



Human Rights Statement

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Introduction

Fresenius Medical Care (“We”) is the world’s leading provider of products and services for individuals with renal diseases, of which around 3.9 million regularly undergo dialysis treatment. Dialysis is a vital blood cleansing procedure that substitutes the function of the kidneys in case of kidney failure. We offer products and services along the entire dialysis value chain. We care for approximately 345,000 patients in our global network of more than 4,000 dialysis clinics. At the same time, we operate 42 production sites on all continents, to provide dialysis products such as dialysis machines, dialyzers, and related disposables.

We aim to create a future worth living for chronically and critically ill patients – worldwide and every day. Fresenius Medical Care is dedicated to conducting and growing business in a legal and ethical manner consistent with our global values, applicable laws, and international human rights standards.

This Human Rights Statement (“Statement”) builds on our commitment to respect human rights as stipulated in our Code of Ethics and Business Conduct (“CoC”). It supersedes previous statements¹ and complements other relevant policies and guidelines. It outlines our approach to embedding respect for human rights in our business activities – both in our own operations and in our supply chains.² It is guided by relevant international standards including the principles described in the United Nations Universal Declaration of Human Rights, the UN Guiding Principles on Business and Human Rights, as well as the International Labor Organization’s 1998 Declaration on Fundamental Principles and Rights at Work, and applicable legislation such as the German Human Rights Due Diligence in Supply Chains Act (Lieferkettensorgfaltspflichtengesetz, “LkSG”). When faced with conflicting requirements or standards, e.g., in countries where national laws, rules, or customs deviate from international standards in a restricting or contradicting manner, we aim to apply international standards as far as local law allows.

This statement applies to our worldwide operations including all subsidiaries.³

¹ Labor and Human Rights Principles, Fresenius Group Human Rights Statement.

² This commitment also includes our dedication to identify, prevent, mitigate and remedy potential impacts to human rights, resulting from environmental issues. Also, it covers our commitment to comply with environment-related provisions of the LkSG.

³ This includes the German subsidiaries in scope of the LkSG, Fresenius Medical Care Deutschland GmbH and Nephrocare Deutschland GmbH.

1. Our fundamental principles and expectations

To demonstrate our responsibility to respect human rights and to protect the environment, the following principles on how we conduct business apply. They state the expectations we have towards our management, our employees, and our business partners, including our suppliers, and are further specified in our policies and procedures.

1.1. Respecting rights of our patients

As an international healthcare company, we recognize the importance of improving access to healthcare. We are working to provide affordable treatment to a growing number of patients worldwide within the context of our company strategy. We are committed to providing superior clinical care to patients, and to manufacturing high quality products. The quality and safety of our services and products are the foundation of our business, fostering patient safety as our top priority. In addition, we are committed to the consistent application of clinical trials. We respect ethical requirements, including our responsibility for bioethics standards. We strive to provide excellent and sustainable care to our patients. We endeavor to continually improve the quality of care and patient experience through research and scientific reviews. We amplify the voice of patients by acknowledging their suggestions, concerns, and complaints.

Also, we believe that every patient, regardless of ethnic origin, ethnicity, nationality, age, ability, gender identity, sexual orientation, religion, or socioeconomic status, should have equitable opportunity and support to maximize their health. Our commitment to health equity means expanding our knowledge and services to eliminate inequities in care opportunities and health outcomes. Through our own capabilities, as well as in partnerships, we strive to provide the most comprehensive care for all people living with serious illnesses, including chronic kidney disease.

1.2. Providing fair and safe working conditions

We are committed to providing a respectful workplace with fair and safe working conditions. We value diversity and inclusion and are committed to cultivating a sense of belonging, where every person feels they are an integral part of our shared communities. We support equal opportunities and do not tolerate any form of discrimination or harassment based on national or ethnic origin, skin color, social origin, health status, citizenship, disability status, sexual orientation, age, gender or gender identity, gender expression, marital status, pregnancy, political opinion, religion or belief, and any other criteria as protected by local laws and regulations.⁴ We are committed to fostering a sense of belonging which allows all individuals to thrive and reach their full potential.

