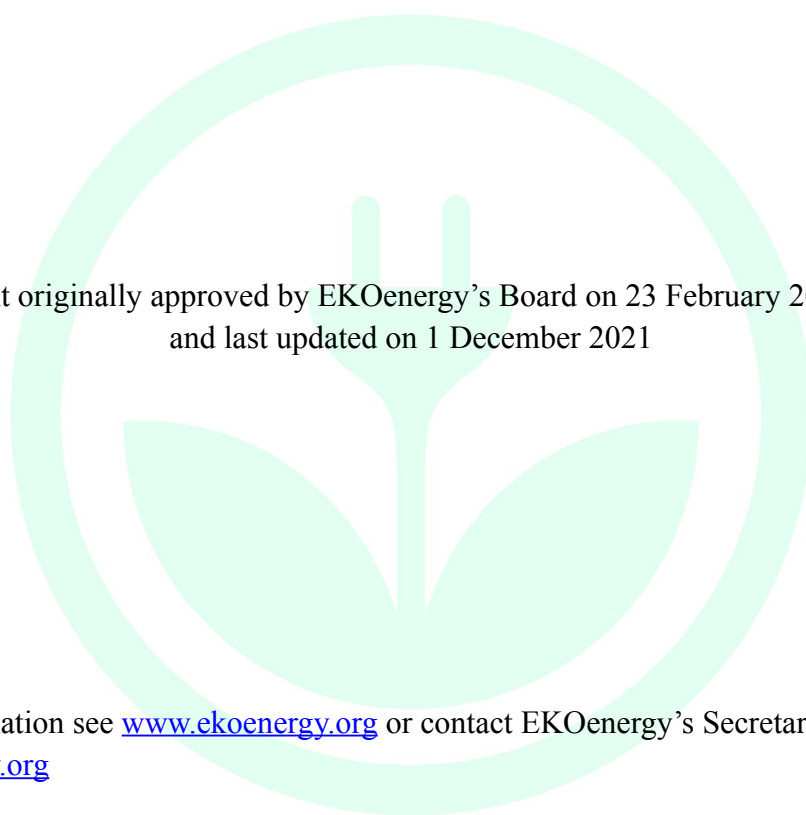


# **EKOenergy - Governance structure and criteria for electricity**

Text originally approved by EKOenergy's Board on 23 February 2013,  
and last updated on 1 December 2021

For more information see [www.ekoenergy.org](http://www.ekoenergy.org) or contact EKOenergy's Secretariat,  
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# 1. INTRODUCTION

This document gives an outline of the EKOenergy network and the EKOenergy label. It deals with the objectives and the management structure of the network, as well as with the criteria for EKOenergy-labelled electricity.

EKOenergy's criteria are the result of an intensive consultation of environmental NGOs, energy companies, consumers, consumer organisations and public authorities. This consultation happened in line with the *ISEAL Code of Good Practice for Setting Social and Environmental Standards*, [www.isealliance.org](http://www.isealliance.org).

See [www.ekoenergy.org](http://www.ekoenergy.org)

## 2. EKOENERGY, NETWORK AND ECOLABEL

EKOenergy is a network of environmental NGOs committed to

- Promote climate-friendly solutions, in particular sustainable renewable energy.
- Contribute to the protection of biodiversity, habitats and ecosystem services.
- Inform consumers about the energy they are buying and using, and about the meaning and impact of their consumption.
- Mobilise the positive energy of 1000s of individuals, groups and companies sharing our ambition, and to give them the opportunity to get involved.
- Foster the dialogue between (and join forces with) the energy sector, environmental NGOs and other stakeholders (e.g. consumer organisations and public authorities).

The most visible tool to reach these goals is the EKOenergy label, the global ecolabel for renewable energy

The purpose of this ecolabel is to help energy suppliers to sell an easily recognizable and widely accepted renewable energy product. Also, the EKOenergy label wants to assist consumers in navigating the energy markets, help them increase the positive impact of their renewable energy consumption and make it easier for them to communicate about their purchase.

## 3. STRUCTURE OF THE EKOENERGY NETWORK

### 3.1 NETWORK

The EKOenergy network is a coalition of environmental NGOs. Its structure will develop over time, and will be adapted to the needs and abilities of its members.

During the start-up, the relation between the EKOenergy partners are governed by the *Interim agreement between the partners of the EKOenergy network*. This agreement gives all members 1 vote in the EKOenergy Board. Decisions are taken with a 3/4 majority (at least 3 times more yes than no).

The members have agreed to re-evaluate the EKOenergy structure as soon as EKOenergy is sold in 6 countries (minimum volume of 100 GWh per country). The most likely evolution is that the members will set up an EKOenergy organization (a legal entity), headed by a Board which is elected by the members.

### **3.2 THE EKOENERGY BOARD**

The EKOenergy Board is the highest governing authority within the management structure. The Board endorses the organization's strategy, decides about the criteria, decides about the acceptability of production devices (in the cases listed in this text), decides about the use of the EKOenergy Environmental Fund and the EKOenergy Climate Fund and appoints the head of the EKOenergy Secretariat. All decisions will be based on an intensive consultation of relevant stakeholders and forums.

