



EUROMOT

The European Association of Internal
Combustion Engine and Alternative
Powertrain Manufacturers

POSITION PAPER

Draft Delegated and Implementing Acts for the Recognition of Battery Due Diligence Schemes

06 October 2026



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EUROMOT POSITION

DRAFT DELEGATED AND IMPLEMENTING ACTS FOR THE RECOGNITION OF BATTERY DUE DILIGENCE SCHEMES

06 OCTOBER 2026, BRUSSELS

EUROMOT supports the objectives of the EU Batteries Regulation (EU) 2023/1542 and the development of a robust, internationally aligned due diligence framework for raw materials used in batteries. Voluntary due diligence schemes can play an important role in supporting companies' compliance efforts and promoting responsible sourcing throughout global supply chains.

However, with battery due diligence obligations becoming applicable on **18 August 2027**, significant uncertainties remain regarding the practical implementation of the framework. Key guidance documents, recognition procedures and operational mechanisms are still under development, leaving companies with limited visibility on how compliance is expected to be achieved in practice.

To ensure a workable and effective implementation framework, EUROMOT calls on the European Commission to:

- Provide regulatory certainty and timely implementation guidance well ahead of the August 2027 deadline.
- Ensure that the scheme recognition framework builds on existing due diligence systems and avoids unnecessary duplication.
- Address practical implementation challenges arising from information-sharing constraints, geopolitical developments and audit capacity limitations.
- Provide further guidance on supplier disengagement under Criterion E39 to ensure consistent and proportionate application across industry.



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A Non-Governmental Organisation in consultative status with the UN Economic
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1. Regulatory Certainty Ahead of the August 2027 Compliance Deadline

Battery manufacturers and downstream users are already preparing for the due diligence obligations under the Batteries Regulation. However, several key elements of the implementation framework remain outstanding.

In particular, stakeholders continue to await:

- Publication of the Commission Guidelines;
- Final adoption of the Delegated Act establishing recognition criteria for due diligence schemes;
- Final adoption of the Implementing Act governing the recognition process;
- Clarification regarding the designation and operation of notified bodies.

The timing of these measures is becoming increasingly important given the proximity of the August 2027 compliance deadline.

EUROMOT calls on the Commission to clarify:

- The expected timeline for the adoption and publication of the Delegated and Implementing Acts;
- When guidance documents will be made available to economic operators and scheme owners;
- How sufficient implementation time will be ensured once the framework is finalised;
- Whether transitional measures will be considered should key implementation tools not become available sufficiently in advance of the compliance date.

A predictable and transparent implementation timeline is essential to support timely investment in compliance systems and supplier engagement activities.

2. Recognition Framework Should Build on Existing Systems and Avoid Duplication

EUROMOT supports the establishment of a robust recognition framework for due diligence schemes. However, the framework should also reflect the significant investments already made by industry in responsible sourcing programmes and existing due diligence initiatives.

Many companies currently rely on a combination of:

- Industry-led due diligence schemes;
- Third-party audits;
- Supplier assessment systems;
- Traceability tools and risk management platforms.

The Commission has indicated that companies remain free to use a combination of tools and schemes, including those that are not formally recognised. Nevertheless, important questions remain regarding how these various mechanisms will interact with the proposed recognition framework. EUROMOT is also concerned that existing schemes that have already undergone substantial assessment under other EU due diligence frameworks may be required to repeat significant elements of the recognition process.

EUROMOT therefore encourages the Commission to:

- Build upon existing assessments and internationally recognised due diligence systems wherever possible;
- Minimise duplicative audits and certification requirements;
- Promote interoperability between recognised schemes and other credible due diligence mechanisms;
- Ensure that the recognition process remains efficient, predictable and proportionate.



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Additional clarification would be helpful regarding:

- The expected duration of the recognition process from application to decision;
- The treatment of schemes already assessed under comparable EU frameworks;
- The practical use of multiple schemes and due diligence tools to demonstrate compliance;
- The rationale and practical implications of the proposed reapplication timelines and recognition thresholds.

Reducing unnecessary duplication would allow resources to be focused on improving due diligence outcomes rather than administrative procedures.

3. Practical Implementation Challenges Must Be Recognised

Successful implementation of battery due diligence obligations ultimately depends on the ability of companies to obtain reliable information throughout complex and global supply chains.

Stakeholders have highlighted several practical challenges that may affect implementation, including:

- Restrictions on access to supplier information;
- Confidentiality and commercially sensitive business information;
- Third-country legal requirements affecting data sharing;
- Limitations on site access and verification activities;
- Availability of qualified auditors and verification bodies.

