

Address Conflict of Laws and Facilitate Digital Product Passports in Value Chains



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White Paper on Digital Product Passports and Critical Raw Materials for Batteries: Legal Conflicts and Principles for Cross-Border Cooperation

This White Paper identifies and analyses the critical legal challenges associated with implementing Digital Product Passports (DPPs) in the global value chains of Critical Raw Materials (CRMs)—specifically cobalt, copper, lithium, and nickel. These materials are fundamental to clean energy technologies, notably electric vehicle batteries. However, tracing their journey from mines, through markets, to recycling is legally complex and globally inconsistent, hindering efforts towards sustainability and circularity.

This paper helps policymakers and businesses better navigate the complex, multinational legal fragmentation and potential principles for cooperation in CRM-Battery value chains.

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WhitePaper_DPP-
CRM4Batteries.pdf

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1. Key Findings

Digital Product Passports should be designed to facilitate the **easy** tracking of products/production and the sharing of information across **international and multi-sector** value chains.

- Not a trade barrier
- Sustainability, circularity, anti-dumping, tariff, sanctions, etc

2. Key Findings

Different DPPs and traceability systems in the EU, China, the US, and the Global South countries **lack interoperability**.

- Create **confusion** and **increase costs** in business compliance.

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3. Key Findings-Preliminary Solutions

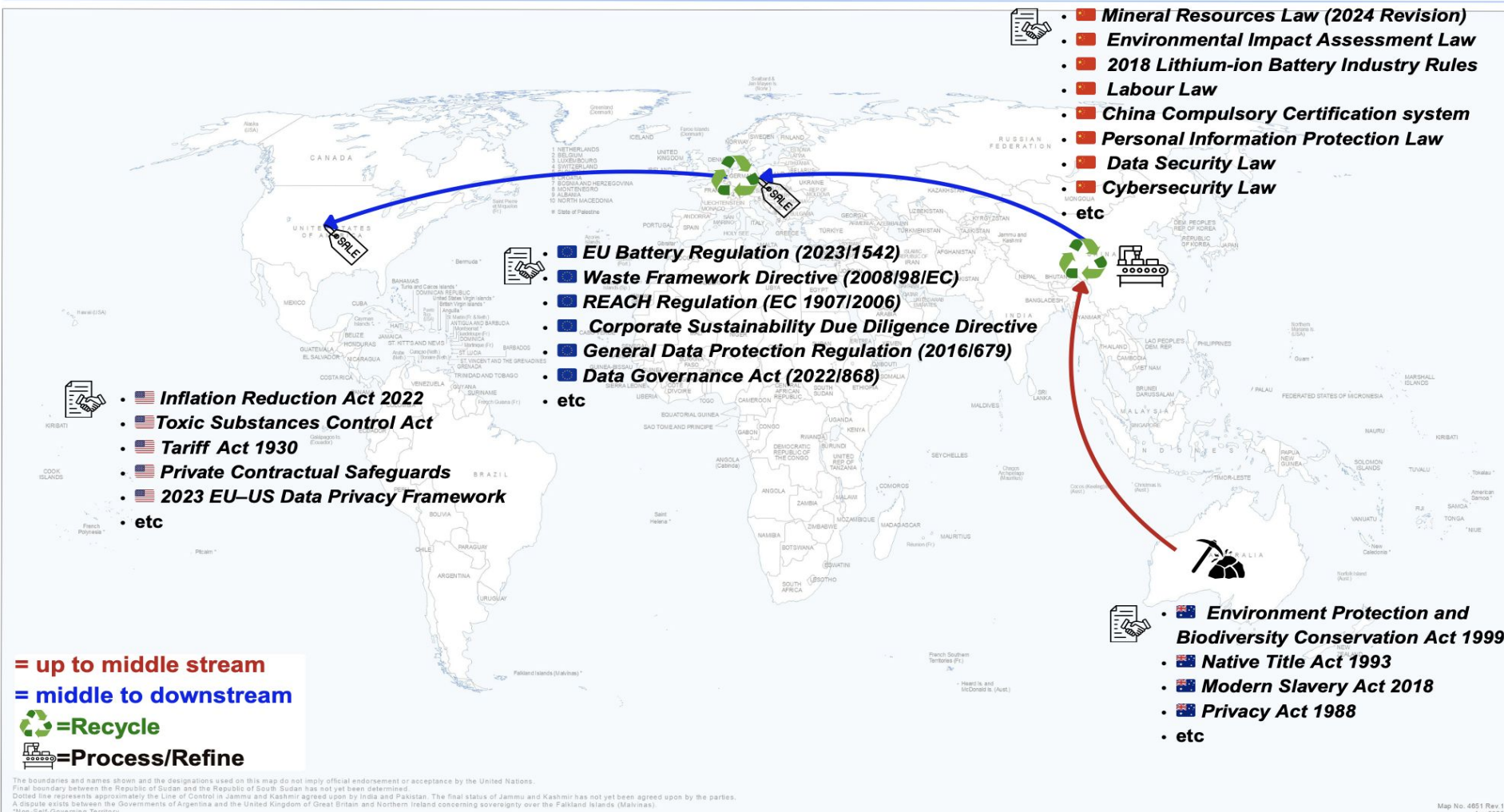
Leverage **existing** legal framework and develop international law for digital traceability