The current *Interim agreement between the partners of the EKOenergy network* gives all members 1 vote in the EKOenergy Board. In the future, another composition can be agreed.

### **3.3 SUPPORTING STRUCTURE**

#### Advisory Group

The Advisory Group is appointed by the EKOenergy Board and is approximately 3 times the size of the Board. The appointment is valid for 2 years and can be renewed.

In the Advisory Group there are reserved seats for the following stakeholder groups:

- Environmental NGOs
- The energy sector (producers, traders and suppliers).
- Consumers of EKOenergy and consumer organisations.

Others possible members are e.g. public authorities involved in the organisation of the energy market and of Energy Attribute Certificate systems.

The Advisory Group can give input on any issue related to EKOenergy. The Advisory Group is actively informed about the Board's agenda. The Board has to respond within 2 months to comments and questions of the members of the Advisory Group.

The Advisory Group nominates the members of the EKOenergy Arbitration Panel with a 3/4 majority.

## Working Groups

The EKOenergy Board or the EKOenergy Secretariat can decide to set up working groups. All members of the EKOenergy Network can suggest experts. The members of working groups are appointed by the Board or the Secretariat, after consultation of the Advisory Group.

Whenever possible, EKOenergy will make use of (or collaborate with) existing groups, platforms and networks, rather than setting up new structures.

### **3.4 SECRETARIAT**

The daily management of EKOenergy is in the hands of a Secretariat. The tasks of the Secretariat include:

- Ensuring the management and operation of EKOenergy.
- Representing EKOenergy in its external relations and establish contacts.
- Providing services to stakeholders and stakeholder groups.
- Organizing, preparing and keeping track of all meetings of the EKOenergy structure.
- Preparing documents to assist decision making on budgets and action plans.
- Preparing internal and external reports.
- Supporting the publication and dissemination of information.
- Taking on the financial administration..

### **3.5 COMPLAINT MECHANISM AND ARBITRATION PANEL**

Anybody can file a complaint against a decision (or absence of a decision) of the EKOenergy Board, or against the way the EKOenergy rules are being implemented. The complaint has to be directed to the EKOenergy Board and will be brought to the attention of the EKOenergy Advisory Group.

The EKOenergy Board has to respond within 3 months to complaints coming from

- Members of the EKOenergy network.
- Companies selling EKOenergy.
- Energy producers (or their representatives) in the case of decisions about the eligibility of their production device.

If parties responsible for the complaint don't agree with the Board's reaction, and if they belong to one of the 3 above mentioned categories, they can bring the case to the EKOenergy Arbitration Panel.

The EKOenergy Arbitration Panel consists of a minimum of 3 experts nominated by the Advisory Group and appointed by the EKOenergy Board. An appointment is valid for 5 years. In the Arbitration Panel, there is one reserved seat for an expert on environmental issues and one for an expert on renewable energy. The relevant stakeholder groups will get the opportunity to suggest candidates. At least one member of the Arbitration Panel has to be a jurist (Master's degree in Law).

The arbitration procedure will be based on existing arbitration rules, such as the rules of the European Court of Arbitration. The Arbitration Panel comes to a final decision within 6 months after a case has been referred to it. A complaint does not suspend the validity of the disputed decision.

The Arbitration Panel will also settle disputes about the EKOenergy Licence Agreement, if -and to the extent that- EKOenergy and the licence holder have agreed this in the Licence Agreement.

The EKOenergy Arbitration Panel will become operational no later than 2 years after the first sales of EKOenergy.

## **4. LANGUAGE**

The working language of the EKOenergy network is English, but the Secretariat will do everything possible to help as many stakeholders as possible in their own language, e.g. by setting up a network of volunteer translators.

In case of discrepancies between several language versions, the English version prevails.

## **5. THE EKOENERGY LABEL AS A MAIN TOOL**

The EKOenergy network wants to promote the use of renewable energy (as listed in chapter 7). The actions of the EKOenergy network will focus in particular on EKOenergy-labelled energy.

The EKOenergy label is the network's main tool to create an added value; i.e. to make sure that the energy market supports and strengthens the environmental and climate policy choices. As such, the EKOenergy label guarantees that:

- A part of the price of the green energy goes to environmental actions and measures that would not have taken place without the purchase.
- A part of the green premium is invested in the promotion of renewable energy, and in sharing knowledge and experience.
- Extra criteria are set about which energy can be sold as EKOenergy, and how this energy has to be sold. In general, the EKOenergy criteria are based on best practice. EKOenergy is a 'stick' and a 'carrot' to encourage all actors to go the extra mile.
- Consumers receive more detailed and more reliable information about their energy purchase. This allows them to choose the energy that best suits their needs and preferences.

For these reasons, electricity can only be sold as EKOenergy if the product fulfills the criteria set by the EKOenergy network. This relates to the following aspects:

- Information and awareness raising (chapter 6).
- Renewability, sustainability and climate (chapters 7, 8 & 9).
- Tracking and avoidance of double counting (chapter 10).
- Auditing and verification (chapter 11).

