> <p><b>/ ANNEX /</b></p> <p><b>/ STANDARD VALUE FOR THE ADMISSIBILITY OF INVITATIONS AND GIFTS /</b></p> <p>Subject to tighter requirements in individual Group companies, ThyssenKrupp has no misgivings about the acceptance or granting of the following invitations or gifts (in each case per person and benefit). The values indicated below are standard values, i.e. in individual cases benefits outside the range of the standard values may be appropriate. In cases of doubt a Compliance Officer should be consulted. This also applies if there is reason to assume that stricter value limits apply in certain countries or in dealing with certain public officials or customers.</p> <p><b>/ 1. INVITATIONS /</b></p> <p>The term invitations is to be understood in the broadest sense and can relate to a large number of situations, ranging from normal business meals to attendance of events for business partners, in which the business aspect is not to the fore ("customer events"). The invitation has a material value for the guest which may lie for example in the share of costs of food and drinks or the entertainment program.</p> <p>ThyssenKrupp considers invitations to be admissible up to the following standard values:</p> <ul style="list-style-type: none"> <li>» Invitations to business partners: approx. 100 €</li> <li>» Invitations from business partners: approx. 100 €</li> <li>» Invitations to public officials: 35 €<sup>1</sup></li> </ul>



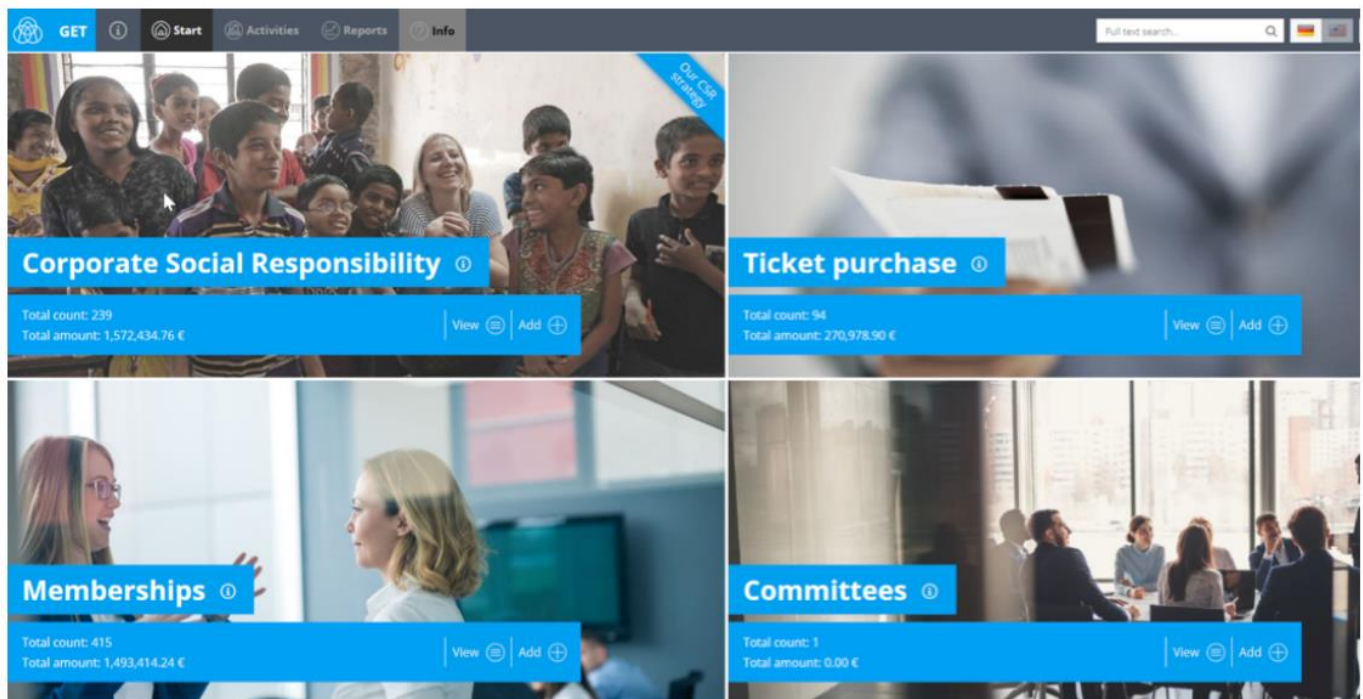
## / 2. GIFTS /

ThyssenKrupp considers gifts to be admissible up to the following standard values:

- » Gifts to business partners: approx. 50 €
- » Gifts from business partners: approx. 50 €
- » Gifts to public officials: Low-value, typical promotional gifts, e.g. diaries, pens (not precious metal)

At thyssenkrupp, we operate an IT supported group-wide uniform process (Global Engagement Tool) for the internal approval and documentation of – inter alia - donations/sponsoring, memberships and ticketing. With this Global Engagement Tool we thoroughly document all activities and contributions in connection with corporate citizenship and are able to give reports to external and internal requests on thyssenkrupp's group-wide activities.

Please see below for a screenshot of the Global Engagement Tool:



With tickets purchases oftentimes constituting the basis of higher value invitations, we are therefore addressing a major part of thyssenkrupp's higher value invitations in this tool. According to certain thresholds, ticket purchases have to be reviewed by the compliance function.

#### [4] Group Regulation Corruption Prevention (Document)

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group\\_regulation\\_corruption\\_prevention.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf)

##### [p.4] 3.6 Invitations and Gifts

Invitations and gifts may not be misused to influence decisions of business partners, customers or public officials.

Invitations and gifts may therefore only be accepted or granted if occasion and scope are reasonable, i.e. of low value and of local customary business practice. In order to avoid the suspicion of attempting to influence business decisions, strict standards are to be applied when considering the value and local customs.

The acceptance of invitations to sporting, cultural or similar events which are not directly connected in time and place with an employee's work obligations and/or which include Related Persons require prior approval of the superior.

In this context the binding requirements of the Group Regulation on Corporate Citizenship Activities, Memberships, and Ticket Purchases in its current version must be observed.

[p.5] In addition, the recommendations of the Guidance Notes on Dealing with Invitations, Gifts and Discounts including the value limits specified therein as well as the FAQs on Invitations and Gifts in their current versions give further guidance.

[...]

### 3.8 Delegation Trips and Plant Visits

Invitations to delegation trips or plant visits, e.g. for inspection, demonstration or technical approval purposes as well as visits to reference sites must only be extended to employees of (potential) business partners, customers or public officials if an underlying legitimate business purpose exists.

Legitimate business purposes include (but are not limited to) for instance the presentation of products and services of the company as well as the fulfillment of a contractual obligation vis-à-vis the business partner, customer or public authority.

Organisation and itinerary of the trip along with a written agenda must be documented. The documentation shall include details regarding the participants and the itinerary of the trip, especially details of the social program and / or invitations as well as the planned and actual costs incurred. This includes any deviations from the original itinerary. Multi-day trips or trips with a lavish social program are permitted only on the basis of a contractual agreement with the business partner, customer or public authority on the basis of a written agenda. The consent of the business partner, customer or public authority may substitute the contractual agreement.

Meeting travel and incidental expenses (except local transportation) of an employee of the business partner, customer or of the public official also requires a contractual agreement or the consent of the business partner, customer or public authority.

Section 3.6 shall apply accordingly.

Trips involving spouses, relatives or other accompanying persons are to be avoided and are only permitted after prior review by a Compliance Officer.

Individual Business Areas have issued additional policies on this subject which must be observed.

### [p.6] 3.10 Behavior in Case of Doubt

In cases of doubt about the admissibility of a particular conduct or if the conduct is likely to create the appearance of corruption ("appearance of wrongdoing") this conduct must be avoided. Alternatively and before any action is taken, the facts of the case are to be submitted for legal assessment to a Compliance Officer whose recommendations and guidelines are to be considered.

A legal assessment by a Compliance Officer is always required in the following critical situations (non-exhaustive list) as they may create the appearance of wrongdoing:

[...]

- in connection with invitations and gifts if it is known that the recipient's company issued narrow Compliance guidelines or instructions which the recipient would violate in accepting the invitation or gift;

[...]

- in case of extravagant invitations;

[p.7] - in case of invitations involving accompanying persons;

- in case of extravagant gifts (e.g. luxury goods, precious metals);



- in case of delegation trips/plant visits with more than a minor social program or involving accompanying persons.

**[30] Supplier Code of Conduct (English) (Document)**

Accessed on 26/03/2020

[https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag\\_supplier\\_coc\\_2017-v3\\_en.pdf](https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf)

[p. 2] Invitations and gifts

At thyssenkrupp, we expect that our suppliers refrain from presenting any invitations or gifts to our employees so as to gain any form of influence. Any invitations or gifts extended to thyssenkrupp employees or related parties, if any, must be reasonable and suitable with a view to scope and design, i.e. they must be of low financial value and reflect ordinary local business custom. We also expect our suppliers to refrain from asking thyssenkrupp employees or related parties for any inappropriate advantages.

## 6. Supply Chain Management

Question
<b>6.1. Does the company require the involvement of its procurement department in the establishment of new supplier relationships and in the oversight of its supplier base?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company requires the involvement of specialist procurement in the establishment of all new supplier relationships. The company states that these departments are ultimately responsible for providing oversight of the company's supplier base. There is also evidence that the company assures itself that proper procedures regarding the onboarding of suppliers are followed through regular audits of the company's procedures at least every three years.</p>
Evidence
<p><b>[35] External Reviews: Transparency International – Supply Chain Management (6.1) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a></p> <p>The procurement departments of the thyssenkrupp group companies which are organised in a group-wide procurement network are fully responsible for managing their supplier portfolio. Therefore, process-wise, we see no possibility within thyssenkrupp group companies to place an order to suppliers without involving the procurement department. The procurement processes are furthermore regularly reviewed by audits conducted by the Internal Auditing Department.</p> <p>Furthermore, acting responsibly is firmly integrated in our procurement processes. When awarding contracts, our decisions are not only based on economic, technological and process criteria. Sustainability also has a key role in our supplier management.</p> <p>We at thyssenkrupp expect all suppliers to meet the highest expectations regarding sustainability, quality, pricing as well as contract and delivery performance. We expect our suppliers to sign our Supplier Code of Conduct before entering in business with thyssenkrupp unless the supplier can prove that he has at least a comparable level of policy and processes in place. This includes suppliers of goods as well as services, e.g. consultants. If the supplier refrains from signing our Supplier Code of Conduct for good reason we check the Code of Conduct of our supplier whether it meets our standards of doing proper business. If we are still in doubt, we ask our supplier to proof what they are doing to guarantee proper business. If we are not finally convinced, we stop doing business.</p> <p>Important related documents and links:</p> <p>For suppliers  Responsible Procurement</p> <p><b>[36] Procurement For Suppliers (Webpage)</b>  Accessed on 29/03/2020  <a href="https://www.thyssenkrupp.com/en/company/procurement/for-suppliers">https://www.thyssenkrupp.com/en/company/procurement/for-suppliers</a></p> <p>Our procurement is digital</p> <p>As we are digitalizing our business processes, thyssenkrupp is using the SAP Ariba procurement system. For you as a supplier, this means: In order to simplify and digitalize processes, orders and invoices are processed online via the portal of the SAP Ariba network.</p> <p>[...]</p> <p>The qualification process is generally initiated by thyssenkrupp. You will receive an email to register in the SAP Ariba Network or, if you are already a registered SAP Ariba Network supplier, to log in with your account and start the qualification process.</p>

[...]

