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# Requirements for the Development of Level A Risk Assessments and its Recognition by PEFC as per Article 29 (6a) and (7a) of the RED II Directive



**PEFC RED II  
STANDARD**

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## Foreword

PEFC, the Programme for the Endorsement of Forest Certification, is a worldwide organisation promoting sustainable forest management through forest certification and labelling of forest-based products. Products with a PEFC claim and/or label offer assurances that the raw materials used in their manufacture originate from sustainably managed forests and Trees outside Forests (TOF) areas, recycled and controlled sources.

The PEFC Council endorses national and regional forest certification systems that comply with PEFC Council requirements. Systems are subject to regular evaluations.

This document had been developed in an open, transparent, consultative and consensus based process covering a broad range of stakeholders

## Introduction

The PEFC Council is responsible to ensure the integrity, harmonised implementation, and consistency of the PEFC RED II certification scheme, and to ensure that the scheme satisfies the needs and expectations from the stakeholders and the market.

To facilitate the implementation of the PEFC RED II certification scheme among the stakeholders, it includes requirements for the development of risk assessments for independent in-country expert organisations to check compliance with the *Directive (EU) 2018/2001 of the European Parliament and of the Council on the promotion of the use of energy from renewable sources - recast* (hereinafter RED II) Article 29 (6a) and (7a), sustainability criteria for Level A at national or sub-national level where the forest biomass is produced.

The PEFC RED II certification scheme also recognises risk assessment conducted by other recognised voluntary schemes and national systems.

The scope of the PEFC RED II certification scheme is defined by the following attributes:

**Type of biomass:** Ligno-cellulosic material that is derived from forests (forest biomass and forestry residues); processing residues originating in forest-related industries and wastes.

**Note:** Biomass originating in agriculture, aquaculture, and fishery sources, including residues from related industries or processing, is not covered by the scope of the PEFC RED II certification scheme.

**Type of fuel(s):** Biomass fuels (pellets, wood chips and graded hog fuel) produced from ligno-cellulosic material for heating, cooling, and electricity production.

**Note 1:** “Bioliquids”, “biofuels”, “biogas”, “renewable liquid and gaseous transport fuels of non-biological origin” and “recycled carbon fuels” are not covered by the scope of the PEFC RED II certification scheme.

**Note 2:** Graded hog fuels are wood fuels that have pieces of varying size and shape, produced by crushing with blunt tools (this definition is based on ISO 16559).

**Geographic coverage:** Global

**Chain of custody coverage:** Full biomass supply chain

This standard is international, and the requirements can be implemented globally.

The PEFC RED II certification scheme requires that organisations supplying forest biomass and ligno-cellulosic material derived from processing residues originating in forest-related industries and wastes for the production of heat, cooling, or energy shall hold a PEFC RED II certificate and a PEFC chain of custody certificate in order to make RED II compliant declarations and claims.

The assurance of compliance of forest biomass with the RED II sustainability criteria relies within the PEFC RED II certified organisation. When sourcing forest biomass, PEFC RED II certified organisations can source:

- a) Forest biomass produced in a country where there is a risk assessment recognised by PEFC that proves compliance at Level A with the RED II sustainability criteria. In those cases, the producer of the forest biomass does not need any additional PEFC certification.
- b) Forest biomass from a country where there is a risk assessment recognised by PEFC at Level A, however, the risk assessment does not prove full compliance at Level A or where such a country risk assessment does not exist. In those cases, the PEFC RED II certified organisation shall ensure that the forest biomass is PEFC certified (produced by a holder of a valid and recognised PEFC SFM certificate). In addition, the PEFC RED II certified organisation shall require the biomass producer to comply with the corresponding requirements in chapter 6 of PEFC ST 5002 to prove compliance at Level B with the non-compliant RED II sustainability criteria at Level A. The PEFC RED II certified organisation shall require the producer of forest biomass to provide evidence of the compliance with the corresponding Level B requirements in chapter 6 of PEFC ST 5002, including first or second party auditing of the implementation of those Level B requirements.

# 1. Scope

This standard defines the requirements for the development of risk assessments to check compliance with the *Directive (EU) 2018/2001 of the European Parliament and of the Council on the promotion of the use of energy from renewable sources - recast* (hereinafter RED II) Article 29 (6a) and (7a), sustainability criteria for Level A at national or sub-national level. Article 29 (6a) of RED II covers the RED II sustainability harvesting criteria, and (7a) the RED II carbon stocks and sinks sustainability criteria (LULUCF). Risk assessments shall be developed by an independent and competent in country-expert stakeholder/s. Moreover, this standard defines the process for approval of risk assessment by the PEFC Council.

In this standard, the following verbal forms are used: “shall” indicates a requirement; “should” indicates a recommendation; “may” indicates a permission; “can” indicates a possibility or a capability. Further details can be found in the ISO/IEC Directives, Part 2.

## 2. Normative references

The following referenced documents are indispensable for the application of this standard. For both dated and undated references, the latest edition of the referenced document (including any amendment) applies.

ISO/IEC 17000, *Conformity assessment – Vocabulary and general principles*

ISO/IEC 17021-1, *Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 1: Requirements*

ISO/IEC 17065, *Conformity assessment – Requirements for bodies, certifying products, processes and services*

ISO/IEC 17067, *Conformity assessment - Fundamentals of product certification and guidelines for product certification schemes*

ISO 19011, *Guidelines for auditing Management systems*

PEFC ST 1003, *Sustainable Forest Management – Requirements (available from [www.pefc.org](http://www.pefc.org))*

PEFC ST 1002, *Group Forest Management Certification – Requirements (available from [www.pefc.org](http://www.pefc.org))*

PEFC ST 2001, *PEFC Trademarks Rules – Requirements (hereinafter PEFC Trademarks standard), (available from [www.pefc.org](http://www.pefc.org))*

PEFC ST 2002, *Chain of Custody of Forest and Trees Based Products, Requirements (available from [www.pefc.org](http://www.pefc.org))*

PEFC ST 2003, *Requirements for Certification Bodies providing certification against the PEFC International Chain of Custody Standard (available from [www.pefc.org](http://www.pefc.org))*

PEFC ST 5002, *Additional requirements for organisations sourcing forest biomass – RED II*

PEFC ST 5003, *Additional requirements for certification bodies providing certification against PEFC ST 5002 – RED II*

*PEFC Template for the Assessment of the Risk at Level A against the RED II Sustainability Criteria for Forest Biomass sourced from [Geographical scope]*

Directive (EU) 2018/2001 *on the promotion of the use of energy from renewable sources (RED II Directive)*

Commission Implementing Regulation (EU) 2022/2448 of 13 December 2022 *on establishing operational guidance on the evidence for demonstrating compliance with the sustainability criteria for forest biomass laid down in Article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council (IR 2022/2448)*

Commission Implementing Regulation (EU) 2022/996 of 14 June 2022 *on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria apply and its annexes (IR 2022/996)*

Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 *on waste and repealing certain Directives*

## 3. Terms and Definitions

### 3.1 General

The following definitions laid down in Article 2 of RED II, Article 2 of the *Commission Implementing Regulation (EU) on establishing operational guidance on the evidence for demonstrating compliance with the sustainability criteria for forest biomass* (hereinafter IR 2022/2448), and Article 2 of the *Commission Implementing Regulation (EU) on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria* (hereinafter IR 2022/996) are applicable for the implementation of PEFC ST 5002.

