



## Country case study in Nigeria

# Challenges and opportunities in the informal waste sector

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### Introduction

Nigeria is one of the largest producers of waste in Africa with an estimated output of 32 million tonnes of solid waste per year. Without access to waste collection, the majority of residents are forced to dump waste in 'burrow pits' and vacant land, or otherwise leave it to end up in sewers, water bodies and roadsides. The lack of adequate solid waste management (SWM) in Nigeria has created serious health challenges for humans and animals, and caused significant environmental degradation.

The majority of recyclable waste collection is carried out by the informal waste sector (IWS). The IWS includes waste pickers, informal actors within the SWM system who earn an income through collecting, sorting, and selling waste materials, as well as middle men, aggregators, scrap dealers and other informal waste management actors. Despite the crucial role waste pickers play in tackling the plastic pollution crisis, their human rights and livelihoods are not sufficiently protected by the state or respected by businesses. Waste pickers in Nigeria frequently experience human rights impacts such as inadequate income, poor working conditions, and threats to their livelihoods. The launch of extended producer responsibility (EPR) in Nigeria brings with it both the potential to establish inclusive policy in partnership with the IWS, as well as a further threat.

This case study explains the challenges experienced by waste pickers in Nigeria, and explores the relationship which currently exists between fast-moving consumer goods (FMCG) companies, governments and the IWS in Nigeria. Drawing on learning from existing initiatives and policy, recommendations for FMCG companies and governments are made as to what the opportunities are to ensure that waste pickers rights and livelihoods are respected and protected.

### Methodology

Semi-structured interviews were conducted over WhatsApp between October 2021 and July 2022 with representatives from the National Association of Scrap and Waste Workers (NASWON), industry and government in Nigeria. This paper also draws information from relevant websites, grey literature, and academic journals.

## The informal waste sector in Nigeria

It has been estimated that there are over a million people earning an income as waste pickers in Nigeria.<sup>1</sup> Their contribution to waste collection subsidises the lack of government collection services, and, as a result, saves municipalities significant expenditure every year. This research finds that, despite the enormous and critical contribution they make to waste management and recycling, waste pickers face many challenges.

1. **Income** – In interviews, low and unstable income was frequently mentioned. Waste pickers are typically not compensated for their labour and often receive low remuneration for their collected materials.
2. **Access to financial services and support** – Waste pickers also reported experiencing barriers to accessing financial services and support due to barriers in literacy, lacking the required documentation and being unable to spend time on the process of registration.<sup>2</sup> Many waste pickers also expressed retirement and sickness as a particular concern, highlighting that, despite the fact that they have provided a public service, they will receive no support when they can no longer work.
3. **Working conditions** – The working conditions of many waste pickers also pose significant health and safety risks. Contaminated materials, sharp objects, fires, trucks, and the vermin attracted by waste can cause physical harm and disease. Other health risks at dumpsites include fume inhalation, exposure to temperature, and fatigue from long working days and weeks.<sup>3</sup>
4. **Covid-19** – During the pandemic, waste pickers were among those most at risk due to lack of PPE, poor access to healthcare and increased exposure to potentially contaminated waste.
5. **Discrimination and stigma** – Public perceptions of waste pickers in Nigeria are also broadly negative. Many waste pickers report that they have experienced harassment, discrimination and hostility from civilians and law enforcement.
6. **Gender** – Women waste pickers face specific challenges such as sexual harassment, strain from carrying out sustained physical work and need for private sanitation facilities.
7. **Movement up the value chain** – Waste pickers also reported experiencing significant challenges in moving up the value chain in terms of access to finance, machinery and equipment, and training.
8. **Access to waste materials and land** – Finally, some waste pickers reported experiencing challenges in accessing land on which to collect and store recyclable materials.

Many of these issues are linked with challenges many Nigerians experience with regards to education, employment and urban migration.

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<sup>1</sup> Adepitan, A. 2012.

