



# Governing plastic waste management in Menorca

Assessment of legal, policy and institutional frameworks

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# Executive Summary

In Menorca, plastic waste per capita generation (60 kg/cap/year) is close to the Western Europe average (64 kg/cap year), according to the *National Guidance for Plastic Pollution Hotspotting and Shaping Action Report for Menorca*.<sup>1</sup> One of the main problems that has been detected in this study is the insufficient selective collection of some waste's fractions, and such is the case of the light packaging, mostly made of polyethylene terephthalate (PET) and high-density polyethylene (HDPE) plastics containers.

The levels of separate collection of light packaging in Menorca, as in many other regions of the Balearic Islands and Spain, are quite low. Less than 30% of the estimated total consumption of light packaging is being selectively collected on the island, contributing either with an increased amount of littering (with its associated environmental and economic costs) or with a reduction of recycled plastics (which also brings about negative environmental impacts).<sup>2</sup>

This trend is also confirmed by the amount of general waste produced (where no selective

separation is applied) per person per year, which has remained constant in recent years on the island and contains a high proportion of light packaging,<sup>3</sup> which is therefore the fraction with less recovery on the island of Menorca. The presence of abandoned waste in the environment and low levels of recycling are an indicator that the actual integrated management systems (SIG) applied throughout the territory is insufficient and does not guarantee the compliance with the Extended Producer Responsibility (EPR) principle.<sup>4</sup>

Due to its natural and cultural values, and like many other Mediterranean islands, Menorca has a socio-economic context highly dependent on tourism, which clearly influences the use of territory and resources both in space, due to the differentiation of traditional and touristic areas, and time, given its high seasonality.<sup>5</sup> While the general waste during summer months is almost double than during the rest of the year, the selective collection does not follow the same trend. That indicates that a large portion of potentially recyclable materials are not properly collected, probably ending up in landfills.<sup>6</sup>

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<sup>1</sup> IUCN-EA-QUANTIS, 2020, National Guidance for plastic pollution hotspotting and shaping action, Country report Menorca

<https://plastic hotspotting.lifecycleinitiative.org/pilots/>

<sup>2</sup> Consell Insular de Menorca. (2019). Pla Director Sectorial de Prevenció i Gestió de Residus No Perillosos de Menorca 2019-2025. Memòria justificativa. Menorca.

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# Acknowledgements

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## 2. International Legal Framework on plastic waste management

### 2.1 International Treaties, Agreements and Conventions signed by Spain

Spain has signed and ratified many international conventions relating to waste, marine pollution, and addressing the plastic waste issue.

- In 1972, Spain joined the

also called the

The Convention prohibited the dumping of



the formal commitment of all the competent authorities involved.

There are 4 relevant targets in the Spanish Programme of Measures under the EU MSFD:

- Prevention of marine litter from maritime sources
- Prevention of marine litter from land sources
- Removal of marine litter
- Awareness-raising and information measures on the problem of marine litter

Spain also joined the recent meetings, and among those, the Fifth UN Environment

### 2.1.1.

management option, as well as for reuse or recycling of the collected packaging and packaging waste.

The

provides measures and procedures to prevent or reduce the negative environmental impacts from the landfill of waste. According to the Directive (Article 5), Member States must set up a national strategy for the implementation of the reduction of biodegradable waste going to landfills. This strategy should include measures to achieve



## 4. National legal framework on plastic waste management

There are a number of pieces of legislation and policies related to plastic production, at national level:

- The *Plan Estatal Marco de Gestión de Residuos*, for the period 2016-2022;
- The *Plan Estatal Marco de Gestión de Residuos* (in the framework of the MFSD) includes a number of related measures under Measure 29.<sup>16</sup>

While the national policies addressing plastic waste disposal are:

*General plenele th*

## 4.1. Summary of Legislative Framework for Plastic Waste Management

The table below sets out the correlation between European and Spanish legislation with regard to plastic

EUROPEAN LEGISLATION	SPANISH LAW
	<ul style="list-style-type: none"><li data-bbox="746 286 770 320">➤</li><li data-bbox="746 376 770 409">➤</li></ul>

## 4.2. Waste Management Plans

At the national level, the

- Awareness and information campaigns targeting the general public or a particular group of consumers; and
- Identification of historically contaminated waste disposal sites and measures for their rehabilitation.

