

# **DIVERSITY & INCLUSION POLICY OF AFFIMED N.V.**

*(adopted on DECEMBER 19, 2023)*

## **1 DEFINITIONS**

Capitalized terms used in this diversity and inclusion policy (the "**D&I Policy**") have the meaning set forth in the rules governing the Supervisory Board of Affimed N.V. (the "**Company**").

## **2 INTRODUCTION**

### **2.1 General**

2.1.1 The Supervisory Board and the Management Board recognize:

- (a) the importance of diversity and inclusion within the Management Board, the Supervisory Board and senior management, and throughout its workforce; and
- (b) that diversity and inclusion should extend to all areas of the Company's business.

2.1.2 The Management Board and the Supervisory Board believe that the Company's business benefits from a wide range of skills and a variety of different backgrounds and that a diverse composition of the Management Board, Supervisory Board and senior management contributes to the proper functioning of the Management Board, the Supervisory Board and senior management. For the purposes of the D&I Policy, senior management shall be considered those who form part of the executive leadership of the Company, other than the members of the Management Board, as selected by the Management Board from time to time in accordance with consistently applied criteria ("**Senior Management**").

2.1.3 The purpose of the D&I Policy is to lay down the Company's policies on, and its targets regarding, the diversity and inclusiveness of the Management Board, the Supervisory Board, Senior Management and the Company as a whole.

2.1.4 Candidates for appointment to the Management Board, the Supervisory Board and Senior Management will be selected with due observance of the Company's objective to foster a diverse and inclusive culture and working environment. Accordingly, the Company aims to fill vacancies by considering candidates that bring the required expertise and contribute to the Company's diversity and inclusiveness. Furthermore, it is important that Candidates shall commit to and comply with the Company's values and general business ethics, as summarized in the Company's Code of Conduct.

## **2.2 Content**

- 2.2.1 The D&I Policy has been established in line with best practice provisions 2.1.5 and 2.1.6 of the Dutch Corporate Governance Code and article 2:166 of the Dutch Civil Code. The D&I Policy has been adopted by the Supervisory Board and the Management Board.
- 2.2.2 The D&I Policy sets out the Company's policy and targets to achieve and maintain a diverse and inclusive composition of the Management Board, Supervisory Board and Senior Management.
- 2.2.3 In accordance with Dutch law and the Dutch Corporate Governance Code, the D&I Policy includes appropriate and ambitious gender balance targets and specific and detailed targets regarding diversity and inclusion. References to diversity and inclusion in the D&I Policy, other than in the context of specific Dutch law requirements, are to be interpreted accordingly.
- 2.2.4 The D&I Policy:
- (a) addresses diversity and inclusion aspects relevant to the Company (the "**D&I Aspects**");
  - (b) sets specific, appropriate and ambitious targets in relation to diversity and inclusion (the "**D&I Targets**") with regard to the composition of the Management Board, the Supervisory Board and Senior Management; and
  - (c) addresses the implementation and reporting of the D&I Policy.

## **3 D&I ASPECTS AND D&I TARGETS**

### **3.1 D&I Aspects**

- 3.1.1 Considering the market in which the Company operates and the diversity of its customer base, the D&I Aspects are:
- (a) gender;
  - (b) experience in relation to the biotech or pharmaceutical industry, publicly listed companies and international business;
  - (c) education (including technical, medical, financial, business) and advanced academic degree;
  - (d) nationality/cultural background and exposure to North American and major European markets.

### **3.2 D&I Targets**

The following specific D&I Targets for the Management Board, the Supervisory Board and Senior Management have been identified:

- (a) gender:
  - (i) at least 33,3% of the Management Board and 40% of Senior Management, shall consist of women, and at least 33,3% of the Management Board and 40% Senior Management shall consist of men;
  - (ii) at least 33.3% of the Supervisory Board shall consist of women, and at least 33.3% of the Supervisory Board shall consist of men,

it being understood that for as long as the target in relation to the Management Board and/or the Supervisory Board is not met, the Supervisory Board will do its upmost best to nominate a candidate for a vacancy that would improve the gender balance in the composition of the Management Board or the Supervisory Board, as applicable;

- (b) experience in relation to the biotech or pharmaceutical industry, public listed companies and international business: at least 75% of the Management Board, Supervisory Board and Senior Management shall have experience in the biotech or pharmaceutical industry or in an industry adjacent thereto. At least 50% of the Management Board, Supervisory Board and Senior Management shall have experience in public listed companies or international business;
- (c) education (including technical, medical, financial, business) and advanced academic degree: at least 75% of the Management Board, Supervisory Board and Senior Management shall have a technical, medical, financial or business educational background and an advanced academic degree;
- (d) nationality/cultural background and exposure to North American and major European markets: nationalities from at least two regions where the group is active shall be represented in the Management Board, Supervisory Board and Senior Management.
- (e) adhering to the company values: candidates shall be assessed assuring their full commitment and compliance with the Company's values as summarized in the Company's Code of Conduct.

## **4 IMPLEMENTATION AND REPORTING**

### **4.1 Meeting the D&I Targets**

In order to meet the D&I Targets, the D&I Aspects referred to in article 3.1.1 shall be considered and be taken into account for recruitment, hiring and appointment to roles, succession planning, training and development, safeguarded by certain procedures in place. Review and updates

The Supervisory Board and the Management Board shall:

- (a) review the D&I Policy, including the underlying key performance indicators which serve as basis for the D&I Aspects, and the implementation of the D&I Policy regularly at least at an annual basis; and
- (b) update the D&I Policy if and when necessary.

## **4.2 Corporate Governance Statement**

4.2.1 In the Company's corporate governance statement (the "**Corporate Governance Statement**"), the D&I Policy and the way it has been implemented in practice shall be explained, addressing more specifically at least:

- (a) the goals of the D&I Policy;
- (b) the plan to achieve the goals of the D&I Policy;
- (c) the results of the D&I Policy in the past financial year and – where relevant and applicable, insight into the inflow, progression and retention of employees; and
- (d) the gender composition of the Supervisory Board, the Management Board and Senior Management at the end of the past financial year.

4.2.2 If one or more goals for the composition of the Management Board, the Supervisory Board and/or Senior Management are not achieved, the Corporate Governance Statement shall also include:

- (a) an explanation of the reasons; and
- (b) an explanation as to which measures are being taken to attain the goals, and by when this is likely to be achieved.

## **4.3 SER**

4.3.1 The Company will report on gender diversity annually, within ten (10) months after the end of its financial year, to the Dutch Social and Economic Council (*Sociaal Economische Raad*) in accordance with the requirements set by Dutch law.

4.3.2 The Company will furthermore report on diversity and inclusion in accordance with Dutch law and the Dutch Corporate Governance Code in its annual report.

## **5 REVIEW AND UPDATES**

The Supervisory Board and Management Board will periodically consider and if deemed appropriate amend this policy.