Tender process

To be able to participate in tenders and eAuctions via the SAP Ariba network, you will have to register. Registration is free for suppliers. If you need to follow the process, you will be prompted by email to register for tenders and eAuctions via the SAP Ariba Network.

**[38] Procurement (Webpage)**

Accessed 30/06/2020

<https://www.thyssenkrupp.com/en/company/procurement>

Procurement

Solutions for innovative, sustainable products and processes

Together, we are stronger. Within our company. With our customers. And with our suppliers. Together, we develop market-leading solutions for innovative products and processes.

Cooperating closely as partners, we continuously create new earnings and sales opportunities. Our procurement contributes significantly to a strong operative performance and the strategic development of our business. By sustainably reducing material cost. By ensuring high material availability and service levels. By bringing in technological innovation. Our success factors are our highly qualified, motivated and globally networked employees, cross-functional collaboration and state-of-the-art procurement practices. And, of course, our high performing, innovative suppliers. Our joint target is the high competitiveness of our customers and businesses.

**[41] Supplier Declaration (English) (Document)**

Accessed on 26/03/2020

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration\\_en\\_v3.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets/files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration_en_v3.pdf)

This document shall be duly signed by authorized signatories of Supplier as required by Supplier's internal levels of authority and returned to the following address within 20 working days from date of receipt (post stamp):

thyssenkrupp AG

Corporate Function Procurement and Supply Management Procurement Strategy & Development

Postbox,

45063 Essen

Germany

Question
<b>6.2 Does the company conduct risk-based anti-bribery and corruption due diligence when engaging or re-engaging with its suppliers?</b>
Score
<b>0</b>
Comments
<p>There is no publicly available evidence the company conducts risk-based anti-bribery and corruption due diligence when engaging or re-engaging with suppliers. The company states that its suppliers perform a self-assessment, however, there is no clear evidence that prior to engaging suppliers the company carries out due diligence or other screening checks designed to identify bribery and corruption risks.</p>
Evidence
<p><b>[39] External Reviews: Transparency International – Supply Chain Management (6.2) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>  Suppliers have to register and are then qualified in our supplier platform pronet or on comparable company-specific platforms which include the request for information on ultimate beneficial ownership. It is further necessary to accept the thyssenkrupp Supplier Code of Conduct as binding. Please see under Quick guide for thyssenkrupp supplier qualification.</p> <p>Once engaged we review our suppliers' Compliance with the principles and requirements laid out in the thyssenkrupp Supplier Code of Conduct regularly.</p> <p>Furthermore, we reserve the right to consult with each supplier and to either perform a sustainability audit at the supplier's site or to appoint a qualified third party to perform the audit. thyssenkrupp receives a full report on the audit findings. Each year we carry out sustainability audits of at least 100 suppliers to check whether they comply with the principles set out in our Supplier Code of Conduct and consistently meet our requirements; this process is part of our strategic supplier management. We select the suppliers to be audited on the basis of standard group-wide risk criteria for specific countries and sectors. Where necessary, improvement measures are agreed during the audits and then followed up. In this way we support supplier development and reduce our risks and possible negative impacts along the supply chain. More than 140 sustainability audits were carried out in last fiscal year 2018/2019. To highlight the importance of such supplier audits, we have made this goal of at least 100 audits per year an indirect financial target of thyssenkrupp and include it in our annual financial reporting, e.g. see our Annual Report 2018/2019, pp. 51, 102.</p> <p>Any violation of the principles and requirements set out in this thyssenkrupp Supplier Code of Conduct will be regarded as a serious violation of the supplier regarding his contractual obligations towards thyssenkrupp. In the event that the supplier is suspected of violating any of the principles or requirements laid out in the thyssenkrupp Supplier Code of Conduct (e.g. based on negative media reports), thyssenkrupp reserves the right to request from the supplier that all relevant information may be disclosed. In the event that a supplier evidently fails to fulfill any of the principles or requirements set out in this thyssenkrupp Supplier Code of Conduct, or refuses to pursue and implement measures for improving his sustainability performance, after having been given a reasonable period of time, thyssenkrupp reserves the right to immediately terminate any or all contracts with the supplier for cause. Various risk analyses help our Group identify risks early. In addition, we regularly ask our suppliers to provide comprehensive information on pertinent processes and management systems via self-assessments.</p> <p>Acting responsibly is firmly integrated in our procurement processes. When awarding contracts, our decisions are not only based on economic, technological and process criteria. Sustainability is also playing a key role in our supplier management. Furthermore, every week all suppliers are screened in automated process regarding potential hits on sanction lists.</p> <p>Important related documents and links:</p> <p>Responsible Procurement Supplier Code of Conduct</p> <p><b>[30] Supplier Code of Conduct (English) (Document)</b></p>

Accessed on 26/03/2020

[https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag\\_supplier\\_coc\\_2017-v3\\_en.pdf](https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf)

[p.3] We will review our suppliers' compliance with the principles and requirements laid out in the thyssenkrupp Supplier Code of Conduct regularly, asking our suppliers to complete a self assessment not more than once a year. Furthermore, we reserve the right to consult with each supplier and to either perform a sustainability audit at the supplier's site or to appoint a qualified third party to perform the audit.

Question
<b>6.3 Does the company require all of its suppliers to have adequate standards of anti-bribery and corruption policies and procedures in place?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company ensures that all of its suppliers have adequate anti-bribery and corruption policies and procedures in place, including in relation to conflicts of interest, gifts and hospitality, as well as a prohibition of facilitation payments. There is evidence that the company takes active steps to ensure this by requiring that all suppliers follow its own Supplier Code of Conduct or have comparable standards in place. The company conducts assurance when onboarding new suppliers. Additionally, there is evidence that the company assures itself of its suppliers' standards of conduct periodically throughout the business relationship. The company states that its whistleblowing channels are open to all suppliers and sub-contractors.</p>
Evidence
<p><b>[40] External Reviews: Transparency International – Supply Chain Management (6.3) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>  thyssenkrupp requires all suppliers to have an adequate standard of anti-bribery and corruption policies and procedures in place, we oblige all strategic suppliers to accept our tk Supplier Code of Conduct that consists of such rules as:</p> <p>The thyssenkrupp Supplier Code of Conduct outlines our understanding of sustainability and Compliance as well the standards to be met by our suppliers. Some of the key topics addressed are:</p> <p>Conduct towards employees</p> <p>Environmental protection</p> <p>Occupational health and safety</p> <p>Conduct in the business environment</p> <p>Supplier relations</p> <p>As we are committed to treating employees, customers, suppliers and local residents responsibly and with fairness, we expect our suppliers to share this commitment with us. We expect from our suppliers that all their business activities fully comply with applicable national and international laws and regulations, with the principles of the United Nations Global Compact, and with the requirements and standards laid out in the thyssenkrupp Supplier Code of Conduct.</p> <p>According to the legal environment in many countries, we consider facilitation payments prohibited per se in our compliance policies and corruption prevention program, see under</p> <p><a href="https://www.thyssenkrupp.com/en/company/compliance/program/">https://www.thyssenkrupp.com/en/company/compliance/program/</a></p> <p>Central components of the “Inform” pillar of our compliance program are the core topics antitrust law and corruption prevention. In the programs, employees are informed about compliance requirements, risks, and possible sanctions. The requirements are based on law and our group-wide policies. They also serve the implementation of international standards. They cover for example rules for dealing with competitors and business partners and responding to invitations and gifts, as well as the prohibition of facilitation payments.</p> <p>Therefore, the strict requirements for our suppliers regarding anti-bribery and corruption for us also implicitly include the prohibition of facilitation payments.</p> <p>Our thyssenkrupp whistleblowing system to report any kind of misconduct in the area of anti-bribery and corruption is also accessible by third parties, including our suppliers and sub-suppliers:</p>

<https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report>

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11&language=eng>

**[39] External Reviews: Transparency International – Supply Chain Management (6.2) (Webpage)**

Accessed 22/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management>

Suppliers have to register and are then qualified in our supplier platform pronet or on comparable company-specific platforms which include the request for information on ultimate beneficial ownership. It is further necessary to accept the thyssenkrupp Supplier Code of Conduct as binding. Please see under Quick guide for thyssenkrupp supplier qualification.

Once engaged we review our suppliers' Compliance with the principles and requirements laid out in the thyssenkrupp Supplier Code of Conduct regularly.

Furthermore, we reserve the right to consult with each supplier and to either perform a sustainability audit at the supplier's site or to appoint a qualified third party to perform the audit. thyssenkrupp receives a full report on the audit findings. Each year we carry out sustainability audits of at least 100 suppliers to check whether they comply with the principles set out in our Supplier Code of Conduct and consistently meet our requirements; this process is part of our strategic supplier management. We select the suppliers to be audited on the basis of standard group-wide risk criteria for specific countries and sectors. Where necessary, improvement measures are agreed during the audits and then followed up. In this way we support supplier development and reduce our risks and possible negative impacts along the supply chain. More than 140 sustainability audits were carried out in last fiscal year 2018/2019. To highlight the importance of such supplier audits, we have made this goal of at least 100 audits per year an indirect financial target of thyssenkrupp and include it in our annual financial reporting, e.g. see our Annual Report 2018/2019, pp. 51, 102.

Any violation of the principles and requirements set out in this thyssenkrupp Supplier Code of Conduct will be regarded as a serious violation of the supplier regarding his contractual obligations towards thyssenkrupp. In the event that the supplier is suspected of violating any of the principles or requirements laid out in the thyssenkrupp Supplier Code of Conduct (e.g. based on negative media reports), thyssenkrupp reserves the right to request from the supplier that all relevant information may be disclosed. In the event that a supplier evidently fails to fulfill any of the principles or requirements set out in this thyssenkrupp Supplier Code of Conduct, or refuses to pursue and implement measures for improving his sustainability performance, after having been given a reasonable period of time, thyssenkrupp reserves the right to immediately terminate any or all contracts with the supplier for cause. Various risk analyses help our Group identify risks early. In addition, we regularly ask our suppliers to provide comprehensive information on pertinent processes and management systems via self-assessments.

Acting responsibly is firmly integrated in our procurement processes. When awarding contracts, our decisions are not only based on economic, technological and process criteria. Sustainability is also playing a key role in our supplier management. Furthermore, every week all suppliers are screened in automated process regarding potential hits on sanction lists.

**[35] External Reviews: Transparency International – Supply Chain Management (6.1) (Webpage)**

Accessed 22/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management>

The procurement departments of the thyssenkrupp group companies which are organised in a group-wide procurement network are fully responsible for managing their supplier portfolio. Therefore, process-wise, we see no possibility within thyssenkrupp group companies to place an order to suppliers without involving the procurement department. The procurement processes are furthermore regularly reviewed by audits conducted by the Internal Auditing Department.

Furthermore, acting responsibly is firmly integrated in our procurement processes. When awarding contracts, our decisions are not only based on economic, technological and process criteria. Sustainability also has a key role in our supplier management.

We at thyssenkrupp expect all suppliers to meet the highest expectations regarding sustainability, quality, pricing as well as contract and delivery performance. We expect our suppliers to sign our Supplier Code of Conduct before entering in business with thyssenkrupp unless the supplier can prove that he has at least a comparable level of



policy and processes in place. This includes suppliers of goods as well as services, e.g. consultants. If the supplier refrains from signing our Supplier Code of Conduct for good reason we check the Code of Conduct of our supplier whether it meets our standards of doing proper business. If we are still in doubt, we ask our supplier to proof what they are doing to guarantee proper business. If we are not finally convinced, we stop doing business.