## **6. INFORMATION AND AWARENESS RAISING**

### **6.1 INFORMATION ABOUT EKOENERGY**

Licensees have to inform consumers and potential consumers about the origin of the EKOenergy-product they supply. This information has to include minimally:

- The region or country of origin
- The way of production. This information has to be based on the list of renewable energy sources of chapter 7 of this text. For wind energy, it is recommended to distinguish between off shore, near shore and on shore. If more specific information is given, the general categories can be omitted. When the electricity product consists of a mix of several types of renewable electricity, the percentage of each type must be mentioned.

Licensees refrain from making their own claims about the attributes linked to the purchase of EKOenergy (e.g. carbon claims and additionality claims). Instead they copy the wordings suggested by the EKOenergy network or they link to the relevant pages on the EKOenergy website and brand book. EKOenergy's texts about carbon claims will be consistent with international best practice.

Licensees also give consumers correct information about

- The differences between EKOenergy-labelled energy and other types of renewable energy
- How consumers of EKOenergy-labelled energy can use EKOenergy's logo in their own communication, in particular by referring to EKOenergy's brand book

### **6.2 FINANCING EKOENERGY'S WORK**

For each Megawatt-hour (MWh) sold as EKOenergy, the supplier pays minimum 0,08 euro (eight eurocent) to the EKOenergy network, to finance the network's activities and to support its actions to raise awareness about climate change and renewable energy and to increase the demand for renewable energy.

If during a calendar year, more than 250 GWh of EKOenergy is sold to the same end-consumer, this contribution doesn't have to be paid for the part exceeding 250 GWh.

## **7. ELIGIBLE TYPES OF ELECTRICITY**

EKOenergy is an ecolabel for renewable energy.

Renewable electricity is electricity which comes from natural sources that are not depleted by use or from natural resources that are used in such a way that they can relatively easily be regenerated by natural processes.

Currently EKOenergy accepts renewable electricity from the following sources:

- a) Wind
- b) Solar

- c) Hydropower<sup>1</sup>
- d) Ocean and marine energy (tidal energy, wave energy, ocean current energy,..)
- e) Geothermal
- f) Bioenergy (solid, liquid and gas)
- g) Landfill gas
- h) Sewage treatment plant gas

Following sources are excluded:

- a) Coal and oil shale
- b) Petroleum, including unconventional oil like shale oil and oil from tar sands
- c) Natural gas, including shale gas
- d) Peat
- e) Nuclear
- f) Incineration of waste other than biomass

This list of unaccepted sources is not exhaustive.

## **8. SUSTAINABILITY**

### **8.1 EKOENERGY AND SUSTAINABILITY**

To guarantee the fast deployment of renewable energy worldwide, it is important that different promoters of renewable electricity understand and strengthen each other, even if they have different concerns and starting points: the producers, the suppliers, the traders, the climate policy specialists, the nature conservationists, the consumer organisations.

The EKOenergy label and the EKOenergy network want to play a role in bringing stakeholders together by:

- Adopting a pragmatic approach focusing on stakeholder involvement.
- Creating an environmental fund, money from which will be used for concrete biodiversity protection measure, agreed upon by relevant stakeholders.
- Allowing to exclude the most controversial types of renewable electricity production devices from EKOenergy's scope.

The EKOenergy network and the other stakeholders will regularly evaluate the results and will - if necessary- suggest criteria changes in line with chapter 16 of this document.

### **8.2 GENERAL REQUIREMENT: FULFIL ALL LEGAL REQUIREMENTS**

In order to be able to be sold as EKOenergy, the production devices where the electricity originates from, have to fulfil

- All legal requirements in force at the place of production.

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<sup>1</sup> Electricity generated by water that has been pumped (as grid energy storage) is excluded.



- All the requirements imposed by their permits.

In the following paragraphs we list additional requirements. For each type of energy source, the additional requirements have been listed separately.

## **8.3 SPECIFIC REQUIREMENTS**

### **A. WIND**

Installations located in the following areas are only acceptable if the EKOenergy Board approves them, after consultation of relevant stakeholders:

- a) Nature reserves designated by the authorities
- b) Natura 2000 areas (<http://natura2000.eea.europa.eu/>)
- c) Important Bird Areas (<http://www.birdlife.org/datazone/site/search> > view maps)
- d) UNESCO World Heritage Sites (see <http://whc.unesco.org/en/254/>)

Decisions must be reasoned, respect the legislation in force at the place of production and take into account the conservation objectives of these areas. Decisions will be public.

The EKOenergy Board can delegate this approval right to other entities, in particular national or regional environmental NGOs, for a well determined time and area. These entities will be bound by the same obligations as the EKOenergy Board, in particular the obligation to consult other stakeholders.

