



A message from the Chairman

Amsterdam, 27 July 2021

Dear participants, supporters, friends and colleagues,

As you may have seen from recent media coverage this has been an incredibly busy time in the world of Emissions' claims and at the Diesel Emissions Justice Foundation (DEJF) especially.

Below we have provided an update on our specific proceedings as well as noteworthy news in Europe.

As we have said before, the Diesel Emissions Justice Foundation currently has three separate sets of issued proceedings, all of which have been brought before the Amsterdam District Court in the Netherlands as the focal seat of justice.

These are aimed at obtaining financial compensation for duped car owners in Europe. Additionally, the Foundation takes the view that compensation should be paid by the car manufacturers concerning the damage caused to public health and the environment as already expressed in the court decisions below.

Volkswagen Group

14 July: The Amsterdam Court ruled that the car manufacturers have acted unlawfully by introducing diesel cars with defeat devices into the market. The court also ruled that Dutch car dealers must grant consumers a price reduction of EUR 3,000 for a purchased new car and a price reduction of EUR 1,500 in the case of a used car. This is a significant ruling and you are welcome to read [our press release in response](#). It is important to note that while this entitles all Dutch owners to reimbursement, an action is still required to enforce this decision.

Our proceedings in the Netherlands will progress in the autumn. We are currently waiting for the invitation from the court to schedule the date.

Those proceedings brought by the Foundation against Volkswagen in Belgium (before the Brussels court) and France (before the Soissons court) will continue pending the decisions currently before the Dutch court.

Daimler AG (Mercedes)

Regarding our proceedings in the Netherlands, the District Court in Amsterdam has established a case management schedule which requires the defendants to submit their views on the next aspect of the case in mid-August. We will continue to keep you updated as we progress.

Fiat Chrysler NV

Our proceedings against Fiat Chrysler are continuing and we are currently waiting for our case to be scheduled before the court this autumn.

Recent news

14 July:

Several proposals were made by the European Commission. One, if passed, would see the last gasoline or diesel cars sold in the European Union by 2035. Another would have emissions measured under “real” driving conditions rather than in laboratories. Car manufacturers and suppliers have become fearful of this intention and have begun to vigorously lobby the Commission that it is “unfeasible”. The DEJF is firmly of the view that that one needs to clean up the past before moving forward. Two articles covering various points are available here:

- [La Commission propose de transformer l'économie et la société européennes afin de concrétiser les ambitions climatiques de l'UE](#) (in French)

- [Europe Rolls Out Ambitious Climate Change Plan, but Obstacles Loom](#) (in English)

13 July: Fiat-Chrysler became the 5th company under indictment in France (after VW, Renault, Peugeot and Citroën) for unlawful activity in respect of the use of cheat devices. [Dieselgate : Fiat-Chrysler à son tour mis en examen en France](#) (in French).

If you would like to read more about the other indictments in France, you can find more about them here (in French):

[Ouest France - 6 June](#)

[Le Point - 9 June](#)

[Le Parisien - 9 June](#)

13 July: [Volkswagen mulls appeal of EU fine over diesel emissions tech “cartel”](#) (in English). This article features an interview with DEJF boardmember Maria José Azar-Baud assessing the impact of the 8 July decision by the European Commission. "And it's very important because these pan-European companies should be accountable. [Citizens won cases in] Australia, Germany, and Italy, but what about Belgium? That is what our initiative is about, trying to make compensation the same for all Europeans and not just in situations that are company-friendly, or in some jurisdictions but not in the other ones."

8 July: [Antitrust: European Commission fines car manufacturers €875 million for restricting competition in emission cleaning for new diesel passenger cars](#) (in English). Recently the European Commission fined some of the same companies impacted by Dieselgate, for having colluded (cartel) to restrict the technical development of NOX cleaning for diesel passenger cars. Having had the technology and the possibility to reduce harmful emissions beyond what was legally required under EU emission standard, they chose not to use it. Whilst we have known for years that emissions cause 417,000 premature deaths from air pollution per year, it is deeply regrettable that companies are still capable of negligent choices with significant consequences for our communities and those who live in them. The DEJF recognises and supports the Commission's fine for antitrust practice and encourages the EU lawmaker to improve its standards on the matter.

News from the Foundation

DEJF is pleased to announce that the distinguished academic and collective actions law practitioner Prof. Julia Suderow has joined our Board. Julia teaches as an Associate Professor at the University of Deusto, in the areas of Private International Law and International Trade Law and is the author of numerous publications, written in English, German and Spanish.

Mrs Femke Hendriks, Executive Director of the Foundation, has stepped down from her position. Since its inception, Femke has provided the Foundation with two years of excellent service in which she, together with our distinguished Dutch and foreign legal team, has taken the Foundation through its start-up phase to the position it now occupies. A full-time Director, coordinating daily operations is, from this perspective no longer required.

The Board of Directors of the Foundation is extremely grateful for the significant contribution she has made, and we wish her well. We also wish to extend our thanks to outgoing Board Member Prof. Miguel Ferro Sousa and Supervisory Board Chair Arco Krijgsman for their valued services to the DEJF which were completed on 30 June 2021.

Next Steps

The Foundation continues to welcome as many wronged car owners as possible to register their claims with the Foundation as we are stronger together. As we all know, the car manufacturers involved have had to pay huge fines and damages, and the Foundation sees no reason why this should not also happen across Europe. We continue to fight for parity in compensation and will continue to keep you informed of any developments.

If you have any questions about your individual registration or otherwise, you can send us an e-mail at info@emissionsjustice.com.

Sincerely,

A handwritten signature in red ink, appearing to read 'Andrew Goodman', with a long horizontal flourish extending to the right.

Andrew Goodman
Chairman of the Board
Diesel Emissions Justice Foundation

View Claimant Portal

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Our mailing address is:
Stichting Diesel Emissions Justice
Herengracht 282
Amsterdam, 1016 BX
Netherlands