

## **WASTE MANAGEMENT IN CYPRUS:**

### **NATIONAL STRATEGY AND WASTE MANAGEMENT PLANS.**

Cyprus is among the countries with the largest waste production the European Union (EU), since its mean waste production greatly exceeds that of the 28 member states. Particularly with regard to municipal waste, Cyprus holds the third place in the production of waste per inhabitant, far exceeding the equivalent EU average. According to Eurostat data, the per capita waste production in Cyprus in 2013 amounted to 624 kg, compared with the average waste production of the 28 EU member states, amounting to 481 kg per capita. It is noted that, according to the national Operational Program "Competitiveness and Sustainable Development 2014-2020", although EU policy is generally applied in Cyprus, an integrated and coherent approach has not been established in the waste sector, with negative results both in environmental protection and the rational management of resources, since only 20% of municipal waste is moved to recycling, while the rest is taken to landfills.

On the other hand, according to the latest available data of the national Statistical Service, which relates to the year 2012, the quantity of municipal waste collected for recycling in Cyprus is 81 kg per capita, far lower than the EU average which amounts to 131 kg per capita. According to the same source, the majority of municipal waste (78,8%) is discarded in landfills, indicating that the use of other waste treatment methods in Cyprus is limited.

Our Office, recognizing the importance of proper waste management, considered it important to conduct an audit evaluating the national strategy and determining whether the responsible bodies take all necessary measures for a rational, economical and environmental waste management system. The audit, which is still in progress and expected to be completed in 2017, focuses on specific waste streams, which were selected based on their significance, either due to size (waste volume) and/or the impact of their uncontrolled/inadequate management on the environment and public health (packaging waste, electrical and electronic equipment waste, batteries and accumulators, excavation, demolition and construction waste, and used tyres).

The main findings of the audit relating to the assessment of the National Strategy and the Municipal Waste Management Plans, which was completed by the date of issue of our Annual Report, are summarized below.

**Competent authority.** According to the Waste Laws of 2011-2015, the Minister of Agriculture, Rural Development and Environment (ARDE) is designated as the competent authority, except in specific cases where the Minister of Interior was until recently defined as the competent authority. On 5.2.2016 the Waste (Amendment) Law of 2016 was enacted, which deals with the transfer of these powers from the Minister of Interior to the Minister of ARDE.

#### **Solid Waste Management Strategy.**

- (a) Although efforts are made for the implementation of the EU environmental policy with regard to waste management, a comprehensive and contemporary strategy setting specific targets on the basis of clear timeframes has not yet been developed, nor has an

evaluation of the objectives set in the strategy adopted by the Council of Ministers in 2004 been performed.

**Recommendation:** The Department of Environment should proceed with the preparation of a new Strategy for the management of all waste streams, which takes into account, inter alia, the contemporary legislative framework and an in-depth evaluation of the 2004 Plan.

The Director of the Department of Environment informed us that the preparation of three management Plans is in progress, for the streams of tyres, oils and liquid fuels (motor oil) and the remaining waste categories (mostly industrial), upon completion of which he considers that the Republic of Cyprus will have a comprehensive established strategy, even if this is covered by four separate plans which include defined qualitative and quantitative targets.

- (b) **Municipal Waste Management Strategy (MWMS) 2015-2021.** According to article 28 of Directive 2008/98/EC on waste, member states shall establish one or more waste management plans, which set the framework, directions, actions, procedures and measures to protect the environment and human health, by preventing or reducing the adverse impacts of the generation and management of waste by applying the hierarchy of prevention, preparing for re-use, recycling, other recovery (e.g. energy recovery) and disposal (landfill).

In order for the Republic to comply with these obligations, the Department of Environment prepared the Municipal Waste Management Strategy (MWMS) for the years 2015 to 2021 and the Municipal Waste Management Plan for the same period, which were approved by the Council of Ministers on 5.11.2015. The main purpose of this strategy is to define the framework of actions, measures, conditions and procedures to be followed in the next six years for the management of municipal waste. In the current MWMS and its implementation plan, great emphasis is given to waste reduction actions and the implementation of separate collection schemes, while at the same time strengthening the role of local Authorities, with responsibilities and obligations which significantly increase the degree of their engagement in the rational management of waste.

We noted that, according to the International Standards of Supreme Audit Institutions (ISSAI 5130), the national environmental strategy should include a general strategic framework and procedures on coordination, monitoring and progress reporting. Additionally, according to good practice, the objectives of a strategy should be specific, measurable, realistic and linked to specific implementation timeframes. We found that the above have not been followed in the preparation of the new strategy, because, as we were informed, the strategy is essentially a summary of the Municipal Waste Management Plan.

**Recommendation:** The national environmental strategy should contain the above information.

The Director of the Department of Environment expressed the view that the Municipal Waste Management Strategy and the Municipal Waste Management Plan jointly constitute the political intent of the Republic for the management of municipal waste, are inter-complementary and cannot be separately considered or evaluated, therefore he considers that the above information is included. Our Office maintains its original view.

