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Integration of Waste Pickers in the Implementation of the Extended Producer Responsibility (EPR) System in Kenya

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Centre for Environment Justice and Development (CEJAD) is a public interest Non-Governmental Organisation in Kenya. CEJAD works to promote sound management of chemicals and waste in order to protect the environment and human health, especially vulnerable populations. CEJAD is an accredited NGO to UNEP and undertakes advocacy programmes seeking to eliminate exposure to toxic chemicals by both humans and the environment.

<https://www.cejadkenya.org/>



Centre for Environment
Justice and Development

Authors

Griffins Ochieng, Dorothy Otieno and Ledoner Okeyo (Centre for Environment Justice and Development (CEJAD))

Reviewers

Nadia Manasfi and Filiz Jätzold (Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH),
Karen Birdsall

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Executive Summary

Kenya is shifting from a largely linear waste management system characterised by *'take-make-use-dispose'* practices to a circular economy that promotes waste prevention, reduction, reuse, recycling and resource recovery. This transition is being spurred by major legislative reforms, including the Sustainable Waste Management Act (2022) (SWMA) and the Extended Producer Responsibility (EPR) Regulations (2024), which create a framework for environmentally sound waste management and require producers to be responsible for the post-consumer waste generated from their products and packaging.

The success of Kenya's EPR system will depend on the extent to which national and county governments, producer responsibility organisations (PROs), manufacturers, importers, brand owners, and other stakeholders recognise waste pickers as key partners in achieving effective waste management. Waste pickers are an integral part of Kenya's waste management value chain: they collect, sort and recover recyclable materials that would otherwise end up in dumpsites, waterways and the environment. However, challenges such as restrictive licensing requirements, limited access to waste infrastructure, and inadequate compensation mechanisms keep them on the sidelines of decision-making and financing mechanisms in the waste sector.

Without deliberate integration into formal waste management systems, there is a risk that waste pickers will continue to operate under unsafe and precarious working conditions, while remaining

excluded from the economic and social benefits created by the EPR framework. Not only would this undermine the principles of the just transition, but it could increase the overall costs of implementing EPR by requiring the establishment of new collection systems, the recruitment and training of new workers, and the development of new sorting and recovery networks.

This brief presents recommendations, drawn from a literature review and a series of stakeholder consultations, for structured interventions that can support the integration of waste pickers into the EPR framework in Kenya. These include:

- » Harmonising the licensing and compliance requirements for waste management,
- » Providing waste pickers with fair compensation for the essential work they perform,
- » Ensuring the participation of waste pickers in EPR governance and decision-making spaces,
- » Promoting transparency and accountability through independent EPR audits, and
- » Improving waste pickers' access to information about, and awareness of, EPR systems.

An inclusive EPR system that builds upon and strengthens the existing contribution of waste pickers will not only improve environmental outcomes, but also promote social justice, decent livelihoods, and a more resilient and equitable waste management sector.

Contents

Executive Summary	iii
Introduction	5
The purpose of this brief	7
Key barriers to the inclusion of waste pickers in the EPR system	7
1. Slow public compliance with the legal requirements to separate waste at source	7
2. Mismatch between EPR legal requirements and local waste pickers' realities	7
3. High licensing costs and compliance requirements	7
4. Limited awareness of the EPR system	8
5. Minimal inclusion and participation in decision-making processes	8
6. Absence of accessible grievance and reporting mechanisms	8
Recommendations for the integration of waste pickers in the EPR system	8
1. Harmonise licensing costs and compliance requirements	8
2. Ensure fair compensation for waste pickers	8
3. Empower waste pickers to meaningfully participate in the EPR system	9
4. Employ waste pickers in material recovery facilities	9
5. Engage waste pickers as drivers of behaviour change to advance waste separation at source	9
6. Improve waste pickers' awareness of the EPR system	9
7. Facilitate the participation of waste pickers in EPR governance and decision-making spaces	9
8. Establish and strengthen grievance mechanisms for waste pickers at county and national levels	9
9. Promote transparency and accountability through independent EPR audits	10
Conclusion	10

Introduction

Kenya is experiencing a rapid rise in waste generation due to urbanisation, population growth, changing consumption patterns and the increased use of synthetic materials, including in plastic packaging and electronic products. The growing volume of plastic, organic, and hazardous waste is increasing the pressure on the country's waste management systems and contributing to environmental pollution.

