

# German administrative court issues landmark judgment: type approval VW diesels invalid

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**Deutsche Umwelthilfe (DUH), the German environmental organisation with which Stichting Car Claim maintains close ties, today achieved an important victory. In a court case against the German type approval authority, KBA, a German administrative court held that the KBA type-approvals of certain VW Golf versions following a mandatory software update are invalid. The judgment sets the bar for 118 similar lawsuits pending before the courts, pertaining to millions of diesel vehicles sold by a range of car brands.**

Following the European Court of Justice, the German administrative court held that the use of so-called ‘thermal windows’ in diesel engine software is prohibited.

Guido van Woerkom, director of Stichting Car Claim: *“The decision by the German administrative court makes it irrefutably clear that millions of diesel vehicles in Europe are still in breach of the applicable laws and regulations. It is time car manufacturers take responsibility and compensate affected consumers appropriately instead of dragging their feet in court.”*

The decision of the German court is open to appeal.

The German ruling could affect millions of diesel car owners (including those in the Netherlands). In the Netherlands 400,000 diesel cars from several brands under the Volkswagen group are in use, all containing similar thermal windows. Vehicles from other manufacturers against which Stichting Car Claim has brought lawsuits in the Netherlands, including Mercedes, Renault, Dacia, Peugeot, Citroën and Opel, also contain prohibited thermal windows. All type approvals for vehicles equipped with this software need to be reviewed. Following the ruling of the German court, it is highly likely that millions of cars will have to be recalled or retrofitted (again).

## **About Stichting Car Claim**

Established in October 2015, Stichting Car Claim represents the interests of car owners affected by the diesel emissions scandal. In this context, Stichting Car Claim earlier initiated collective proceedings against Volkswagen, Audi, Seat, Škoda, Mercedes-Benz, Renault, Dacia, Peugeot, Citroën, DS and Opel. In July 2021, in the action against Volkswagen, Audi, Seat and Škoda, the Amsterdam District Court ruled that these car manufacturers acted wrongfully against the affected car owners and that these car owners paid EUR 3,000 and EUR 1,500 too much respectively for new and second-hand vehicles.

More information about Stichting Car Claim and the pending proceedings can be found on: [www.derclaim.nl](http://www.derclaim.nl). The full press release by DUH can be consulted [here](#).

**Media Contact**

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