#### **[67] Annual Report 2018-2019**

Accessed 26/11/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web\\_neu.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf)

[p.19] Suppliers are required to follow the thyssenkrupp Supplier Code of Conduct.

#### **[30] Supplier Code of Conduct (English) (Document)**

Accessed on 26/03/2020

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag\\_supplier\\_coc\\_2017-v3\\_en.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf)

[p.3] Prohibition of corruption and bribery

At thyssenkrupp, we expect our suppliers to have zero-tolerance for corruption and to ensure compliance with all United Nations (UN) and Organisation for Economic Co-operation and Development (OECD) conventions against corruption, and with all governing anti-corruption laws. In particular, our suppliers are expected to ensure that their employees, subcontractors and agents do not offer, promise or grant any advantages to any thyssenkrupp employees or related parties with the goal of securing an order award or any other form of preferential treatment in their business transactions.

##### **Invitations and gifts**

At thyssenkrupp, we expect that our suppliers refrain from presenting any invitations or gifts to our employees so as to gain any form of influence. Any invitations or gifts extended to thyssenkrupp employees or related parties, if any, must be reasonable and suitable with a view to scope and design, i.e. they must be of low financial value and reflect ordinary local business custom. We also expect our suppliers to refrain from asking thyssenkrupp employees or related parties for any inappropriate advantages.

##### **Preventing conflicts of interest**

In our suppliers' business dealings with us, we expect our suppliers to take decisions based on objective criteria only. Any factors that might influence our suppliers' decisions due to private, business or other conflicts of interest must be prevented from the start. The same applies to relatives and other related parties.

[...]

##### **Compliance with the thyssenkrupp Supplier Code of Conduct**

We will review our suppliers' compliance with the principles and requirements laid out in the thyssenkrupp Supplier Code of Conduct regularly, asking our suppliers to complete a self assessment not more than once a year. Furthermore, we reserve the right to consult with each supplier and to either perform a sustainability audit at the supplier's site or to appoint a qualified third party to perform the audit.

In the event that such a sustainability audit is performed, the supplier shall bear all costs and expense for this audit if the annual turnover of the supplier with thyssenkrupp exceeds 100,000 €. The audit cost should usually not exceed a limit of 5,000 Euros. thyssenkrupp will receive a full report on the audit findings.

Any violation of the principles and requirements set out in this thyssenkrupp Supplier Code of Conduct will be regarded as a serious violation of the supplier regarding his contractual obligations towards thyssenkrupp. In the event that supplier is suspected of violating any of the principles or requirements laid out in the thyssenkrupp Supplier Code of Conduct (e.g. based on negative media reports), thyssenkrupp reserves the right to request from the supplier that all relevant information be disclosed.

In the event that a supplier evidently fails to fulfill any of the principles or requirements set out in this thyssenkrupp Supplier Code of Conduct, or refuses to pursue and implement measures for improving his sustainability performance, after having been given a reasonable period of grace, thyssenkrupp reserves the right to immediately terminate any or all contracts with the supplier for cause.

#### **[41] Supplier Declaration (English) (Document)**

Accessed on 26/03/2020

[https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration\\_en\\_v3.pdf](https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration_en_v3.pdf)

[p.1] thyssenkrupp Supplier Code of Conduct

Supplier Declaration

We, the undersigned, hereby confirm on behalf of our company (the „Supplier“) that

1. we have received the thyssenkrupp Supplier Code of Conduct.
2. by signing this document, we undertake to acknowledge and comply with all provisions and principles laid out in the thyssenkrupp Supplier Code of Conduct, above and beyond any other contractual obligations that we might have entered into with thyssenkrupp or any thyssenkrupp affiliates.
3. This Supplier Declaration shall be governed exclusively by the substantive law of the Federal Republic of Germany.

[...]

This document shall be duly signed by authorized signatories of Supplier as required by Supplier's internal levels of authority and returned to the following address within 20 working days from date of receipt (post stamp):

thyssenkrupp AG

Corporate Function Procurement and Supply Management

Procurement Strategy & Development

Postbox,

45063 Essen

Germany

Question
<b>6.4 Does the company ensure that its suppliers require all their sub-contractors to have anti-corruption programmes in place that at a minimum adhere to the standards established by the main contractor?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company takes steps to ensure that its sub-contractors have adequate anti-bribery and corruption programmes in place and that the substance of its anti-corruption and bribery programme and standards are included in sub-contracts throughout the supply chain. The company states that it ensures this commitment in practice by requiring suppliers to sign a declaration that they will adhere to the standards in the company's Code of Conduct in all its dealings with suppliers. The company also publishes a clear anti-corruption statement that all suppliers are obliged to endorse and adhere to in their operations.</p>
Evidence
<p><b>[42] External Reviews: Transparency International – Supply Chain Management (6.4) (Webpage)</b>  Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>  We insist that all suppliers require all sub-contractors throughout the supply chain to have formal and publicly declared anti-bribery and corruption programs and standards in place by the obligatory signing of our tk Supplier Code of Conduct.</p> <p>In the Supplier Code of Conduct we state the following</p> <p>“Supplier relations At thyssenkrupp, we expect our suppliers to communicate the principles laid out herein to their subcontractors and sub-suppliers and to take these principles into account when selecting subcontractors and sub-suppliers. Our suppliers are expected to encourage their subcontractors and sub-suppliers to comply with the minimum standards of this Code of Conduct regarding the protection of human rights, working conditions, anti-corruption and environmental protection when fulfilling their contractual obligations. Further we expect from our suppliers to only source material from legal sources and if requested to provide evidence on the legal source.”</p> <p>We further state in our Supplier Code of Conduct that</p> <p>“In particular our suppliers are expected to ensure that their employees, subcontractors and agents do not offer, promise or grant any advantages to any thyssenkrupp employees or related parties with the goal of securing an order award or any other form of preferential treatment in their business transactions.”</p> <p>We further refer to the respective obligations with regard to gifts and invitations as well as preventing conflicts of interests. Supplier Code of Conduct.</p> <p>In practical terms, this is implemented via a declaration the supplier needs to sign, stating the acceptance of our Supplier Code of Conduct.</p> <p><b>[30] Supplier Code of Conduct (English) (Document)</b>  Accessed on 26/03/2020  <a href="https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf">https://d13gmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf</a>  [p.3] Prohibition of corruption and bribery  At thyssenkrupp, we expect our suppliers to have zero-tolerance for corruption and to ensure compliance with all United Nations (UN) and Organisation for Economic Co-operation and Development (OECD) conventions against corruption, and with all governing anti-corruption laws. In particular, our suppliers are expected to ensure that their employees, subcontractors and agents do not offer, promise or grant any advantages to any thyssenkrupp employees or related parties with the goal of securing an order award or any other form of preferential treatment in their business transactions.</p> <p>Invitations and gifts  At thyssenkrupp, we expect that our suppliers refrain from presenting any invitations or gifts to our employees so as to gain any form of influence. Any invitations or gifts extended to thyssenkrupp employees or related parties, if any,</p>

must be reasonable and suitable with a view to scope and design, i.e. they must be of low financial value and reflect ordinary local business custom. We also expect our suppliers to refrain from asking thyssenkrupp employees or related parties for any inappropriate advantages.

#### Preventing conflicts of interest

In our suppliers' business dealings with us, we expect our suppliers to take decisions based on objective criteria only. Any factors that might influence our suppliers' decisions due to private, business or other conflicts of interest must be prevented from the start. The same applies to relatives and other related parties.

[...]

#### Supplier relations

At thyssenkrupp, we expect our suppliers to communicate the principles laid out herein to their subcontractors and subsuppliers and to take these principles into account when selecting subcontractors and subsuppliers. Our suppliers are expected to encourage their subcontractors and subsuppliers to comply with the minimum standards of this Code of Conduct regarding the protection of human rights, working conditions, anti-corruption and environmental protection when fulfilling their contractual obligations. Further we expect from our suppliers to only source material from legal sources and if requested to provide evidence on the legal source.

Any violation of the principles and requirements set out in this thyssenkrupp Supplier Code of Conduct will be regarded as a serious violation of the supplier regarding his contractual obligations towards thyssenkrupp. In the event that a supplier evidently fails to fulfill any of the principles or requirements set out in this thyssenkrupp Supplier Code of Conduct, or refuses to pursue and implement measures for improving his sustainability performance, after having been given a reasonable period of grace, thyssenkrupp reserves the right to immediately terminate any or all contracts with the supplier for cause.

Question
<b>6.5 Does the company publish high-level results from ethical incident investigations and disciplinary actions against suppliers?</b>
Score
<b>0</b>
Comments
<p>While there is evidence the company commits to investigating incidents involving suppliers, there is no evidence that the company publishes any data on ethical or anti-bribery and corruption investigations relating to its suppliers, or the associated disciplinary actions.</p>
Evidence
<p><b>[43] External Reviews: Transparency International – Supply Chain Management (6.5) (Webpage)</b>          Accessed 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>          If there are signs of infringements by customers or suppliers, we investigate every single case thoroughly. In case of proven violations of our policies or even legal violations, action is taken to remedy the violation immediately, such as individual reaction against suppliers (e.g. termination of contract, reorganization, increased Compliance efforts, phase out), request for damage compensation or filing a complaint to public authorities.</p> <p>Furthermore, results from internal investigations may well be taken into account internally for future procurement decisions by the business.</p> <p><b>[37] Responsible procurement (Webpage)</b>          Accessed 26/07/2019  <a href="https://www.thyssenkrupp.com/en/company/procurement/responsible-procurement">https://www.thyssenkrupp.com/en/company/procurement/responsible-procurement</a>          If there are signs of infringements by customers or suppliers, we investigate every single case thoroughly. In case of proven violations of our policies or even legal violations, action is taken to remedy the violation immediately, such as individual reaction against suppliers (e.g. termination of contract, reorganization, increased Compliance efforts, phase out), request for damage compensation or filing a complaint to public authorities.</p>

## 7. Agents, Intermediaries and Joint Ventures

### 7.1 Agents and Intermediaries

Question
7.1.1 Does the company have a clear policy on the use of agents?
Score
2
Comments
<p>There is evidence that the company has a policy covering the use of agents, which highlights the corruption risks associated with agents and provides details of controls to mitigate these risks, including due diligence on agents. The company also states that its policy applies to all companies in its corporate group, including subsidiaries and joint ventures. The company indicates that it commits to establishing and verifying that the use of agents is, in each case, necessary to perform a legitimate business function.</p>
Evidence
<p><b>[44] External Reviews: Transparency International – Third Parties (7.1.1) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  thyssenkrupp Group Companies in different ways engage external companies and individuals to be represented or supported in relation to commercial counterparties and public authorities.</p> <p>Internationally high standards are reflected in the Group Regulation Corruption Prevention (section 3.9) with respect to the use of consultants and intermediaries. The Group Regulation Compliance in Dealing with Business Partners further concretizes these standards for the Business Partners in scope, which explicitly applies to sales intermediaries (sales agents) and offset service providers.</p> <p>Our Group Regulation Compliance in Dealing with Business Partners explicitly demands a business need for engaging a Business Partner, see the quotation below:</p> <p><b>4.1 Verification of business need to use a Business Partner</b></p> <p>The use of <i>Business Partners</i> requires in advance a careful verification and positive assessment from a business perspective that the use of a <i>Business Partner</i> is necessary due to business reasons. The reasons regarding the necessity have to be documented in writing and shall take explicitly a position on the question why the services of the <i>Business Partner</i> cannot be provided by thyssenkrupp itself.</p> <p>The aim of the Group Regulations Corruption Prevention as well as Compliance in Dealings with Business Partners is moreover, by laying out the aforementioned rules, to avoid as far as possible an indication (appearance of wrongdoing) regarding corruption through the use of business partners.</p> <p>Already since the introduction of the thyssenkrupp Compliance programme, dealings with sales agents play a key role in our Compliance advice, risk assessment and other elements of our programme. On the one hand, the business model in itself is legally permissible and customary in many areas. On the other hand, numerous Compliance risks are connected with the engagement of sales agents, which was exemplified over the last years by a series of significant industry-wide cases.</p>

The intrinsic problem of engaging sales agents is that even though accusations are directed towards the sales agent and therewith towards a person outside of the company, the accusations fall back on thyssenkrupp, as the sales agent is perceived as part of our sales organization.

