

PRESS RELEASE

22 March 2021

Popular action for the compensation of consumers with Daimler/Mercedes-Benz vehicles harmed by “dieselgate”

Consumer protection association Ius Omnibus submitted this morning, to the District Court of Lisbon, a popular action aimed at restoring legality and compensating all consumers who own Mercedes-Benz vehicles, with diesel engines, approved in accordance to the European emission standards Euro 5 and Euro 6 (up to Euro 6c), due to Daimler’s use of illegal cheat devices. In case of success, the action will cause Daimler/Mercedes-Benz to repair the vehicles and pay estimated compensation in a minimum amount of € 4,200.00 per vehicle.

This is an action to defend consumer rights infringed by Mercedes-Benz unlawful commercial practices, which violate the regulation on vehicle type approval, namely through the use of six cheat devices in the SCR emission control system and two cheat devices in the EGR emission control system, prohibited by the Emissions Regulation. A behaviour whose illegality was clarified by the Court of Justice of the European Union last December.

By installing these devices, Daimler/Mercedes-Benz obtained the approval of the vehicles in question, although under normal conditions they emit more nitrogen oxide than permitted by the Emissions Regulation, harming the population’s health and the environment. The behavior of Daimler/Mercedes-Benz also caused damage per vehicle of at least € 4.200,00, artificially increasing the purchase price of the vehicles and reducing their resale value, and causing moral damage to the owners.

Ius Omnibus seeks a declaration that Daimler/Mercedes-Benz has continuously violated the Emissions Regulation since 2009 and that it should be ordered by the Court to remove all cheat devices and to compensate affected consumers. Consumers do not have to do anything in order to be represented in this action and to be entitled to compensation if the action is successful (*opt out* system).

Ius Omnibus used a financing model that allows consumers not to be burdened with any costs of the legal proceedings, at the end of which any consumer who asks for his/her share of the compensation will be entitled to 100% of his/her individual compensation.

This is the third popular action brought by Ius, which in this case is represented by Pais de Vasconcelos & Associados Law Firm. Ius Omnibus has already filed two more actions before

the Portuguese Competition, Regulation and Supervision Court – one against Mastercard and the other against Super Bock.

Ius Omnibus is a non-profit association, created in March 2020 and headquartered in Portugal, with the objective of defending consumers in the European Union. Ius Omnibus has members from several countries. The Ius Omnibus board is composed by the President, Sandra Passinhas (Professor at the University of Coimbra), and the vice-presidents Maria José Azar-Baud (Professor at the University of Paris-Sarclay) and Julia Suderow (Professor at the University of Deusto).

The pursuit by Ius Omnibus of this action is being carried out in the scope of a multijurisdictional effort, in partnership with the Diesel Emissions Justice Foundation.

Here enclosed is a media dossier with more detailed information about this popular action.

For more information, please go to: <https://iusomnibus.eu/>

