

Germany's law on the equal participation of women and men in executive positions

In accordance with German legislation on equal participation by women and men in executive positions in both the private and the public sector, the supervisory boards of listed companies or companies subject to Germany's system of codetermination have to set a target for the proportion of women on their boards of management. The board of management of such a company has to set a target for the proportion of women at the two management levels below that of the board of management. If the proportions of women at the time when these targets are set by the board of management and the supervisory board are below 30%, the targets may not be lower than the proportions already reached. At the same time that the targets are set, the boards have to set periods for their achievement, which may not be longer than five years.

On December 8, 2016, the Supervisory Board of Daimler AG passed a resolution stipulating that the target figure for the proportion of women on the Board of Management of Daimler AG would be 12.5%, while the deadline would be December 31, 2020. As of December 31, 2020, the eight-member Board of Management included two women, Renata Jungo Brüngger and Britta Seeger. This means that women account for 25% of the Board of Management members. On December 3, 2020, the Supervisory Board of Daimler AG passed a resolution stipulating that the target figure for the proportion of women on the Board of Management of Daimler AG would be 25%, while the deadline would be December 31, 2025.

On November 8, 2016, the Board of Management passed a resolution stipulating a target of 15% women for both the first and second management levels of Daimler AG below the Board of Management, with a deadline of December 31, 2020. At the time of the resolution, the proportion of women at the first and second management levels below the Board of Management was 8.0% and 12.4%, respectively. As of December 31, 2020, the proportion of women at the first management level below the Board of Management was 11.8%; at the second level it was 23.5%. The target for the first management level below the Board of Management could not be reached by December 31, 2020. At the time the target was set in 2016, the deconsolidation of the Cars & Vans and Trucks & Buses divisions to the newly established Mercedes-Benz AG and Daimler Truck AG in financial year 2019 was not yet foreseeable. As a result of the deconsolidation, many management positions were transferred from Daimler AG to Mercedes-Benz AG and Daimler Truck AG. Because of this, Daimler AG has very few management positions overall at the first level below the Board of Management. The target could no longer be achieved for these positions in financial year 2020. However, only a single woman still had to be appointed to reach the target.

The Board of Management of Daimler AG has also set itself the goal for the coming year of further increasing the proportion of women in top management positions. On November 25, 2020, the Board of Management therefore passed a resolution stipulating a target of 20% women for the first management level below the Board of Management and 25% for the second management level below the Board of Management, with a deadline of December 31, 2025.

Listed companies that have supervisory boards in which shareholders and employees are equally represented are required to have a proportion of at least 30% women and 30% men. This requirement has to be fulfilled by the Supervisory Board as a whole. If the side of the Supervisory Board representing the shareholders or the side representing the employees objects to the Chairman of the Supervisory Board about the application of the ratio to the entire Supervisory Board, the minimum ratio is to apply separately to the shareholders' side and to the employees' side for that election.

As of December 31, 2020, 30% of the shareholder representatives on the Supervisory Board of Daimler AG were women (Sari Baldauf, Petraea Heynike and Marie Wieck), while 70% were men. On that date, 30% of the employee representatives on the Supervisory Board were women (Elke Tönjes-Werner, Sibylle Wankel and Dr. Sabine Zimmer), while 70% were men. In its meeting on December 3, 2020, the Supervisory Board considered its nominations for the election at the 2021 Shareholders' Meeting and decided, upon the recommendation of the Nomination Committee, to propose at the 2021 Annual Shareholders' Meeting that Elizabeth Centoni, Ben van Beurden and Dr. Martin Bruder Müller be elected to the Supervisory Board. The legally required gender ratio will be met both on the shareholder representatives' side and for the Supervisory Board as a whole if these persons are elected to the Supervisory Board, provided that no other changes occur.

Along with Daimler AG itself, there are other Group companies subject to codetermination law. These companies have defined their own targets for the proportion of women on their supervisory boards, executive management bodies and the two levels below the board or executive management level, and have also set deadlines for target achievement. All relevant information here has been published in accordance with applicable law.