

# **STICHTING CAR CLAIM**

**Annual Report 2021**

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# Report of the Supervisory Board

## ***Performance***

During the financial year 2021, the Supervisory Board monitored the foundation's governance, financial policy, legal strategy, and general affairs. The Supervisory Board has provided its findings to the Management Board and to the legal advisors of the foundation. These findings particularly concerned the following subjects:

- Governance
- Financial policy
- Legal strategy
- Political strategy
- Media policy
- Other endeavours (to be) initiated by the foundation

## ***Composition and compliance***

During the financial year 2021, the Supervisory Board of the foundation consisted of three members: Mr Marten Oosting, Mr Hans de Savornin Lohman, and Mr Jan Zielonka. This composition complies with the articles of association of the foundation and with the Claim Code 2019.

## ***Meetings***

Joint meetings with the Management Board were held on 18 February, 21 June, 16 September and 16 December 2021. A separate Supervisory Board Meeting was held on 17 June 2021. The Supervisory Board, the Management Board and the legal advisors of the foundation also consulted each other via (conference) calls and email on multiple occasions. The meetings, conversations and messages focused on the general course of affairs, the foundation's financial position, operational strategy, organisational changes and the findings as mentioned in this annual report.

The Supervisory Board recognises the achievements of the foundation's management and legal advisors in 2021 and hereby expresses its appreciation to them.

Rotterdam, 8 June 2022

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Mr Marten Oosting  
Chairman

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Mr Jan Zielonka

w.g.

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Mr Hans de Savornin Lohman

## Directors' Statement

### ***Mission***

Stichting Car Claim is a non-profit organisation, duly incorporated under Dutch law on 2 October 2015. It has its registered seat in Rotterdam, the Netherlands.

### ***Representation***

The foundation represents the interests of car owners, such as consumers and (leasing) companies, whose cars are equipped or have been equipped with hardware and/or software, with the intention of manipulating emission tests and/or because of which the legal emission standards are exceeded.

The foundation is committed to both private and business car owners, and to first-hand and second-hand car buyers as well as lease drivers.

### ***Representation, objective and approach***

Under its articles, the foundation acts for all car owners who have been harmed by car manufacturers involved in the diesel emissions scandal.

The objective of the foundation is – *inter alia* – to determine and investigate the course of events leading up to and concerning:

- i. the development and instalment of forbidden soft- and/or hardware in affected vehicles by various car manufacturers and/or software suppliers;
- ii. the selling and/or supplying of the affected vehicles to the car owners; and
- iii. (the consequences of) the application of one or more hard- and/or software updates to the affected vehicles.

In light of the above, the foundation strives to ascertain the legal rights and remedies for car owners, which included but is not limited to:

- i. the possibility for car owners to enforce (have enforced) claims against (one or more) responsible parties, including but not limited to the termination of the purchase agreements of affected vehicles against (full) repayment of the purchase price;
- ii. the possibility for the car owners to obtain (full) compensation for the damage suffered and to be suffered from the responsible parties;
- iii. the ability for the car owners to obtain (have obtained) all necessary indemnities and/or warranties against any potential adverse consequences of the manipulation of the affected vehicles, for the intact use of the affected vehicles;
- iv. alternative possibilities to resolve the emissions problems of affected vehicles, and
- v. obtaining compensation for the (financial) consequences for the car owners.

The articles of the foundation are drafted in light of the principle to reach a fair and reasonable solution for

all the parties that are involved in the scandal. The boards of the foundation have instructed their legal counsel to work with the responsible parties in a spirit of mutual respect in order to find a reasonable and fair solution. This primarily implies negotiations that ultimately could result in entering in a voluntary settlement. Such a solution should further entail that affected car owners can continue to make use of their vehicles without any risk or damage.

Unfortunately, none of the responsible parties accepted the invitations of the foundation to enter into amicable settlement negotiations. Therefore, the boards of the foundation have instructed their legal counsel to initiate various legal proceedings (reference is made to the paragraph “*Actions of the foundation*” of this Annual Report).

