

VW emissions scandal: Some managers and engineers sentenced to prison, but not former CEO Winterkorn

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Ten years after the diesel emissions scandal came to light, four former Volkswagen managers were sentenced last week. Two were given prison terms of several years for their role in the affair, while two received suspended sentences.

The mammoth trial lasted 170 days, with 150 witnesses called. The economic crimes division of the Braunschweig Regional Court sentenced a former head of diesel engine development to 4 and a half years in prison. The former head of powertrain electronics was sentenced to 2 years and seven months in prison. The most senior defendant, a former member of Volkswagen's development board, received only a suspended sentence of 1 year and three months. And a former department head got off with a suspended sentence of 1 year and ten months.

Following the first trial, further criminal proceedings are still pending against a total of 31 defendants. However, these do not include any senior employees, let alone any members of the executive board.

The prosecution alleged that the former executives knowingly developed fraudulent software and used it in millions of diesel vehicles. This allowed the vehicles to pass emissions tests, whereas on the road they emitted many times more toxic nitrogen oxides into the air. Through this fraud, VW circumvented strict emissions limits in the United States and the European Union. The ultimate goal was to conquer the American market with diesel cars.

The proceedings against former VW boss Martin Winterkorn were separated from those of the other defendants and suspended for the time being. Based on medical certificates and health reports, Winterkorn had obtained a postponement of the trial until September 2024. When the trial was finally set to resume, Winterkorn suddenly suffered an accident at home. He reportedly slipped in his shower and injured his knee. The court then cancelled all 89 trial dates that had been scheduled until 2026. It is completely uncertain when and whether Winterkorn will ever stand trial.

The allegations against the former Volkswagen boss are far-reaching. In connection with the emissions scandal, he is accused of commercial and group fraud, false testimony and market manipulation. Winterkorn was forced to resign as a result of the scandal but continues to deny any involvement.

It is virtually impossible that the Doctor of Science, who headed the company from 2007 to 2015, knew nothing about the criminal activities. The WSWS wrote about this back in November 2015:

The manipulated results over the last six to seven years affected at least 130 models, meaning that blame cannot be attributed to a small group of senior executives and developers. This is large-scale fraud, requiring a high level of criminal energy and numerous accomplices in the upper echelons of VW. It is completely implausible that the works council, which stresses at every opportunity that it closely collaborates with the company's executive board, was not involved. It turns out that Germany's much-vaunted "social partnership" between unions and employers is a veritable conspiracy against the workers—both car makers and car buyers. Now the exhaust scandal is to be used to enforce the long-planned restructuring of the VW group at the expense of around 600,000 employees worldwide.

Even those who have now been convicted maintain their innocence. They see themselves as scapegoats and point to their superiors as those responsible. According to media reports on the trial, "it's one person's word against another's. Engineers who are said to have proposed the defeat device say, in essence: We expressed concerns and warned of consequences. Their superiors counter that problems were discussed, but never illegal actions."

This is strongly reminiscent of organised crime trials, in which Mafia bosses also like to admit that they “discussed problems” but never “acted themselves.” They send the lower ranks, who are responsible for the dirty work, to prison, patting them on the back and assuring them that their families will be taken care of.

Winterkorn and the other people who are really responsible at the top of the global corporation, on the other hand, are still at large. The Braunschweig Economic Crimes Chamber itself is convinced that there are other people with key roles who have not even been charged.

The same applies to those responsible in politics. The emissions scandal revealed not only massive manipulation of emissions testing by VW and other car manufacturers, but also close collusion between politicians and the auto companies.

The federal government under Angela Merkel (Christian Democratic Union, CDU) played an active role in weakening environmental regulations and protecting the car industry from sanctions. For example, after the scandal came to light, then transport minister and current interior minister, Alexander Dobrindt (Christian Social Union, CSU), held back for six months a report by the Federal Motor Transport Authority (KBA) on the extent of the fraud.

At the EU level, the German government pushed for a so-called “conformity factor” that legalised exceeding the limits in real driving conditions. An EU regulation adopted in 2007, which prescribed national sanctions against the use of prohibited defeat devices, was never implemented in Germany.

This political influence was facilitated by close personal ties between the government and the automotive industry. Former government officials moved into top positions at auto companies, and industry lobbyists had direct access to political decision-makers.

According to its own statements, the systematic fraud committed over many years in the interests of increasing profits has cost the VW Group €33 billion to date. This includes a double-digit-billion euro fine to the US authorities and compensation for affected customers.

But that is not all: billions more could be added to the bill. In civil proceedings before the Higher Regional Court in Braunschweig, investors have claimed several billion euros in damages.

That is the last straw. The same investors and shareholders who earned billions from the diesel fraud—VW’s share price rose from €37 at the end of 2008 to €248 euros in March 2015, shortly before the scandal broke—are now arguing that they were informed too late about the diesel fraud and therefore lost a lot of money on VW shares.

While managers’ salaries and bonuses continued to grow

after the scandal and shareholders still collected €4.5 billion in dividends in 2024, the workforce had to pay for the €33 billion in damages. This was ensured above all by the IG Metall trade union and its works council representatives headed by Daniela Cavallo. They agreed to several miserable wage settlements and the loss of thousands of jobs. At the end of last year, they agreed to the loss of 35,000 jobs and permanent wage cuts of up to 20 percent.

The emissions scandal at Volkswagen and the so-called transformation to electric mobility raise fundamental questions for VW employees.

This is not limited to VW, but is taking place in one form or another throughout the global auto industry and beyond. The globally operating corporations, which fight bitterly for market share, are not using technological progress to make work easier and raise wages, but to increase profits and intensify capitalist exploitation.

Workers can only escape the protectionism advocated by their “own” capitalists, as represented by IG Metall and all other trade unions, by uniting internationally against their common enemy and building rank-and-file action committees independent of the unions. The crisis can only be resolved in a progressive manner if the working class unites internationally and takes up the struggle to expropriate the corporations and place them under its democratic control.

The corporations are only able to carry out their attacks because they can rely—as in the case of VW—on the IG Metall bureaucracy and its works council reps, who organise the attacks on the workforce and suppress resistance to them. Moreover, all this happens in close consultation with the respective state and federal governments, who hold out a protective hand over the corporations. Fundamentally, the diesel emissions scandal expresses the systematic collusion between the state and big business, at the expense of the working class, the environment and consumers.



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