#### 3.1.1 Actual value

The greenhouse gas emissions savings for some or all of the steps of a specific biofuel, bioliquid or biomass fuel production process, calculated in accordance with the methodology laid down in Part C of Annex V or Part B of Annex VI of RED II.

#### 3.1.2 Agricultural biomass

**Biomass** produced from agriculture.

#### 3.1.3 Biomass

The biodegradable fraction of products, **waste**, and **residues** from biological origin from agriculture, including vegetal and animal substances, from forestry and related industries, including fisheries and aquaculture, as well as the biodegradable fraction of **waste**, including industrial and municipal **waste** of biological origin.

#### 3.1.4 Biomass fuels

Gaseous and solid fuels produced from **biomass**.

#### 3.1.5 Carbon pool

The whole or part of a biogeochemical feature or system within the territory of a Member State and within which carbon, any precursor to a greenhouse gas containing carbon, or any greenhouse gas containing carbon is stored.

#### 3.1.6 Carbon stock

The mass of carbon stored in a **carbon pool**.

#### 3.1.7 Carbon sink

Any process, activity or mechanism that removes a greenhouse gas, an aerosol, or a precursor to a greenhouse gas from the atmosphere

#### 3.1.8 Certification audit (or initial audit)

An initial audit before participation in a scheme, with the purpose of issuing a certificate under a **voluntary scheme**.

### 3.1.9 Certification body

A certification body is an independent accredited or recognised conformity assessment body that concludes an agreement with a **voluntary scheme** to provide certification services for raw materials or fuels by carrying out audits of **economic operators** and issuing certificates on behalf of the **voluntary schemes** using the voluntary scheme's certification system.

**Note:** Certification bodies shall sign a RED II notification contract with PEFC. A certification body holding a valid PEFC RED II notification contract is referred to as a PEFC RED II notified certification body.

### 3.1.10 Country of harvest

The country or territory where the forest biomass raw material was harvested.

### 3.1.11 Critical nonconformity

The intentional violation of a voluntary scheme's standards such as fraud, irreversible **nonconformity**, or a violation that jeopardies the integrity of the **voluntary scheme**. Critical nonconformities shall include, but are not limited to, the following:

- a) Non-compliance with a mandatory requirement of RED II, such as land conversion which contravenes Article 29(3), (4) and (5) of that Directive.
- b) Fraudulent issuance of a proof of sustainability or self-declarations, for example, intentional duplication of a proof of sustainability to seek financial benefit.
- c) Deliberate misstatement of raw material description, falsification of greenhouse gas (GHG) values or input data as well as the deliberate production of **wastes** or **residues**, for example, the deliberate modification of a production process to produce additional residue material, or the deliberate contamination of a material with the intention of classifying it as a **waste**.

### 3.1.12 Deadwood

All non-living woody **biomass** not contained in the litter, either standing, lying on the ground, or in the soil, including wood lying on the surface, coarse debris, dead **roots**, and **stumps** larger than or equal to 10 cm in diameter or any other diameter used by the country concerned.

### 3.1.13 Default value

A value derived from a **typical value** by the application of pre-determined factors and that may, in circumstances specified in RED II, be used in place of an **actual value**.

### 3.1.14 Economic operator/Organisation

A producer of raw material, a collector of **waste** and **residues**, an operator of **installations** processing raw material into final fuels or intermediate products, an operator of **installations** producing energy (electricity, heating or cooling) or any other operator, including of storage facilities or traders that are in physical possession of raw material or fuels, provided that they process information on the **sustainability and GHG emissions saving characteristics** of those raw materials or fuels.

**Note 1:** The term "economic operator" is equivalent to the term "organisation" used in PEFC ST 2002.

**Note 2:** An organisation that holds a valid **PEFC RED II certificate** issued under the PEFC RED II certification scheme is called a PEFC RED II certified organisation.

### 3.1.15 Expired certificate

A certificate that is no longer valid.

### 3.1.16 First gathering point

A storage or processing facility managed directly by an **economic operator** or other counterpart under contractual agreement that is sourcing raw material directly from producers of **agricultural biomass**, **forest biomass**, **wastes** and **residues** or, in the case of renewable fuels of non-biological origin, the plant producing such fuels.

**Note 1:** The first gathering point for **waste** and **residues** is the collection point. A collection point is a storage or processing facility managed directly by an **economic operator** that is sourcing **ligno-cellulosic material** from **wastes** and **residues**.

**Note 2:** Within the scope of PEFC ST 5002, the first gathering point only covers **organisations** sourcing raw material directly from producers of **forest biomass** and **waste** and **residues** from **ligno-cellulosic material**.

### 3.1.17 First party auditing

A self-declaration by an **economic operator** supplying to the **first gathering point**.

### 3.1.18 Forest biomass

**Biomass** produced from forestry.

**Note:** Forest biomass includes **forestry residues**.

### 3.1.19 Forest regeneration

Re-establishment of a forest stand by natural or artificial means following the removal of the previous stand by felling or as a result of natural causes, including fire or storm.

### 3.1.20 Forestry residues

**Residues** that are directly generated by forestry and that do not include **residues** from related industries or processing.

### 3.1.21 Harvesting criteria at national or sub-national level

The criteria laid down in point (a) of Article 29(6) of RED II:

- a) the country in which **forest biomass** was harvested has national or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place ensuring:
  - i. the legality of harvesting operations;
  - ii. forest regeneration of harvested areas;
  - iii. that areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected;
  - iv. that harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts; and
  - v. that harvesting maintains or improves the long-term production capacity of the forest;

### 3.1.22 Harvesting criteria at sourcing area level

The criteria laid down in point (b) of Article 29(6) of RED II:

- b) when evidence referred to in point (a) of the previous definition is not available, the biofuels, bioliquids and biomass fuels produced from **forest biomass** shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 of Article 29 RED II if management systems are in place at forest sourcing area level ensuring:
  - i. the legality of harvesting operations;
  - ii. **forest regeneration** of harvested areas;
  - iii. that areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected unless evidence is provided that the harvesting of that raw material does not interfere with those nature protection purposes;
  - iv. that harvesting is carried out considering the maintenance of soil quality and biodiversity with the aim of minimising negative impacts; and
  - v. that harvesting maintains or improves the **long-term production capacity** of the forest.