## **Governance**

### Management Board

The foundation is governed and represented by a professional Management Board. The Management Board is responsible for the strategy, financial policy and day-to-day business of the foundation. The Management Board is appointed by the Supervisory Board.

In 2021, the Management Board consisted of Mr Fausto Pocar (former president of the International Criminal Tribunal for the former Yugoslavia (ICTY)), Mr Guido van Woerkom (former president of the Royal Dutch Touring Club (ANWB)), and Mr Arie van der Steen (accountant and former CFO of various private companies).

Mr Pocar was the chairman of the Management Board from May 2016 to 16 September 2021. As from this date, Mr Van Woerkom was appointed chairman. Mr Pocar will remain active as a Management Board member.

### Supervisory Board

The foundation’s Supervisory Board advises and supervises the foundation’s Management Board and the general course of affairs and business of the foundation. This includes, but is not limited to the supervision of the foundation’s strategy, the foundation’s financial affairs and the realisation of the foundation’s objectives. The members of the Supervisory Board perform their duties independently.

In 2021, the Supervisory board consisted of Mr Marten Oosting, Mr Hans de Savornin Lohman, and Mr Jan Zielonka.

### **Annual report 2020**

The annual report over the financial year 2020 has been adopted on 21 June 2021.

### **Claim Code 2019**

The foundation complies with the rules of the Claim Code 2019. The Claim Code is a code of conduct drawn up by experts operating in the Dutch collective redress market.

An explanatory notice of compliance of the foundation is included in this annual report and published on its website [www.derclaim.nl](http://www.derclaim.nl). The publication version will be continuously updated.

### ***Actions of the foundation***

This section provides an overview of the foundation's in- and out-of-court actions to represent the interests of its constituents.

The legal proceedings against Volkswagen Group (including Volkswagen, Audi, Škoda and SEAT ('**Volkswagen et al.**')) and various Volkswagen Group dealers ('**VW dealers**') have been ongoing since 2017.

In the course of 2020, the foundation also initiated legal proceedings against Daimler AG ('**Daimler**'), its Dutch importer Mercedes-Benz Nederland B.V. ('**MB Nederland**') and various Dutch Daimler dealers ('**Daimler dealers**').

During the financial year 2021, further legal proceedings were initiated against legal entities within the Renault Group (including car manufacturers Renault S.A.S. and Automobile Dacia S.A. (together referred to as '**Renault et al.**')), Dutch importer Renault Nederland N.V. ('**Renault Nederland**'), as well as various Dutch Renault Group dealers ('**Renault dealers**').

Briefly after the financial year 2021 (18 January 2022), similar legal proceedings were initiated against legal entities within the Stellantis Group (as legal successor of Peugeot S.A., including car manufacturers Automobiles Peugeot S.A., PSA Automobiles S.A., Automobiles Citroën S.A.S., ADAM Opel GmbH and Opel Automobile GmbH (together referred to as '**Stellantis et al.**')), Dutch importer Stellantis Nederland B.V. ('**Stellantis Nederland**') and various Dutch Stellantis Group dealers ('**Stellantis dealers**'). For transparency purposes, these legal proceedings are being addressed in this annual report as well.

The status of each collective procedure is given below.

#### *Volkswagen et al.*

For a summary of the course of the proceedings against Volkswagen et al. and the VW dealers in first instance, the Management Board refers to the foundation's annual report 2020 (p. 8 ff.).

On 14 July 2021, the Amsterdam District Court rendered its [judgment](#). The court held that Volkswagen et al. have acted wrongfully towards Dutch car owners. In addition, the court ruled that the affected diesel vehicles did not meet the legal requirements at the time of purchase (non-conformity), as a result of which the Volkswagen et al. are liable for damages towards Dutch car owners. Finally, the court ruled that – because of the non-conformity – Dutch consumers are entitled to a price reduction (EUR 3,000.- for new vehicles and EUR 1,500.- for second-hand vehicles).