- Trade
- Transportation
- Finance and others

3. Key Findings-Preliminary Solutions

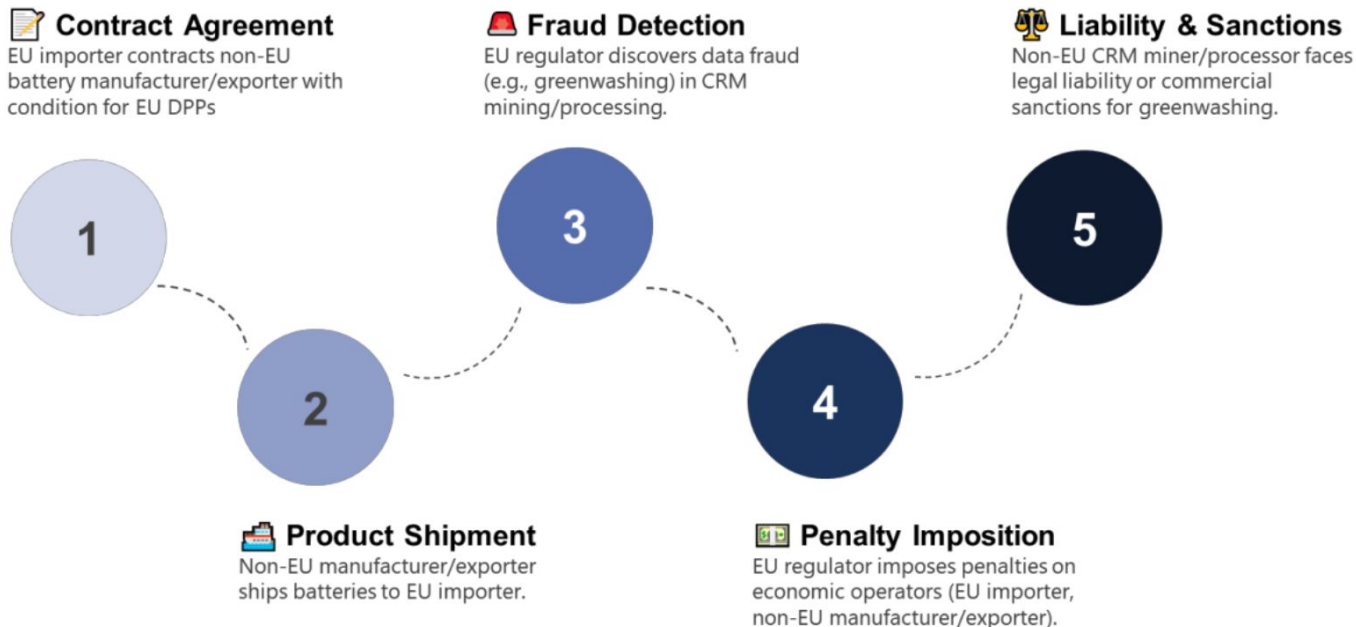
For **private entities**:

- Respect mandatory laws and public policy exceptions
- Maintain certainty and predictability



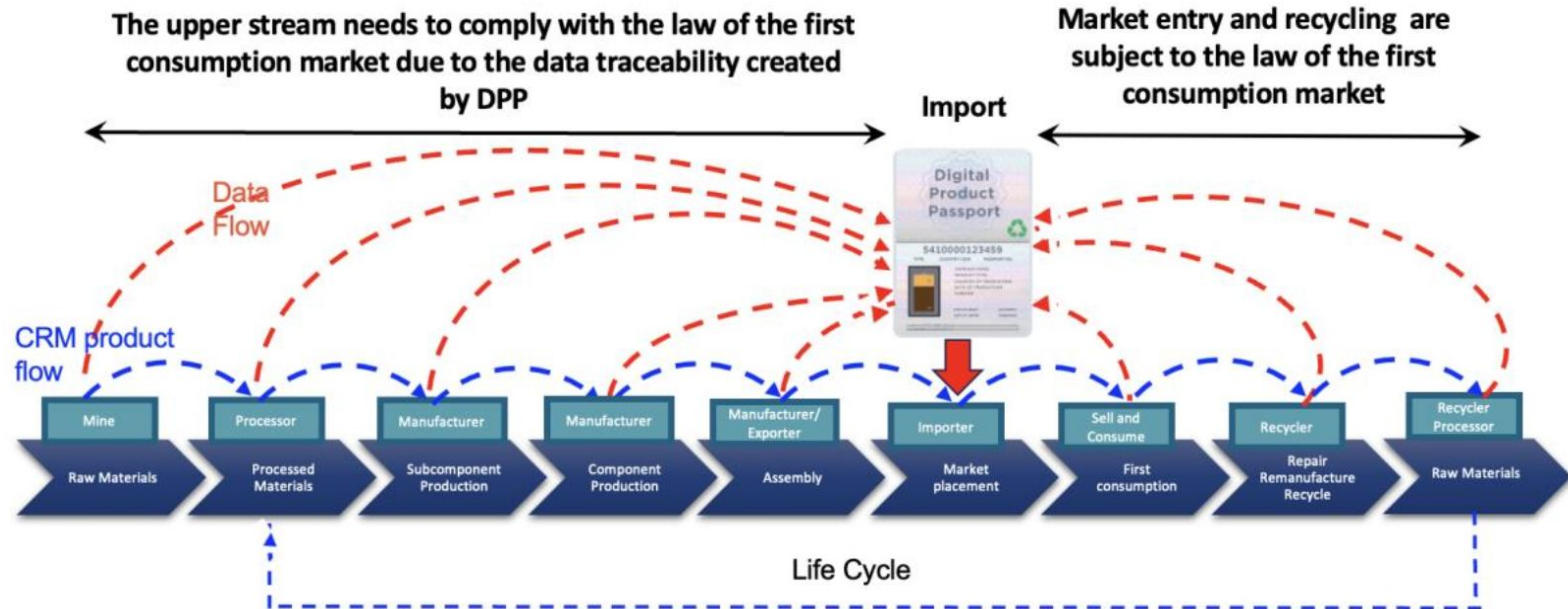
Which law should be applied to the CRM-Battery value?

Figure 2: Flow chart of a CRM-Battery value chain with DPPs



Macro Perspective

Figure 3: Value Chain with DPPs – applying the law of the consumption market to the entire value chain



3. Key Findings-Preliminary Solutions

For domestic and international **policy makers**:

- Ensure inclusivity and support for SMEs and developing countries
- Achieve mutual recognition of regulatory outcomes across jurisdictions

4. Next Step



- SMEs
- Manufacturers
- DPP service providers
- Domestic policy makers
- International organisations and universities