### 3.1.23 Installation

A production unit of electricity, heating or cooling. An installation shall be considered to be in operation once the physical production of biofuels, biogas consumed in the transport sector and bioliquids, and the physical production of heating and cooling and electricity from **biomass fuels** has started.

### 3.1.24 Legal predecessor

An **economic operator** that has been legally replaced by a new one, but no substantive changes or only superficial ones have been made regarding its ownership, management composition, working methods or scope of activity.

### 3.1.25 Level A

Evidence that the **country of harvest**, and, where applicable, the sub-national region where the **forest biomass** was harvested has applicable legislation and regulation to the area of harvest in place and the existence of systems for ensuring monitoring of implementation and enforcement of the national and sub-national legislation and regulation. Additionally, Level A evidence also means that the country complies with the land use, land-use change and forestry (LULUCF) criteria at country level.

### 3.1.26 Level B

Evidence demonstrating compliance with the **RED II sustainability criteria** at the forest sourcing area level.

**Note:** Level B evidence is applied where the **Level A** evidence does not exist for a specific country or for specific **RED II sustainability criteria**.

### 3.1.27 Ligno-cellulosic material

Material composed of lignin, cellulose, and hemicellulose, such as **biomass** sourced from forests, woody energy crops and forest-based industries' **residues** and **wastes**.

### 3.1.28 Long-term production capacity

The health of the forest and its ability to continuously and sustainably deliver goods, such as wood of various quality grades, and non-wood-forest products and ecosystem services, including air and water purification, maintenance of wildlife habitat, recreation or cultural capital, over a long period of time, and where applicable, bridging several successive forestry rotations.

### 3.1.29 LULUCF criteria at national level

The criteria laid down in point (a) of Article 29(7) of RED II:

- a) The country or regional economic integration organisation of origin of the **forest biomass**:
  - i. Is a Party to the Paris Agreement.
  - ii. Has submitted a nationally determined contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC), covering emissions and removals from agriculture, forestry and land use which ensures that changes in **carbon stock** associated with biomass harvest are accounted towards the country's commitment to reduce or limit GHG emissions as specified in the NDC; or
  - iii. Has national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance **carbon stocks** and **sinks**, and providing evidence that reported LULUCF-sector emissions do not exceed removals.

### 3.1.30 LULUCF criteria at sourcing area level

The criteria laid down in point (b) of Article 29(7) of RED II:

- b) Where evidence referred to in point (a)...[of the previous definition] is not available, the biofuels, bioliquids and **biomass fuels** produced from **forest biomass** shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 of Article 29 of RED II if management systems are in place at forest sourcing area level to ensure that carbon stocks and sinks levels in the forest are maintained, or strengthened over the long term.

### 3.1.31 Major nonconformity

Failure to comply with a mandatory requirement of RED II and a **voluntary scheme**, where the **nonconformity** is potentially reversible, repeated and reveals systematic problems, or aspects that alone, or in combination with further **nonconformities**, may result in a fundamental system failure.

### 3.1.32 Management system for sourcing area

Information collected on the forest area at the sourcing area level, including in the form of text, maps, tables and graphs, and strategies or management activities planned and implemented to reach the forest resource management or development goals.

**Note:** The information collected at the sourcing area level feeds the organisation's management system: a set of interrelated or interacting elements of an **organisation** to establish policies and objectives and processes to achieve those objectives. The term 'management system' means an information management system run by an **economic operator** to demonstrate that biomass sourcing is in compliance with the sustainability criteria at forest sourcing area level defined in Articles 29(6)(b) and 29(7)(b). The management system has to document management practices with relevance to the sustainability criteria (as further described in PEFC ST 5002) that have been and are planned to be applied by forest managers/owners in the **sourcing area**. The management system is not to be confused with a forest management system, as in most cases, the **economic operator** will have no legal power or mandate to manage the forests where it sources the **biomass** from. The management system ensures that information necessary to demonstrate compliance with all sustainability criteria through a risk-based approach is collected, verified, assessed,

securely stored by the **economic operator**, and appropriately passed down the supply chain using a mass balance chain of custody. The system needs to be accurate, reliable, and protected against fraud, including verification ensuring that materials are not intentionally modified or discarded so that consignments or part thereof could become a **waste** or **residue** (RED II Article 30(3)). (Source: RED II BIO, 2.2.2 and 2.2.3).

### 3.1.33 Mass balance system

The mass balance system described in Article 30(1) of RED II describes a system in which the RED II “sustainability characteristics” remain assigned to “physical supplies”. This means that at each step in the supply chain, material with different RED II sustainability characteristics can be physically mixed, as long as the material sold has the same RED II sustainability characteristics overall as the material that was taken in, i.e., units in = units out (taking into account any conversion factors). RED II sustainability characteristics can be allocated in a flexible manner to material taken out of the mixture. The mass balance system:

- a) Allows consignments of raw material or fuels with differing **sustainability and GHG emissions saving characteristics** to be mixed for instance in a container, processing or logistical facility, transmission and distribution infrastructure or **site**.
- b) Allows consignments of raw material with differing energy content to be mixed for the purposes of further processing, provided that the size of consignments is adjusted according to their energy content.
- c) Requires information about the **sustainability and GHG emissions saving characteristics** and sizes of the consignments referred to in point (a) to remain assigned to the mixture; and
- d) Provides for the sum of all consignments withdrawn from the mixture to be described as having the same sustainability characteristics, in the same quantities, as the sum of all consignments added to the mixture and requires that this balance be achieved over an appropriate period of time.

**Note:** The mass balance system is an additional and separate chain of custody method, specific for PEFC ST 5002.

### 3.1.34 Minor nonconformity

A **nonconformity** that has a limited impact, constitutes an isolated or temporary lapse, is not systematic and does not result in a fundamental failure if not corrected.

### 3.1.35 Mix of raw material for the purpose of further processing

The physical mixing of raw material for the sole purpose of producing biofuels, bioliquids, or **biomass fuels**.

### 3.1.36 Natural disturbance

Any non-anthropogenic events or circumstances that cause significant emissions in forests and the occurrence of which is beyond the control of the relevant Member State, and the effects of which the Member State is objectively unable to significantly limit, even after their occurrence, on emissions.

### 3.1.37 Nonconformity

Non-compliance of an **organisation** or **certification body** with the rules and procedures, established by the **voluntary scheme** of which they are members or under which they operate.

### 3.1.38 PEFC authorised body

An entity authorised by the PEFC Council to perform the administration of the PEFC scheme on behalf of the PEFC Council.

**Note:** The authorised body is either the **PEFC National Governing Body** (PEFC NGB) operating within its country or another entity that has been authorised by the PEFC Council to perform the administration of the PEFC scheme.