### **B. SOLAR**

On-ground installations located in the following areas are only acceptable if the EKOenergy Board approves them, after consultation of relevant stakeholders:

- a) Nature reserves designated by the authorities
- b) Natura 2000 areas (<http://natura2000.eea.europa.eu/>)
- c) Important Bird Areas (<http://www.birdlife.org/datazone/site/search> > view maps)
- d) UNESCO World Heritage Sites (see <http://whc.unesco.org/en/254/>)

This approval can be made dependent on the existence and implementation of a management plan, including elements such as:

- a) Fencing (avoiding habitat fragmentation and maximizing access for animals).
- b) Pesticide free management
- c) Measures to avoid land sealing (e.g. by the use of ‘soil-screws’ to avoid use of concrete).
- d) Habitat management on the area between the panels and on the unbuilt parts of the site.
- e) Water management.

Decisions must be reasoned, respect the legislation in force at the place of production and take into account the conservation objectives of these areas. Decisions will be public.

The EKOenergy Board can delegate this approval right to other entities, in particular national or regional environmental NGOs, for a well determined time and area. These entities will be bound by the same obligations as the EKOenergy Board, in particular the obligation to consult other stakeholders.

## C. HYDROELECTRIC POWER



*For the review of our hydropower criteria, we have received funding from the LIFE Programme of the European Union. The material reflects the views by the authors, and the European Commission or the EASME is not responsible for any use that may be made of the*

*information it contains.*

### C.1 Environmental requirements for hydroelectric installations

#### *General and specific requirements*

The general requirement is that the operation of the installation complies with all legal requirements, as well as with the requirements of concessions and permits (See also chapter 8.2)

In addition, EKOenergy sets specific environmental requirements with regard to fish migration, water flow and river habitats. Each requirement includes basic performance level and advanced performance level. For the hydropower installation to qualify for EKOenergy, the basic level must be reached within each three criteria. In addition, an advanced performance level must be reached within one of the three criteria.

Special situations and exceptions:

- These additional requirements don't apply with regard to installations located in completely artificial water bodies such as water supply tunnels or irrigation canals.
- Hydropower installations with a capacity of less than 1 MW may be dismissed if the electricity production is minor compared to the adverse environmental impact.
- If the advanced level is reached in two criteria, it is possible to apply for exemption from the third criteria for a justifiable reason. EKOenergy's Secretariat decides on the exemption based on a careful and written consideration of all elements.

#### *Specific requirement 1. Fish migration*

**Goal:** Fish species, typical for the water basin, can pass the hydropower installation upstream and downstream on their own as needed.

EKOenergy doesn't support the construction of new barriers to fish migration and free flow. Therefore we only accept power generation from dams and barriers that are constructed before 1 January 2013. EKOenergy can also accept power plants constructed more recently if there are no

new negative impacts on the water body, e.g. replacements of old dams or installations that do not dam the entire flow or the river.

	Requirement	Ways to prove
Basic	A functional (natural or technical) fish passage structure or an alternative pathway, suitable for the target species, exists. The functioning of these passages and pathways has been monitored (or: in the case of new fish passages or pathways: the functioning will be monitored.)	The plant and fish passages or alternative pathways shown on a map or photograph, report on the operation of the passage or pathway, etc
Advanced	In addition, the monitoring is regular and done according to the monitoring results, additional measures have been taken to improve the function of the fish passage (or alternative pathway). Measures have improved the conditions for upstream migration in the fish pass. Also downstream migration has been considered and measures have been taken to direct fish past the power plant.	Report on regular monitoring. Report on measures taken and their impact, etc.

Requirement 1 is also applied in the case where there are other barriers to fish migration upstream and/or downstream from the power plant.

Requirement 1 is not applied if the dam or barrier is located on a place where no fish could pass for natural and geographical reasons (e.g. a high waterfall) and power plant does not diminish possibilities for fish migration on other river stretches.

### ***Specific requirement 2. Water flow***

Goal: The river is never dry. The operation of the plant guarantees an adequate and uninterrupted water flow through the bypass channel or through turbines.

	Requirement	Ways to prove
Basic	Minimum water discharge at discharge points is defined by using average low flow as a reference. Hydro-peaking with zero flow to the bypass reach (if present) or to the lower channel i.e. tail race (if bypass is not present) does not occur in normal operation of the plant.	Points of flow measurements on a map, flow curves (m <sup>3</sup> /s), average low flow of the river (m <sup>3</sup> /s), minimum discharge through plant (m <sup>3</sup> /s), minimum discharge through fish pass and/or bypass (m <sup>3</sup> /s), reports
Advanced	In addition, the ecological flow for the river has been defined for each season, including minimum flow, maximum flow, timing of flood events, speed of ramping up and down the peaking. It is applied in the operation of the	Report on ecological flow, report on how this is applied in the operation of the hydropower plant.

	power plant and the fish pass, and/or in the planning of relevant mitigation measures.	
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In cases of hydropower plants with reservoirs high up in mountains/fells and a tunnel system for intake and outflow of water to power plants, requirement 2 is applied at discharge points downstream of the power plant.

**Specific requirement 3. River habitats**

Goal: Stream-inhabiting species have a place to live and breed. Habitats for species that inhabit and reproduce in the river ecosystems is available in the section of water body where the hydropower plant is located.