We are committed to applying fair pay and compensation principles to our workforce. These principles include paying employees based on job-related qualifications only. To help us carry out our fair pay principle of equal pay for equal work, and to provide sound compensation decisions, we have a compensation team who specialize in ensuring our pay is market competitive, internally equitable, supportive of career progression, and designed to reward and motivate measurable performance. We pay wages that meet or exceed local industry conditions or local minimum wages.⁵ We comply with the relevant laws and regulations of the place of employment and are guided by international labor rights.

⁴ Guided by the ILO Conventions 110, 111 and 159.

⁵ Payment of a fair wage at least equal to the minimum wage established by the applicable law; guided by the International Labor Organization (ILO) Conventions No. 26 and 131.

Our engagement for Occupational Health and Safety is a core element of our business. We are committed to identifying, mitigating, and preventing occupational health and safety-related hazards and risks, and we foster a culture that promotes a safe and secure work environment.⁶

We are also responsible for the security of our workforce, our patients, our assets, and our sites. Where we hire security personnel, it is important to us that they act with a high regard for human rights. Hence, we take appropriate measures to foster respectful behavior.

1.3. Respecting the right to freedom of association and collective bargaining

We recognize the freedom of association and the right to collective bargaining, including the rights of our employees to freely choose whether or not to form and/or be represented by a particular collective body or a trade union, in accordance with the laws of the place of employment.⁷

1.4. No child labor, no forced or exploitative labor, no modern slavery

We do not tolerate the use or threat of violence, or any other form of coercion. We strictly forbid using, supporting, or approving any form of exploitative labor, child labor or forced labor.⁸ Employment relationships must be based on voluntary participation. Hence, our employees can choose to terminate their employment of their own free will by respecting a reasonable pre-notification period, as applicable. We do not tolerate unlawfully withholding wages.⁹

1.5. Protecting personal data and respecting privacy

We are committed to maintaining the trust of our patients, employees and other stakeholders, respecting their privacy and protecting personal data. We follow our Global Privacy Principles and related policies, standard operating procedures and guidelines applicable to the processing of personal data.

1.6. Protecting the environment and respecting the rights of local population

We live up to our responsibility to protect nature as the basis of life, to preserve resources, and to reduce our impact on the environment.

We are committed to refraining from damaging soil, polluting water, and air, emitting harmful or excessive noise, and using excessive amounts of water. This commitment aims to preserve the health of people, the natural resources required for food production, and to ensure that our activities do not limit the local population's access to safe drinking water and sanitary facilities. We consider these aspects important as we acknowledge the intrinsic connection between human rights and the environment.

We do not engage in the unlawful eviction and takeover of land, forests, or waters which secure the livelihoods of people.

⁶ Respect for occupational health and safety obligations under the law of the place of employment, where this creates a risk of accidents at work or work-related health hazards; guided by ILO Conventions 1, 4, 155 and 164.

⁷ Guided by the ILO Conventions 87, 98, 135 and 154.

⁸ Guided by the ILO rules on the prohibition of child labor below the minimum age according to ILO Convention 138 and on the prohibition of the worst forms of child labor according to ILO Convention 182.

⁹ Respect for the prohibition of forced labor, except for work and services that are in conformity with ILO Convention 29 and 105 or with the 1966 UN International Covenant on Civil and Political Rights.

1.7. Taking responsibility in our supply chain

While we hold ourselves to a high standard, we apply equally high standards to the suppliers and other third parties we are working with. We expect our suppliers and other business partners to comply with the principles set out in this Statement and outlined in our [Supplier Code of Conduct](#), and our [Compliance Brochure for Business Partners](#). This includes the implementation of appropriate processes to respect human rights and to protect the environment – within their own operations and business activities, as well as in their supply chains. Upon request, we expect them to show and explain how they comply with the human rights principles set out in this Statement.

2. How we implement our commitment

2.1 Our governance and strategic pillars

Respecting human rights and acting with integrity is core to our global values and our commitment to ethical business practices and sustainability. We set up appropriate processes to identify, prevent, and address negative impacts, taking into consideration the interests of patients, employees, communities, and other stakeholders – both within our own operations and our supply chain.