### 3.1.39 PEFC National Governing Bodies (PEFC NGBs)

The PEFC NGBs are independent, national organisations established to develop and implement a PEFC system within their country. A list of the PEFC NGBs and their contact details can be found on the [PEFC website](#).

### 3.1.40 Plantation forest

A **planted forest** that is intensively managed and meets, at planting and stand maturity, all the following criteria: one or two species, even age class, and regular spacing. It includes short rotation plantations for wood, fibre and energy, and excludes forests planted for protection or ecosystem restoration, as well as forests established through planting or seeding which at stand maturity resemble or will resemble naturally regenerating forests.

#### 3.1.41 Planted forest

Forest predominantly composed of trees established through planting and/or deliberate seeding provided that the planted or seeded trees are expected to constitute more than fifty percent of the growing stock at maturity; it includes coppice from trees that were originally planted or seeded.

#### 3.1.42 Re-certification audit

An audit with the purpose of renewing a certificate issued by a **certification body** within the framework of a **voluntary scheme**.

#### 3.1.43 Recognised national system

A national system recognised pursuant to Article 30(6) of RED II.

#### 3.1.44 Recognised voluntary scheme

A **voluntary scheme** recognised pursuant to Article 30(4) of RED II:

*The Commission may decide that voluntary national or international schemes setting standards for the production of biofuels, bioliquids or **biomass fuels**, or other fuels that are eligible for counting towards the numerator referred to in point (b) of Article 27(1), provide accurate data on greenhouse gas emission savings for the purposes of Article 25(2) and Article 29(10), demonstrate compliance with Article 27(3) and Article 28(2) and (4), or demonstrate that consignments of biofuels, bioliquids or **biomass fuels** comply with the sustainability criteria laid down in Article 29(2) to (7). When demonstrating that the criteria laid down in Article 29(6) and (7) are met, the operators may provide the required evidence directly at sourcing area level. The Commission may recognise areas for the protection of rare, threatened or endangered ecosystems or species recognised by international agreements or included in lists drawn up by intergovernmental organisations or the International Union for the Conservation of Nature for the purposes of point (c)(ii) of the first subparagraph of Article 29(3).*

*The Commission may decide that those schemes contain accurate information on measures taken for soil, water and air protection, for the restoration of degraded land, for the avoidance of excessive water consumption in areas where water is scarce, and for certification of biofuels, bioliquids and **biomass fuels** with low indirect land-use change-risk.*

**Note:** The set of technical documents (the PEFC ST 5000 series (ST 5002, 5003, and 5004) and the additional *TD PEFC compliance with RED II requirement at scheme owner level*) that PEFC developed to be recognised as **voluntary scheme** by the European Commission comprise the PEFC RED II certification scheme.

### 3.1.45 RED II certificate

A conformity statement by a **certification body** within the framework of a **voluntary scheme**, certifying that an **economic operator** complies with the requirements of RED II.

**Note:** A conformity statement by a **certification body** within the framework of the PEFC **voluntary scheme** recognised by the European Commission under the RED II, certifying that an **economic operator** complies with the requirements of RED II is called a PEFC RED II certificate. An **organisation** holding a valid PEFC RED II certificate is referred to as a PEFC RED II certified **organisation**.

### 3.1.46 RED II product group

Raw materials, biofuels, bioliquids, non-gaseous **biomass fuels** with similar physical and chemical characteristics and similar heating values or gaseous **biomass fuels**, and LNG with similar chemical characteristics that all are subject to the same rules set out in Articles 7, 26 and 27 of RED II for determining the contribution of biofuels, bioliquids and **biomass fuels** towards achieving the targets for renewable energy.

**Note:** LNG stands for liquefied natural gas.

### 3.1.47 RED II sustainability criteria

RED II sustainability criteria are set in Article 29(2) to (7) of RED II. The applicable RED II sustainability criteria for biofuels, bioliquids and **biomass fuels** produced from **forest biomass** are set in Article 29(6) and (7). They are split into RED II sustainability criteria at harvesting level, and RED II sustainability criteria for maintenance or strengthening of carbon stock and sink levels.

At harvesting level, RED II sustainability criteria can be summarised as:

- a) the legality of harvesting operations
- b) **forest regeneration** of harvested areas
- c) areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected
- d) areas where harvesting is carried out considering maintenance of soil quality and biodiversity with the aim of minimising negative impacts; and
- e) areas where harvesting maintains or improves the **long-term production capacity** of the forest

At carbon stock and sink level maintenance, RED II sustainability criteria can be summarised as:

- a) The country or regional economic integration organisation of origin of the **forest biomass**:
  - i. Is a Party to the Paris Agreement;
  - ii. Has submitted a nationally determined contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC), covering emissions and removals from agriculture, forestry and land use which ensures that changes in **carbon stock** associated with biomass harvest are accounted towards the country's commitment to reduce or limit greenhouse gas emissions as specified in the NDC; or
  - iii. Has national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance **carbon stocks** and **sinks**, and providing evidence that reported LULUCF-sector emissions do not exceed removals.

- b) where evidence referred to in point (a) of this paragraph is not available, the biofuels, bioliquids and **biomass fuels** produced from **forest biomass** shall be taken into account for the purposes referred to in points (a), (b) and (c) of the first subparagraph of paragraph 1 of Article 29 of RED II if management systems are in place at forest certified area level to ensure that carbon stocks and sinks levels in the forest are maintained, or strengthened over the long term.

**Note:** The articles from RED II mentioned in this definition include more information. They also specify how these criteria can be implemented by **organisations**. For the purposes of PEFC ST 5002, we have summarised it. For further details, go directly to RED II.

### 3.1.48 Residue

A substance that is not the end product(s) that a production process directly seeks to produce; it is not a primary aim of the production process, and the process has not been deliberately modified to produce it.

### 3.1.49 Second party auditing

The auditing of a supplier by the **economic operator** managing the **first gathering point**. Second party auditing processes are also covered during the third party audits of the first gathering point.

Example of second party audit: the assessment of additional evidence that a supplier of forest biomass may provide to the first gathering point to show compliance with the **RED II sustainability criteria**.

### 3.1.50 Site

A geographical location, logistical facilities, transmission, or distribution infrastructures with precise boundaries within which products can be mixed.

**Note:** Organisational units located in distinct physical sites can be considered part of a site if they are an extension without their own purchasing, processing, or sales functions (for instance, a remote storage facility). However, a single site cannot encompass more than one legal entity. Subcontractors used under outsourcing agreements (e.g., outsourced warehouses) are not categorised as sites.

### 3.1.51 Sourcing area

The geographically defined area from which the forest biomass feedstock is sourced, from which reliable and independent information is available and where conditions are sufficiently homogeneous to evaluate the risk of the sustainability and legality characteristics of the **forest biomass**.