Therefore, it is obligatory to conduct an identity and Compliance check of Business Partners, including a corresponding due diligence check, by means of the Business Partner Compliance Tool (BPCT). The BPCT streamlines and improves already-existing processes with respect to integrity checks of Business Partners by a workflow based IT application.

As all our Group Regulations, the Group Regulation Corruption Prevention and the Group Regulation Compliance in Dealing with Business Partners are applicable to subsidiaries and joint ventures, which are controlled by thyssenkrupp.

#### **[4] Group Regulation Corruption Prevention (Document)**

Accessed on 26/07/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group\\_regulation\\_corruption\\_prevention.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf)

[p.6] 3.9 Consultants and Intermediaries

When concluding commission agreements, it must be ensured that commissions are only paid for legally permissible activities and are not used for illicit payments. Commissions and compensations paid to a consultant, intermediary or any other person engaged by or on behalf of thyssenkrupp must be proportionate and reasonable in relation to the activities carried out.

Payments suspected to be used in whole or in part as bribes may not be agreed upon.

In the context of third parties to be engaged for sales support purposes the binding requirements of the Group Regulation on the use of intermediaries, consultants and other persons engaged for sales support purposes in its current version must be observed.

#### **[10] External Reviews: Transparency International – Internal Controls (2.1) (Webpage)**

Accessed on 26/07/2019

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls>

*Does the company review its anti-bribery and corruption risk assessment procedure and update it when gaps and issues are identified?*

Over the past few years, we have further conducted an extensive analysis of the cooperation with our sales agents (especially in the marine sector). This is in particular due to media-effective cases such as the "Israel" case, which made us aware of potential improvements in our Compliance programme, but also serves to illustrate our approach to further developing our Compliance programme:

Due to the "Israel" case inter alia, we today carry out extensive Compliance checks before hiring sales agents. By means of complex verification processes, we have the opportunity to identify risks as early as possible and to minimize them as far as possible. If there are indications of irregularities, we investigate them in full at any time and may sort out doubtful business partners from the outset. Furthermore, we insist on very clear contractual terms with our sales agents, especially with regard to the adherence of antitrust and anti-corruption laws as well as the performance records to be delivered.



Question
<b>7.1.2 Does the company conduct risk-based anti-bribery and corruption due diligence when engaging or re-engaging its agents and intermediaries?</b>
Score
<b>2</b>
Comments
<p>There is some evidence that the company conducts due diligence on its agents, and enhanced due diligence on highest-risk agents. The company commits to termination of the relationship if the highlighted risks cannot be mitigated. The company states that it conducts due diligence both before establishing a relationship with a new agent, and when re-engaging with an existing agent. Additionally, the company states that due diligence on all agents is repeated every two years.</p>
Evidence
<p><b>[45] External Reviews: Transparency International – Third Parties (7.1.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>The use of business partners, including offset service providers, also in sales-related areas, can in specific constellations be in the legitimate business interest of the particular Group Company when complying with the respective legal requirements. We are aware that such a business model may include abstract Compliance risks in some occasions, especially in the field of corruption. In particular, the risk exists that a business partner may pass on a part of the compensation to decision makers.</p> <p>Therefore, according to our Group Regulation Compliance in Dealings with Business Partners, in each case the business wants to engage a business partner, it has to be verified in a pre-defined process. Before a binding agreement is concluded and before the business partner begins to work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the business partner, the intended contractual form and the planned concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent Compliance Department must be consulted.</p> <p>For an identity and Compliance check of each business partner, including an extensive Due Diligence check, the use of the IT based Business Partner Compliance Tool (BPCT) is obligatory. BPCT is a web-based tool, which is used Group wide within thyssenkrupp. Via BPCT, an identity and Compliance check, including a corresponding due diligence is performed. This includes the mandatory request for exclusive background information from the potential business partner as well as the use of external Compliance databases.</p> <p>In case of transactions with special risks and specifically on the defence sector further due diligence measures may need to be taken in alignment with CPL, e.g. a conversation with the Business Partner or obtaining additional external information, e.g. from external law firms, accounting firms etc.</p> <p>The BPCT-process includes an automatic re-submission for a due diligence of all registered agents every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.</p> <p><b>[46] External Reviews: Transparency International – Third Parties (7.1.3) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>The engagement of business partners in high-risk areas is only permissible as described above. This will only occur after undertaking the described thorough due diligence process involving the respective Compliance Officer who may well recommend in his Compliance statement some adequate mitigating measures and procedures. Within the scope of our due diligence assessment, in particular, the following topics are examined:</p> <ul style="list-style-type: none"> <li>• possible family connections to a government advisor or public official involved,</li> <li>• possible historical organizational or personal involvement in dishonest practice,</li> <li>• (unclear) beneficial ownership.</li> <li>• reference projects.</li> </ul>

If the Due Diligence indicates irregularities and red flags we take all reasonable measures to clarify the ultimate beneficial ownership.

The review process for agents and intermediaries includes an automatic re-submission for a due diligence of all registered business partners every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.

If we are not convinced that such measures can adequately reduce the risk of working with the business partners or the ownership still raises concerns, we do not engage him.

The business is constantly reminded of the Board's Compliance Commitment.

#### **4.4 Compliance Check and mandatory use of the Business Partner Compliance Tools**

Before a binding agreement is concluded and before the *Business Partner* begins work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the *Business Partner*, the intended contractual form and the planned/identifiable concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent compliance department must be consulted.

For an identity and compliance check of the *Business Partner*, including a corresponding Due Diligence check, the use of the *Business Partner Compliance Tool (BPCT)* is obligatory. In case of transactions with special risks, further due diligence measures have to be taken in alignment with CPL, e.g. a conversation with the examined *Business Partner* by CPL or obtaining external information.

The use of the BPCT is obligatory for *existing contracts* with respect to the next contract adaption or contract extension, even if it is an automatic renewal, at the latest three years after this Group Regulation becomes effective.

CO/CPL has granted certain permitted exceptions to the obligation to use the *BPCT* in accordance with section 5.2.8 of the Group Regulation Document Architecture.

Question
<b>7.1.3 Does the company aim to establish the ultimate beneficial ownership of its agents and intermediaries?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company has formal procedures to establish the beneficial ownership of business partners before forming a relationship with a new agent, and when re-engaging with an existing agent. The company commits to not engaging with an agent if there are concerns around beneficial ownership. There is some evidence that the company independently verifies the beneficial ownership of the highest-risk agents. The company additionally states that the due diligence process for all agents, including checks on ultimate beneficial ownership, is repeated every two years.</p>
Evidence
<p><b>[46] External Reviews: Transparency International – Third Parties (7.1.3) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>The engagement of business partners in high-risk areas is only permissible as described above. This will only occur after undertaking the described thorough due diligence process involving the respective Compliance Officer who may well recommend in his Compliance statement some adequate mitigating measures and procedures. Within the scope of our due diligence assessment, in particular, the following topics are examined:</p> <ul style="list-style-type: none"> <li>• possible family connections to a government advisor or public official involved,</li> <li>• possible historical organizational or personal involvement in dishonest practice,</li> <li>• (unclear) beneficial ownership.</li> <li>• reference projects.</li> </ul> <p>If the Due Diligence indicates irregularities and red flags we take all reasonable measures to clarify the ultimate beneficial ownership.</p> <p>The review process for agents and intermediaries includes an automatic re-submission for a due diligence of all registered business partners every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.</p> <p>If we are not convinced that such measures can adequately reduce the risk of working with the business partners or the ownership still raises concerns, we do not engage him.</p> <p>The business is constantly reminded of the Board's Compliance Commitment.</p>



#### 4.4 Compliance Check and mandatory use of the Business Partner Compliance Tools

Before a binding agreement is concluded and before the *Business Partner* begins work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the *Business Partner*, the intended contractual form and the planned/identifiable concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent compliance department must be consulted.

For an identity and compliance check of the *Business Partner*, including a corresponding Due Diligence check, the use of the *Business Partner Compliance Tool (BPCT)* is obligatory. In case of transactions with special risks, further due diligence measures have to be taken in alignment with CPL, e.g. a conversation with the examined *Business Partner* by CPL or obtaining external information.

The use of the BPCT is obligatory for *existing contracts* with respect to the next contract adaption or contract extension, even if it is an automatic renewal, at the latest three years after this Group Regulation becomes effective.

CO/CPL has granted certain permitted exceptions to the obligation to use the *BPCT* in accordance with section 5.2.8 of the Group Regulation Document Architecture.

#### [45] External Reviews: Transparency International – Third Parties (7.1.2) (Webpage)

Accessed on 22/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties>

The use of business partners, including offset service providers, also in sales-related areas, can in specific constellations be in the legitimate business interest of the particular Group Company when complying with the respective legal requirements. We are aware that such a business model may include abstract Compliance risks in some occasions, especially in the field of corruption. In particular, the risk exists that a business partner may pass on a part of the compensation to decision makers.

Therefore, according to our Group Regulation Compliance in Dealings with Business Partners, in each case the business wants to engage a business partner, it has to be verified in a pre-defined process. Before a binding agreement is concluded and before the business partner begins to work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the business partner, the intended contractual form and the planned concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent Compliance Department must be consulted.

For an identity and Compliance check of each business partner, including an extensive Due Diligence check, the use of the IT based Business Partner Compliance Tool (BPCT) is obligatory. BPCT is a web-based tool, which is used Group wide within thyssenkrupp. Via BPCT, an identity and Compliance check, including a corresponding due diligence is performed. This includes the mandatory request for exclusive background information from the potential business partner as well as the use of external Compliance databases.

In case of transactions with special risks and specifically on the defence sector further due diligence measures may need to be taken in alignment with CPL, e.g. a conversation with the Business Partner or obtaining additional external information, e.g. from external law firms, accounting firms etc.

The BPCT-process includes an automatic re-submission for a due diligence of all registered agents every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.