	Requirement	Ways to prove
Basic	All-year-round watered habitat, suitable for river organisms, is maintained or restored in the river reach or in a tributary reach, in a bypass (natural fishway or old natural reach) or in a compensatory reach built for this purpose. The habitat is accessible for the river organisms in relation to the plant site.	Report on quality and quantity of the habitats. General description, water levels and locations on a map. Area of habitats (total area in m <sup>2</sup> or 100 m river stretch).
Advanced	In addition, the function of habitats as a living and breeding environment for river organisms is monitored. The feedback from monitoring is applied to increase the quality and/or quantity of the habitats. The measures improve e.g. flow conditions and bottom substrate.	Breeding result of specified river organisms (e.g. smolt production per hectare), report on measures to restore or improve habitats.

In cases of plants with reservoirs high up in mountains/fells and a tunnel system for intake and outflow of water to power plants, requirement 3 is applied for downstream river reaches.

**C.2 Application process and validity period**

A separate application should be submitted for each power plant. The application happens with a form provided by EKOenergy’s Secretariat. All measures that are necessary to fulfil the requirements need to be completed before the approval.

EKOenergy’s Secretariat checks if the submitted documents prove sufficiently that all the above listed requirements are fulfilled. If needed or relevant, the Secretariat contacts local stakeholders and/or organises a public consultation. The list of EKOenergy-approved hydropower plants is publicly available on [www.ekoenergy.org](http://www.ekoenergy.org).

The approval of hydropower plants is valid for 5 years. However, a power plant will be removed from the list at any time if it does not fulfil the above mentioned general and specific requirements.

In case of force majeure that temporarily interrupts fulfilment of the criteria, an exception from removal can be applied. A force majeure is e.g. natural disaster or sudden legal conditions that clash with the environmental requirements of EKOenergy.

### **C.3 Payments for river protection projects**

For each sold MWh of EKOenergy-labelled hydropower, sellers pay minimum 0.10 € (ten eurocents) to river protection projects, via the so called Environmental Fund. (This is in addition to the regular payment of the Licence Fee (see 6.2.) and the payment for climate projects)

These contributions are managed by the EKOenergy Secretariat, under the supervision of the EKOenergy Board. Costs related to the management of the contributions must not exceed 5% of the total contributions.

The contributions are used to implement river restoration projects or projects that help to avoid the environmental damage caused by hydropower. Projects are selected in an open, transparent and objective way. The geographical target of the call takes into account the country of origin of the electricity production and the country where the electricity has been sold. Important elements in the selection of the projects to be financed include ecological impact and cost-efficiency.

## **D. OCEAN AND MARINE ENERGY**

Ocean and marine installations (i.e. excluding installations on tidal rivers and in estuaries) located in the following areas are only acceptable if the EKOenergy Board approves them, after consultation of relevant stakeholders:

- a) Nature reserves designated by the authorities
- b) Natura 2000 areas (<http://natura2000.eea.europa.eu/>)
- c) UNESCO World Heritage Sites (see <http://whc.unesco.org/en/254/>)

Decisions must be reasoned, respect the legislation in force at the place of production and take into account the conservation objectives of these areas. Decisions will be public.

The EKOenergy Board can delegate this approval right to other entities, in particular national or regional environmental NGOs, for a well determined time and area. These entities will be bound by the same obligations as the EKOenergy Board, in particular the obligation to consult other stakeholders.

Note: For installations on tidal rivers and in estuaries, exactly the same rules apply as for (other) hydropower (See 8.3.C).

## **E. GEOTHERMAL ENERGY**

Installations located in the following areas are only acceptable if the EKOenergy Board approves them, after consultation of relevant stakeholders:

- a) Nature reserves designated by the authorities
- b) Natura 2000 areas (<http://natura2000.eea.europa.eu/>)
- c) Important Bird Areas (<http://www.birdlife.org/datazone/site/search> > view maps)
- d) UNESCO World Heritage Sites (see <http://whc.unesco.org/en/254/>)

Decisions must be reasoned, respect the legislation in force at the place of production and take into account the conservation objectives of these areas. Decisions will be public.

The EKOenergy Board can delegate this approval right to other entities, in particular national or regional environmental NGOs, for a well determined time and area. These entities will be bound by the same obligations as the EKOenergy Board, in particular the obligation to consult other stakeholders.

## **F. BIOENERGY (SOLID, GAS AND LIQUID)**

### **F.1 Accepted sources of bioenergy**

1. Biogenic waste that cannot be used as food or feed, while respecting the waste hierarchy<sup>3</sup>.
  - Agriculture residues including manure and crop residues<sup>4</sup>.
  - Organic residues of production processes (so called processing residues), e.g. residues from the food industry (such as bakery or brewery waste) or forest industry by-products and waste products (such as sawdust or bark).
  - Biomass originating from nature management in accordance with a nature management plan approved by a national or regional nature protection agency
2. Woody biomasses
  - Forestry biomass, but always excluding:
    - Stumps and roots
    - Logs with a diameter of more than 10 cm
    - Woody biomass harvested from protected areas, unless harvested in implementation of a nature management plan as specified above.
    - Rotten wood

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<sup>3</sup> The following waste hierarchy shall apply as a priority order in waste prevention and management legislation and policy: (a) prevention, (b) preparing for re-use, (c) recycling, (d) other recovery, e.g., energy recovery, (e) disposal. (See for example article 4 of the EU Waste Framework Directive 2008/98/EC).