**Note:** A sourcing area can comprise one or more PEFC SFM certified areas (certified area). A certified area is the forest area covered by a SFM system according to the PEFC SFM Standard (PEFC ST 1003). **Level B** evidence requirements, as per chapter 6 of PEFC ST 5002, can be implemented at sourcing area, or at certified area.

### 3.1.52 Stumps and roots

Parts of the whole tree volume, excluding the volume of the above-stump woody **biomass**, considering the height of the stump as that at which the tree would be cut under normal felling practices in the relevant country or region.

### 3.1.53 Support scheme

Any instrument, scheme or mechanism applied by an EU Member State, or a group of EU Member States, that promotes the use of energy from renewable sources by reducing the cost of that energy, increasing the price at which it can be sold, or increasing, by means of a renewable energy obligation or otherwise, the volume of such energy purchased, including but not restricted to, investment aid, tax exemptions or

reductions, tax refunds, renewable energy obligation support schemes including those using green certificates, and direct price support schemes including feed-in tariffs and sliding or fixed premium payments.

### 3.1.54 Surveillance audit

Any follow up audit of certificates issued by a **certification body** within the framework of a **voluntary scheme** after certification and before a **re-certification audit**, which can be carried out quarterly, half-annually or annually.

### 3.1.55 Suspended certificate

A certificate temporarily invalidated due to **nonconformities** identified by the **certification body** or upon voluntary request of the **economic operator**.

### 3.1.56 Sustainability and greenhouse gas (GHG) emissions saving characteristics

The set of information describing a consignment of raw material or fuel that is required for demonstrating compliance of that consignment with the sustainability and GHG emissions saving criteria for biofuels, bioliquids and **biomass fuels** or the GHG emission savings requirements applicable for renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels.

### 3.1.57 Terminated certificate

A certificate that has been voluntarily cancelled while it is still valid.

### 3.1.58 Third party auditing

The auditing of an **economic operator** carried out by a third party that is independent from the **organisation** subject to the auditing.

### 3.1.59 Typical value

An estimate of the greenhouse gas emissions and greenhouse gas emissions savings for a particular biofuel, bioliquid or biomass fuel production pathway, which is representative of the Union consumption.

### 3.1.60 Voluntary scheme

An **organisation** that certifies the compliance of **economic operators** with criteria and rules including, but not limited to, the sustainability and GHG saving criteria set out in RED II and in Delegated Regulation (EU) 2019/807 on *the determination of high ILUC-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed, and the certification of low ILUC-risk biofuels, bioliquids and biomass fuels*.

### 3.1.61 Waste

Waste means any substance or object which the holder discards or intends or is required to discard as defined in Article 3(1) of Directive 2008/98/EC on waste, excluding substances that have been intentionally modified or contaminated in order to meet this definition.

### 3.1.62 Withdrawn certificate

A certificate that has been permanently cancelled by the **certification body** or the **voluntary scheme**.

## 4. Requirements for the development of Level A risk assessments and its recognition by PEFC as per Article 29 (6a) and (7a) of the RED II Directive

### 4.1 General

- 4.1.1** This chapter defines the requirements for the development of risk assessments to check compliance with the **RED II sustainability criteria** for **Level A** at national or sub-national level.
- 4.1.2** Risk assessments shall be conducted to assess compliance against **RED II sustainability criteria** at national or sub-national level, for the harvesting criteria and for the carbon stocks and sinks levels criteria (LULUCF).
- 4.1.3** One single risk assessment may cover both **RED II sustainability criteria** for harvesting (Directive (EU) 2018/2001, Article 29 (6 a)) and **RED II sustainability criteria** for carbon stocks and sinks levels (LULUCF criteria, Directive (EU) 2018/2001, Article 29 (7 a)) for **Level A**, or just one of these two blocks of the **RED II sustainability criteria**.
- 4.1.4** PEFC recognises risk assessments carried out by other **recognised voluntary schemes** or **recognised national systems**, whenever the scope of the risk assessment covers either the **RED II sustainability criteria** for harvesting, and/or for carbon stocks and sinks levels (LULUCF), and the scheme is recognised by the European Commission for this scope.

**Example:** **Recognised voluntary schemes** or **recognised national systems** can be found on the European Commission's Voluntary Schemes [webpage](#).

**Note:** Risk assessments conducted by other **recognised voluntary schemes** or **recognised national systems** accepted by PEFC are available on the PEFC website.

### 4.2 Content of the risk assessment for harvesting, article 29 (6a) of the RED II Directive

- 4.2.1** The risk assessment shall provide accurate, up-to-date, and verifiable evidence that there is legislation in place applicable to the area of harvest that ensures:
- a) The legality of harvesting operations, which shall be proven by providing evidence of compliance of harvesting with the applicable legislation in the **country of harvest**.

**Note:** As set out in point (h) of Article 2 of the EUTR Regulation, which lays down the obligations of **organisations** who place timber and timber products on the market.

- b) **Forest regeneration**, which may be proven by providing evidence that the applicable laws require natural or artificial regeneration, or a combination of both, aiming at the establishment of a new forest in the same area and within an appropriate period according to the relevant national legislation.
- c) The effective protection of areas designated by international or national law, or by the relevant competent authority, for nature protection purposes, including in wetlands and peatlands.
- d) That forest harvesting is carried out in a way that minimises negative impacts on soil quality and biodiversity, which may be proven by providing evidence of the applicable law, or relevant forest management rules.
- e) That primary forests and areas protected under 4.2.1 c) are not degraded to or replaced by plantation forests, which may include, but should not be limited to, safeguarding that the regenerated forest area provides for a locally appropriate and an adequate amount of plants and tree species.

- f) The protection of soils and of species and habitats including those protected by international or national law. To facilitate the work of **organisations**, EU Member States shall endeavour to provide data on site-specific environmental features.
- g) The minimisation, where appropriate, of the removal of **stumps and roots**, and **deadwood**.
- h) That the **long-term production capacity** of the forest is maintained or increased, which may be proven by providing evidence that the applicable law at national or sub-national level ensures that, based on average annual data, the fellings do not exceed the net increment over an appropriate period according to the relevant national legislation, except in cases where it is temporarily justified due to documented forest pests, storms or other natural disturbances. That may be proven by using public or private forest inventory data, national forest inventory reports and similar inventory reports at sub-national level.

*(Source: Commission Implementing Regulation (EU) on establishing operational guidance on the evidence for demonstrating compliance with the sustainability criteria for forest biomass laid down in Article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council, Article 3)*

**4.2.2** Where forest-related legislation in a determined country is managed at different governmental levels, each of the applicable levels shall be considered. In cases where legislation is regulated at different governmental levels, a country as a whole can only pass the criterion if legislation is present in each underlying region to comply with that criterion.