Despite ongoing efforts by county governments, informal waste pickers, and private sector actors, waste segregation, collection, and recycling systems remain inadequate in many urban and peri-urban areas. Consequently, a large proportion of waste continues to be improperly disposed of in open dumpsites, drainage systems, water bodies, and through informal burning, with serious consequences for the environment and public health.

In response to these challenges, Kenya's Ministry of Environment, Climate Change and Forestry, which provides policy direction for and oversight over waste management, has introduced progressive legal and policy reforms. These include the [Sustainable Waste Management Act \(SWMA\) \(2022\)](#), which established Extended Producer Responsibility (EPR) as a mandatory approach to managing post-consumer waste. To operationalise the EPR provisions of the Act, the Ministry subsequently developed the [Sustainable Waste Management \(Extended Producer Responsibility \(EPR\) Regulations \(2024\)](#), which set out the institutional arrangements, roles, responsibilities, and compliance requirements for producers and producer responsibility organisations (PROs).

The key stakeholders and their roles are as follows:

» The **National Environment Management Authority (NEMA)** is the lead regulatory agency responsible for implementing, coordinating, monitoring, and enforcing the EPR Regulations. It oversees the implementation of the framework by registering producers and PROs, monitoring and enforcing compliance, and conducting stakeholder sensitisation on the EPR system.

- » Under the EPR framework, **producers** that place products and packaging on the Kenyan market are responsible for managing the waste generated throughout the product life cycle, including its collection, recycling, and environmentally sound disposal. Producers may fulfil these obligations either individually or collectively through PROs, which coordinate waste collection, recycling, reporting, and compliance with legal requirements.
- » **PROs** play a central role in organising and financing the recovery of post-consumer waste. They are required to enter into contractual agreements with licensed waste service providers to undertake waste collection, sorting, and recovery activities. In fulfilling these obligations, PROs incentivise recyclers to purchase recyclable materials from waste aggregators, promote waste recovery, and conduct awareness and sensitisation programmes for county governments and waste service providers on the implementation of the EPR Regulations.
- » **County governments**, which are constitutionally mandated to provide waste management services, complement these efforts by investing in waste management infrastructure, licensing waste service providers and waste picker organisations, and facilitating the delivery of waste management services within their respective jurisdictions.
- » **Waste pickers** – individuals who engage in the collection, segregation, sorting, and sale of recyclable materials such as paper, plastic, metal and glass, including reuse workers operating in informal or semi-formal capacities¹ are also critical actors within this system. Through their collection and material recovery activities, they complement formal waste management efforts by supplying recyclable materials to the recycling value chain and making a significant contribution to resource recovery and environmental sustainability.

¹ International Alliance of Waste Pickers, 2021. [The International Alliance of Waste Pickers Position on EPR](#)

Although some waste pickers in Kenya are organised into formal associations, cooperatives, and community-based organisations², their work remains largely informal, under-recognised and insufficiently integrated into formal waste governance systems. The reasons for this lie in the historical marginalisation and stigmatisation of waste pickers, their limited access to resources and social protection, and their exclusion from policy and decision-making processes³. These barriers constrain the ability of waste pickers to participate effectively in, and benefit from, Kenya's newly introduced EPR system.

Waste pickers face numerous occupational and economic challenges. They are frequently exposed to hazardous waste and unsafe working conditions, have limited access to personal protective equipment, and may not be able to access health services when needed. In addition, they face exclusion from formal contracts and waste value chains, restricted access to waste streams due to privatisation and zoning arrangements, limited participation in the development of regulations that affect their livelihoods, and low and unstable incomes resulting from market and policy barriers.

Women waste pickers face additional gender-specific challenges that compound these vulnerabilities. They often experience unequal pay and lower earnings than their male counterparts,

harassment and sexual exploitation in the workplace, and inadequate access to sanitation facilities, which undermines their dignity, privacy, menstrual hygiene, and personal safety.

Without deliberate and structured integration into formal waste management systems, waste pickers will continue to operate under unsafe and precarious conditions while remaining excluded from the economic and social benefits created by the EPR framework.