<sup>4</sup> Crop residues are defined as an integral part of the commercial production of agricultural crops; these may include damaged or misshapen fruit or vegetables, trimmings and other plant parts which are not the intended end product, such as straw, leaves or tops. These can be collected from the field or from a packing unit, prior to leaving the farm-gate. Agricultural residues also include crops from excess production and biomass originating from intercropping cultivations which are not used as food.

- Short-rotation coppice, unless harvested from land that was forested or had a high conservation value before being planted with short-rotation species.

3. Sewage or waste water

4. Landfill gas

## **F.2 Rules regarding to co-fuelling**

The installation is essentially a 100% renewable energy installation. Other, non-renewable fuels are used only for starting up the combustion and in exceptional circumstances. The use of peat is never allowed.

If a production device uses both eligible forms of bioenergy and other types of bioenergy, it can only produce EKOenergy-eligible electricity and heat in the same proportion as EKOenergy-eligible bioenergy has been used. The proportion is calculated on an annual basis.

## **F.3 Auditing of production devices fueled with bioenergy**

The fulfillment of the criteria will be checked at least once a year by

- The same entities checking the biomass installations on behalf of the authorities in the frame of the guarantee of origin legislation, emission trade legislation and/or support scheme legislation.
- Or by any other qualified external auditor accredited by a (full) member organization of the European Co-operation for Accreditation.

The audit report must be sent to the EKOenergy Secretariat. See also part 11.5 of this text.

## **8.4 HOW TO KNOW IF ELECTRICITY FROM A CERTAIN PRODUCTION DEVICE QUALIFIES?**

Energy suppliers need information about whether a particular production (proven by an EAC or reliably tracked in any other way) fulfils EKOenergy's eligibility and sustainability criteria. To that end, they will use the information available on the Energy Attribute Certificate and/or on the EKOenergy website.

### *On the Energy Attribute Certificate*

In many countries, Energy Attribute Certificates can also include additional information by means of an ICS tag (Independent Certification Scheme).

EKOenergy intends to enter into an agreement with issuers of EACS regarding the operation of EKOenergy as an ICS Scheme.

Even if the Energy Attribute Certificate does not have an EKOenergy ICS tag, it still contains useful information, such as the name and the location of the production device. This information can be combined with information available on the EKOenergy website to determine whether the Energy Attribute Certificate qualifies for EKOenergy.

#### *On the EKOenergy website*

The EKOenergy Secretariat will, in collaboration with the stakeholders, develop online tools to facilitate the screening process:

- A regularly updated online list with approved installations (especially for these cases where other criteria have been set apart from territorial criteria).
- Non-exhaustive lists of installations that are automatically eligible (such as wind turbines outside protected areas).
- Non-exhaustive lists of ineligible installations.

#### *Special rule for biomass fueled production devices*

The possibility of having an EKOenergy ICS-tag is particularly important in the case of installations using both eligible bio-energy sources and non-eligible bio-energy sources (see 8.3.F).

As long as this is not possible, suppliers can only sell EKOenergy-labelled electricity from production devices using bioenergy if the EKOenergy Licence Agreement allows them to do so. The Licence Agreement also specifies from which installations such electricity can originate.

#### *Date*

The relevant date for determining whether electricity qualifies for EKOenergy, is the date of production of that electricity (date of production as mentioned on the Energy Attribute Certificate, see also Chapter 10).

## **9. CLIMATE**

### **9.1 CLIMATE FUND**

Per MWh of EKOenergy sold, a contribution of minimum 0,10 euro (ten eurocent) has to be made to EKOenergy's Climate Fund. The Fund money will be used to stimulate further investments in renewable energy

In order to be as efficient as possible, EKOenergy will not set up own initiatives, but make use of existing mechanisms and instruments.

The EKOenergy Board decides about the use of the money of the EKOenergy Climate Fund, taking into account the recommendations of the stakeholders, and in particular the recommendations of the EKOenergy supplying companies, the environmental NGOs and the EKOenergy Advisory Group.



Possible measures are (non-exhaustive list):

- Support for renewable electricity projects in developing countries. If the supported projects would lead to carbon allowances, these will be redeemed (proportionally) in order to avoid double counting.
- Support for renewable electricity projects in other countries with significant potential for the development of renewable energy, but lacking resources.
- Small-scale renewable energy projects with a high environmental and social added value .
- The cancellation of carbon allowances (such as the EU-ETS), as soon as there are signs that there are shortages on the market.

Suppliers can, in collaboration with national and regional NGOs, ask the EKOenergy Board to set-aside the contributions to the Climate Fund resulting from their sales in a particular country, and to earmark it for additional energy projects. These projects have to be located in the country of sale, and the applicant has to prove that the project has a high additional environmental and social benefits . Such projects can also include investments in energy saving, as long as the benefits are quantifiable.

