

Annual General Meeting - Counter motions by Felix Lübeck

Dear Sirs and Madames,

I submit the following counter motions to the AGM 2019 of Volkswagen AG pursuant to Section 126 AktG:

Item 3: Do not discharge the Board of Management for the financial year 2018.

Item 4: Do not discharge the Supervisory Board for the financial year 2018.

Justification:

Volkswagen has set itself environmental goals, which are both ambitious and visionary. Please refer to <https://www.vw-umweltziele.de/en/>, because the pages of Volkswagen are incomplete and confusing in regard of its own environmental goals.

This concerns the "Environmental Principles Products" dating December 2008.

The Board and the Supervisory Board seem to know only the environmental goals that relate to production. In terms of product-related environmental goals, the Board fails dramatically, thereby causing massive damage to the Volkswagen corporation.

Appeal to the Board to limit further damage:

1. Respect the laws! So much for the "diesel issue".
2. Replace the ambiguous environmental Goal which reads "support fuel-efficient styles of driving" with unambiguous definitions. Replace it by two distinct Goals:
promote fuel-efficient styles of driving and
develop products which are suitable for fuel-efficient styles of driving.
Obviously one of these goals would not make sense without the other.
Hard to believe, but Volkswagen failed to explain the meaning of its own environmental Goal!
<https://www.vw-umweltziele.de/en/vw-cannot-explain-environmental-objective/>
3. Document adequately the achievement of the VW environmental goals in future sustainability reports. For this purpose, each VW environmental objective should be named and the degree of target achievement quantified in each case - indicating the methodology with which the achievement of objectives was checked.
4. Investigate who is responsible for the untruthful and possibly even fraudulent claim that Volkswagen can not or must not develop its own methods for determining consumption levels in customer operations. Make those responsible liable.
5. Take a close look to the Sustainability Report 2016, which states on page 84 under the heading "NEDC TEST CYCLE COMES IN FOR CRITICISM": "like all other vehicle manufacturers, however, we must comply with this legally mandated test cycle." - with the implication that Volkswagen must not do anything else to monitor fuel consumption over the vehicle's service life with the customer. It is true that VW must perform the legally required tests. It is not true, however, that VW is forbidden to investigate fuel consumption in customer operations.

6. Do not spare Hartmut Diess, who asserted at the 2018 Annual General Meeting that Volkswagen can not or must not determine consumption values in customer operations. He pretended this at 21:36 in response to the following questions I asked at about 17:20: „The Sustainability Report 2014 mentions the goal to reduce consumption in customer operations. Was this goal achieved? How was that verified?"
7. Have a verbatim notarial record made at future Annual General Meetings. A record that reflects the full content of speeches and answers to shareholder questions. A verbatim record would be a credible contribution to a new culture of openness. Traditionally Volkswagen publishes a summary record only. This may be in line with its formal legal obligations. But **the summary record in fact is rather useless to its shareholders**. For instance, late at the 2018 Annual General Meeting I spoke for three minutes. Voilà the corresponding entry in the summary record: "Shareholder Felix Lübeck (voting card block no.: 69446) spoke from 17.11 to 17.13. The shareholder commented on the environmental goals." Basically, the entries into the summary notarial record only contain the name of the speaker, his speaking time, roughly the topic and whether he has asked questions. But even these sparse entries are not reliable. The reader has to assume in my example that I have not asked any questions. In fact, however, I did ask the questions referred to in point 6. (Full speech)
8. In a certain way the claim makes sense that VW cannot determine the consumption levels in customer operation. I assume the Board truly is incapable to face this challenge. To inspire new ideas I would like to offer once again my invention „Counting a substance in a motor vehicle having non-interacting control device“
9. Until a suitable technical solution is available, Volkswagen should monitor consumption values in customer service based on traditional methods.
Provisional approach: Ask trustworthy public figures who drive Volkswagen to keep a record of their consumption. Such a consumption record is neither complicated nor time consuming. With each refueling process you log manually the date, mileage and fuel quantity. Collect the data provided by these volunteers appropriately in a pool that ensures sufficient anonymity. Find volunteers in your company so that they also keep a record of consumption and you are happy to lead by example as board members or supervisory board members. Form another pool from the data obtained in this way. Do not stick to the rare special cases in which such a record of consumption may not be kept. You can do it! This Provisional approach would barely cover the entire product range. But to the products contained in the pools this approach would contribute meaningful data. In addition

this measure would send a clear message that VW is serious about its own environmental targets, the actual CO2 emissions of Volkswagen products and climate change!

Links

- This counter-motion: <https://www.vw-umweltziele.de/ungefragter-rat-auf-hv-2019/>
- [Collection of all counter-motions](#)
- [Annual General Meeting 2019](#) at volkswagenag.com