Question
<b>7.1.4 Does the company's anti-bribery and corruption policy apply to all agents and intermediaries acting for or on behalf of the company, and does it require anti-bribery and corruption clauses in its contracts with these entities?</b>
Score
<b>0</b>
Comments
<p>There is evidence that the company's anti-bribery and corruption policy applies to all agents and intermediaries acting for or on behalf of the company. All agents and intermediaries are subject to anti-bribery and corruption clauses in their contracts, which include audit rights.</p> <p>However, the company does not state that it includes termination rights in its contracts with agents and therefore receives a score of '0'.</p>
Evidence
<p><b>[47] External Reviews: Transparency International – Third Parties (7.1.4) (Webpage)</b>  Accessed on 28/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  Yes, the basic principles laid out in our Group Regulation on Competition Prevention are applicable vis-à-vis all sales agents and sales intermediaries.</p> <p>On top of that, with respect to certain business partners (for which also signing of the Supplier Code of Conduct remains an obligation), we insist on the inclusion of mandatory anti-corruption clauses also within the main body of the contract:</p> <p>Group Regulation "Compliance in dealings with Business Partners"</p> <p>"Anti-Corruption-Clause</p> <p>"The Business Partner shall note and shall procure that in connection to this agreement neither the Business Partner itself, nor its employees or agents shall offer, give or agree to give to any person or accept or agree to accept from any person (whether for itself or on behalf of another person and either directly or indirectly) any gift or payment, consideration or benefit of any kind, which constitutes an illegal or corrupt practice under the laws involved, including so-called facilitation payments to public officials ("AntiCorruption Obligation"). The Business Partner shall disclose in writing to thyssenkrupp the details of any breach of the AntiCorruption Obligation. This shall be an ongoing obligation. The Business Partner shall</p> <ol style="list-style-type: none"> <li>at all times maintain strict Compliance with the AntiCorruption Obligation;</li> <li>monitor its employees and agents to ensure their Compliance with the AntiCorruption Obligation;</li> <li>make clear, in all its dealings on behalf of thyssenkrupp that it is acting in accordance with the AntiCorruption Obligation."</li> </ol> <p>The Group Regulation on Business Partners furthermore clearly demands that an audit clause is included in sales agents' agreements:</p> <p>Audit-Clause (no conditions)</p> <ul style="list-style-type: none"> <li>"The Business Partner shall at any time upon request by thyssenkrupp provide to a person occupationally sworn to secrecy (legal / tax advisor, auditor) to be designated by thyssenkrupp all information regarding his provision of services to thyssenkrupp and shall in particular grant access to all documents and records which thyssenkrupp may require in relation to such services.</li> <li>The person to be designated by thyssenkrupp shall be entitled to disclose any and all documents and information to thyssenkrupp which in the sole discretion of thyssenkrupp might be relevant with respect to the auditing of the operations of the Business Partner."</li> </ul>

Audit-Clause (with conditions)

- “If the business/transaction/project should at any time be subject to any official investigation or pre-investigation (including, but not limited to, tax, criminal or administrative investigations), the Business Partner shall provide or shall upon request by thyssenkrupp provide to a person occupationally sworn to secrecy (legal / tax advisor, auditor) to be designated by thyssenkrupp all relevant information and shall in particular grant access to all documents and records which thyssenkrupp may require in relation to such investigation.
- The person to be designated by thyssenkrupp shall be entitled to disclose any and all documents and information to thyssenkrupp which in the sole discretion of thyssenkrupp might be relevant in the official investigation or pre-investigation.”



Question
<b>7.1.5 Does the company ensure that its incentive schemes for agents are designed in such a way that they promote ethical behaviour and discourage corrupt practices?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company highlights and addresses incentive structures for agents as a factor in bribery and corruption risk. There is evidence the company has a threshold regarding maximum commission payments to agents and requires compensation to be proportionate and reasonable in relation to the activities carried out. The company states that it prohibits cash payments and will only make payments into local bank accounts, apart from in exceptional circumstances where the agent provides sufficient justification.</p>
Evidence
<p><b>[48] External Reviews: Transparency International – Third Parties (7.1.5) (Webpage)</b>  Accessed on 28/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>Our incentive schemes for agents are designed in such a way that they promote behaviour that is aligned with our anti-bribery and corruption policy. The Group Regulation Corruption Prevention states that “when concluding commission agreements, it must be ensured that commissions are only paid for legally permissible activities and are not used for illicit payments. Commissions and compensations paid to a consultant, intermediary or any other person engaged by or on behalf of thyssenkrupp must be proportionate and reasonable in relation to the activities carried out.”</p> <p>The Group Regulation Compliance in dealings with Business Partners states clearly, how the remuneration for sales agents is to be designed to make sure that the remuneration is appropriate:</p> <p>Our Group Regulation Compliance in dealings with Business Partners states that the compensation paid to the business partner must not be inappropriately high. In agreeing the compensation, the following criteria must be observed:</p> <ul style="list-style-type: none"> <li>• fixed compensation for services not directly in connection with the award of an order (e.g. for distribution intermediaries market and competition analyses, office, travel and staff organization, etc.) and to this extent not compensated with the commission; depending on the individual case the fixed compensation may also be agreed in the form of compensation on the basis of an hourly or daily rate and/or as a retainer from the total compensation;</li> <li>• in case the compensation includes a performance-related component, this is possible only for services in connection with the award of an order (e.g. order winning and arrangement activities, participation in or support with contract negotiations and in executing the order, etc.), where applicable taking into account the fixed compensation;</li> <li>• agreement of an absolute top limit for the commission claim, in particular in respect of high-value orders.</li> </ul> <p>Criteria for the appropriateness of compensation are cumulative, whether the compensation is customary in the particular market; appropriate relationship between the efforts required of the business partner and the compensation amount. Any additional services performed by the business partner (e.g. with respect to sales intermediaries) with regard to executing the order, i.e. project management, claims and warranty management, change order management, building site coordination, etc.) may be taken into consideration as far as they are actually called for and performed; appropriate relationship between the commission amount and the net order value. It must be borne in mind here that as the order value increases the appropriate commission amount normally decreases in percentage terms. Subsequent changes of the main contract and change orders, which influence the net order value, have to be represented accordingly and appropriate relation between commission rate and thyssenkrupp margin.</p> <p>According to the Group Regulation Compliance in dealings with Business Partners</p> <ul style="list-style-type: none"> <li>• it is not permitted to make cash payments to sales agents;</li> </ul>

- it is not permitted to make payments to sales agents into anonymous accounts which do not allow identification of the holder are impermissible;
- to make payments into accounts in countries in which the Business Partner is not resident should be avoided and in any case need a written justification by the Business Partner. Such payments are permissible only in justified exceptional cases if the Business Partner presents a written declaration from the bank at which the account is held confirming beyond doubt that the Business Partner is the holder of and has the power to draw from the specified account.
- payments to be made into an account in an off-shore-country in which the Business Partner is not resident, are impermissible. In case of doubt whether a country is to be regarded an off-shore-country, CPL has to be contacted.

Question
<b>7.1.6 Does the company publish details of all agents currently contracted to act with and on behalf of the company?</b>
Score
<b>0</b>
Comments
<p>The company states that it publishes its business relationships with agents only in case of mutual agreement. However, there is no evidence that the company has published any details of the agents currently contracted to act for or and on behalf of the company.</p>
Evidence
<p><b>[49] External Reviews: Transparency International – Third Parties (7.1.6) (Webpage)</b>  Accessed on 28/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  With regard to contractual details, we expect our business partners to exercise the discretion that is customary in the market, especially when it comes to sensitive technical or economic data.</p> <p>In the same way, we respect the need for discretion of our business partners and therefore publish the existence of business relationships only in mutual agreement.</p>

Question
<b>7.1.7 Does the company publish high-level results from incident investigations and sanctions applied against agents?</b>
Score
<b>0</b>
Comments
<p>The company publishes limited information in relation to certain investigations involving agents. However, there is no evidence the company publishes data on all ethical or bribery and corruption related investigations, incidents or the associated disciplinary actions involving agents.</p>
Evidence
<p><b>[50] External Reviews: Transparency International – Third Parties (7.1.7) (Webpage)</b>  Accessed on 28/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  If there are signs of infringements by third parties such as sales agents, we investigate every single case thoroughly. In case of proven violations of our policies or even legal violations, action is taken to remedy the violation immediately, such as individual reaction against suppliers (e.g. termination of contract, reorganization, increased Compliance efforts, phase out), request for damage compensation or filing a complaint to public authorities.</p> <p>Please find selected official investigations in our Annual Report 2017/2018:</p> <p>Since November 2016 the Israeli state attorney has been carrying out investigations in connection with Israeli naval projects of thyssenkrupp Marine Systems, also into its local sales agent. According to current knowledge there are no investigations into thyssenkrupp companies or employees. We immediately launched an in-house investigation. We have passed on the results of the preliminary investigation report to the authorities and will continue to cooperate with the authorities. Further measures will be taken as necessary.</p> <p><b>[12] Annual Report 2017/2018 (Document)</b>  Accessed 30/07/2019  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf</a>  [p.98] Selected official investigations  Since November 2016 the Israeli state attorney has been carrying out investigations in connection with Israeli naval projects of thyssenkrupp Marine Systems, also into its local sales agent. According to current knowledge there are no investigations into thyssenkrupp companies or employees. We immediately launched an in-house investigation. We have passed on the results of the preliminary investigation report to the authorities and will continue to cooperate with the authorities. Further measures will be taken as necessary.</p> <p>[p.99] The discontinued operation thyssenkrupp Steel Europe AG, alongside other steel companies and associations, is the subject of ongoing investigations by the Federal Cartel Office into alleged cartel agreements relating to the product groups heavy plate and flat carbon steel. A further investigation relating to stainless steel was dropped against thyssenkrupp Steel Europe AG in October 2017. The investigations still ongoing concern alleged antitrust violations in determining surcharges and premiums for certain steel prices. thyssenkrupp takes this matter very seriously and has pursued its own internal investigation with external support. Due to developments in the investigation process, thyssenkrupp has decided to set aside a risk provision in its consolidated financial statements. Based on current knowledge, we are still unable to rule out substantial adverse effects on the Group's financial position.</p>

## 7.2 Joint Ventures

Question
<b>7.2.1 Does the company conduct risk-based anti-bribery and corruption due diligence when entering into and operating as part of joint ventures?</b>
Score
<b>1</b>
Comments
<p>There is evidence that the company has formal procedures to conduct risk-based anti-bribery and corruption due diligence prior to entering and while operating in a joint venture. There is also evidence that the company's due diligence process includes checks on ultimate beneficial ownership.</p> <p>However, there is no evidence that joint ventures operating in high-risk markets or with high-risk partners, such as state-owned enterprises, are subject to enhanced due diligence. There is no evidence that due diligence is repeated at least every two years or when there is a significant change in the business relationship</p>
Evidence
<p><b>[51] External Reviews: Transparency International – Third Parties (7.2.1) (Webpage)</b>  Accessed on 22/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  thyssenkrupp has a formal procedure to conduct risk-based anti-bribery and corruption due diligence when entering into and operating in joint ventures. We have conducted a Group wide joint venture analysis with the goal of establishing a process for reviewing the joint ventures thyssenkrupp participates in for Compliance risks. The analysis is updated periodically. The analysis has the purpose to provide an assessment of specific anticorruption and antitrust risks for thyssenkrupp participations in joint ventures caused by the fact that the respective businesses are operated in this specific form. The Compliance assessment covers questions like Compliance programme, organization, antitrust and anticorruption rules, Compliance trainings and auditing within the joint venture as well as ownership structure and background checks of our partners. According to our internal approval procedure, Legal &amp; Compliance have to be involved at a very early stage, if new joint ventures are to be concluded in order to mitigate potential anti-bribery and corruption but also antitrust risks from the start.</p>