## 9.2 EKOENERGY FULL POWER

EKOenergy Full Power is EKOenergy with a higher contribution to the Climate Fund. The contribution per MWh has to be sufficient to provide the own capital for an investment in a renewable production capacity (preferably solar or wind) able to produce 1 MWh of renewable electricity over its expected lifetime. The exact amount of the contribution will depend on the selected projects and will likely decrease over time.

## 10. ORIGIN, TRACKING AND DOUBLE COUNTING

EKOenergy is based on tracking methods that are reliable and exclude double counting.

This includes following tracking mechanisms:

- Guarantees of Origin in Europe
- North American RECs
- Systems that fulfil the criteria of the International REC Standard
- Other book and claim systems may qualify for EKOenergy, if:
  - The entity running the book and claim system is the only one doing so in a given area. If the entity is not appointed by the authorities it has to be approved by the EKOenergy Board.
  - Certificates are canceled as a proof of supply/consumption.
  - Double counting is avoided, e.g. by taking into account redemptions/cancellations in the country's residual mix<sup>5</sup>.
- 

Tracking certificates (Energy Attribute Certificates or EACs):

<sup>5</sup> The residual mix is the electricity mix delivered to consumers that don't have a contract to get a particular form of electricity. In practice it's usually the electricity on the grid minus the green contracts.

- have to be used within a short time after production (preferably one year or less)
- can only be used to prove consumption within the same energy market boundaries as where the production of the electricity took place.
- The same MWh that is at the basis of the EAC cannot at the same time be used in the carbon offsetting market.

The EKOenergy Board decides about the interpretation of these criteria. A list of accepted domains will be available on [www.ekoenergy.org](http://www.ekoenergy.org).

As long as all the above mentioned conditions are fulfilled, EKOenergy also accepts cancellations (redemptions) in the domain of production, on behalf of consumption in an other domain.

## **11. AUDITING AND VERIFICATION**

### **11.1 WHO CAN AUDIT AND HOW?**

Facts and figures that have not been checked by national or regional authorities, have to be verified by a statutory auditor complying with all the requirements of International Standards on Auditing and accepted beforehand by EKOenergy's Secretariat.

The audit will be based on a checklist provided by the EKOenergy Secretariat.

All opportunities to simplify the verification process (in particular by making use of existing tools, procedures and checks) will be considered.

### **11.2 WHO HAS TO BE AUDITED?**

The EKOenergy label can only be used by licensees, as well as by consumers that buy EKOenergy-labelled energy (or EACs) directly from one of EKOenergy's licensees.

All licensees are audited once a year. Consumers who buy EKOenergy from EKOenergy licensees are not audited.

### **11.3 WHAT HAS TO BE AUDITED?**

The audit includes following elements and aspects

- The amount and types of EKOenergy-labelled electricity (subdivided per source of production and country of origin)
- The amount and types of cancelled (redeemed) EACs .
- The payment of the contribution to finance EKOenergy's work (see 6.3), the contribution to the Environmental Fund (see 8.3.C) and the contribution to the Climate Fund (see chapter 9)

## **11.4 FOLLOW UP**

The audit must be delivered to the EKOenergy Secretariat, annually, and no later than June 30th (for sales of the previous calendar year).

The EKOenergy Secretariat can organise (at EKOenergy's cost) additional verifications and controls. The conditions and the procedure will be specified in the License Agreement.

## **11.5 YEARLY AUDITS FOR PRODUCTION DEVICES USING BIO-ENERGY**

The fulfillment of the criteria listed in 8.3.F will be checked at least once a year by

- The same entities checking the biomass installations on behalf of public authorities, e.g. in implementation of the legal energy tracking requirements, emission trade legislation and/or support scheme legislation.
- Or by any other qualified external auditor complying with all the requirements of International Standards on Auditing and accepted beforehand by EKOenergy's Secretariat.

The verification includes:

- The total electricity production.
- The total heat production.
- The total fuel input, its composition and the caloric value of each of the used fuels.
- The efficiency of the cogeneration process.
- The amount and types of biomass input that are eligible for EKOenergy.

The audit has to be delivered to the EKOenergy Secretariat.

The EKOenergy Secretariat can organise (at its own cost) additional verifications and controls.

Note that this is not an EKOenergy audit, and that this does not give an EKOenergy status to the production device. It is only one of the requirements that has to be fulfilled in order to be able to sell the electricity coming from such production devices as EKOenergy. See chapter 8.3.F

## **12. HOW TO SELL EKOENERGY?**

Entities that want to sell EKOenergy shall fill and sign 'EKOenergy's Licence Agreement' (downloadable from [www.ekoenergy.org](http://www.ekoenergy.org)) and send it to the EKOenergy Secretariat. They can start selling EKOenergy as soon as EKOenergy has signed the same copy of the agreement and returned it. They have to fulfill all the conditions of that Agreement.

The EKOenergy Secretariat will ensure compliance with the terms of the Licence Agreement and its annexes.