Illustration: Key elements of Human Rights Due Diligence

The Fresenius Medical Care Management Board oversees our Human Rights Due Diligence program. The operational implementation is guided by clear responsibilities: our Human Rights Office (“Office”) within Global Legal Function acts as an internal and external contact point for human rights related topics. The Office works closely with the relevant functions and business segments to ensure the proper implementation of our commitment to respect human rights and monitors the overall status of activities. The responsible teams, e. g., Human Resources, Procurement and other, assess relevant risks and take appropriate risk management measures. A cross-functional steering committee provides strategic guidance and supervises the further development of our activities.

Our approach to implementing Human Rights Due Diligence is based on three pillars. The first pillar is centered around knowing risks, i.e. identifying and understanding the risks for and impacts on human rights, resulting from or related to our business activities, including business relationships. We work towards integrating human rights considerations in relevant risk assessment processes.

The second pillar focuses on raising awareness of human rights risks, preventive/remedial measures and (potential) impacts related to FME's activities. It includes communication and training of our business and functional teams as well as of our business partners.

The third pillar is about our commitment to continuous improvement by embedding human rights considerations into applicable processes and measures as appropriate.

Together, all three pillars inform the risk-based action plans that are developed and regularly reviewed by the relevant functions together with the Human Rights Office.

2.2 Risk analysis and our focus areas

As a global organization with a complex value chain operating in various countries, we are aware that human rights risks and impacts may occur.

To identify and prevent, minimize, or end human rights risks or adverse impacts, we implement adequate risk management processes throughout the organization. We have taken guidance from the UN Guiding Principles on Business and Human Rights and applicable laws for such processes. To identify human rights risk areas, we follow a risk-based approach. In our risk analysis, we consider potential risks based on country and industry risk indices as well as relevant internal information related to existing countermeasures and past concerns. We prioritize identified risks based on an analysis of the potential impact and likelihood. We also evaluate the extent to which we might contribute to the materialization of the risk through our business activities.

The risk analysis is conducted regularly and on an ad hoc basis – for our own operations as well as applicable business partners and suppliers. We also perform an ad hoc risk assessment of our indirect suppliers whenever we have indication of human rights or environment-related violations.

We have identified the following focus areas to guide our human rights related activities:

- patients' rights¹⁰,
- working conditions in our own operations and in our supply chain
- environmental impact on local communities in our own operations and in our supply chain.

2.3 Preventive, mitigating and remedial measures

To prevent, mitigate, or end human rights risks and impacts, we take appropriate actions, both in our own operations as well as across our supply chain. These include, for example, raising awareness, delivering training, implementing policies and procedures, and determining requirements for contracts and agreements.¹¹

Our general commitment to respect human rights is embedded in our CoC. This applies to all employees in Fresenius Medical Care, including our officers and directors.

¹⁰ As part of our commitment to delivering safe, high-quality products and care, we consider patients' human rights as one of our focus areas in our holistic human rights approach.

¹¹ The measures listed in this section provide a non-exhaustive overview of our human rights and environment-related activities. For further details please refer to our non-financial reports and other information published on our [website](#).

Our suppliers also play an important role in providing optimal care for our patients and contribute to our sustainability efforts. Our [Supplier Code of Conduct](#) as well as our [Compliance Brochure for Business Partners](#) form the basis of our contractual relationships. These documents include the minimum requirements our suppliers must meet, i.e., regarding labor conditions, including Occupational Health and Safety, environmental protection, and quality. We expect them to establish adequate procedures within their organizations, as well as in their value and supply chains, to comply with respective requirements.

In addition, various policies and procedures specify our general commitments and expectations when it comes to human rights and environmental protection.

For example, our [Company Position Statement on Bioethics](#) stipulates our commitment to ethical standards in our research and development activities, whereas our [Company Position Statement on Health Equity](#) defines our commitment to expand our knowledge and services to eliminate inequities in care opportunities and health outcomes. By providing essential products, we can have an impact in areas where we do not deliver direct clinical care.

