



COMMERZBANK

Public Document

Code of Procedure - Complaints Process, pursuant to Section 8 of the Supply Chain Due Diligence Act

11/14/2023



The Bank at your side

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Commerzbank AG has a complaints process in place, which serves as a core element for compliance with human rights and environmental due diligence obligations in accordance with the German “Lieferkettensorgfaltspflichtengesetz” [*Supply Chain Due Diligence Act 2023*] (the Act). The purpose of the complaints process is to give individuals or a group of individuals the opportunity to submit reports or complaints about human rights or environmental risks to Commerzbank AG in connection with the company’s own economic activities or with those in the company’s supply chain.

Complaints received by Commerzbank AG in relation to human rights or environmental risks enable the company to react with remedial and preventive measures at an early stage in order to avert imminent damage. In addition, findings resulting from such complaints will enable Commerzbank AG to continuously adapt and improve its human rights due diligence processes within its supply chain (**early warning system**).

Human rights or environmental violations that have already occurred, such as violations relating to breaches of duty, can also be reported. This enables Commerzbank AG to take remedial measures to avert or minimise damage and to prevent further breaches (**access to adequate remedy**).

1. Submission of information or complaints in accordance with the Act

1.1 Who can file reports?

All groups of persons or persons who are potentially affected by human rights or environmental violations in their own business area or within the supply chain of Commerzbank AG or who are aware of such violations can submit information via the complaints process, which may include the following:

- Employees of (in)direct suppliers and business partners,
- Employees of Commerzbank AG and its companies,
- Customers,
- Relatives of employees,
- Trade unions, non-governmental organisations and other organisations that become aware of risks or damage and/or support those affected.

1.2 Which facts may be reported?

Reports or complaints containing relevant information may be filed if a potential **human rights or environmental risk** has been identified.

A **human rights risk** would be considered present in a situation in which it is probable that prohibited conduct is imminent or has already occurred in relation to any of the human rights violations listed below:

- Child labour,
- Forced labour,
- Forms of slavery,
- Disregard of occupational health and safety standards,
- Disregard for freedom of association,
- Discrimination and equality of employees,
- Deprivation of an appropriate remuneration for work performed,
- Human rights violations caused by environmental damage,
- Disregard for land rights,
- Violence by private and public security forces.

In addition, reports or complaints relating to **environmental damage** can also be submitted, as these are often associated with human rights risks. Such concerns can include, amongst others:

- Harmful soil changes,
- Water pollution,
- Air pollution,
- Harmful noise emissions,
- Excessive water consumption.

The aforementioned environmental concerns are particularly relevant if they restrict natural resources, such as access to, or the quality of the supply of drinking water or sanitation, or health in general (e.g., contamination of residential drinking water through chemicals entering the water supply).

In addition, stand-alone environmental risks may also be present in the following cases:

- Prohibited use of mercury in manufacturing processes (as defined by the Minamata Convention on the Control of Mercury Emissions),
- Violation of the prohibition or restriction of the production and use of so-called persistent organic substances (aldrin, chlordane, DDT, endrin, heptachlor, hexachlorobenzene, mirex, toxaphene) and industrial chemicals as well as two groups of undesirable by-products polychlorinated dibenzodioxins and dibenzofurans) (within the meaning of the Stockholm Convention on Persistent Organic Pollutants),
- Violation of the requirement to minimise cross-border movements of hazardous wastes and the environmentally sound disposal close to the place of generation (within the meaning of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes).

1.3 How can reports be submitted?

Commerzbank AG is strongly committed to prevent and follow up white-collar crime and violations of legal, regulatory or internal requirements that are in connection with Commerzbank. As such, the company has had an ISO data protection certified digital whistleblowing system in place for several years, which can be used to submit complaints and reports in accordance with the categories outlined in section 1.2.

The Commerzbank AG [Whistleblower System](#) can be accessed via the Commerzbank AG homepage under the following path: [Commerzbank](#) > [About us](#) > [Compliance](#) > [Whistleblowing system](#).

A corresponding report can be submitted in the system under the categories "Human rights violations" and "Environment-related injuries and risks".

Reports can be made by name or anonymously, if the person making the report does not wish to provide the name.

All reports, regardless of whether they are anonymous or not, are treated with the utmost confidentiality and any personal data provided is protected.

1.4 How are reports processed?

Commerzbank AG's Group Compliance Subject Matter Experts are largely responsible for handling human rights and environmental rights complaints. Employees of the specialist unit are:

- Impartial,
- Independent,
- Not bound by the instruction in the performance of their duties,
- Free from conflict of interests,
- Qualified with regards to the potential contents of reports and the processing of complaints in accordance with the Act,
- Equipped with sufficient and timely resources to process the reports received.

Each report is immediately examined in a central unit with a particular focus on determining which facts are being reported. If the report concerns a risk to human rights or relevant environmental risks, i.e., if it is relevant to the Act, it is then processed by the specialised unit. The person who has made the report or complaint will be informed timely of the receipt of their submission.

The specialised unit then clarifies the facts of the case on an individual, case-driven, and timely basis in the process of checking the plausibility of the facts and gathering all relevant information. Depending on the complexity of the facts, the responsible unit will also estimate the duration of the process required.

If the person filing the report provides contact data, they will also receive information about the status and time frame of the process.

In addition, the person filing the report will also receive information about the result at the end of processing, i.e. when the facts have been processed in such a way that the essential information has been collected and evaluated, within the scope of what is legally permissible.

The person providing the information will also receive a notification along with a justification if the report was not processed further for objective reasons, e.g., because the facts were already processed earlier, were already known to the specialised unit or have been assessed as not being plausible.

If, in the course of clarifying the facts, it is determined that a violation of human rights or the environment is imminent or is already taking place, appropriate remedial measures will be initiated in a timely manner. Whether the remedial measures were implemented and if they effectively lead to the termination or minimisation of the identified hazards will be kept under review by the specialised unit. If the reporting person facilitates contact, they will also receive information relating to the corrective measures.

2. Protection of whistleblowers

Throughout the entire complaint process, individual measures are developed and undertaken, commensurate to the circumstances of each individual case, to ensure protection of complainants or whistleblowers from disadvantage or punishment that could arise in relation to the information they have provided.

In general, the following measures serve to protect the person providing the report:

- The information provided by the whistleblower is treated as strictly confidential, both during and after the proceedings. Names, personal data, or other information that could lead to conclusions regarding the identity of the person providing the tip-off will not be passed on without reason. If necessary, internal communication will be anonymised or pseudonymised if this is necessary for the protection of the person or if the person providing the information so wishes.
- If possible, the specialised unit will maintain contact with the person making the report

throughout the entire procedure and can react to any indications of discrimination.

- Discriminatory actions or even the punishment of persons providing information on the basis of, or in connection with, complaints or information do not align with the value system of Commerzbank AG. They will not be tolerated by Commerzbank AG and, if these actions occur within the Bank's business area, they may lead to consequences under employment law.

Commerzbank AG
Zentrale
Kaiserplatz
Frankfurt am Main
www.commerzbank.de

Postal Address
60261 Frankfurt am Main
Tel. + 49 69 136-20
E-Mail info@commerzbank.com

Group Risk Management Compliance