Recent geopolitical developments and third-country regulatory measures¹ have further demonstrated that access to supply-chain information cannot always be assumed. In some circumstances, operators may face legal or practical barriers that limit access to data, suppliers or verification activities despite genuine efforts to comply.

EUROMOT therefore calls on the Commission to provide further guidance regarding:

- How companies should proceed where supplier information cannot legally be disclosed;
- The types of alternative evidence that may be accepted where verification activities cannot be fully performed;
- How confidentiality and data protection obligations should be reconciled with due diligence requirements;
- The approach to situations where geopolitical or regulatory barriers affect supplier engagement or audit activities;
- The availability and designation of qualified notified bodies and auditors ahead of the application date.

EUROMOT believes that companies acting in good faith should not be penalised where compliance is impeded by factors outside their reasonable control and where appropriate mitigation measures have been undertaken.

¹ Lewry, J. (2026) *5 August 2026: A turning point for supply chain due diligence in China?* Kumi Consulting, 5 August. Available at: <https://kumi.consulting/insights/5-august-2026-a-turning-point-for-supply-chain-due-diligence-in-china/> (Accessed: 2 October 2026).



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4. Further Clarification Is Needed on Supplier Disengagement (Criterion E39)

EUROMOT considers Criterion E39 to be one of the most important areas requiring further clarification. The criterion provides that businesses should consider disengagement from a supplier in certain situations, including where attempts to prevent or mitigate adverse impacts have failed or where there is no longer a reasonable prospect of change. At the same time, the criterion also requires consideration of the potential social and economic consequences associated with disengagement.

While EUROMOT supports the objective of preventing and mitigating adverse impacts, the practical application of this requirement remains unclear.

In particular, companies may face situations where:

- A supplier has not yet achieved full compliance;
- Corrective actions remain ongoing;
- Meaningful progress is being achieved over time;
- Immediate disengagement could have significant social or economic consequences for local communities and workers.

EUROMOT therefore invites the Commission to clarify:

- What constitutes a failed mitigation effort;
- How companies should assess whether there remains a reasonable prospect of change;
- Which factors should be considered when balancing continued engagement against disengagement;
- How the severity of non-compliance should be weighed against potential adverse socioeconomic impacts resulting from disengagement;
- Whether practical guidance, case studies or decision-making examples will be developed.

EUROMOT position

Supplier disengagement should remain a measure of last resort. Where meaningful corrective action remains possible, continued engagement and risk mitigation should generally be encouraged. Clear guidance would help ensure a consistent interpretation of Criterion E39 across industries, recognised schemes and competent authorities, while supporting the overall objective of responsible and sustainable sourcing.

5. Conclusion

EUROMOT supports the Commission's efforts to establish a credible and effective framework for battery due diligence schemes. To ensure successful implementation, the framework must be transparent, proportionate and operationally feasible.

As implementation approaches, industry would particularly benefit from:

- Greater certainty regarding timelines and guidance;
- A recognition system that avoids duplication and builds on existing due diligence efforts;
- Pragmatic solutions to information-sharing and verification challenges;
- Further clarification on supplier disengagement under Criterion E39.

EUROMOT remains committed to constructive engagement with the European Commission and stands ready to support the development of a due diligence framework that is both effective in achieving its sustainability objectives and workable for companies operating in complex global supply chains.



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THIS IS EUROMOT

EUROMOT, the European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers, represents the key manufacturers of internal combustion engines and alternative powertrains installed in industrial non-road mobile machinery, marine and stationary applications that are operating in Europe and worldwide.

Founded in 1991, we provide an unparalleled heritage and hub of expertise for businesses, authorities, regulators, and public stakeholders worldwide. In partnership with major sector associations and institutions, it is our mission to drive smart regulation and sustainable innovation.

Delivering dependable power for society at high energy conversion efficiency with low emissions remains a key objective of EUROMOT member companies. EUROMOT asserts internal combustion engines and alternative powertrains are a key enabler to address the additional societal need for decarbonisation across multiple industry sectors. This can be achieved by continuing to advance the development of highly efficient energy conversion systems capable of operating on low and net-zero Greenhouse Gas (GHG) energy carriers.

Headquartered in Brussels, EUROMOT is a European interest group, and our profile is registered in the EU Transparency Register under the identification number 6284937371-73. We have been granted consultative status at the United Nations IMO (International Maritime Organization, London) and United Nations ECE (Economic Commission for Europe - Geneva) and other relevant stakeholders.

OUR MEMBERS



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