- (c) **Commission proposal for amendment of Directive 2008/98/EC on waste.** On 2.12.2015, the European Commission adopted a new circular economy package, which is expected to promote higher recycling and re-use rates. The key elements of the revised legislative proposal on waste include, inter alia, the increase of the target for preparing for re-use and recycling municipal waste to 65% by 2030 and the gradual limitation of the landfilling of municipal waste to 10% by 2030.

***Recommendation:*** In view of the new developments, the MWMS 2015-2021 and the relevant Management Plan not only become obsolete, but also pose the risk of launching costly structural projects which may be inconsistent with the EU policy and targets. Given the above, the Department of Environment should promote the preparation of a new MWMS which will propose immediate solutions to the serious problems that exist today, such as the closure of the Uncontrolled Waste Disposal Site (UWDS) in Kotsiatis the earliest possible, that are consistent with the new EU policy and targets.

The Director of the Department of Environment expressed the view that the information and planning included in the above documents can absolutely not be called obsolete or considered to pose the risk of launching costly structural projects which may be inconsistent with the EU policy or targets. He also informed us that a potential modification or preparation of a new MWMS in order to adjust the actions and targets, will be evaluated when the final circular economy package is approved at an EU level. Our Office expressed its reservations regarding the views of the Department.

- (d) **Operation of Uncontrolled Waste Disposal Sites (UWDS) in Kotsiatis and Vati.** The Republic of Cyprus was found guilty on 18.7.2013 by the European Court of Justice (ECJ), for the continued operation of uncontrolled landfills in Kotsiatis and Vati and non-restoration of uncontrolled landfills that have ceased to operate. Under the new Strategy, the operation of the Vati UWDS will be terminated upon operation of the Integrated Waste Disposal Installation (IWDI) in Pentakomo. However, a timeframe for the termination of the operation of the Kotsiatis UWDS has not been determined. We again noted that there is a material risk of a financial penalty being imposed on the Republic.

As is apparent from the above, the new Strategy does not seem to offer a definitive solution for the management of municipal waste in the Nicosia district, nor have implementation timeframes of any proposed solutions been set. We expressed grave reservations about the feasibility of constructing a sanitary landfill and processing plant in Nicosia by 2018, since no design parameters have been determined to date, while no

actions are foreseen that will liberate the State from the need to continue the operation of the uncontrolled landfill in Kotsiatis.

**Recommendation:** All necessary measures, which in any case should have been part of the relevant national Strategy, should be immediately taken, so that the two UWDS are shut down as soon as possible and financial penalties are avoided.

The Director of the Department of Environment informed us that the closure of the two landfills is foreseen and resolved the existing approved MWMS, with specific actions. He also informed us that the latest developments regarding municipal waste management, namely the operation of the IWDI in Koshi and the operation of the sanitary landfill in Paphos, caused significant delays which directly affect the timeframe for the planned actions and which the Ministry of ARDE is trying to address.

- (e) **Paphos sanitary landfill.** In the MWMS 2015-2021 the upgrade of the Paphos sanitary landfill with the installation of a treatment plant is proposed, without specifying the foreseen timeframe for completion nor the technology to be used.

**Recommendation:** A feasible and achievable timeframe for the upgrade of the Paphos sanitary landfill should be determined and its capacity and the technology to be used should be re-determined. The above should be done taking into account the new targets promoted at EU level.

The Director of the Department of Environment expressed the view that there is no need to determine implementation details of each action six years ahead, unless taking strategic measures is required, or technology, which is rapidly changing. He also informed us that the latest developments in the municipal waste management, namely the operation of the IWDI in Koshi and the operation of the sanitary landfill in Paphos brought about changes in the planned schedule, which, at this stage, the Department may not re-determine. Our Office expressed its reservations.

- (f) **Separate collection.** The proposed actions for the separate collection of 15% of organic municipal waste by 2021 are, in our view, vague and do not set clear and measurable targets nor timeframes so that their implementation can be monitored and evaluated.

**Recommendation:** The actions set to attain the target for the separate collection of 15% of organic municipal waste by 2021 should be clarified and be linked to quantifiable criteria, while targets should be set, with an annual achievement percentage for each activity, leading to the final target of 15%.

The Director of the Department of Environment expressed the view that for the achievement of the separate collection of 15% of organic municipal waste, specific actions within a specific timeframe are proposed in the Plan. Our Service maintains its original view.

- (g) **Municipal Waste Management Plan 2015-2021.** According to article 35 of the Law on Waste, as amended by the Waste (Amendment) Law 2016, the Council of Ministers, following the submission of a Proposal by the Minister of ARDE, who takes into account

the opinion of the Advisory Committee on Waste Management (ACWM), approves waste management plans and waste production plans. It is noted that the above arrangements were enacted as legislation as part of the compliance of the Republic of Cyprus with article 28 of Directive 98/2008/EC, while the preparation of a Waste Management Plan is one of the ex-ante conditionalities set by the European Commission for the use of the European Structural Funds, out of which related projects and programs are co-financed (IWDI of Pentakomo, Coastal Front Waste Management Programme, etc.). The deadline for compliance with these conditions ended in 2015.

We noted that the MWMS 2015-2021 and the Municipal Waste Management Plan for the same period, only concern municipal waste. As we were informed, under the relevant contract signed between the Department of Environment and a private company, a report is in progress relating to the management of other waste streams.

**Recommendation:** Following a thorough evaluation of the 2004 Strategy, a Strategy and Management Plans for the remaining waste streams should be prepared. Following this evaluation, amendments to the MWMS 2015-2021 and the Municipal Waste Management Plan should be made, where necessary.

The Director of the Department of Environment informed us that, at this stage, changes in the MWMS 2015-2021 and the Municipal Waste Management Plan are not planned, unless the need arises. He also informed us that, upon the completion of the approval process of three additional management plans concerning the waste streams of tyres, oils and liquid fuels, he considers that Cyprus will have a comprehensive established strategy.

- (h) **Local Authorities (LAs).** According to the new Strategy, the absence of specific obligations of the LAs, beyond the obligation to collect waste, is one of the limitations that do not contribute to the hierarchy of waste management and do not help the State achieve the desired targets. The new Strategy also mentions that in the previous Strategy and in the Management Plan, the role of local government is strengthened, with responsibilities and obligations which significantly increase the degree of involvement, since, to date, the LAs had a very low degree of involvement in rational waste management.

Despite the above, we noted that the Municipal Waste Management Plan indeed includes, inter alia, actions related to the LAs, yet without describing the precise infrastructure needed to allow all LAs to achieve the implementation of the Plan in the most efficient, effective and economic manner. We noted that the current lack of the necessary legislation defining the role, responsibilities and obligations of LAs, results in LAs delaying the establishment of necessary infrastructure to enable them to adequately respond the relevant requirements. Pursuant to the Waste (Amendment) Law of 2016, the Council of Ministers, following the submission of a Proposal by the ACWM, issues Regulations governing the preparation of local waste management plans and local action plans for the prevention of waste production, regarding waste streams that fall under the responsibility of local Authorities, in accordance with the provisions of the Municipalities Law and the Communities Law. We noted that this amendment is

not included in the draft amending legislation which was submitted as a Proposal of the Minister of ARDE and approved by the Council of Ministers at its meeting held on 29.10.2015.

**Recommendation:** The necessary legislation on the role, responsibilities and obligations of LAs should be enacted as soon as possible, while the Council of Ministers should be informed about the abovementioned modification.

The Director of the Department of Environment informed us that the Department is in the process of drawing up Regulations regarding the obligations, duties and responsibilities of the LAs, according to the provisions of the MWMS and the amended Waste Law of 2016.

- (i) **Information and awareness.** The Plan provides for the preparation and implementation of a three-year comprehensive campaign plan on information and public awareness, aiming to promote the concepts of prevention, re-use and recycling, and public participation in recycling activities of local communities. The LAs are key actors in this action, however the Plan does not include detailed descriptions of the information and awareness actions, which should be linked with an implementation timeframe and specific quantitative targets. We acknowledge that these actions are described in the Waste Prevention Programme 2015-2021, however, in our view, they should be linked to the Plan and quantitative targets.

**Recommendation:** The information and awareness actions should be defined and linked to timeframes and quantitative targets. Furthermore, the role, responsibilities and obligations of the LAs should be clearly set, given the important role they play in this effort.

The Director of the Department of Environment informed us that the plan includes the general strategy to be followed by the State to inform the public, LAs and other stakeholders, and action to be implemented need not be described in detail. The Director disagreed with our recommendation to link the information and awareness actions to quantified targets. Our Office does not share the views of the Department.

#### **National Waste Prevention Programme 2015-2021.**

According to the Proposal of the European Commission for the amendment of Directive 2008/98/EC on waste, waste prevention is the most effective way of improving the efficient use of resources and reducing the environmental impact of waste and it is therefore important that member states take appropriate measures to prevent waste generation and to monitor and evaluate implementation progress of these measures. Also, in accordance with article 4 of the Waste Framework Directive (2008/98/EC), waste prevention is the first priority axis in waste legislation and policy. Drawing up a waste prevention program is a requirement of article 29 of the Directive, according to which each member state should prepare waste prevention plans by 12.12.2013 at the latest. Corresponding provisions are also included in articles 35 and 36 of the national Waste Law. Almost two years after the

above deadline, the Council of Ministers, at its meeting held on 5.11.2015, approved the National Waste Prevention Programme for 2015-2021.

We noted that the Programme does not set quantitative targets, due to lack of data as is mentioned in the relevant Proposal submitted to the Council of Ministers. Moreover, the preparation of prevention programmes for waste streams other than those mentioned above has not commenced.

**Recommendation:** The Waste Prevention Programme should be modified so as to clarify the proposed actions and link these to annual quantified targets. Otherwise, both the implementation and the evaluation of the Programme will be hindered. Furthermore, we suggested the drawing up of Prevention Programmes for the remaining waste streams.

The Director of the Department of Environment informed us that the preparation of any other such programme is not intended before the implementation of the existing Programme. Our Office does not share the views of the Department.