Question
<b>7.2.2 Does the company commit to incorporating anti-bribery and corruption policies and procedures in all of its joint venture partnerships, and does it require anti-bribery and corruption clauses in its contracts with joint venture partners?</b>
Score
<b>1</b>
Comments
<p>There is evidence that the company commits to establishing and implementing anti-bribery and corruption policies in all of its joint ventures. The company states that it ensures robust policies and procedures are implemented in all joint ventures, by incorporating the venture into its own anti-corruption programme if the company is the majority shareholder. Otherwise the company states that it works jointly to develop a programme based on the same anti-corruption principles. The company states that all joint venture contracts contain anti-corruption clauses and that audit and termination rights are applied in joint venture agreements if it is deemed necessary.</p> <p>However, the company receives a score of '1' because it does not include audit and termination rights as standard in all of its joint venture partnerships.</p>
Evidence
<p><b>[52] External Reviews: Transparency International – Third Parties (7.2.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>With our mission statement, we are clearly committed to values and to the fact that Compliance is a must. These values naturally also apply to partnerships of any kind with third parties.</p> <p>With the mandatory involvement of Compliance at a very early stage in the process of setting up a joint venture, we make sure that anti-bribery and corruption policies and procedures are implemented in the respective joint venture. This includes clear clauses in the respective agreements but even more a continuous monitoring of the joint venture activities as a shareholder.</p> <p>Joint ventures in which thyssenkrupp holds a majority are incorporated into the thyssenkrupp Compliance program, so that the same rules and scrutiny apply as in wholly owned subsidiaries. In joint ventures where we do not exercise sole or majority control, thyssenkrupp takes a very active role as a shareholder and always insists on the implementation of an effective compliance program including clear rules on the prevention of bribery and corruption. We also take active steps through our compliance function to support the management of a joint venture in establishing a comprehensive compliance program, e.g. by providing model policies, model processes, information material etc. thyssenkrupp will further work with the joint venture partners in the interest of establishing a good compliance culture within the joint venture. Audit and termination rights will be included in contracts where deemed necessary after initial due diligence has taken place.</p>

Question
<b>7.2.3 Does the company commit to take an active role in preventing bribery and corruption in all of its joint ventures?</b>
Score
<b>2</b>
Comments
The company explicitly commits to take an active role in preventing bribery and corruption in all of its joint ventures. There is clear evidence to support the company's commitment through practical examples.
Evidence
<p><b>[53] External Reviews: Transparency International – Third Parties (7.2.3) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  Joint ventures in which thyssenkrupp holds a majority are incorporated in the thyssenkrupp compliance program, so that the same rules and scrutiny apply as in wholly owned subsidiaries. If thyssenkrupp becomes a shareholder of a joint venture in which we do not exercise sole or majority control, we take a very active role as a shareholder and will always insist on the implementation of an effective compliance programme including clear rules on the prevention of bribery and corruption. thyssenkrupp will further work with the joint venture partners in the interest of establishing a good Compliance culture within the joint venture. thyssenkrupp exercises its scrutiny over such non-majority joint ventures by exercising its shareholder's rights such as information rights as well as by taking appropriate positions in the joint venture's supervisory board or similar bodies.</p> <p><b>[52] External Reviews: Transparency International – Third Parties (7.2.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>  With our mission statement, we are clearly committed to values and to the fact that Compliance is a must. These values naturally also apply to partnerships of any kind with third parties.</p> <p>With the mandatory involvement of Compliance at a very early stage in the process of setting up a joint venture, we make sure that anti-bribery and corruption policies and procedures are implemented in the respective joint venture. This includes clear clauses in the respective agreements but even more a continuous monitoring of the joint venture activities as a shareholder.</p> <p>Joint ventures in which thyssenkrupp holds a majority are incorporated into the thyssenkrupp Compliance program, so that the same rules and scrutiny apply as in wholly owned subsidiaries. In joint ventures where we do not exercise sole or majority control, thyssenkrupp takes a very active role as a shareholder and always insists on the implementation of an effective compliance program including clear rules on the prevention of bribery and corruption. We also take active steps through our compliance function to support the management of a joint venture in establishing a comprehensive compliance program, e.g. by providing model policies, model processes, information material etc. thyssenkrupp will further work with the joint venture partners in the interest of establishing a good compliance culture within the joint venture. Audit and termination rights will be included in contracts where deemed necessary after initial due diligence has taken place.</p>



## 8. Offsets

Question
<b>8.1 Does the company explicitly address the corruption risks associated with offset contracting, and is a dedicated body, department or team responsible for oversight of the company's offset activities?</b>
Score
<b>1</b>
Comments
<p>The company recognises the corruption risks associated with offset contracting and there is evidence that there is a specific department, the Industrial Cooperation Department, involved in managing the company's offset obligations across divisions and for the duration of the project lifecycle. The company also states that its business unit most commonly involved in offset contracting, the Marine Systems business unit, has a specific department dedicated to overseeing and managing all aspects of its offset obligations.</p> <p>However, it is unclear whether the staff of this department is given anti-corruption training specific to their role.</p>
Evidence
<p><b>[54] External Reviews: Transparency International – Offsets (8.1) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a></p> <p>Offset, i.e. the execution of compensation transactions of any kind in the customer's country, is an essential factor in the public procurement of defence products in many jurisdictions. As a typical defence topic, we address offset thoroughly where it arises, i.e. in our business unit Marine Systems, the business unit as such engaged in naval defence business, therefore being regularly and immediately exposed to customers' offset requirements. In rare occasions, offsets in this sense may occur in other business units and is then scrutinized in depth by the legal and/or compliance departments.</p> <p>For the business unit Marine Systems this means that the existence of offset obligations must be assumed in almost all major customer projects. As a rule, offset is subject to local statutory or similar provisions. With the Industrial Cooperation (ICO) Department, the business unit Marine Systems has established a department which is specifically dedicated to and responsible for direct and indirect offset, its processes and the risks associated with offset arrangements.</p> <p>The Regulation Offset describes a uniform standard for offset arrangements in the business unit Marine Systems. As per its underlying risk-based approach, the Compliance Function's involvement is mandatory for all defined medium and high risk offset activities. The underlying process embeds the Compliance Function in a very detailed way into the process with interfaces to other stakeholders apart from the ICO Department, such as Sales, Procurement and Legal.</p> <p>From a different angle, offset also is subject to weekly compliance alignment meetings (which are reported to the thyssenkrupp HQs), regular compliance audits as well as preventive compliance risk assessments, such as the Compliance Dialog at thyssenkrupp Marine Systems, conducted in 2019.</p>

Question
<b>8.2 Does the company conduct risk-based anti-bribery and corruption due diligence on all aspects of its offset obligations, which includes an assessment of the legitimate business rationale for the investment?</b>
Score
<b>1</b>
Comments
<p>The company states that it has formal procedures in place to conduct risk-based anti-bribery and corruption due diligence on its offset obligations, either carried out by the offset team within the Marine Systems Business Unit or by the company's Compliance Department. The company states that the due diligence process includes checks on ultimate beneficial ownership, a screening of possible conflicts of interest and an assurance of the legitimacy of the investment. There is evidence that the company refreshes its due diligence on offset service providers every two years.</p> <p>However, it is not clear that the company refreshes due diligence on all aspects of its offset obligations continuously or at least when there is a significant change in the business relationship or nature of the partner.</p>
Evidence
<p><b>[55] External Reviews: Transparency International – Offsets (8.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a></p> <p>Offset, i.e. the execution of compensation transactions of any kind in the customer's country, is an essential factor in the public procurement of defence products in many jurisdictions. As a typical defence topic, we address offset thoroughly where it arises, i.e. in our business unit Marine Systems, the business unit as such engaged in naval defence business, therefore being regularly and immediately exposed to customers' offset requirements. In rare occasions, offsets in this sense may occur in other business units and is then scrutinized in depth by the legal and/or compliance departments.</p> <p>In our business unit Marine Systems, we have therefore imposed a strict compliance process for offset obligations. A Compliance Officer in charge for the marine business has to be involved in every offset business and will conduct a thorough risk assessment. The process is described in the Marine Systems Regulation Offset.</p> <p>For each offset project, a written description has to be submitted, including a description of the industrial rationale of the project. Based on the individual project description, the Compliance department performs a due diligence on the relevant partners (which may include on-site visits) including brokers – if any – and beneficiaries and identifying potential conflicts of interest. In addition, for the potential involvement of offset service providers (including offset brokers) the use of the thyssenkrupp group-wide Business Partner Compliance Tool (BPCT) is mandatory (for further details on the tool and the regulatory framework see our responses to the questions on Third Parties, Agents and Intermediaries). In this context it needs to be noted that thyssenkrupp has recently terminated all relationships with its former offset service providers/ brokers, and is not using any further such providers.</p> <p>Furthermore, the Marine Systems Regulation Offset defines further safeguards that need to be observed when dealing with offset providers.</p> <p>The Compliance Function is tasked with analysing the compliance risks both in the concept phase of any offset project as well as in its subsequent bidding phase by providing the relevant written compliance statements (which statements will then serve as basis for management approval).</p> <p><b>[45] External Reviews: Transparency International – Third Parties (7.1.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a></p> <p>The use of business partners, including offset service providers, also in sales-related areas, can in specific constellations be in the legitimate business interest of the particular Group Company when complying with the respective legal requirements. We are aware that such a business model may include abstract Compliance risks in some occasions, especially in the field of corruption. In particular, the risk exists that a business partner may pass on a part of the compensation to decision makers.</p>

Therefore, according to our Group Regulation Compliance in Dealings with Business Partners, in each case the business wants to engage a business partner, it has to be verified in a pre-defined process. Before a binding agreement is concluded and before the business partner begins to work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the business partner, the intended contractual form and the planned concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent Compliance Department must be consulted.

For an identity and Compliance check of each business partner, including an extensive Due Diligence check, the use of the IT based Business Partner Compliance Tool (BPCT) is obligatory. BPCT is a web-based tool, which is used Group wide within thyssenkrupp. Via BPCT, an identity and Compliance check, including a corresponding due diligence is performed. This includes the mandatory request for exclusive background information from the potential business partner as well as the use of external Compliance databases.

In case of transactions with special risks and specifically on the defence sector further due diligence measures may need to be taken in alignment with CPL, e.g. a conversation with the Business Partner or obtaining additional external information, e.g. from external law firms, accounting firms etc.

The BPCT-process includes an automatic re-submission for a due diligence of all registered agents every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.

#### **[46] External Reviews: Transparency International – Third Parties (7.1.3) (Webpage)**

Accessed on 23/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties>

The engagement of business partners in high-risk areas is only permissible as described above. This will only occur after undertaking the described thorough due diligence process involving the respective Compliance Officer who may well recommend in his Compliance statement some adequate mitigating measures and procedures.

Within the scope of our due diligence assessment, in particular, the following topics are examined:

- possible family connections to a government advisor or public official involved,
- possible historical organizational or personal involvement in dishonest practice,
- (unclear) beneficial ownership.
- reference projects.

If the Due Diligence indicates irregularities and red flags we take all reasonable measures to clarify the ultimate beneficial ownership.

The review process for agents and intermediaries includes an automatic re-submission for a due diligence of all registered business partners every two years. Furthermore, all registered agents are checked once a day against an external compliance database and a re-assessment is triggered immediately by the Compliance function if any topic occurs.

If we are not convinced that such measures can adequately reduce the risk of working with the business partners or the ownership still raises concerns, we do not engage him.

The business is constantly reminded of the Board's Compliance Commitment.

#### **4.4 Compliance Check and mandatory use of the Business Partner Compliance Tools**

Before a binding agreement is concluded and before the *Business Partner* begins work for thyssenkrupp, the competent department, e.g. sales, must establish that the use of the *Business Partner*, the intended contractual form and the planned/identifiable concrete handling of the transaction are in each case permissible under the applicable German and local laws and thyssenkrupp binding documents, in particular the rules on combating corruption. In case of doubt, the competent compliance department must be consulted.

For an identity and compliance check of the *Business Partner*, including a corresponding Due Diligence check, the use of the *Business Partner Compliance Tool (BPCT)* is obligatory. In case of transactions with special risks, further due diligence measures have to be taken in alignment with CPL, e.g. a conversation with the examined *Business Partner* by CPL or obtaining external information.