**4.2.3** The risk assessment shall provide accurate, up-to-date, and verifiable evidence of the existence of systems for ensuring monitoring, implementation, and enforcement of the national and sub-national laws for each of the points referred to 4.2.2, including information on the following elements:

- a) authorities competent for carrying out monitoring
- b) implementation and enforcement
- c) sanctions for non-compliance
- d) systems for appealing against decisions, and
- e) public access to information

**4.2.4** The risk assessment shall include a verification that there is no significant lack of enforcement of the national and/or sub-national laws and regulations referred to in 4.2.2. The risk assessment shall take into account any legal assessments and reports, prepared by national or international governmental organisations, detailing a lack of enforcement of the national or sub-national laws referred to in 4.2.2.

**Note:** The monitoring and enforcement criteria could be considered satisfied when:

- a) The relevant legislation includes mandatory monitoring and enforcement provisions, including that a competent authority to monitor and enforce legislation is specified in relevant legislation as well as sanctions which are enforced in case of infraction (source of information would be relevant national laws/regulations); and
- b) There is no substantiated alert or evidence from international or national governmental organisations of a significant and a systematic lack of enforcement, caused for instance by widespread corruption of forest enforcement authorities or continued unaddressed illegality. Possible sources of information would be reports from international government organisations, such as the UNEP-WCMC briefing notes for third countries, or the Commission infringement procedures for EU Member States, as well as national governmental sources.

*(Source: REDIBIO)*

- 4.2.5** Any on-going infringement procedure brought by the European Commission against an EU Member State, on the basis of relevant Union legislation, shall be also taken into account. The existence of a ruling of the Court of Justice against an EU Member State, for the violation of relevant Union legislation, such as Regulation (EU) No 995/2010 of the European Parliament and of the Council, shall be considered evidence of lack of enforcement.
- 4.2.6** The sources and information used to conduct the risk assessment shall be the most up to date. Moreover, it shall be accurate, credible, reliable, and relevant for the criteria examined.
- 4.2.7** The risk assessment shall be conducted individually for each of the criteria mentioned and classify the risk individually for each of the criteria as low or high risk.
- 4.2.8** For the harvesting criteria, low risk is determined when the findings of the risk assessment conclude that for the area under assessment, the risk that the **forest biomass** is not produced in compliance with the **RED II sustainability criteria** at harvesting level is minimised through legislation in place, there is a system in place for monitoring, implementation and enforcement of the legislation, and there is no evidence of significant lack of enforcement of the legislation.
- 4.2.9** Where the risk assessment at the national or sub-national level concludes a high risk with one or several of the harvesting criteria, the risk assessment shall be extended to the evaluation of the respective PEFC endorsed forest management standard at the national or sub-national level and shall include a conclusion on whether the compliance with the “high risk” harvesting criteria is sufficiently addressed by the PEFC endorsed forest management standard.

**Table 1: Checklist for demonstrating compliance with the harvesting criteria through national or sub-national laws (level A).** Note that the sustainability criteria are referred in abbreviated format, while the wording of REDII remains the official reference.

REDII Criteria	Requirement	Type of evidence/verified information	Possible information sources	
29.6a(i)	Harvesting legality	Laws	Adequate and efficient due diligence as required under the EU Timber Regulation (EUTR, (EU) 995/2010) has determined negligible risk of illegal logging	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from national official legislation journals and databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> </ul>
		Monitoring/ Enforcement	Proof that there is no evidence from national or international governmental organizations* that there is significant and continued lack of enforcement	<ul style="list-style-type: none"> <li>The UNEP-WCMC briefing notes on EUTR implementation: <a href="http://www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt">www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt</a></li> </ul>
			Evidence that the relevant Member State is not subject to any ongoing EU infringement procedure for non-compliance with the EU Timber Regulation	<ul style="list-style-type: none"> <li>For information on EU infringement procedures, query for "MISCELLANEOUS - FORESTS - Non-compliance with EUTR and FLEGT Regulations" in the query form's Title field: <a href="https://ec.europa.eu/info/law/infringements_en">https://ec.europa.eu/info/law/infringements_en</a></li> </ul>
29.6a(ii)	Forest regeneration	Laws	Legal analysis showing that the relevant legislation complies with the forest regeneration criteria	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from official national legislation journals and databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> </ul>
		Monitoring/ Enforcement	Legal analysis showing that the relevant forest legislation includes monitoring and enforcement requirements for forest regeneration	
			Proof that there is no evidence from national or international governmental organizations that there is significant and continue lack of enforcement	<ul style="list-style-type: none"> <li>The UNEP-WCMC briefing notes on EUTR implementation: <a href="http://www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt">www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt</a></li> <li>Other recent and relevant official information from national governmental or international inter-governmental sources, such as World Bank, FAO, UNEP.</li> </ul>
29.6a(iii)	Protected areas	Laws	Legal analysis showing that the relevant legislation complies with the protect areas requirement	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from official national legislation journals and databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> <li>European Environment Agency Common Database on Designated Areas for all its 36 member countries. <a href="http://www.eea.europa.eu/data-and-maps/data/nationallydesignated-areas-national-cdda-14">www.eea.europa.eu/data-and-maps/data/nationallydesignated-areas-national-cdda-14</a></li> <li>World Database on Protected Areas (WDPA), including reports on the effective management of protected areas for most countries in the world. <a href="http://www.protectedplanet.net">www.protectedplanet.net</a></li> </ul>
		Monitoring/ Enforcement	Legal analysis showing that the relevant forest legislation includes monitoring and enforcement requirements for protected areas	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from official national legislation journals and databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> </ul>
			Proof that there is no evidence from national or international governmental organizations that there is significant and continue lack of enforcement	<ul style="list-style-type: none"> <li>The UNEP-WCMC reports on EUTR implementation: <a href="http://www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt">www.unepwcmc.org/featured-projects/eu-timber-regulations-and-flegt</a></li> <li>World Database on Protected Areas (WDPA), including reports on the effective management of protected areas for most countries in the world. <a href="http://www.protectedplanet.net">www.protectedplanet.net</a></li> <li>Other recent and relevant official information from national governmental or international inter-governmental sources, such as World Bank, FAO, UNEP</li> </ul>

\* NGO based sources are included only indirectly (for example through the UNEP-WCMC briefing notes) as to ensure a quality check has taken place on the information in these sources and ensuring no conflicting findings and outcomes.