Our Global Social and Labor Standards Policy is our leading document concerning human rights topics related to our employees. It outlines our global minimum standards regarding fair and transparent working conditions, including a discrimination and harassment-free workplace, freedom of association and the right to collective bargaining, as well as the prohibition of child labor, forced labor and retaliation. Our [Global Occupational Health and Safety Policy](#) stipulates our commitment to providing a healthy and safe workplace for our own employees and contractors. Our Global Privacy Principles define our minimum privacy principles for processing and handling the personal data of our employees, patients, business partners and other stakeholders.

Our [Global Environmental Policy](#) includes our commitment to environmentally sustainable operations and resource efficiency that ultimately reduces the risk to the local population in the surroundings of our sites.

With regards to identified focus areas, relevant functions and teams are assigned ownership to manage related risks, and to develop action plans. For example, the Human Resources function owns action plans when it comes to labor rights, or the Procurement function owns measures related to our supply chain. The actionable measures include updating policies and processes to better reflect applicable human rights considerations, the specific analysis of data, delivery of training courses, monitoring of policy implementation and the adjustment of contractual clauses, where needed.

To raise awareness for and steer implementation of Human Rights Due Diligence commitments, we integrate related expectations into our CoC training for all employees, and we also provide target-group specific training courses and awareness raising sessions.

Where our business activities have caused or contributed to actual human rights violations, or where we have detected such violations, we are committed to implementing effective remedial action. Depending on the nature of the violation, we will adopt such remedial measures in our own business activities, as well as in the supply chain, on a case-by-case basis.

2.4 Complaint procedure

We recognize the importance of open communication and aim to create an environment where patients, employees, members of local communities, business partners/suppliers including their workforce, or any other potentially affected individual can report raise their concerns and report potential violations.

Our employees, as well as individuals outside of our organization, may share their concerns via multiple channels – either reporting them to Fresenius Medical Care management, Compliance, Human Resources, Legal, the Human Rights Office, or via the Compliance Action Line. The Compliance Action Line form can be easily accessed through our [website](#) (available in 39 languages). Additional [channels for our patients](#) and their representatives are available.

Our internal policies protect individuals who make a report on reasonable grounds and/or in good faith. Such reporters may not be retaliated against in any way. A summary of our rules of procedures is published on our [website](#).

We are committed to appropriately following up on each report or complaint. In case of substantiation, we will take appropriate remedial action. We will carefully consider complaints to improve our business processes and take corrective and/or improvement actions as needed.

2.5 Effectiveness monitoring

We are committed to monitoring the effectiveness of our measures and activities, including our complaint procedures. We integrate human rights and related environmental aspects into the scope of internal audits. We also use relevant data, such as overall numbers of concerns received and remedial action taken, to assess the effectiveness of our overall Human Rights Due Diligence and update our measures if required.

2.6 Stakeholder engagement and transparent communication

We are committed to establishing suitable and effective dialogue and interactive formats to engage with our patients, employees, employee representative bodies and other relevant stakeholders. For example, we use our regular employee engagement surveys to improve our working environment and identify strengths as well as opportunities. As part of our global patient experience program, we aim to conduct patient experience surveys at least every two years. We use the information collected to evaluate the services provided by our dialysis clinics and implement global improvement plans.

Exchange with our peers helps us to further improve our due diligence measures. We are engaging in respective working groups of relevant business networks.

We regularly – at least annually – report on the status of implementation of Human Rights Due Diligence as part of our annual Non-Financial Report. Further information is available on our website at www.freseniusmedicalcare.com.

We document relevant activities in accordance with relevant legislation.

The present statement is reviewed on an annual basis and as required in the case of significant changes to our risk profile.

Bad Homburg, December 2023

The Management Board of Fresenius Medical Care AG:

Helen Giza; Chief Executive Office

Martin Fischer; Chief Financial Officer

Franklin W. Maddux, MD; Global Chief Medical Officer

Dr. Katarzyna Mazur-Hofsäß; Care Enablement

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