The use of the BPCT is obligatory for *existing contracts* with respect to the next contract adaption or contract extension, even if it is an automatic renewal, at the latest three years after this Group Regulation becomes effective.

CO/CPL has granted certain permitted exceptions to the obligation to use the *BPCT* in accordance with section 5.2.8 of the Group Regulation Document Architecture.

Question
<b>8.3 Does the company publish details of all offset agents and brokers currently contracted to act with and/or on behalf of the company?</b>
Score
<b>1</b>
Comments
<p>The company discloses that it does not currently contract any third party offset service providers or brokers. It is unclear if this is due to the introduction of a policy to no longer use these kinds of service providers.</p> <p>The company receives a score of '1' because it is unclear whether the company updates this information annually. Furthermore, the company suggests that it will not disclose information about its offset brokers going forward.</p>
Evidence
<p><b>[55] External Reviews: Transparency International – Offsets (8.2) (Webpage)</b>  Accessed on 23/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>  For each offset project, a written description has to be submitted, including a description of the industrial rationale of the project. Based on the individual project description, the Compliance department performs a due diligence on the relevant partners (which may include on-site visits) including brokers – if any – and beneficiaries and identifying potential conflicts of interest. In addition, for the potential involvement of offset service providers (including offset brokers) the use of the thyssenkrupp group-wide Business Partner Compliance Tool (BPCT) is mandatory (for further details on the tool and the regulatory framework see our responses to the questions on Third Parties, Agents and Intermediaries). In this context it needs to be noted that thyssenkrupp has recently terminated all relationships with its former offset service providers/ brokers, and is not using any further such providers.</p> <p><b>[56] External Reviews: Transparency International – Offsets (8.3) (Webpage)</b>  Accessed on 30/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>  In the defence business, contract details are generally subject to absolute confidentiality, as they deal with security aspects. The publication of details is therefore not permitted.</p>

Question
<b>8.4 Does the company publish details about the beneficiaries of its indirect offset projects?</b>
Score
<b>0</b>
Comments
The company does not publish any details of its offset obligations and/or contracts.
Evidence
<p><b>[57] External Reviews: Transparency International – Offsets (8.4) (Webpage)</b>                      Accessed on 30/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>                      In the defence business, contract details are generally subject to absolute confidentiality, as they deal with security aspects. The publication of details is therefore not permitted.</p>



## 9. High Risk Markets

Question
<b>9.1 Does the company have enhanced risk management procedures in place for the supply of goods or services to markets or customers in countries identified as at a high risk of corruption?</b>
Score
<b>2</b>
Comments
<p>There is evidence that the company acknowledges the corruption risks associated with operating in different markets, and has a risk assessment process in place to account for these specific risks, with clear risk management procedures. The results of risk assessments have a direct impact on business decisions and inform the development and implementation of additional controls. The company provides examples of such possible controls.</p>
Evidence
<p><b>[58] External Reviews: Transparency International – High Risk Markets (9.1) (Webpage)</b>  Accessed 30/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets</a>  thyssenkrupp clearly recognizes the corruption risks associated with operating in high-risk markets.</p> <p>In order to take care of such risks, we have conducted a Group wide bottom-up risk assessment to better understand – on the basis of our specific business models, external factors such as the TI Corruption Perceptions Index, etc. – where exactly which concrete risks, including the corruption risks, lie. This risk assessment is frequently updated, e.g. by so-called Compliance Dialogues with the business.</p> <p>Based on the results of the risk analysis, we have organized the Compliance organization and its procedures in a way to take care of high-risk regions/markets with a local organization. The so-called Regional Compliance Officers strengthen our Compliance advice activities in high-risk regions acting at local level, with knowledge of local laws and culture, advise the local thyssenkrupp companies and carry out training programmes on Compliance-related issues. Their responsibilities also include the performance of Compliance audits and the preparation of comprehensive Compliance statements in accordance with the applicable law.</p> <p><b>[8] Compliance Organization (Webpage)</b>  Accessed on 30/06/2020  <a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-organization">https://www.thyssenkrupp.com/en/company/compliance/compliance-organization</a>  The Regions department strengthens our compliance advice activities in high-risk regions through regional compliance officers who, acting at local level and with knowledge of local laws and culture, advise selected foreign thyssenkrupp companies and carry out training programs on compliance-related issues.</p>




Question
<b>9.2 Does the company disclose details of all of its fully consolidated subsidiaries and non-fully consolidated holdings (associates, joint ventures and other related entities)?</b>
Score
<b>1</b>
Comments
<p>The company publishes a list of its consolidated subsidiaries and non-fully consolidated holdings on an annual basis. The list provides information on the company's percentage ownership and the country of incorporation of each entity.</p> <p>However, the company does not publish information on the countries of operation for each entity.</p>
Evidence
<p><b>[59] External Reviews: Transparency International – High Risk Markets (9.2) (Webpage)</b>  Accessed 30/07/2019  <a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets</a>  According to German reporting standards, we publish a list of our subsidiaries on our website under Reporting and Publications.</p> <p><b>[60] List of equity interest of thyssenkrupp Group (Document)</b>  Accessed on 26/03/2020  <a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/anteilsbesitzliste-%C2%A7-313-hgb-tk_konzern-engl.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/anteilsbesitzliste-%C2%A7-313-hgb-tk_konzern-engl.pdf</a>  [p.1]</p>

## List of the thyssenkrupp Group's subsidiaries and equity interests as of September 30, 2019 (ART 313 German Commercial Code)

No.	Name and domicile of Company	Shareholdings in %	Held by No.	Held in %
<b>A. Fully consolidated group companies</b>				
<b>Algeria</b>				
1	Blohm+Voss El Djazair S.a.r.l., Algier, Algeria	100,00	369	
<b>Argentina</b>				
2	thyssenkrupp Elevadores S.A., Buenos Aires, Argentina	100,00	382	94,98
			35	5,02
3	thyssenkrupp Industrial Solutions Argentina S.A., Buenos Aires, Argentina	100,00	135	
<b>Australia</b>				
4	SONARTECH ATLAS PTY LIMITED, Macquarie Park/New South Wales, Australia	100,00	69	
5	thyssenkrupp Elevator Australia Pty. Ltd., Sydney/New South Wales, Australia	100,00	7	
6	thyssenkrupp Industrial Solutions (Australia) Pty. Ltd., Perth, Australia	100,00	135	
7	thyssenkrupp Lifts Pacific Pty. Ltd., Alexandria/New South Wales, Australia	100,00	119	
8	thyssenkrupp Materials Australia Pty. Ltd., Chatswood NSW, Australia	100,00	216	
<b>Bahrain</b>				
9	thyssenkrupp Elevator Almoayyed W.L.L., Manama, Bahrain	70,00	119	
<b>Bangladesh</b>				
10	thyssenkrupp Elevator (BD) Pvt. Ltd., Dhaka, Bangladesh	100,00	224	
<b>Belgium</b>				
11	thyssenkrupp Home Solutions N.V., Gent, Belgium	100,00	102	0,07
			312	99,93
12	thyssenkrupp Liften Ascenseurs S.A., Brussel, Belgium	100,00	119	0,00
			120	100,00
13	thyssenkrupp Materials Belgium N.V., Lokeren, Belgium	100,00	123	65,59
			144	34,41
14	thyssenkrupp Plastics Belgium N.V./S.A., Lokeren, Belgium	100,00	123	100,00
			147	0,00
15	thyssenkrupp Steel Heavy Plate Antwerp N.V., Antwerp, Belgium	100,00	100	0,00
			161	100,00
<b>Botswana</b>				
16	thyssenkrupp Industrial Solutions (Botswana) (Proprietary) Limited, Gaborone, Botswana	100,00	135	0,03
			343	99,97
<b>Brazil</b>				
17	BercoSul Ltda., Hortolândia-São Paulo, Brazil	100,00	21	0,00
			238	100,00
18	RIP Serviços Siderúrgicos Ltda., Rio de Janeiro, Brazil	100,00	30	
19	Thyssen Trading S.A., São Paulo, Brazil	100,00	144	
20	thyssenkrupp Autômatas Indústria de Peças Ltda., São Paulo, Brazil	80,00	30	
21	thyssenkrupp Brasil Ltda., Diadema, Brazil	100,00	163	71,52
			108	1,14
			112	17,29

[List continues pp.2 – 11 to cover all subsidiaries by country in alphabetic order]

Question
9.3 Does the company disclose its beneficial ownership and control structure?
Score
2
Comments
The company is publicly listed on a regulated market in the European Economic Area. It therefore automatically receives a score of '2'.
Evidence
<p><b>[61] Financial Times Markets Data (Webpage)</b>  Accessed 07/10/2019  <a href="https://markets.ft.com/data/equities/tearsheet/summary?s=TKAX:GER">https://markets.ft.com/data/equities/tearsheet/summary?s=TKAX:GER</a></p> 

**Question****9.4 Does the company publish a percentage breakdown of its defence sales by customer?****Score****0****Comments**

The company publishes some information about its defence customers. However, the data the company provides does not make reference to specific government customers or provide a percentage breakdown of its sales.

**Evidence****[62] External Reviews: Transparency International – High Risk Markets (9.4) (Webpage)**

Accessed on 23/06/2020

<https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets>

Our Annual Report 2018/19 explicitly shows a breakdown of thyssenkrupp sales in the defence sector as opposed to sales in other segments (pp. 224 et seqq.), ie it shows the sales data of the business unit Marine Systems which bundles thyssenkrupp's naval defence business activities. For example, on page 229 the Annual Report provides a breakdown as per the sales regions. Since thyssenkrupp Marine Systems' customers are usually closely related to the relevant government bodies, conclusions can be drawn with regard to the regional sales allocation of our customers.