REDII Criteria	Requirement	Type of evidence/verified information	Possible information sources
29.6a(iv) Maintenance of soil quality and biodiversity	Laws	Legal analysis showing that the relevant legislation complies with the maintenance of soil quality and biodiversity criteria	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from national legislation databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> </ul>
	Monitoring/ Enforcement	Legal analysis showing that the relevant forest legislation includes monitoring and enforcement requirements for protected areas	
			Proof that there is no evidence from national or international governmental organizations that there is significant and continue lack of enforcement
29.6a(v) Long-term production capacity	Laws	Legal analysis showing that the relevant legislation complies with the long-term production capacity criteria	<ul style="list-style-type: none"> <li>Legislation in the area of forestry can be checked from national legislation databases or from the UN-FAO FAOLEX database of national legislation, policies and bilateral agreements on environment, forestry, land &amp; soil, agriculture and natural resources management, amongst other. <a href="http://www.fao.org/faolex">www.fao.org/faolex</a></li> </ul>
	Monitoring/ Enforcement	Legal analysis showing that the relevant forest legislation includes monitoring and enforcement requirements for long-term production capacity	
			Proof that there is no evidence from national or international governmental organizations that there is significant and continue lack of enforcement

Source: *REDIIBIO study, pages 18-20*

### 4.3 Content of the risk assessment for carbon and sinks levels through land use, land use change and forest (LULUCF), Article 29 (7a) of the RED II Directive

**4.3.1** The risk assessment shall include evidence that the country or regional economic integration organisation assessed, is Party to the Paris Agreement. Parties of the Paris Agreement can be found on the [UN treaty collection website](http://un.org/treaty-collection).

**4.3.2** The risk assessment shall indicate whether the country or regional economic integration organisation assessed has submitted a nationally determined contribution (NDC), under the 2015 Paris Agreement on Climate Change following the 21<sup>st</sup> Conference of the Parties to the United Nations Framework Convention on Climate Change, that meets the following requirements:

- a) The NDC integrates the agriculture, forestry, and land use sectors, either combined as one agriculture, forestry and other land use (AFOLU) sector, or as agriculture and LULUCF sectors separately.
- b) The NDC explains how the agriculture, forestry and land use sectors have been considered in the NDC; and
- c) The NDC counts the emissions and removals from the agriculture, forestry, and land use sectors against the country's overall emission reduction target, including emissions associated with harvesting of **forest biomass**.

**Note:** Countries and regional economic integration organisations are requested to submit NDCs (new or updated NDCs) every five years thereafter (i.e., by 2020, 2025, 2030), regardless of their respective implementation time frames (<https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs#eq-1>). Further information here: <https://www4.unfccc.int/sites/ndcstaging/Pages/LatestSubmissions.aspx>. Source: *REDIIBIO, page 35*

**4.3.3** Additionally, the submitted NDCs shall fulfil the following requirements:

- a) Explain how the AFOLU sector (or separately for agriculture and the LULUCF sectors) has been considered in the NDC.
- b) Count the emissions and removals from the AFOLU sector against the country's overall emission reduction target; and
- c) Consider carbon stock changes associated with harvesting **forest biomass** in the total emissions of the AFOLU sector.

**Note:** This requirement is based on REDIIBIO report, page 35.

- a) If compliance with 4.3.2 and 4.3.3 cannot be demonstrated, the risk assessment shall indicate whether in the assessed country, regional integration organisation or region there are national or sub-national laws, applicable to the area of harvest, to conserve and enhance carbon stocks and sinks in forests. In addition, evidence shall be provided that the reported LULUCF sector emissions do not exceed removals on average over the ten years preceding the harvesting of the and that carbon stocks and sinks are conserved or enhanced between the last two successive ten-year periods preceding the harvesting of **forest biomass**.

**Table 2: Summary of LULUCF criteria, related proof of compliance and possible sources of evidence (Article 29.7(a))**

Criteria	Evidence of compliance	Source
The country or regional economic integration organisation of origin of the forest biomass:		
(i) is a Party to the Paris Agreement	a) The country or regional economic integration organisation is listed as a Party to the Paris Agreement	a) United Nations list of parties to the Paris Agreement: <a href="https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=XXVII-7-d&amp;chapter=27&amp;clang=_en">https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=XXVII-7-d&amp;chapter=27&amp;clang=_en</a>
(ii) has submitted a nationally determined contribution (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC), covering emissions and removals from agriculture, forestry and land use which ensures that changes in carbon stock associated with biomass harvest are accounted towards the country's commitment to reduce or limit greenhouse gas emissions as specified in the NDC	<ul style="list-style-type: none"> <li>• Presence of a NDC in the UNFCCC registry, submitted by the country or regional economic integration organisation</li> </ul>	<ul style="list-style-type: none"> <li>• NDC is included in the UNFCCC NDC Registry: <a href="https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs">https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Emissions and removals by agriculture, forestry and land use are included in the country's or regional economic integration organisation's NDC</li> </ul>	<ul style="list-style-type: none"> <li>• Information provided in the NDC</li> </ul>
	<ul style="list-style-type: none"> <li>• Changes in carbon stock associated with biomass harvest are considered in the emissions and removals by agriculture, forestry and land use</li> </ul>	<ul style="list-style-type: none"> <li>• Information provided in the NDC</li> </ul>
(iii) has national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance carbon stocks and sinks, and providing evidence that reported LULUCF-sector emissions do not exceed removals	<ul style="list-style-type: none"> <li>• Presence of national or sub-national laws to conserve and enhance carbon stocks and sinks in forests</li> </ul>	<ul style="list-style-type: none"> <li>• National or sub-national legislation</li> </ul>

	<ul style="list-style-type: none"> <li>Reported LULUCF-sector emissions for the country or regional economic integration organisation do not exceed removals</li> </ul>	<ul style="list-style-type: none"> <li>Compare emissions and removals for the LULUCF sector, as reported in National Inventory Reports submitted to UNFCCC:  <a href="https://unfccc.int/process-and-meetings/transparency-and-reporting/reporting-and-review-under-the-convention/greenhouse-gas-inventories-annex-i-parties/national-inventory-submissions-2019">https://unfccc.int/process-and-meetings/transparency-and-reporting/reporting-and-review-under-the-convention/greenhouse-gas-inventories-annex-i-parties/national-inventory-submissions-2019</a></li> </ul>
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Source: *REDIIBIO study, page 37 and RED II Directive, Article 29 (7 a).*

**4.3.4** The sources and information used to conduct the risk assessment shall be the most up to date. Moreover, it shall be accurate, credible, reliable, and relevant for the criteria examined.

**4.3.5** The risk assessment shall be conducted individually for each of the criteria mentioned and classify the risk individually for each of the criteria as low or high risk.

**4.3.6** For the LULUCF criteria, low risk is determined when the findings of the risk assessment conclude that the country where the specific area under assessment is located has submitted an NDC covering the three criteria under 4.3.2 and 4.3.3, or there is legislation in place that ensures the conservation and enhancement of carbon stocks and sinks in the forests, and the reported LULUCF sector emissions by the country do not exceed removals, as per 4.3.4.