Volkswagen et al. and the VW Dealers appealed against the Amsterdam Court's judgment. On 6 April 2022, a hearing took place to determine the further course of proceedings. The Amsterdam Court of Appeal has ordered that the appeal proceedings are divided into the following two phases:

- Phase 1 Full legal debate about the admissibility and merits of the foundation's claims;

- Phase 2 The amount of price reduction to which Dutch car owners are entitled to.

Volkswagen et al. and the VW dealers will submit their statement of appeal by the end of September 2022.

#### Daimler et al.

The writ of summons has been served on 30 December 2020.<sup>1</sup>

On 21 April 2021, the Amsterdam District Court determined the procedural order. It has divided the proceedings into three phases:

- In the first phase, the court will decide on (i) its jurisdiction, and (ii) the applicability of the new class action legislation (WAMCA). In addition, the court will assess the position of SEC and Bosch as parties in the proceedings.<sup>2</sup>
- In the second phase, the court will decide on (i) the admissibility of the foundation and (ii) the applicable law. The court will also appoint an exclusive representative. The exclusive representative will have the lead over other representative organizations in the further course of the proceedings.
- In the third phase, the court will assess the merits of the claims.

#### *Phase 1*

On 19 May 2021, the foundation filed a brief (*akte*) regarding the position of SEC and Bosch in these proceedings. Daimler and the other defendants submitted their statements of defense on 11 August 2021.

On 25 March 2022, the hearing in phase 1 took place before the court. The court is expected to deliver its judgment in phase 1 on 22 June 2022.

#### Renault et al.

The writ of summons has been served on 24 November 2021.<sup>3</sup>

On 12 January 2022, the Amsterdam District Court determined the procedural order. It has divided the proceedings into three phases:

- In the first phase, the court will decide on (i) its jurisdiction, (ii) the applicability of the new class action legislation (WAMCA) and (iii) the representativeness of the foundation to act on behalf of the aggrieved Dutch car owners.

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<sup>1</sup> Two other initiatives – Stichting Diesel Emission Justice (SDEJ) and Stichting Emission Claim (SEC) – have issued a writ of summons against Daimler et al. as well.

<sup>2</sup> SEC has filed a claim against the Daimler outside the applicable period, without the prior approval of the court. SEC has also filed claims against Bosch as the defendant. The participation of SEC and Bosch in this procedure is therefore under discussion.

<sup>3</sup> Two other initiatives – Stichting Diesel Emission Justice (SDEJ) and Stichting Emission Claim (SEC) – have issued a writ of summons against Renault et al. as well.

- In the second phase, the court will decide on (i) the admissibility of the foundation and (ii) the applicable law. The court will also appoint an exclusive representative. The exclusive representative will act as the “lead plaintiff” in the further course of the proceedings.
- In the third phase, the court will assess the merits of the claims.

#### *Phase 1*

Renault et al. and the other defendants are expected to submit their statements of defense on 13 July 2022.

#### *Stellantis et al.*

The writ of summons has been served on 17 January 2022.<sup>4</sup>

**WOB requests** – in order to obtain further information, which could be relevant for the pending legal proceedings, the foundation filed various requests to governmental bodies to disclose information (so-called WOB-requests). The foundation filed these requests in the Netherlands, in other European countries (such as France and Germany) and at European level (e.g. to the European Committee and the European Parliament). Several WOB-requests have already resulted in additional insight and information about the scandal. Other WOB-requests and additional requests are currently pending.

#### *Status*

In the case against Volkswagen et al., the foundation has received (part of) the requested documents from the Dutch type approval authority (RDW). These documents are almost completely blackened. The foundation raised its objections against the blackening of the documents in (objection) proceedings under administrative law. This objection was only honored to a very limited extent. Therefore, the foundation lodged an appeal against the decisions of the RDW. The court honored the objections of the foundation and ordered the RDW to make a new decision in regard of the requested documents. The foundation is still waiting for this decision.

In the cases against Renault et al. and Stellantis et al., the foundation also requested documents from the RDW. The RDW did not decide on the request of the foundation, even after the prescribed period for such decision had long since expired. The foundation therefore lodged an appeal to the relevant court, requesting the court to order the RDW to decide on foundation’s request. This appeal is currently pending.

The foundation’s WOB-requests in other jurisdictions (inter alia Germany and France) are pending.

#### ***Financials***

##### *Funding*

The foundation follows a strict “no-cure-no-pay” arrangement with its participants. Car owners can join the foundation completely free of charge. All costs (including legal costs) are borne by the foundation, for which

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<sup>4</sup> Two other initiatives – Stichting Diesel Emission Justice (SDEJ) and Stichting Emission Claim (SEC) – have issued a writ of summons against Stellantis et al. as well.

it has obtained external funding. Only in the event that the foundation is successful in its endeavours (i.e. because of a settlement or through successful litigation) it will seek no more than eighteen to twenty-five percent of any financial recovery achieved through a (collective) settlement or litigation (dependent on the number of participants included in such resolution), which shall be paid to its funders.

Two third-party funders provided the initial funding of the foundation. The foundation ultimately selected a professional litigation funder from the UK (which was later acquired by a US third party litigation funder) to provide the required funding. One of the initial funders will stay on board as funder and partner in the project. The other funder has withdrawn as a funder.

#### Tax authorities

The foundation has regularly corresponded with the tax authorities regarding its tax obligations. So far, the tax authorities concluded that the foundation is not liable to pay any taxes.

#### Administration

Mr Van der Steen – being the treasurer of the foundation – took care of the day-to-day financial administration of the foundation.

#### **Meetings**

Joint meetings with the Supervisory Board and legal counsel of the foundation were held on 18 February, 21 June, 16 September and 16 December 2021. The Management Board, the Supervisory Board and the legal advisors of the foundation also consulted each other via (conference) calls and email on multiple occasions and on a regular basis.

#### **Communication and media**

The foundation keeps its participants informed on any developments through periodical newsletters, press releases and updates via its websites.

Dutch participants have been kept informed via the website [www.derclaim.nl](http://www.derclaim.nl). Dutch car owners can also register with the foundation on this website, after which they will receive a personal account. Here, registered participants can provide basic input on their ideal settlement, change their personal details, and keep in touch with the foundation through frequent notifications.

Car owners from other European jurisdictions can register with the foundation via the website [www.stichtingcarclaim.com](http://www.stichtingcarclaim.com).

The endeavours of the foundation in 2021 have had extensive exposure in the media on various occasions, under which via *NOS*, *Trouw*, *NU.nl*, *RTL Nieuws*, *Volkskrant*, *Algemeen Dagblad*, *NRC*, *Financieel Dagblad*, *Telegraaf*, *Automotive*, *Autoweek*, *BNR*, and *Radar*.

A full overview can be found on the foundation's website via [this link](#).

Rotterdam, 8 June 2022

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Mr. Guido van Woerkom  
Chairman

## **Annual Accounts 2021**

## A. Balance Sheet

	<u>31.12.2021</u>	<u>31.12.2020</u>
<b><u>FIXED ASSETS</u></b>		
Intangible fixed assets	--	--
Tangible fixed assets	--	--
<b><u>CURRENT ASSETS</u></b>		
Inventories	--	--
Receivables	€ 19,836	€ 7,723
Cash and bank balances	€ 17,515	€ 25,455
<b><u>CURRENT LIABILITIES</u></b>		
Creditors	--	--
Accrued liabilities	€ 24,240	€ 20,067
Advance Media budget	€ 13,111	€ 13,111
Current assets minus current liabilities	€ 0	€ 0
Assets minus current liabilities	€ 0	€ 0
<b><u>EQUITY</u></b>	€ 0	€ 0