<sup>2</sup> W.A.S.T.E Africa. Interviewed 2021.

<sup>3</sup> Heinrich Böll Stiftung. 2020.

## Fast-moving consumer goods companies and the IWS in Nigeria

Under EPR, the relationship between FMCG companies and the IWS in Nigeria is mediated through a producer responsibility organisation (PRO) called the Food and Beverage Recycling Alliance (FBRA). FBRA was established by the Nigerian Bottling Company, the Seven-Up Bottling Company, Nestlé and Nigerian Breweries in 2018.

FBRA holds a relationship with a number of collection centres, which supply recycling centres with collected material. Collection centres may be supplied by waste pickers directly, or through informal aggregators, who purchase material from waste pickers themselves.<sup>4</sup>

Companies are also linked to initiatives with the IWS through corporate social responsibility (CSR) approaches. For example, through its philanthropic arm, The Coca-Cola Foundation (TCCF), The Coca-Cola Company (TCCC) provided a grant to W.A.S.T.E Africa to establish recycling hubs and conduct a number of outreach initiatives. The following learning has been drawn from an examination of the FBRA's initiatives and companies' CSR projects.

### ***Income security***

In 2020, FBRA instated a Covid-19 subsidy initiative to stabilise the price waste pickers received for collected plastic by subsidising 50 per cent of the rate. While this was only a temporary measure, the initiative illustrated that income security for waste pickers could be advanced through using EPR fees to stabilise prices for collected materials, and had the additional benefit of driving increased collection rates.

### ***Safe, fair and beneficial working conditions***

Some initiatives by FBRA and CSR approaches have sought to respond to the challenges waste pickers face in terms of adequate working conditions through distributing PPE, conducting health and safety training, and organising medical check-ups. However, there is not yet evidence of initiatives from FMCG companies contributing to remedying poor working conditions through more systematic human rights due diligence processes in their value chains, or through lobbying the government to improve health and safety at dumpsites.

### ***Enabling participation and movement up the value chain***

NGOs, FBRA and private waste management companies have been able to assist a limited number of waste pickers through trainings related to financial literacy and business skills. Waste pickers who benefitted were positive about the trainings, but there is no evidence of more substantial support. Many waste pickers expressed the need for finance, equipment, machinery and land access in order to move up the value chain.

### ***Working towards ending child labour<sup>5</sup> in plastic waste supply chains***

FBRA audits their collection centres and collectors for child labour. However, action to end child labour must be taken with great care, as disengaging with waste pickers for this reason may further negatively impact families who are already extremely financially vulnerable. In the context of Nigeria, child waste picking is closely linked to lack of access to education and child care.

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<sup>4</sup> FBRA. Interviewed 12/11/2021.

<sup>5</sup> Not all work done by children under the age of 18 is child labour. According to the ILO, child labour is any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons. (ILO. 1973. Article 3.)

### ***Supporting the organisation of the IWS***

Registration as a formal organisation is a contentious issue for some waste pickers. While the concerns that waste pickers have around registration are well founded, data on the IWS is necessary to advance their integration into EPR and formal SWM systems. FBRA is currently exploring with NASWON the possibility of establishing a database of their members. However, organisation of the IWS requires funds for expenses such as administration, and no producers are currently financially supporting the IWS to organise in Nigeria.

### ***Promoting public awareness and recognition***

Some measures have been taken to improve public awareness and acceptance of the IWS in Nigeria by FBRA and formal collectors, but do not yet meet the scale of change that is needed. In interviews, waste pickers identified public events, workshops and trainings as potential ways to improve public perceptions about their work. One initiative, supported by TCCF, helped to provide ID cards to waste pickers and was also a positive advancement in promoting awareness of and respect for waste pickers.