## 13. CONTRIBUTIONS

This chapter gives an overview of earlier mentioned contributions.

For each megawatt-hour sold as EKOenergy, the supplier pays minimum 0,08 euro (eight eurocent) to the EKOenergy Secretariat, to finance the network's activities and to support its actions to increase the demand for renewable electricity.

If during a calendar year, more than 250 GWh of EKOenergy is sold to the same end-consumer, this contribution doesn't have to be paid for the part exceeding 250 GWh. (See also chapter 6)

For each megawatt-hour sold as EKOenergy, a contribution of minimum 0,10 euro (ten eurocent) has to be made to the EKOenergy Climate Fund. (See also chapter 9)

For each megawatt-hour sold as EKOenergy hydropower, a contribution of minimum 0,10 euro (i.e. ten eurocent) is paid into the EKOenergy Environmental Fund. (See also Chapter 8.3.C)

## 14. EKOENERGY FROM ON-SITE INSTALLATIONS

Consumers who have on-site renewable energy installations can claim they use EKOenergy-labelled energy if all requirements that are listed hereafter are fulfilled.

- The installation must fulfil the above mentioned sustainability criteria (chapter 8)
- If consumers annually use less than 200 MWh of on-site produced electricity, they must inform the EKOenergy Secretariat in order to use EKOenergy's name and logo. There is no additional cost, but contacting the EKOenergy Secretariat beforehand is necessary and a voluntary payment to our Climate Fund is recommended.
- If the consumer annually uses more than 200 MWh of on-site produced electricity, the user has to make a minimum contribution of 0.10 €/MWh to EKOenergy's Climate Fund. In the case of hydropower, another contribution of 0.10 €/MWh has to be made to our Environmental Fund.
- If the annual consumption of electricity that is produced onsite is higher than 1000 MWh, the user has to sign EKOenergy's Licence Agreement or involve an EKOenergy licensee. In this case, a contribution of 0.08 € EKOenergy license fee should be paid per MWh in addition to the 0.10 € contribution per MWh to EKOenergy's Climate Fund. (An additional 0.10 € per MWh to our Environmental Fund, in the case of hydropower.)

Any EKOenergy-licensee (such as an EKOenergy-licensed energy retailer, aggregator or service provider) can represent several prosumers and serve as a contact point between them and the EKOenergy Secretariat, also paying the required contributions for EKOenergy use. In this case, contributions need to be paid for the total volumes of the consumers represented by the licensee, meaning smaller volumes will also be combined and taken into account as a whole.

If the on-site installation is grid-connected, the following additional requirements apply:

- If the consumer doesn't work with an EKOenergy-licensed aggregator or service provider,

the user must have an EKOenergy-labelled electricity contract for the place where the renewable energy installation is located, whenever this is an option.

- No Energy Attribute Certificates can be issued for the volumes that are used on-site. If such certificates have anyway been issued, they need to be redeemed on behalf of the consumer to cover the on-site consumption. This is necessary to avoid the possibility of double counting.

- If the grid-connected system has a backward counting meter (net metering), the EKOenergy label cannot be used for electricity that has been added to the grid unless the owner can prove that nobody has issued any Energy Attribute Certificates (e.g. Guarantees of Origin) for that production, or that these tracking certificates have been redeemed on behalf of the consumer.

## 15. NAME AND LOGO

EKOenergy uses the following logo:

See also <https://www.ekoenergy.org/extras/logo/>



The main communication name is EKOenergy. Depending on the region's language, variants can be used. E.g.

EKOenergi: Danish, Norwegian, Swedish,

EKOenergia: Basque, Catalan, Estonian, Finnish, Italian, Hungarian, Polish, Portuguese, Slovakian

EKOenergía: Spanish

EKOenergie: Czech, Dutch, German, Luxembourgish, Romanian

EKOénergie: French

EKOenerji: Azeri, Turkish

EKOenergija: Bosnian, Croatian, Lithuanian, Croatian, Slovenian

EKOenergija: Latvian

EKOenergija: Albanian

EKOenerxía: Galician

EKOorka: Icelandic

ЕКОэнергия: Belarus, Kazakh, Russian

ЕКОенергия: Bulgarian

ЕКОенергија: Macedonian, Serbian

ЕКОенергія: Ukrainian

ΕΚΟενέργεια: Greek

Any other communication name and/or logo can be accepted by the Secretariat, for a particular region as well as for a particular product of a particular company.

## 16. REVIEW OF THE CRITERIA

EKOenergy is a living standard. As knowledge and experience develop, so will EKOenergy. Any stakeholder or interested party can submit a comment about EKOenergy's requirements or suggest a change in the criteria at any time by contacting the EKOenergy Board.

The criteria for bioenergy were updated in 2021. They will be reviewed and if needed changed no later than in 2026. We need to speed up the transition to a net-zero and even carbon-negative society. Therefore it will be necessary to replace most of the energy production based on burning with other types of energy production, many of which are already now economically feasible.

All reviews will happen according the rules set by the ISEAL Code of Good Practice for Setting Social and Environmental Standards.

