



Statement of compliance in accordance with Sec. 161 of the German Stock Corporation Act

The Executive Board and the Supervisory Board of RWE Aktiengesellschaft issue the following statement after due review:

Since issuing its last declaration of compliance on 10 December 2021, RWE Aktiengesellschaft has complied with the recommendations of the Government Commission on the German Corporate Governance Code (Code version dated 16 December 2019) published by the Federal Ministry of Justice in the official section of the Federal Gazette on 20 March 2020 with one temporary deviation already declared. Thomas Kufen, member of the Supervisory Board of RWE Aktiengesellschaft since 18 October 2021, held a total of six countable Supervisory Board mandates until 31 December 2021, so that recommendation C.4 of the Code was not complied with on a transitional basis. Mr Kufen resigned from one of the mandates with effect from 31 December 2021. Since 1 January 2022, the maximum number of mandates has been complied with again.

RWE Aktiengesellschaft also complies and will continue to comply with the recommendations of the new version of the Code published on 27 June 2022 (Code version dated 28 April 2022), with the following exception:

According to the newly added recommendation A.3, the internal control system and the risk management system should, if not already required by law, also cover sustainability-related objectives. This should include the processes and systems for collecting and processing sustainability-related data. The Executive Board and the Supervisory Board intend to comply with this recommendation, but in their own view have not yet fully implemented it. The internal control and risk management system covers only certain sustainability-related aspects so far. RWE is currently working on the further development of the internal control and risk management system in order to map sustainability-related aspects even more comprehensively and systematically. This process is expected to be completed in the course of 2023 so that

...

the new recommendation A.3 of the Code in the version dated 28 April 2022 can be complied with in the future.

Essen, 9 December 2022

RWE Aktiengesellschaft

For the Supervisory Board



Dr Werner Brandt

For the Executive Board



Dr Markus Krebber