According to PEMAR, in order to ensure the fulfilment of the national targets, the Autonomous Communities should meet at least, the same targets as those proposed at national level (PEMAR, page 15). Considering the recommendations of the European Commission, following the approval of the PEMAR, the Autonomous Communities should review their Regional Waste Management Plans to adapt their structure, targets, period of validity and frequency of revision to PEMAR, in order to fulfil the targets

### 4.3. Summary of Policy Mechanisms and Instruments to Meet Targets

The main instruments used in Spain over the last few years in order to help meet the targets outlined in the Landfill Directive and the Waste Framework Directive are:

- Adoption of Law 22/2011, of July 28<sup>th</sup> on Waste and Contaminated Soils, which transposes the Waste Framework Directive;
- Adoption of the Royal Decree 1304/2009 of July 31<sup>st</sup> and Order AAA/661/2013 of April 18<sup>th</sup>, which amend the Royal Decree 1481/2001 that transposes the Landfill Directive;
- Adoption and implementation of the National Waste Management Plan, PEMAR 2016-2022;
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#### 4.4. The preliminary draft of the new Waste Law

The preliminary draft of the new Waste Law has already been presented to the Ministries Council and approved in June 2020. It is currently in the process of public consultations and it is going to be reviewed and approved by the Parliament no earlier than June 2021.

The purpose of the new draft Law<sup>22</sup> is to transpose Directive (EU) 2018/851, which modifies Directive 94/62/EC, as well as Directive (EU) 2019/904, referring to the single-use plastic packaging, also reviewing in depth all the regulations on packaging and packaging waste, and adopting the necessary measures to meet the new challenges, including:

- The promotion of prevention in the



public administrations. Among the incentives: establishment of fees on landfilling or incineration, promotion of payment systems for waste generation.

- : it will be established in order to ensure

The Waste Law also foresees the future creation of the competent for environmental matters, with its own separate legal personality and responsible for the execution of the Waste Prevention and Management Fund, in accordance with the directives established by the Government of the Balearic Islands.

## 6. Regional legal framework on plastic waste management

Most of the responsibilities regarding waste management have been transferred to the Autonomous Communities. Most of them have also implemented regional legislation on waste management. The first Balearic Islands Waste and Contaminated Lands Law 8/2019

was adopted on the 19<sup>th</sup> February 2019 by the Parliament of the Balearic Islands, and is the transposition of the Directive (EU) 2019/904 (single-use plastics ban). This pioneering legislation, which has been echoed in other countries, is quite ambitious and ahead of the directive itself.

By voting this law on



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## 7. Implementation Gaps and Challenge

### Inadequate waste segregation and separate collection

Waste collection rate (84%) is below average than compared to high income countries (96%) and waste bin design does not prevent leakage while waiting for collection.<sup>27</sup>

The levels of separate collection of light packaging in Menorca, as in many other regions of the Balearic Islands and Spain, are quite low. This trend is also confirmed by the amount of general waste produced (where no selective separation is applied) per person per year, which has remained c) (2014-2015) 1.37 (1.9) 1.86 (5.95) (0.03) 1.2 (3.6) 2.0 (7.8) (1.9) 1.4 (2.0) 1.5 (2.0)



I E A I A L U I  
F C E A I F A U E

Centre for Mediterranean Cooperation of  
IUCN  
Calle Marie Curie 22  
29590, Campanillas  
Málaga, Spain  
[mail@iucn.org](mailto:mail@iucn.org)  
Tel +41 22 999 0000  
Fax +41 22 999 0002

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