## B. Statement of Income and Expenses

	<u>2021</u>	<u>2020</u>
<b><u>INCOME</u></b>		
Third Party Funding	€ 125,785	€ 121,412
<b>Total</b>	<b>€ 125,785</b>	<b>€ 121,412</b>
<b><u>EXPENSES</u></b>		
Notary	€ --	€ --
ICT	€ 4,333	€ 441
D&O Insurance	€ 1,333	€ 1,331
Management/Remuneration Fees	€ 26,654	€ 29,682
Supervisory board	€ 11,607	€ 10,640
Back office	€ 81,727	€ 79,191
Database	€ --	€ ---
Other	€ 131	€ 125
<b>Total</b>	<b>€ 125,785</b>	<b>€ 121,412</b>
<b>Operating Income</b>	<b>--</b>	<b>--</b>
<b>Non-operating income</b>	<b>--</b>	<b>--</b>
<b><u>NET INCOME</u></b>	<b>€ 0</b>	<b>€ 0</b>

## Notes to the Annual Accounts 2021

## **A. Notes to the Balance Sheet**

### **BALANCE SHEET VALUATION POLICIES**

#### **General**

Valuation of assets and liabilities and determination of the result take place under the historical cost convention.

Unless mentioned otherwise at the relevant principle for the specific balance sheet item, assets and liabilities are presented at face value.

#### **Receivables**

Upon initial recognition the receivables are recorded at the fair value and subsequently valued at the amortized cost. The fair value and amortized cost equal the face value. Provisions deemed necessary for doubtful accounts are deducted. These provisions are determined by individual assessment of the receivables.

#### **Cash and cash equivalents**

Cash and cash equivalents are valued at nominal value and, insofar as not stated otherwise, are at the free disposal of the company.

#### **Current liabilities**

Current liabilities concern debts with a term of less than one year. Upon initial recognition the current liabilities are recorded at the fair value and subsequently valued at the amortized cost.

## B. Notes to the Statement of Income and Expenses

### PRINCIPLES FOR THE DETERMINATION OF INCOME AND EXPENSES

#### **Income**

Net income represents amounts invoiced for services rendered during the financial year reported on, net of discounts and value added taxes.

Back office expenses are connected to IT, security, website, and hosting services.

#### **Expenses**

Expenses are attributed to the financial year to which they relate.

### LEGAL FEES

The foundation is funded by third party funders. The third party funders pay the operational expenses of the foundation. The fees of the legal counsel of the foundation are directly paid by the third party funders without involvement of the foundation.

Parts of the legal costs over the financial year 2021 that was due and unpaid have been fully paid for in the financial year 2022.

The following costs and (legal) fees have been invoiced to the foundation in the financial year 2021 (2020):

#### **Legal costs** (*directly related to Dutch legal Proceedings*)

- € 658,927.42 (€ 799,211.40)

#### **Running Costs** (*legal fees and other costs related to the foundation's activities, excluding Dutch legal proceedings, including costs related to political endeavors, marketing and media, and third party expenses*)

- € 170,900.70 (€ 402,021.63)

## **CLAIM CODE COMPLIANCE OVERVIEW**

### **Introduction**

The foundation was established in October 2015 and is an interest organization within the meaning of article 3:305a Dutch Civil Code ('**DCC**'). Currently, the foundation has a management board ('**MB**') consisting of three members and a supervisory board ('**SB**'), also consisting of three members.

The foundation fully commits to the Claim Code that came into force on 1 July 2011 and was amended in March 2019 ('**Claim Code**'). The Claim Code is a private initiative that currently consists of seven principles ('**Principles**') that are broadly accepted general guidelines and views on the way interest organizations such as the foundation should represent collective interests. The Principles contain a set of standards for the founders, directors, supervisory board members, consultants, and advisors engaged by the interest organization. All in order to provide those who wish to join a 305a-initiative with guarantees that their interests are paramount.