Their continued exclusion would not only undermine the principles of a just transition, which promotes a fair and inclusive shift to sustainable systems by safeguarding the livelihoods and rights of affected workers and communities, but could also increase the costs of implementing EPR by requiring the establishment of new collection systems, the recruitment and training of new workers, and the development of new sorting and recovery networks. Integrating waste pickers into formal waste management systems, by contrast, would build on existing knowledge, networks, and infrastructure, thereby improving the efficiency, inclusiveness, and sustainability of Kenya's waste management system.

² Kain JH, Zapata P, Mantovani Martiniano de Azevedo A, Carenzo S, Charles G, et al. (2022) Characteristics, challenges and innovations of waste picker organizations: A comparative perspective between Latin American and East African countries. PLOS ONE 17(7): e0265889. <https://doi.org/10.1371/journal.pone.0265889>

³ Izidoro LG, Trevizan AF. Waste pickers in extended producer responsibility policies: A comparative analysis of Brazil and the European Union. RECIEL. 2025; 34(2): 352-364. doi:[10.1111/reel.70014](https://doi.org/10.1111/reel.70014)



The purpose of this brief

This technical brief targets institutions responsible for the implementation and enforcement of the Sustainable Waste Management Act (2022) and the Extended Producer Responsibility Regulations (2024) in Kenya, including NEMA, county governments and PROs.

It highlights key barriers to the inclusion of waste pickers in the implementation of the laws. It also provides recommendations on how to meaningfully and effectively integrate waste pickers and support inclusive and sustainable waste management practices.

The barriers and recommendations described below are informed by discussions held during waste picker training sessions and multi-stakeholder sensitisation forums on the implementation of the Sustainable Waste Management Act (2022) and the EPR Regulations (2024) conducted during 2025 and 2026 in Kisumu, Nakuru, Nairobi, Trans Nzoia, and Uasin Gishu counties. These engagements brought together diverse stakeholders, including waste pickers, recyclers, civil society organisations, PROs, representatives of county governments, NEMA, the Ministry of Labour, the Department of Occupational Safety and Health Services (DOSHS), and other key actors in the waste management sector.

Key barriers to the inclusion of waste pickers in the EPR system

The following are key barriers to the inclusion of waste pickers in the implementation of the SWMA and EPR laws:

1. Slow public compliance with the legal requirement to separate waste at source

Although Kenya's waste management laws require mandatory separation of waste at source, this has not yet been fully implemented. Limited segregation of waste at source by households and businesses remains a significant challenge to sustainable waste management and recycling. This is further compounded by limited awareness among the public. The public continues to dispose of recyclable and non-recyclable materials together, reducing the quality and value of recoverable materials and increasing the burden of sorting on waste pickers.

The lack of effective source separation also affects waste pickers' participation in the EPR system. Because recyclable materials are mixed with other waste, waste pickers require more time to collect and sort sufficient quantities of clean recyclables. This makes it difficult for them to achieve the recovery tonnage targets required by PROs within the agreed timelines. Consequently, many waste picker groups struggle to qualify for contractual arrangements or Memoranda of Understanding (MoUs) with PROs, limiting their ability to participate meaningfully in the EPR system and to benefit from the opportunities it provides.

2. Mismatch between EPR legal requirements and local waste pickers' realities

Under the EPR framework, PROs are responsible for ensuring that waste from their members' products and packaging is properly managed. This requires them to work with and compensate waste pickers, who are the primary drivers of Kenya's recycling system. However, current regulations only allow PROs to contract licensed waste service providers, thereby excluding many unlicensed waste pickers who provide the majority of recovery services. This creates a gap between the legal framework and the practical realities of Kenya's recycling system.

3. High licensing costs and compliance requirements

Waste pickers perceive licensing costs for waste management services to be prohibitively high. The licences required to conduct waste management activities include licences issued by NEMA for Material Recovery Facilities (MRFs) and licences for waste collection trucks, as well as permits and recognition fees paid to county governments.

Waste pickers who conduct household waste collection often serve middle- to low-income areas and receive only modest payments – in some cases as little as KES 30, 50, or 100 per household per month. These low service fees generate limited income, making it difficult for waste pickers to cover operational costs and to meet the various licensing requirements. Yet, without licences, they remain unable to enter into formal contracts with PROs, which means that their working conditions and livelihoods will remain unchanged at best or threatened at worst. This prevailing system continues to lock them out of opportunities presented by the transition to the EPR system.