**[67] Annual Report 2018/2019 (Document)**

Accessed 26/11/2019

[https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web\\_neu.pdf](https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf)

[p.55]

**IMPORTANT SALES MARKETS**

	2018	2019 <sup>1)</sup>	2020 <sup>2)</sup>
<b>Vehicle production, million cars and light trucks<sup>2)</sup></b>			
World	91.0	86.6	86.1
Western Europe (incl. Germany)	14.3	13.4	13.4
Germany	5.3	4.9	5.1
USA	11.0	10.9	10.8
Mexico	3.9	3.9	3.7
Japan	9.2	9.3	8.9
China	26.6	24.2	24.3
India	4.6	4.1	4.0
Brazil	2.7	2.8	2.9
<b>Machinery production, real, in % versus prior year</b>			
Germany	2.4	(2.4)	(2.0)
USA	7.1	2.0	1.0
Japan	5.4	(3.8)	2.2
China	9.2	6.8	6.7
<b>Construction output, real, in % versus prior year</b>			
Germany	3.1	2.7	1.6
USA	2.9	0.8	2.3
China	4.4	5.4	4.0
India	8.7	6.5	8.2

<sup>1)</sup> Forecast (September/October 2019)<sup>2)</sup> Passenger cars and light commercial vehicles up to 6t (completely built up vehicles only; without so-called CKD units)

Sources: IHS Markit, Oxford Economics, national associations, own estimates

[p.229]

**SALES FROM CONTRACTS WITH CUSTOMERS BY REGION**

million €	Components Technology	Elevator Technology	Industrial Solutions	Marine Systems	Materials Services	Steel Europe	Corporate	Consolidation	Group
<b>For the fiscal year year ended Sept. 30, 2018<sup>1)</sup></b>									
German-speaking area <sup>2)</sup>	1,949	719	147	811	5,005	5,411	231	(1,265)	13,008
Western Europe	1,006	1,239	393	128	3,776	2,109	7	(541)	8,116
Central and Eastern Europe	254	34	108	0	1,814	552	2	(116)	2,648
Commonwealth of Independent States	27	59	119	0	57	53	0	0	314
North America	1,611	2,637	397	13	2,923	652	26	(136)	8,123
South America	283	395	293	4	66	96	1	(3)	1,137
Asia / Pacific	125	733	330	381	447	58	1	(4)	2,070
Greater China	1,259	1,297	401	0	110	157	0	(12)	3,212
India	56	95	162	36	33	58	1	(2)	438
Middle East & Africa	48	341	1,292	16	456	330	1	(25)	2,458
<b>Total</b>	<b>6,617</b>	<b>7,550</b>	<b>3,641</b>	<b>1,388</b>	<b>14,687</b>	<b>9,475</b>	<b>271</b>	<b>(2,105)</b>	<b>41,524</b>
<b>For the fiscal year year ended Sept. 30, 2019</b>									
German-speaking area	1,874	766	733	516	4,809	4,945	189	(1,154)	12,677
Western Europe	1,068	1,296	300	93	3,541	1,955	7	(371)	7,888
Central and Eastern Europe	322	38	382	2	1,690	604	1	(131)	2,908
Commonwealth of Independent States	32	68	153	1	55	66	0	0	373
North America	1,729	2,951	425	12	3,112	767	22	(156)	8,862
South America	307	420	207	6	44	113	1	0	1,097
Asia / Pacific	120	687	612	388	374	83	1	(3)	2,261
Greater China	1,303	1,341	314	1	77	136	1	0	3,171
India	56	104	248	37	34	65	1	0	544
Middle East & Africa	66	288	629	745	242	337	1	(23)	2,284
<b>Total</b>	<b>6,876</b>	<b>7,959</b>	<b>4,003</b>	<b>1,800</b>	<b>13,976</b>	<b>9,070</b>	<b>222</b>	<b>(1,841)</b>	<b>42,065</b>

\* 2 Germany, Austria, Switzerland, Liechtenstein

## 10. State-Owned Enterprises (SOEs)

Question
10.1 Does the SOE publish a breakdown of its shareholder voting rights?
Score
N/A
Comments
N/A
Evidence

Question
10.2 Are the SOE's commercial and public policy objectives publicly available?
Score
N/A
Comments
N/A
Evidence



Question
10.3 Is the SOE open and transparent about the composition of its board and its nomination and appointment process?
Score
N/A
Comments
N/A
Evidence

Question
10.4 Is the SOE's audit committee composed of a majority of independent directors?
Score
N/A
Comments
N/A
Evidence

Question
10.5 Does the SOE have a system in place to assure itself that asset transactions follow a transparent process to ensure they accord to market value?
Score
N/A
Comments
N/A
Evidence

## List of Evidence & Sources

No.	Type (Webpage or Document)	Name	Download Date	Link
01	Webpage	External Reviews: Transparency International – Leadership (1.1)	20/09/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>
02	Webpage	Compliance Commitment	26/03/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-commitment">https://www.thyssenkrupp.com/en/company/compliance/compliance-commitment</a>
03	Webpage	External Reviews: Transparency International – Leadership (1.2)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>
04	Document	Group Regulation Corruption Prevention	26/07/2019	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/transparency-international/group_regulation_corruption_prevention.pdf</a>
05	Document	Code of Conduct	26/07/2019	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/code-of-conduct/2019/po-co-cpl-0332-v03-en_code_of_conduct-neu_final.pdf</a>
06	Webpage	External Reviews: Transparency International – Leadership (1.3)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>
07	Webpage	External Reviews: Transparency International – Leadership (1.4)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/leadership</a>
08	Webpage	Compliance Organization	30/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-organization">https://www.thyssenkrupp.com/en/company/compliance/compliance-organization</a>
09	Webpage	External Reviews: Transparency International – Internal Controls (2.1a)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
10	Webpage	External Reviews: Transparency International – Internal Controls (2.1b)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
11	Webpage	External Reviews: Transparency International – Internal Controls (2.2)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
12	Document	Annual Report 2017/2018	30/07/2019	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2018/thyssenkrupp-ag-ar-2017-2018-eng-web.pdf</a>
13	Webpage	External Reviews: Transparency International – Internal Controls (2.3)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>

14	Webpage	Submitting a report	29/03/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report">https://www.thyssenkrupp.com/en/company/compliance/submitting-a-report</a>
15	Webpage	Compliance at thyssenkrupp – please give us your support	19/06/2020	<a href="https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11">https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=20TYK11</a>
16	Webpage	External Reviews: Transparency International – Internal Controls (2.4)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
17	Document	Audit Report, 30 September 2011	26/07/2019	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/compliance/pr%C3%BCfberichte/kpmg-report-30-09-2011.pdf</a>
18	Webpage	External Reviews: Transparency International – Internal Controls (2.5)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
19	Webpage	External Reviews: Transparency International – Internal Controls (2.6)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/internal-controls</a>
20	Webpage	External Reviews: Transparency International – Support to Employees (3.1)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
21	Webpage	External Reviews: Transparency International – Support to Employees (3.2)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
22	Webpage	External Reviews: Transparency International – Support to Employees (3.3)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
23	Webpage	External Reviews: Transparency International – Support to Employees (3.4)	19/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
24	Webpage	External Reviews: Transparency International – Support to Employees (3.5)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
25	Webpage	External Reviews: Transparency International – Support to Employees (3.6)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
26	Webpage	External Reviews: Transparency International – Support to Employees (3.7)	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/support-to-employees</a>
27	Webpage	External Reviews: Transparency International – Conflict of Interest (4.1)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>
28	Webpage	External Reviews: Transparency International – Conflict of Interest (4.3)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>

29	Webpage	External Reviews: Transparency International – Conflict of Interest (4.2)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>
30	Document	Supplier Code of Conduct	26/03/2020	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/tkag_supplier_coc_2017-v3_en.pdf</a>
31	Webpage	External Reviews: Transparency International – Conflict of Interest (4.4)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/conflict-of-interest</a>
32	Webpage	External Reviews: Transparency International – Customer Engagement (5.1)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>
33	Webpage	External Reviews: Transparency International – Customer Engagement (5.2)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>
34	Webpage	External Reviews: Transparency International – Customer Engagement (5.3)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/customer-engagement</a>
35	Webpage	External Reviews: Transparency International – Supply Chain Management (6.1)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>
36	Webpage	Procurement – For Suppliers	29/03/2020	<a href="https://www.thyssenkrupp.com/en/company/procurement/for-suppliers">https://www.thyssenkrupp.com/en/company/procurement/for-suppliers</a>
37	Webpage	Responsible procurement	26/07/2019	<a href="https://www.thyssenkrupp.com/en/company/procurement/responsible-procurement">https://www.thyssenkrupp.com/en/company/procurement/responsible-procurement</a>
38	Webpage	Procurement	30/06/2020	<a href="https://www.thyssenkrupp.com/en/company/procurement">https://www.thyssenkrupp.com/en/company/procurement</a>
39	Webpage	External Reviews: Transparency International – Supply Chain Management (6.2)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>
40	Webpage	External Reviews: Transparency International – Supply Chain Management (6.3)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>
41	Document	Supplier Declaration	26/03/2020	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration_en_v3.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/unternehmen/einkauf/einkauf-downloads/2019-09-23-tk-supplierdeclaration_en_v3.pdf</a>
42	Webpage	External Reviews: Transparency International – Supply Chain Management (6.4)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>
43	Webpage	External Reviews: Transparency International – Supply Chain Management (6.5)	22/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/supply-chain-management</a>
44	Webpage	External Reviews: Transparency	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>

		International – Third Parties (7.1.1)		
45	Webpage	External Reviews: Transparency International – Third Parties (7.1.2)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
46	Webpage	External Reviews: Transparency International – Third Parties (7.1.3)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
47	Webpage	External Reviews: Transparency International – Third Parties (7.1.4)	28/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
48	Webpage	External Reviews: Transparency International – Third Parties (7.1.5)	28/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
49	Webpage	External Reviews: Transparency International – Third Parties (7.1.6)	28/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
50	Webpage	External Reviews: Transparency International – Third Parties (7.1.7)	30/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
51	Webpage	External Reviews: Transparency International – Third Parties (7.2.1)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
52	Webpage	External Reviews: Transparency International – Third Parties (7.2.2)	28/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
53	Webpage	External Reviews: Transparency International – Third Parties (7.2.3)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/third-parties</a>
54	Webpage	External Reviews: Transparency International – Offsets (8.1)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>
55	Webpage	External Reviews: Transparency International – Offsets (8.2)	23/06/2020	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>
56	Webpage	External Reviews: Transparency International – Offsets (8.3)	30/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>
57	Webpage	External Reviews: Transparency International – Offsets (8.4)	30/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/offsets</a>
58	Webpage	External Reviews: Transparency International – High Risk Markets (9.1)	30/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets</a>
59	Webpage	External Reviews: Transparency	30/07/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets</a>



		International – High Risk Markets (9.2)		
60	Document	List of equity interest of thyssenkrupp Group	26/03/2020	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/anteilsbesitzliste-%C2%A7-313-hgb-tk_konzern-engl.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/anteilsbesitzliste-%C2%A7-313-hgb-tk_konzern-engl.pdf</a>
61	Webpage	Financial Times Markets Data	07/10/2019	<a href="https://markets.ft.com/data/equities/tearsheet/summary?s=TKAX:GER">https://markets.ft.com/data/equities/tearsheet/summary?s=TKAX:GER</a>
62	Webpage	External Reviews: Transparency International – High Risk Markets (9.4)	23/06/202	<a href="https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets">https://www.thyssenkrupp.com/en/company/compliance/external-reviews/high-risk-markets</a>
63	Webpage	What we stand for	26/11/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/what-we-stand-for">https://www.thyssenkrupp.com/en/company/compliance/what-we-stand-for</a>
64	Webpage	Compliance program	26/11/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/program">https://www.thyssenkrupp.com/en/company/compliance/program</a>
65	Webpage	Compliance strategy	26/11/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/compliance-strategy">https://www.thyssenkrupp.com/en/company/compliance/compliance-strategy</a>
66	Webpage	Audit Reports	26/11/2019	<a href="https://www.thyssenkrupp.com/en/company/compliance/audit-reports">https://www.thyssenkrupp.com/en/company/compliance/audit-reports</a>
67	Document	Annual Report 2018/2019	26/11/2019	<a href="https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf">https://d13qmi8c46i38w.cloudfront.net/media/UCPthyssenkruppAG/assets.files/media/investoren/berichterstattung-publikationen/update-21.11.2019/en/thyssenkrupp-gb-2018-2019-en-web_neu.pdf</a>
68	Document	European Union Transparency Register	29/03/2020	<a href="https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en">https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=721647010823-15&amp;locale=en#en</a>
69	Document	European Commission meetings	29/03/2020	<a href="https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do;TRPUBLICID=prod=ANEnETEsF0DXQXTdCq13Hqu1u1LbkVe0sDQL_ZzJmOoYIzGcM4dw!2040717126?id=721647010823-15&amp;pdf=true">https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do;TRPUBLICID=prod=ANEnETEsF0DXQXTdCq13Hqu1u1LbkVe0sDQL_ZzJmOoYIzGcM4dw!2040717126?id=721647010823-15&amp;pdf=true</a>