

Subject: Speech Dieselgate Conference 27 June 2018 by  
dr. Marten Oosting, Chair of the Supervisory Board of Stichting Volkswagen Car Claim

Dear Chairman, dear members of the Parliament, dear participants to this conference,

1. First of all, I would like to thank you for the opportunity to address all of you today during this important first conference on how to come clean with the consequences of Europe's largest scandal in the history of the car industry.
2. I address you today in my capacity as chairman of the supervisory board of Stichting Volkswagen Car Claim, a Dutch not for profit foundation that was incorporated to represent the interests of all European car owners affected by the Dieselgate scandal. Since its establishment the foundation (end of 2015) has reached out numerous times to Volkswagen to discuss a reasonable pan-European settlement under the rules of the Dutch Class Action Financial Settlement Act (WCAM). These class settlement proceedings, which are unique in Europe, allow parties to a collective settlement to jointly request that the court declares such settlement binding on all members of a group on an opt-out basis. The competent Dutch court assesses the reasonableness of the agreed compensation before declaring the settlement binding. The collective settlement could subsequently be enforced on all affected car owners in Europe under the Brussels I bis regulation.
3. As to date Volkswagen has regrettably refused to even meet to discuss a solution of the problems. While hollow apologies and empty promises to restore faith with its customers were made in public, Volkswagen continued to mislead consumers. The so-called "fixes" that are offered by the company are in fact just other methods to continue its illegal practice of maintaining 8.5 million cars on the European roads that exceed the applicable NOx limits up to 9 times. As a result the foundation had no alternative but to initiate litigation against Volkswagen (end of 2017) in the Netherlands on behalf of the 180,000 affected Dutch car owners, creating a financial exposure for the VW group of more than EUR 4 billion. In the meantime approximately 100,000 affected car owners from other European countries have supported the foundation and its partners, including consumer associations in various member states. The claim of the foundation is founded on numerous reports and sources. In my view, it presents a very strong case. The outcome of an increasing number of individual court procedures against Volkswagen in other jurisdictions strengthens my conviction.
4. Volkswagen's attitude has caused a first wave of litigation all over Europe. German courts are literally flooded with cases and this is just the beginning. In the meantime public prosecutors continue to make arrests of senior management and employees in fraud cases against Volkswagen, more and more local governments are banning polluting diesel cars from the streets and the value of second hand diesel cars has plummeted in many member states.
5. Based on numerous media reports, it is fair to assume that Volkswagens behaviour does not stand on its own. Many of the profit driven decisions to use inferior and deceptive technology and to cheat on emissions in real driving conditions are investigated as part of a

cartel between all big German car manufacturers. Despite the fact that adequate (but more expensive) technology has been available since the introduction of the EURO 5 engines. It has become clear that the German car manufacturers have manipulated research on the true effects of their behaviour, exposing innocent animals to extensive exhaust fumes along the process. Talking about ethics!

6. Independent tests performed on other European diesel cars demonstrate that other European car manufacturers use similar methods. Bosch as the most important supplier of emission regulating software plays a crucial role in this industry-wide practice.
7. From the excellent EMIS report we have learned that the European institutions and national member states have failed in their obligation to prevent all of this from happening. One would have thought that a report with such clear findings and in such strong wording would have resulted in all responsible parties immediately undertaking a serious effort to quickly make up for the harm done. However, the opposite happened. German regulators have supported Volkswagen's attempts to simply replace one defeat device with another, knowing that the cars would still remain much too dirty. Other regulators also appeared to have looked the other way. This in sharp contrast to the USA where Volkswagen was made clear by regulators that it would only remain entitled to sell new diesel cars if it would offer effective solutions to reduce NOx emissions. By the way, they have done so. However, in Europe, Volkswagen tries to get away with offering its customers no more than a EUR 60 software update. Simply to save money and to increase its own profitability. This should not remain without consequences.
8. We are living in times of increased awareness of European citizens. They no longer accept that their genuine concerns about the quality of the products, which they purchase and about the environment in which they live are sacrificed by their legislators and administrations. All in the interest of large multinational corporations that pay lesser and lesser tax and higher and higher bonuses to their management. The present diesel scandal shows that member states and European institutions so far continue to fail to properly and effectively protect European citizens against huge environmental damage caused by the European car industry. Several studies have shown that this yearly costs thousands of lives. Consumers experience that the value of the largest purchase in the average household, their car, steeply declines. At the same time they are confronted with cities starting to ban their polluting cars from the streets without them getting any kind of compensation.
9. This case has become a classic example of how the lack of diligent and timely action by national and European legislators and bureaucracies places the bill of the scandal with the citizens of Europe instead of with the car producers where the bill should land. While Volkswagen in the meantime has reported record profits.
10. Those who are trusted with power have a great responsibility to use it wisely. If they fail to do that in today's dynamic environment political earthquakes take place in the blink of an eye. The Dieselgate case is a serious challenge and test for European institutions to show that they are worth the trust of the citizens of Europe. In fact this case offers a tremendous opportunity for Europe to show that the genuine interests of its citizens are well protected.

Of course, a similar task lies upon the shoulders of national authorities concerned.

11. Our foundation believes that the European institutions have the means to procure that a true dialogue about solving the scandal in an honest and all-inclusive way will be opened between representatives of the car industry on the one hand and a platform representing all relevant stakeholders on the other hand. A solution should entail both a true technical solution of the emission problems so that genuine environmental and public health concerns are truly addressed as well as a fair compensation for all owners of affected cars. We are convinced that all parties in the process have a joint responsibility to make that happen. Ethics, concerns about the environment and public health are by themselves already sufficient reasons to act. Moreover this conference clearly demonstrates that also economic challenges that are around the corner offer convincing motivation for all relevant stakeholders to rapidly solve the problems caused by Dieselpgate.
12. And last but not least, the European car industry has an undeniable need to restore the heavily damaged relationship with its customers. Because, make no mistake, the only reason why consumers have not yet massively turned their backs to companies like Volkswagen is their perception that good alternatives are not yet available. This will not last much longer.
13. If we do not want to waste time, continue to destroy public trust, to further deteriorate the relations between car producers and their customers and if we want to prevent another Dieselpgate from happening again, it is time to act now. I sincerely hope that a year from now we can look back on the scandal and conclude that the solution thereof started today with this conference.

Thank you!