

Session 3: “Legal Instruments to Push forward Recycling”

The Spanish Experience on Promoting Recycling Society through Public Procurement



Workshop 2-What European Strategy to promote a European Recycling Society”

Brussels, 4th June 2010

Promoting Recycling Society through Public Procurement

- **Public Administrations spend 17% of GDP in EU (Spain, 16-18%)**
- EU Actions & Strategies to be taken into account (among others)
 - EU Action Plan on SCP (promoting recycling society); UN actions on SCP (CSD)
 - UE Strategy on Waste Prevention & Recycling (2005), Towards Recycling Society.
 - Natural Resources Sustainable Use Strategy.
 - Framework Directive on Waste 98/2008/EC.
2020: Increasing reuse and recycling urban waste. Now being implemented transposition to internal legal framework

The NAP on GPP support to the implementation of other state policies linked to promotion of recycling

- **National Strategy on Sustainable Development (2007)**
<http://www.la-moncloa.es/NR/rdonlyres/B73920C0-8F78-4EFE-83D8-A570345ADBA4/0/EEDS.pdf>
- **Policies and criteria related to the framework of UN CSD (GPP, eco-design, promoting Recycling Society,...) and EU Action Plan on Sustainable Consumption & Production**
- **National Integrated Plan on Waste (2008-2015)**
<http://www.boe.es/boe/dias/2009/02/26/pdfs/BOE-A-2009-3243.pdf>
- **Environmental Sustainability and Innovation in Draft Sustainable Economy Law**
<http://www.la-moncloa.es/ActualidadHome/2009-2/271109-enlaceley>
- **National Reform Programme, Progress Reports (last one: October 2009), in the framework of Lisbon Strategy for Growth and Jobs-Towards a Green and Innovative Economy**
http://www.mtas.es/es/pnr/Informe_Anual2009_PNR.pdf

BACKGROUNDS

Political agreement

May 2006- An Inter-ministerial Commission for the Incorporation of Environmental Criteria in Public procurement was created.

This Commission was in charge of drafting the GPP NAP, and submit it to the Council of Ministers for its approval.

That Commission created a work group for:

- analysis of the situation;
- products prioritized by the EC; studied which of these products ought to be included.

Award criteria

Measurable indicators will be assessed and taken into account, related, among others, to:

- life cycle cost
- lesser environmental impact
- more ecological production systems
- waste prevention and management,
- **recycled or re-used materials use,**
- water, materials and energy saving and safer use,

Execution criteria, Performance clauses. Include:

- Separate collection of waste and end-of-use products (Ex: Public works and maintenance of public buildings, paints and vernishes, kitchen oil in canteens, biowaste, paper, PCs and other IT equipments and WEEE, tonner, bulbs and other lighting devices, etc.)**
- Renewable use of energy supply, low sulphur contents in fuels (Ex: buildings heating, biodiesel in Ministries car network)**

BACKGROUNDS

Methodology (I): Work Group

1. Analysis of the tender documents.
2. The group elaborated a work document with the conclusions of the analysis of the situation and established a list of recommendations on the products that ought to be considered.
3. Guidelines and specific percentages were established on the basis of environmental and technical priorities and competences, taking into account the real volume of the public expenditure.
4. Main items and technical aspects were consulted to suppliers and other concerned agents

BACKGROUNDS

Methodology (II): Commission

1. On the basis of the Work Group conclusions, Negotiations among Ministries of Finance, Defence and Environment took place to fix the final document.
2. The Plan was adopted by the Council of Ministers on 11th January 2008 (BOE 31.01.2008)

BACKGROUNDS

Legal framework

2007- Order MAM/2116/2007, environmental criteria to be included in tender procedures in the Ministry of environment.

2007- Law 30/2007 on Contracts for the Public Sector (transposition of the Directive 2004/18/CE).

Spanish GPP NAP

Adopted by the Council of Ministers the 11 of January 2008 (BOE 31.01.2008)

Scope of application:

- The State General Administration;
- Its Public Entities;
- and the Managing Bodies of the Social Security

Spanish GPP NAP

GENERAL OBJECTIVE

- To articulate the connection between public procurement and the implementation of environmentally- friendly practices.
- Goals established by the European Community in the reviewed Sustainable Development Strategy (7greens) to be reached before 31 December 2010

Spanish GPP NAP

PRODUCTS GROUPS

- Construction and Maintenance
- Transport
- Energy
- Office equipment
- Paper/publications
- Furniture
- Cleaning
- Events

The NAP contains specific targets/goals for all the products and services groups included, in terms of % of purchasing and consumption, as well as purchasing guidelines.

Preliminary timeframe from 31th December 2010 to 31th December 2015 and aims will be reviewed at the end of 2010.

Spanish GPP NAP

It is not an aim of the NAP to develop specific environmental criteria for each group of product.

The Spanish National Strategy on GPP does not consider the implementation of the environmental criteria

The applied criteria are those that were developed by the European Commission (Training Toolkit)

However the NAP includes the elaboration of guidelines/manuals for Central Administration GPP related to cleaning products and services, maintenance and minor works of buildings, IT equipment, paper and publications

Implementation of the NAP on GPP

- Tendering procedures (good practices criteria)
- Training of the personnel in charge of the implementation of the NAP (both Purchasing and Contracting areas)
- Participation in awareness & training events in collaboration with Regional (Autonomous) and Local Administrations
- Preparation of 4 manuals included in the Plan
- Monitoring: January 2010 sending of a questionnaire to measure the level of GPP, as well as the contracting tender procedure to be assessed. At a first step, national monitoring will focus on purchase percentage; one expedient per Ministry and product will be assessed. Specific environmental indicators will be assessed by the EU Commission
- March 2010: Call of the Interministerial Commission for approval of the 4 manuals and study the outcome of the questionnaires that provide the basis for the General Report

Spanish GPP NAP

Implementation and follow up of the Plan

- Each Ministry, through its Undersecretary's office, shall be responsible for the application of the Plan.
- Ministry of Environment, and Rural and Marine Affairs has the Presidency of the Inter-ministerial Commission, is in charge of the Secretariat as well as of the logistics and proper administration functions.
- The Inter-ministerial Commission is appointed to incorporate Environmental Criteria to Public procurement processes.

Spanish GPP NAP

Implementation and follow up of the Plan

Inter-ministerial Commission functions:

- a) To receive the reports about achievements.
- b) To prepare biennial General Report on the state of Green Public Procurement .
- c) To collaborate at national and international level in the initiatives, networks and work groups that may be created in the scope of Green Public Procurement.
- d) To collect the necessary information for purposes of proposing to the Council of Ministers, if deemed necessary, the revision of the Plan in 2010.

SOME MAIN CONCLUSIONS

Key messages (I):

- *New (voluntary) agreements on planning. Reinforcing credibility; promoting new sustainable development models (in terms of social+economical+technical+environmental sustainability)*
- *New opportunities of Recycling market(s) and other recovery &/or valorization alternatives*
- *Best available technologies*

SOME MAIN CONCLUSIONS

Key messages (II):

- *Managing risk(s) in a sustainable way*
- *Recognizing the key role of SME & micro enterprises & self-employees in sustainable production patterns*
- *Innovation, less impacts in production & consumption & marketing & end-of-life, doing more with less in goods and services, lyfe-cycle criteria & approaches*
- *ETHICS, & Good Practices*

Thank you,

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and Rural and Marine Affairs*

Spain