With this underlying document, the MB provides a high-level explanation of the foundation's compliance to the Claim Code (in conformity with Principle I, elaboration 1 of the Claim Code).

### **Principle I: Compliance with the Claim Code**

The governance structure of the foundation is in accordance with the principles of the Claim Code. Clause 3.3 of the articles of association of the foundation ('**Articles**') determines that the MB and SB together are responsible for the compliance of that governance.

The compliance of the foundation to the Claim Code is discussed annually within the (joint) MB and SB meeting. If the MB wishes to change the governance structure or to deviate from the Claim Code, it first needs to submit the proposed change for discussion to the SB as set out in clause 6.5 of the Articles.

This document is a document as set out in clause 6.4 of the Articles and elaboration 1 of Principle I of the Claim Code and will be published together with the Annual Report on the foundation's websites: [www.derclaim.nl](http://www.derclaim.nl) and [www.stichtingcarclaim.com](http://www.stichtingcarclaim.com).

### **Principle II: Protecting collective interests on a non-profit basis**

The foundation represents the interests of car owners, such as consumers and (leasing) companies, whose cars are equipped or have been equipped with hardware and/or software, with the intention of manipulating emission tests and/or because of which the legal emission standards are exceeded.

The Articles provide important safeguards, which prevent that any natural or legal person can – directly or indirectly – dispose the capital or income of the foundation (within the meaning of elaboration 1, Principle II of the Claim Code). For example, clause 7.1 of the Articles provides for a two-signature clause with regard to the external representation of the foundation by the MB. The risk of improper use of the foundation's funds is further excluded as the foundation does not generate revenues. Participants are not required to pay a registration fee. Further, legal advisors of the foundation receive their fees directly from the foundation's external funder (see Principle III below). This further reduces the risk of improper use of the foundation's resources by members of the MB and/or SB.

In conformity with elaboration 3 of Principle II of the Claim Code, clause 17.3 of the Articles determines that the MB shall, subject to approval from the SB and with due observance of the interests of the participants of the foundation, determine the appropriation of the surplus after dissolution. The appropriation will have to approach the objects of the foundation as closely as possible and shall be distributed to the participants or an organization within the meaning of Section 6.33 paragraph 1 section b of the Tax Act 2001. This, in conformity with the elaboration of principle III, further strengthens the non-profit character of the foundation.

### **Principle III: External funding**

The foundation attracted third party litigation funding from Vannin Capital, a UK litigation funder. Vannin Capital was acquired by Fortress Investment Group LLC ('**Fortress**') in 2019. Fortress has its registered office in New York and was founded in 1998. Nowadays, Fortress is one of the largest and best-known litigation funders worldwide, with a formidable reputation. Before concluding the litigation funding agreements, the foundation did profound research into (first) Vannin and (later) Fortress with regard to capital, track-record and reputation.

Fortress is a member of the International Legal Finance Association (ILFA) and adheres to ILFA's *best practices*. These best practices has been put in place to protect parties who want to use third litigation funding.

The foundation's collective proceedings are funded by different operating entities, all falling under (now) Fortress. For the case against Volkswagen et al., the foundation entered into a funding agreement with Vannin Capital PCC, established in Jersey. For the other cases, the foundation entered into a funding agreement with CF ND Car Ltd, established in the Grand Cayman.

The MB, SB and affiliated parties are fully independent from the funders. This is *inter alia* secured through the funding agreement, which contains safeguards with regard to control and decisive power, confidentiality, early termination, and disclosure of funding terms to the court. The funding conditions also do not conflict with the collective interests within the meaning of the statutory objects of the foundation.

In return for the funding costs and the risk incurred, the Funder receives a premium of maximum 25% of any financial recovery achieved through a (collective) settlement or litigation (dependent on the duration of the procedure and the number of participants included in such resolution).

