

BMW Group position regarding climate legal actions, 19.09.2021

The German environmental organization Deutsche Umwelthilfe (DUH) wants to take legal action to prevent the BMW Group from selling cars with combustion engines starting 2030. In addition, only a certain CO2 quota may be consumed by then. The BMW Group has not issued the requested declaration to cease-and-desist. In a reply letter (see below) dated September 19, 2021, the BMW Group clarifies its position on this.

Contact for queries: Unternehmenskommunikation@bmw.de

Dear Professor Klinger,

We refer to your letter of 2 September 2021, which we received and signed for on 6 September 2021 and in which you announce your claim for injunctive relief against our company.

It is not immediately clear from your letter what exactly your claim for injunctive relief refers to. According to point 2 of your letter, your claim for injunctive relief is based on emissions of 511 million tonnes of CO₂, yet in the enclosed documents, you cite emissions of 604 million tonnes of CO₂.

Irrespective of this, however, we refer you to our communications to date:

The BMW Group is firmly committed to the Paris Climate Agreement and already leads the automotive industry in the fight against climate change.

We are the first German automotive manufacturer to join Business Ambition for 1.5°C, a call to action by the internationally renowned Science-Based Targets Initiative. We have defined clear measures that will enable us to make our contribution to the goals of the Paris agreement. For the period up to 2030, we are pursuing the following science-based targets, all of which were verified and validated by the Science-Based Targets Initiative in March 2021:

- A reduction in CO₂ emissions from our own **plants and facilities** of at least 80 percent compared with 2019. From 2021, the remaining CO₂ emissions will be fully offset through the voluntary use of CO₂ certificates.
- A reduction in CO₂ emissions from our **supply chain** of 22 percent per car produced compared with 2019.
- A reduction in CO₂ emissions from **vehicle utilisation** of 40 percent per kilometre driven compared with 2019. This covers not just the emissions directly from vehicle utilisation but also emissions generated by the provision of fuel and energy.

In fact, our goals for vehicle utilisation go even further: On 2 September 2021, we raised our reduction target from 40 to 50 percent. This revised target has also been submitted to the Science-Based Target Initiative for validation.

Based on these figures, CO₂ emissions across the entire lifecycle of BMW Group products will fall 40 percent by 2030 compared with 2019.

Our Neue Klasse vehicles will accelerate our electro-campaign even further, with ten million fully electric vehicle taking to the roads over the next ten years and radically reducing CO2 emissions from vehicle utilisation. Based on current market expectations, we are assuming that by 2030, fully electric vehicles will account for at least 50 percent of our global sales.

Sustainable management has long been an integral part of our corporate culture at the BMW Group and extends far beyond CO2 emissions alone. We pursue a principle of Secondary First, which will see the share of secondary materials in our vehicles rise to 50 percent.

When it comes to product development and our Sustainability Strategy, a core component is circularity. In a world where resources are becoming increasingly scarce, we support the responsible handling of raw materials and the reduction of CO2 emissions from their extraction and processing. Crucially, we are working to minimise our use of primary raw materials – and with it the environmental impact of their extraction and processing, which are often highly energy- and carbon-intensive.

At the moment, vehicles consist of 30 percent recycled and reused materials on average. Over time, our Secondary First approach will increase that figure to 50 percent.

All of this shows clearly that the BMW Group is already taking comprehensive responsibility and making its contribution.

The question of how to approach the achievement of climate targets is a matter for democratically legitimated parliaments to decide by political process, by considering and weighing up every impact of that decision on society. This democratic process cannot be replaced by a legal dispute between two private parties, as it would contravene the principle of the separation of powers.

We therefore reject your claim for injunctive relief and will not issue the declaration of discontinuance you are demanding from us.

Yours sincerely
BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT