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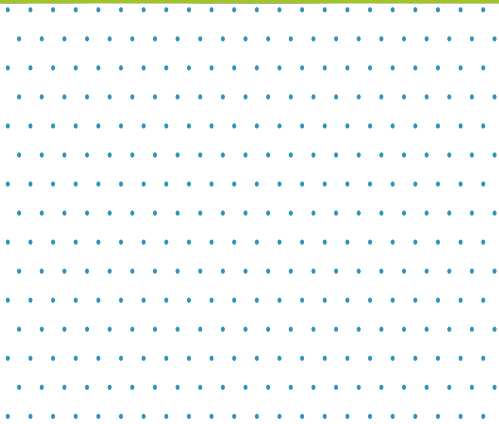
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Towards a Just and Inclusive Transition for Waste Pickers in the Plastics Treaty and Circular Economy

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Executive Summary

The average waste collection coverage in urban areas in Kenya is estimated at 20 -30%. Waste pickers play a critical role in bridging the waste collection service gap, as well as being a key link in the provision of raw materials for recycling industries. Despite their importance in the waste management sector, their efforts remain unrecognized at national and local levels, and their operations remain largely informal.

The waste pickers are victims of environmental injustices, characterized by exposure to toxic, unsafe and unhealthy work environments, disproportionately low pay/income, long working hours, and lack of access to vital resources such as information, markets, finance, training, and technology. Based on their role in waste management, waste pickers are a critical component of a toxic-free circular economy, and thus must be part of the discussions on circularity.

The policy brief is designed to promote the integration of waste pickers in formal waste management and a just and inclusive transition for waste pickers, within the framework of ongoing discussions on Plastic treaty and toxic-free circular economy.

Background

Kenya generates an estimated 22,000 tons of waste per day, translating to 8 million tonnes annually. About 40% of the waste generated is estimated to be from urban areas. ¹ Plastic waste has been a rapidly growing waste stream. The consumption of Plastics in primary and non-primary forms in Kenya increased from 453,783.5 tonnes in 2017 to 576,188.6 in 2021 declining slightly to 525,316.6 in 2022. Only 27% of the plastic waste generated in Kenya is collected, of which 8% is collected for recycling and the remaining 19% is disposed of in unsanitary landfills or dumpsites. ² The collection would extremely be lower without the work of the informal waste and recovery sector (IWRS) ³

The informal sector remains a critical player in the management of global plastic waste. According to estimates, 58 percent of all plastic waste collected and recovered worldwide is attributed to the informal sector.

Waste pickers primarily engage in areas where deficiencies in municipal solid waste management (MSWM) exist, often serving as the sole providers of waste collection and recovery services.³ The waste pickers have been an integral part of waste collection, sorting, and recovering of recyclables and reusable components from the general waste stream. These waste recovery activities significantly reduce the volume of plastics ending up in landfills and dumpsites thereby preventing plastic leakage into the environment. ⁴

The recovery and sale of recyclables and reusable

waste form the main component of waste pickers livelihood, while feeding the recycling industries with critical raw materials for production. Additionally, these activities generate economic benefits for the waste pickers and other individuals involved in the plastic waste value chain, while reducing costs for waste collection and transportation for municipalities.

The Informal Waste Recovery Sector (IWRS) transform discarded resources into economic opportunities, thereby reducing the environmental and public health repercussions of pollution. By doing so, they alleviate the financial burdens associated with waste management for municipal budgets. Additionally, they promote circular waste management solutions and help mitigate greenhouse gas emissions, making valuable contributions to sustainability efforts. ⁵

Environmental Injustices

The global problem of plastic pollution poses significant risks to human health, livelihoods, sustainable economies, and societies, as well as to the climate and ecosystems worldwide. These impacts are pervasive throughout the entire life cycle of plastics, and the consequences of mismanaged waste and pollution disproportionately affect marginalized communities and vulnerable livelihoods.

The IWRS bears the largest brunt of health and environmental risks associated with waste management. Waste workers unfairly shoulder the burdens of mismanaged waste and pollution by working in hazardous and perilous conditions without adequate protective gear, facing stigmatization, marginalization, exploitation, and poverty with pollution, by working in hazardous environments exposing them to air pollution, risk of cuts, and burns, and exposure to hazardous waste associated with reproductive complications as well as cancer.⁶

Despite their backbreaking work and exposure to numerous dangers, waste pickers earn an average of US \$2 a day, with men averaging a higher turnover than women waste pickers. These incomes are known to fluctuate and are heavily influenced by shifting prices of recyclables in the market.

Despite the critical role waste pickers play in the waste value chain, they face exclusion and discrimination. They are seldom invited to policy debates, leading to lack of information and vulnerability to exploitation. Without formal recognition and a collective voice, they are unable to negotiate for better conditions and are excluded from social protections.⁷ Waste pickers perpetually face harassment and discrimination from society as well as municipalities⁸

A thorough analysis of the policy framework in Kenya revealed priorities placed on private collection while overlooking the significant contribution of waste pickers in waste management. Adequate participation of waste pickers is hampered by the informal nature of

operations, limited access to small business support, and insufficient infrastructure.

Moreover, policies aimed at reducing plastic pollution frequently fail to sufficiently involve the expertise, capabilities, and insights of the Informal Waste Recovery Sector (IWRS). As a result, this intensifies the fragility of livelihoods and undermines the effectiveness of established informal recycling systems.⁹



The Need for a Just Transition

As defined by ILO, just transition of waste pickers will involve them getting most benefits out of the social and economic opportunities emanating from changes in production of plastics and the shift to other sustainable alternatives whilst significantly reducing and managing challenges that may result in the process such as job losses.

This transition is based on making visible those already working at all stages of the plastic value chain more specifically waste pickers by recognizing their fundamental human dignity and their historical contributions.

On March Second 2022, during the fifth UN Environment Assembly held in Nairobi Kenya, a decision was made by the assembly to establish an Intergovernmental Negotiating Committee (INC) to begin the process of negotiating a global treaty to address plastic pollution. The resolution recognized the role of waste pickers in the

collection, sorting and recycling of plastics in many countries and their ability to advise with regards to best practices.¹⁰

Yet in achieving their mandate, the Plastic treaty and regulations on Extended Producer Responsibilities have the potential to negatively impact the livelihood of thousands of waste pickers as a result of alterations in the ecosystem of waste generation, collection, and management. This has led to the need for establishing deliberate measures to facilitate a just transition of the waste pickers.

Conclusion

In conclusion, the important role of waste pickers in waste management, resource recovery, and environmental protection cannot be underestimated. Therefore, recognizing and supporting the formalization and integration of the informal waste pickers and individuals in the plastic value chain in all discussions on addressing plastics across its full life cycle and implementation of the policies and laws is crucial for achieving a fair, just, and inclusive transition to end plastic pollution. This way, the waste pickers will at every stage share their opinions and offer solutions that will be best suiting for them.

To address the challenges faced by these informal workers, comprehensive strategies that have been developed together with the waste pickers must be implemented. By embracing these measures, we can ensure a sustainable future where waste pickers and individuals in the plastic value chain are recognized, protected from losing their income and empowered to provide their valuable services in the new systems that will be created. This will subsequently facilitate their continued contribution to reducing plastic pollution, promoting sustainable cities, and safeguarding the well-being of all stakeholders involved through material recovery. It is a collective responsibility to work towards a fair and just transition that leaves no one behind.



Policy Recommendations



The treaty focal point should push and advocate for the following:

1. Meaningful waste pickers integration in discussions, negotiations and the implementation of the treaty.
2. The establishment of a mechanism to ensure a fair, equitable and inclusive transition for waste pickers in all countries
3. Prioritization of the employment of waste pickers in the new systems that will result from innovation in alternatives and the management of essential plastics.
4. Elimination of toxic chemicals and polymers in producing plastics to reduce the exposure of waste pickers to these chemicals that have proved to impact on their health.
5. The establishment of a requirement for producers and recyclers to buy recyclable plastics and collect reject plastic waste after paying a fair price from waste picker cooperatives or associations and autonomous self-employed waste pickers.
6. Improvement working conditions for waste pickers and other workers in plastic value chains by providing legal recognition and support for informal waste pickers, such as access to health care education and social security benefits.
7. Recognition of the role of waste pickers in plastic value chains and promotion of the circular economy by establishing partnerships with waste pickers for recovery of recyclable plastics through a Just Transition Program.
8. Establishment a requirement to use fees derived from EPR schemes to fund an upgrade of infrastructure and technical and management skills for informal waste pickers to function as waste collection and sorting cooperatives, associations and other forms of worker owned enterprises.
9. Mandatory reporting by member states and producers on engagement and partnerships with waste pickers with regards to plastic waste management, the extension of social welfare provisions and increases in waste picker income.

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