4. Limited awareness of the EPR system

Waste pickers often have limited knowledge about the EPR system, limited access to information about it, and little understanding of the roles, rights, and opportunities available to them under EPR. This limits their meaningful participation in EPR-related processes, perpetuates a lack of clarity about their obligations in EPR implementation, and prevents waste pickers from effectively engaging with PROs and government institutions.

5. Minimal inclusion and participation in decision-making processes

Waste pickers face multiple governance and inclusion challenges within Kenya's waste management system. These include lack of formal recognition within waste governance structures; inadequate consideration of their views and concerns during public participation processes; and inadequate consultation and meaningful engagement in the planning, development, implementation, and review of the waste management and EPR systems. Decisions that directly affect waste pickers' livelihoods are often made without their full and effective participation.

6. Absence of accessible grievance and reporting mechanisms

Many waste pickers face challenges in reporting concerns related to the implementation of the waste management laws as a result of their limited access to safe, effective and responsive grievance mechanisms. While existing mechanisms, like the National Environment Complaints Committee (NECC) and the National Environment Tribunal (NET)⁴, provide avenues for addressing environmental grievances, they are not always easily accessible to waste pickers. As a result, they continue to face unfair treatment, unsafe working conditions, discrimination, harassment, delayed payments, and/or exclusion from the EPR system.

Recommendations for the integration of waste pickers in the EPR system

There is an urgent need for coordinated policy, regulatory, and institutional actions to strengthen the implementation of the Sustainable Waste Management Act and the Extended Producer Responsibility Regulations to enable the integration of waste pickers in the EPR system.

The following recommendations can guide national and county governments, PROs, and other stakeholders in advancing an inclusive, effective, and environmentally sound EPR system.

1. Harmonise licensing costs and compliance requirements

NEMA and county governments should harmonise waste management licensing costs and compliance requirements to reduce the compliance hurdles for waste pickers. This should include consolidating overlapping licences and permits, where possible; simplifying licensing procedures; and reviewing fee structures to ensure that licensing costs are affordable and proportionate to the scale of waste picker operations. Special consideration should be given to community-based waste picker organisations in the form of subsidised licensing, phased compliance systems, and technical support programmes.

2. Ensure fair compensation for waste pickers

PROs should ensure that a fair share of EPR contributions reaches waste pickers through transparent compensation mechanisms, including collection incentives, service contracts, and minimum guaranteed prices for recovered materials adjusted for inflation. EPR financing should cover fair remuneration, environmental services, operational costs (such as training, organisation, infrastructure, sanitation, innovation, administration, legal support, outreach, compliance, and emergency response), while guaranteeing waste pickers' access to rights-based labour and social protection schemes through public systems supported by EPR funds. These benefits should be available to all waste pickers⁵.

⁴ Established under the Environmental Management and Co-ordination Act, (EMCA), 1999

⁵ [International Alliance of Waste Pickers, 2021. The International Alliance of Waste Pickers Position on EPR](#)

3. Empower waste pickers to meaningfully participate in the EPR system

The relationship between waste pickers and PROs can be symbiotic. The success of PROs is largely dependent on waste pickers, so PROs should aim to ensure that waste pickers can optimise the recovery of materials. This can be done, for example, by providing support to obtain licences and set up MRF structures, as well as through the provision of collection tricycles/trucks and the establishment of reliable networks with recyclers. Waste pickers, on the other hand, can provide data on waste they collect, which is useful for PROs in reporting on their performance in meeting recovery targets.

4. Employ waste pickers in material recovery facilities

County governments should prioritise the employment of waste pickers within county-operated material recovery facilities. This would sustain the waste pickers' livelihoods, provide a clean and safe working environment, and utilise existing expertise in waste sorting and recovery.

5. Engage waste pickers as drivers of behaviour change to advance waste separation at source

Waste pickers engage with the public they serve on a regular basis – often weekly, or even more frequently. Through these interactions, they have established trusted relationships with residents and business owners. Waste pickers are therefore well positioned to support awareness creation on waste separation at source, as well as to monitor and evaluate its implementation.

