Declaration of conformity with the German Corporate Governance Code pursuant to section 161 of the German Stock Corporation Act (AktG)

Under section 161 of the German Stock Corporation Act (AktG), the executive board and supervisory board of Evonik Industries AG are required to annually submit a declaration that the company has been, and is, in compliance with the recommendations of the Government Commission on the German Corporate Governance Code, as published by the Federal Ministry of Justice in the official section of the Federal Gazette (Bundesanzeiger), and which recommendations have not been, or are not being, applied, together with the associated reasons. The declaration has to be made permanently available to the public on the company's website.

The executive board and supervisory board of Evonik Industries AG (hereinafter the **company**) hereby submit the following declaration pursuant to section 161 of the German Stock Corporation Act:

Since submitting its last declaration of conformity in December 2021, the company has complied with the recommendations of the German Corporate Governance Code in the version dated December 16, 2019, which was published in the Federal Gazette on March 20, 2020, with the following exceptions. The company complies with the recommendations of the German Corporate Governance Code in the version dated April 28, 2022, which was published in the Federal Gazette on June 27, 2022, with the following exceptions, and will continue to do so in the future.

> According to recommendation C.5, members of the management board of a listed company should not hold more than two supervisory board mandates in non-group listed companies or comparable functions. Ms. Angela Titzrath is the chief executive officer of the listed company Hamburger Hafen und Logistik Aktiengesellschaft. In addition to her mandate on the company's supervisory board, she has other mandates covered by the recommendation. The supervisory board has satisfied itself that Ms. Titzrath has sufficient time to perform her mandate. In addition, her extensive experience in corporate management and her high level of economic and international expertise make valuable contributions to the fulfillment of the profile of skills and the effective work of the supervisory board. Taking into account all relevant aspects, the deviation from recommendation C.5 is therefore considered justifiable.

> According to recommendation C.5, members of the management board of a listed company should not accept the chairmanship of the supervisory board of a non-group listed company. Mr. Christian Kullmann, chairman of the company's executive board, has also been chairman of the supervisory board of Borussia Dortmund GmbH & Co. KGaA since September 25, 2021. He is familiar with the special nature and challenges of professional soccer within the framework of a listed company and is also familiar with the tasks entailed by the position of chairman of the supervisory board. In addition, the company is linked to Borussia Dortmund both through a shareholding and through the current sponsorship agreement and therefore has an interest in Mr. Kullmann exercising this mandate. The company's supervisory board has also examined the time requirements and strategic aspects of this mandate. Taking into account the above aspects, the deviation from recommendation C.5 is therefore considered justifiable.

According to sentence 1 of recommendation G.7, the supervisory board should establish the performance criteria for each management board member for the forthcoming financial year, covering all variable remuneration components; besides operating targets, the performance criteria should be geared mainly towards strategic goals. In keeping with the remuneration system adopted by the annual shareholders' meeting in 2022, and in view of the cluster of various unforeseen developments (the war in Ukraine, the energy crisis, the coronavirus crisis, supply chain disruption, inflation, the threat of recession, the impact of climate change), at its meeting in December 2022 the supervisory board decided that when calculating the STI 2022, inflation-adjusted sales should be taken into account for the target "adjusted EBITDA margin." For this fiscal year, the supervisory board has therefore corrected the calculation of one of the performance criteria established in order to ensure appropriate remuneration of the executive board and, in this way, to take account of the altered circumstances. In light of this, as a precaution, the company hereby declares a deviation from G.7 sentence 1. Furthermore, with regard to the LTI, the supervisory board resolved to reduce the lower limit for relative performance (comparison with the external share price index) for the current LTI plans, which have not yet expired, from 70 percent to 0 percent. Together with the STI, this should ensure appropriate target remuneration of the executive board that withstands market comparison.

Recommendation G.8 states that subsequent changes to the targets or comparison parameters should be excluded. In view of the aforementioned cluster of various unforeseen developments (the war in Ukraine, the energy crisis, the coronavirus crisis, supply chain disruption, inflation, the threat of recession, the impact of climate change), the basic conditions taken into consideration when establishing the targets for the short- and long-term remuneration of the executive board members no longer prevail. As a result, the targets set for the two variable remuneration components no longer represent an appropriate benchmark for target attainment and, if they were to be retained, could act as false incentives. The company's supervisory board has therefore resolved that, for the calculation of the STI 2022, inflation-adjusted sales will be used for the "adjusted EBITDA margin" target and that for the outstanding exercise periods for the LTI plans 2018 through 2022, with effect from January 1, 2023, i.e., for the first time for the payment in 2023, the lower limit for relative performance should be set at 0 percent instead of 70 percent, as defined for the LTI plans from 2023 in the remuneration system approved by the annual shareholders' meeting. Without these corrections, the value of the LTI tranche 2018 would be reduced to zero; there would also be a significant loss of value for the LTI tranches 2019 through 2022 and the STI parameter "adjusted EBITDA margin," which would not be justified by the performance of the executive board. The supervisory board considers these corrections to the remuneration of the executive board within the framework of the approved remuneration system to be appropriate in order to pay the executive board members remuneration that is commensurate with their tasks and performance and to set the right incentives for the benefit of the company. Particularly high commitment is required from the executive board members in these times of crisis. The supervisory board considered it necessary, in particular, to wait for the opportunity to assess the economic impact on the company, which only became sufficiently clear late in the year.

Essen, December 2022

The Executive Board

The Supervisory Board