Elaboration of Principle III of the Claim Code provides that the funding agreement should *inter alia* contain (i) a provision that Dutch law is applicable and (ii) choice of competent jurisdiction for the Dutch court or a Dutch arbitral tribunal. The funding agreement with regard to the legal proceedings against Volkswagen et al. deviates from this elaboration, as this funding agreement was concluded before new principle III of the Claim Code (2019) was published. The foundation's funding agreements pertaining to all other legal proceedings are governed by Dutch law and contain a choice of jurisdiction for a Dutch arbitral tribunal.

### **Principle IV: Independency and avoiding conflict of interests**

In accordance with elaboration 1 of Principle IV of the Claim Code, any apparent conflict between the foundation's MB, SB, the external funder and the engaged advisors should be avoided (see for instance clause 5.3, 8.14, 10.3 and 12.12 of the Articles). If a(n) (in)direct conflict of interest should exist, the relevant

member of the SB/MB will not take part in the deliberations and decision-making process (clause 8.14 (MB) and 12.12 (SB) of the Articles).

In accordance with elaboration 3 of Principle IV of the Claim Code, the Articles do not allow the MB to enter into agreements on behalf of the foundation, with a legal entity or natural person or other entities, whereby a MB or SB member – whether or not through a relationship within the meaning of elaboration 1 of Principle IV of the Claim Code – in the capacity of board member, founder, shareholder, supervisor, partner in a partnership or employee is involved.

#### **Principle V: Governance of the MB**

In conformity with Principle V of the Claim Code, the MB currently consists of three natural persons: Messrs. Fausto Pocar (former president of the International Criminal Tribunal for the former Yugoslavia (ICTY)), Guido van Woerkom (former president of the Royal Dutch Touring Club (ANWB) and Arie van der Steen (accountant and former CFO of a number of private companies).

With these members, the MB has sufficient legal and financial expertise (within the meaning of elaborations 3 and 4 of Principle V of the Claim Code) to successfully pursue the statutory objectives of the foundation.

#### **Principle VI: Remuneration of the members of the MB**

The members of the MB receive a management fee for their services to the foundation. For meetings of the MB or joint meetings with the supervisory board, members of the MB are compensated a remuneration of € 1,000 (excluding VAT) per day attended.

For additional services related to the activities of the foundation, members of the MB are entitled to a service fee of € 175 per hour excluding VAT. Given the experience of the MB members, this is a very modest hourly rate.

The total amount received by the members of the MB in 2021 amounts to € 26,654 (including VAT).

#### **Principle VII: Governance of the SB**

In conformity with Principle VII of the Claim Code, the SB currently consists of three natural persons: Messrs. Marten Oosting (former National Ombudsman, former member of the Council of State), Hans de Savornin Lohman (Attorney-at law with more than 25 years of litigation experience, as well as judge at the Court of Appeal in The Hague) and Jan Zielonka (professor of European Politics at Oxford University with his main areas of expertise in Comparative politics, Ethics, International Relations and Political Theory).

With these members, the SB has sufficient legal and financial expertise and experience (in accordance with elaborations 4 and 5 of Principle VII of the Claim Code) to successfully pursue the statutory objectives of the foundation.

The total amount received by the members of the SB in 2021 amounts to € 11,607 (including VAT), consisting of (i) reimbursement of reasonable expenses and (ii) so-called *vacatiegeld* for meetings of the

SB or joint meetings with the MB of € 1,000 (excluding VAT) per day attended.<sup>5</sup>

Rotterdam, 8 June 2022

### **Management Board**

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\_\_\_\_\_  
Mr Fausto Pocar  
Chairman

w.g.

\_\_\_\_\_  
Mr Arie van der Steen

w.g.

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Mr Guido van Woerkom

### **Supervisory Board**

w.g.

\_\_\_\_\_  
Mr Marten Oosting  
Chairman

w.g.

\_\_\_\_\_  
Mr Hans de Savornin Lohman

w.g.

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Mr Jan Zielonka

<sup>5</sup> As per 2022, the remuneration for the Supervisory Board Members is € 1,250 (excluding VAT) per quarterly year.