



**Dear Member of Parliament / Senator / Governor / County Chief Whip,**

**REF: PETITION TO UNDERTAKE LEGISLATIVE AND STRUCTURAL INTERVENTIONS TO PROTECT THE RIGHTS OF KENYAN WASTE PICKERS**

We are writing to draw your attention to a national problem of exploitation of waste pickers in the country.

Waste pickers undertake a fundamental role in the Kenyan society. They pick waste from homes, offices, streets, and work on dumpsites to recover materials for recycling, contributing tremendously to circular economy. They are however ignored by both government, industry and other stakeholders and are hardly involved in important decisions affecting their work.

An investigation by Clean Up Kenya and Nairobi Recyclers across the country has revealed that many of these waste pickers are vulnerable persons, some struggling with drug addiction and many are children. We recently shared shocking photographic evidence of children as young as six years working on dumpsites with Hon. John Kiarie, the Member of Parliament for Dagoretti South, at an event in Nairobi, who has subsequently requested a statement from the Chairperson of the Department Committee on Labor and Social Welfare on the steps the Ministry of Labor is taking to protect vulnerable children from child labor in waste management.

We also note, that there are no national or county laws recognizing the work of informal waste pickers or protecting their rights as workers. Yet many waste pickers, particularly those who work in informal circumstances, provide '**subsidy work**' to government, work for which they are not compensated.

If informal waste pickers were not doing this work, county governments would be forced to spend additional billions of shillings to collect waste from homes and streets and recover materials from dumpsites, as not to do so would reduce the lifespan of a dumpsite. Or the materials would have to be incinerated in open air on our highly unregulated dumpsites. This would increase air pollution, compromise the health of urban populations and increase the national health budget.

The industry on the other hand has also often used waste pickers as pawns in their fight with government to manage plastic waste. In 2018, Kenya Association of Manufacturers fearing that plastic bottles would be banned after the landmark banning of plastic carrier bags, came up with a program aimed at increasing collections of PET plastics from the environment by offering a subsidy for every kilo of PET collected. The media then shortly reported that Coca-Cola was committing 4 billion Kenya shillings to fund this subsidy program. Unfortunately, none of this money has been given to waste pickers but only ends up in the coffers of a few recyclers and entities selling the false narrative of 'people empowerment' using slogans such as '**taka ni mali**'.

This year, Kenya Private Sector Alliance teamed up with foreign entities to set up Kenya Plastic Pact. This pact sets ambitious targets for recovery of plastics from the environment. Unfortunately, waste pickers have largely been ignored in setting up of this pact and there are concerns that waste pickers will further be exploited to meet these targets.

Private waste management companies have also failed to protect waste pickers by underpaying them and failing to protect their right to safety and health.



We are also aware of organizations within civil society who receive millions of shillings from donors under the pretext that they are trying to formalize waste pickers in the country, holding so called capacity building meetings in five-star hotels while failing to address the root cause of the plight of waste pickers.

We are therefore requesting that as a leader you use your influence in parliament or the county assembly to push for and prioritize legislative and structural interventions to address the plight of waste pickers across the country.

To achieve this, we are proposing these FIVE interventions;

1. Work to ensure waste pickers are recognized by the Government of Kenya for their role in waste management and the economy. To this end, appropriate legislation at both the national and county levels have to be prioritized.
2. Work to ensure government makes policies that protects the exploitation of these groups of workers from the industry and other parties.
3. Work to ensure waste pickers are appropriately involved in decision making on matters affecting their work. This is only possible if waste picking groups are formalized starting at the sub-county level. To this end, government must support financially the formalization of these groups.
4. Work to ensure waste pickers are appropriately compensated for their work in waste management. Since waste management is a devolved function, counties have to accept that they have benefitted from **'free labor'** from these workers and immediate remedial interventions should be prioritized.
5. Work to ensure that waste pickers are not taken advantage of by the industry and other parties. Of immediate interest is to ensure their rights are protected in the proposed 2021 Extended Producer Responsibility law.

On behalf of the organizations supporting this petition, sincerely,

Betterman Simidi Musasia

Founder & Patron

Clean Up Kenya

Stanley Didi

Coordinator

Nairobi Recyclers