County governments should recognise waste pickers not just as pickers, but also as educators supporting the transition to a circular economy. County governments and NEMA can give authority to waste pickers to educate the public and to report on non-compliance with the provisions on waste separation at source.

Such interventions at a decentralised level will help to shift public behaviour away from current practices of mixed disposal towards waste separation at source. Additionally, county governments, NEMA and PROs can jointly enter into formal consultations and agreements with waste pickers on how the public education exercise can be conducted, and how waste pickers can be compensated to implement this work on their behalf.

6. Improve waste pickers' awareness of the EPR system

PROs should provide regular training and awareness programmes on the EPR system to waste pickers to enable their effective participation in the system. Information on EPR should be shared in simple and easy-to-understand formats (including translation into local languages). [Simplified versions of the Sustainable Waste Management Act, 2022](#) and the [Sustainable Waste Management \(Extended Producer Responsibility\) Regulations, 2024](#), such as those developed by CEJAD, provide a useful model for making EPR information more accessible to waste pickers and other stakeholders. Training should be conducted before the rollout or operationalisation of EPR activities at the county level and whenever major changes are introduced. Training should also clearly highlight opportunities for waste pickers to formally participate in the EPR system.

7. Facilitate the participation of waste pickers in EPR governance and decision-making spaces

National and county governments, NEMA, and PROs should establish formal mechanisms for the participation of waste pickers in EPR decision-making structures and policy dialogues. Waste picker organisations should be represented in county waste management committees and EPR implementation discussion fora, and should be part of negotiations affecting collection and recovery systems. In addition, a multi-stakeholder EPR implementation and advisory committee should be established at the national level to provide oversight, coordination, and guidance on EPR implementation. The committee should include representatives of waste picker organisations and other relevant stakeholders.

8. Establish and strengthen grievance mechanisms for waste pickers at county and national levels

National and county governments, NEMA, and PROs should establish accessible, transparent, and confidential grievance and reporting mechanisms that enable waste pickers to safely raise concerns, complaints, and work-related issues without fear of retaliation. These mechanisms should be available through multiple channels, including community focal points, hotlines and digital platforms.

9. Promote transparency and accountability through independent EPR audits

Regular independent and publicly accessible audits of the EPR system should be conducted by NEMA to assess financial accountability, socio-economic impacts, and the inclusion of waste pickers. Audit findings should include disaggregated data on employment conditions, leadership representation, material recovery performance, and financial management, with all information made publicly available to enhance transparency and accountability⁶.

Conclusion

Kenya has made significant progress in establishing a policy and regulatory framework that supports sustainable waste management, promotes circular economy principles, and places responsibility on producers for the management of post-consumer waste. The Sustainable Waste Management Act, 2022 and the Extended Producer Responsibility Regulations, 2024, provide an important foundation for improving resource recovery, reducing environmental pollution, and advancing a more sustainable waste management system.

As the country moves from policy development to implementation, it is important to ensure that the transition to the EPR system does not unintentionally exclude or disadvantage waste pickers, who currently play a central role in the collection, sorting, and recovery of recyclable materials. While EPR presents significant opportunities to improve waste management

systems – such as increasing collection and waste recovery rates, creating green jobs through material recovery facilities, and promoting producer accountability in managing the waste they produce – it also presents risks. These include the displacement of waste pickers and the unequal distribution of benefits if inclusion measures are not deliberately incorporated into implementation processes.

The success of Kenya's EPR system will depend on the extent to which national and county governments, producer responsibility organisations, manufacturers, importers, brand owners, and other stakeholders recognise waste pickers as key partners in achieving effective waste management. This requires structured interventions that support their organisation, formalisation, capacity development, occupational safety, fair remuneration, participation in decision-making processes, and licensing. An inclusive EPR system that builds upon and strengthens the existing contribution of waste pickers will not only improve environmental outcomes, but also promote social justice, decent livelihoods, and a more resilient and equitable waste management sector. Rather than displacing waste pickers, EPR implementation should seek to optimise their contribution and position them as integral actors in Kenya's transition towards a circular economy.

⁶ [International Alliance of Waste Pickers, 2021. The International Alliance of Waste Pickers Position on EPR](#)