#### 4.4 Development of the risk assessment

**4.4.1** Risk assessments shall be developed by an independent and competent in country-expert stakeholder or stakeholders called the “Risk Assessment Group” (RAG).

**Note:** Independent and competent in country-expert stakeholder or stakeholders are competent ministries, qualified national-level organisations or associations, and independent bodies specifically set up to undertake the risk assessment, etc.

**4.4.2** The RAG shall inform and coordinate with the **PEFC authorised body** of the country that the risk assessment may cover. If there is no **PEFC authorised body**, the RAG shall inform and coordinate with the PEFC Council.

**4.4.3** Expertise for the area under assessment shall be represented in the RAG. For that purpose, the composition of the RAG shall cover the following criteria:

- a) sufficient, suitably qualified staff and resources to perform the risk assessment
- b) knowledge of the language or languages (as corresponding) of the country, area or region covered by the scope of the risk assessment
- c) relevant knowledge on the laws and customs of the region(s) covered by the scope of the risk assessment
- d) relevant knowledge on RED II legislation and PEFC requirements

- 4.4.4** The RAG shall appoint a leader who will coordinate the work of the RAG and shall be responsible for:
- a) preparation of the working drafts
  - b) schedule meetings and preparation of agenda (or a part of the agenda) for the meetings
  - c) distribution of tasks among RAG members
  - d) records keeping; and
  - e) ensuring that the RAG's work follows RED II and PEFC requirements
- 4.4.5** The RAG shall have procedures to avoid conflict of interest of the members which could affect the objectivity of the work.
- 4.4.6** The RAG shall define procedures for the conduct of the risk assessment.
- 4.4.7** The RAG shall define procedures to deal with complaints and/or appeals that may be raised during the development of the risk assessment. As minimum, the procedures shall cover:
- a) Acknowledgement of the complaint to the complainant, within 15 days of the complaint being received.
  - b) Gathering and verification of all necessary information, validation and impartial evaluation of the complaint, and decision making on the complaint, within 45 days of the complaint being received.
  - c) Formal communication of the decision on the complaint and the complaint handling process to the complainant and concerned parties, within 90 days of the complaint being received; and,
  - d) Appropriate corrective and preventive actions.
- 4.4.8** The results of the risk assessment shall be subject to public stakeholder consultation. The stakeholder consultation shall ensure that:
- a) The start and the end of the stakeholder consultation shall be made in a timely manner through suitable media, as appropriate, to give stakeholders an opportunity for meaningful contributions.
  - b) The request to disadvantaged stakeholders and key stakeholders shall be made in a manner that ensures that the information reaches intended recipients and in a format that is easy to understand.
  - c) The risk assessment is publicly available and accessible.
  - d) The public consultation lasts at least 30 days.
  - e) All comments received are considered by the RAG in an objective manner.
  - f) A synopsis of received comments compiled from material issues, including the results of their consideration, is publicly available, for example on a website.
- Note:** Through suitable media means at least through websites and by email and/or letter to identified stakeholders. Other media includes press releases, news articles, features in trade-press, information sent to branch organisations, social media, digital media, etc.
- 4.4.9** The RAG shall consider and address all the feedback received during the consultation in an open and transparent way, and include changes on the risk assessment, as appropriate.
- 4.4.10** The RAG shall document any feedback provided during the consultation and the way the feedback was considered and/or addressed, including any changes on the risk assessment resulted from the feedback. On request, the RAG shall share with stakeholders the records on how the feedback provided was considered and addressed within the risk assessment.

## 4.5 Risk assessment report

4.5.1 The risk assessment report shall include the following elements:

- a) introduction, including names and qualifications of the experts conducting the risk assessment and background
- b) scope of the risk assessment
- c) normative references
- d) terms and definitions
- e) risk assessment in detail, including specification of data sources
- f) stakeholder consultation
- g) summary of the findings; and
- h) summary of data sources

4.5.2 The risk assessment shall specify in clear detail the findings and the result of the findings individually for each of the criteria mentioned and classify the risk individually for each criteria as low or high risk.

4.5.3 The risk assessment shall include a summary of the findings and an overall evaluation of the risk identified for the assessed area. If the result of the risk assessment is that all the criteria are low risk, the overall result of the risk assessment is low. If one or more criteria are not low, the overall risk shall be identified as high.

4.5.4 The risk assessment shall be presented as per the template for the assessment of the risk at **Level A** against the **RED II sustainability criteria for forest biomass** sourced from [geographical scope]

## 5. Recognition by PEFC of the risk assessment

### 5.1 General

**5.1.1** The risk assessment, together with the procedures and the composition of the RAG shall be submitted to the corresponding **PEFC authorised body** and the PEFC Council, as a minimum, in the official language of the country, and in English.

**5.1.2** The responsibility for the approval of a risk assessment lies with the PEFC Council Board of Directors, based on a recommendation of the corresponding **PEFC authorised body**.

**Note:** The PEFC Council Board may delegate the responsibility for the approval of a risk assessment to the PEFC Council Secretary General or to a specific working group.

**5.1.3** For the recommendation of the approval of the risk assessment, the **PEFC authorised body** shall set up a technical group to conduct the evaluation of the risk assessment. The technical group shall ensure that the risk assessment was undertaken according to the process and the requirements described in this technical document, the RED II Directive, and the Implementing Regulations.

**Note:** In countries without a **PEFC authorised body**, the responsibility for the recommendation of approval of a risk assessment lies with the PEFC Council.

**5.1.4** The technical group referred to in 5.1.3 may include independent consultants with particular country expertise, free of conflict of interest.

**5.1.5** The RAG shall be responsible to assume any costs incurred due to the work of the technical work, including the consultants.

**5.1.6** PEFC Council shall ensure personnel involved in decision making of the approval of the country risk assessment, or recommendation of the risk assessment for the approval are free of conflict.

**5.1.7** Once the risk assessment is evaluated and recognised by PEFC, the procedure and the results of the risk assessment shall be published on the PEFC website and can be used by any certified **organisation** within PEFC certification for the implementation of PEFC ST 5002.

**5.1.8** Risk assessments are valid for a period of maximum five years. After five years, the risk assessment shall be reviewed. If the review shows that the evidence used to conduct the risk assessment has changed, the risk assessment shall be revised accordingly.

**Note:** The risk assessment review process shall include exchange with other **recognised voluntary schemes** to ensure that a consistent approach is taken.

**5.1.9** If the evidence used to conduct the risk assessment changes within the five years of validity of the risk assessment, the risk assessment shall be reviewed. If the review shows that the changes on the evidence affect the results of the risk assessment, the risk assessment shall be revised accordingly. The review shall include exchanges with other **recognised voluntary schemes**.

## Bibliography

Technical Assistance for the preparation of guidance for the implementation of the new bioenergy sustainability criteria set out in the revised Renewable Energy Directive REDIIIBIO – final report (REDIIIBIO)