### ***Consultation and collaboration***

There is evidence that FBRA has endeavoured to consult and work with NASWON as EPR continues to be rolled out in Lagos. EPR roll out occurs at the level of municipalities, so it is key that in each context, waste pickers are included in the design, implementation and monitoring of EPR programmes and are able to contribute to stakeholder forums. Some waste pickers interviewed note that they are not consistently invited to multi-stakeholder forums by the government and industry.

### ***Working towards government-mandated EPR frameworks***

EPR in Nigeria has not yet been implemented nationally, although the policies do exist. Lagos is at the forefront of the roll out of EPR, and even there, there is low compliance among producers: in 2020, FBRA represented just 21 food and beverage companies in Nigeria. Producers are able to comply with the requirements of EPR, even in absence of enforcement, and government and state authorities must roll out EPR in partnership with the IWS.

## **Recommendations for FMCGs**

In 2022, the leading centre of expertise on the UN Guiding Principles (UNGPs) on Business and Human Rights worked with four FMCGs, the Coca-Cola Company, PepsiCo, Unilever and Nestlé, and Tearfund, to apply the responsibilities outlined in the UNGPs to the IWS.<sup>6</sup> The Fair Circulatory Principles and the Fair Circulatory Initiative were subsequently launched, with a commitment by the four founding FMCG companies to advance and adopt the guiding principles in their value chains in collaboration with waste picker organisations, report on their progress annually and encourage others to join the Initiative.<sup>7</sup> The following provides a number of recommendations relevant for all FMCG companies that can be considered in the application of the Fair Circularity Principles in the context of Nigeria. FMCG companies should:

- Comply with EPR requirements through registering with an accredited PRO.
- Enable income security for waste pickers through working with their PRO to ensure that waste pickers in their supply chain receive fair remuneration for their collected materials and their labour.

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<sup>6</sup> Shift. 2022.

<sup>7</sup> Fair Circularity Initiative. 2022.

- Support safe, fair and beneficial working conditions for waste pickers by using their leverage to impact the working conditions of existing collection centres, and supporting waste pickers to establish their own collection centres.
- Lobby governments to improve SWM, including the urgent improvement of health and safety at dumpsites.
- Support waste pickers in gaining recognition from the government through registration with municipalities, the acquisition of data about the IWS in Nigeria and other measures to protect waste pickers' recognition, such as ID cards.
- Support waste pickers' financial inclusion through facilitating bank registration and financial literacy training.
- Provide funding for waste picker organisations to cover administration costs, internet access, office space, and other work-related expenses.
- Publicly recognise the IWS and their contribution to their EPR obligations and PCR supply chains in Nigeria.
- Scale up training on health and safety and financial literacy across the country, and expand into training on topics such as business management and bookkeeping.
- Provide finance for equipment and infrastructure to enable waste pickers to move up the value chain.
- Insist that waste pickers are included in multi-stakeholder forums related to the roll out of EPR.
- Ensure that waste pickers are compensated for their time in the design, implementation and monitoring of integration initiatives.
- Lobby governments to improve children's access to education and parents' access to child care.

## The government and the IWS in Nigeria

Under international human rights law, states have a duty to respect, protect and fulfil human rights.<sup>8</sup> The state duty to protect requires taking appropriate steps to prevent, investigate, punish and redress human rights impacts through enacting policies, legislation and adjudication.<sup>9</sup> The waste pickers interviewed raised a number of specific issues which illustrate some of the most common challenges experienced in their engagement with government and the state.

### ***Lack of recognition***

Many waste pickers cited the lack of recognition from the government as a key challenge. Recognition and integration into formal solid waste management systems would increase their acceptance among the general public and end the harassment waste pickers face from law enforcement and citizens. A representative of a government environmental agency noted that without recognition at the national level, individual states and municipalities are left to set their own agenda in terms of waste picker recognition and integration. This has led to different levels of engagement, and no legal obligation for states and municipalities to engage.

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<sup>8</sup> OHCHR. nd.

<sup>9</sup> United Nations. 2011.

### ***Organisation and data***

A number of waste pickers highlighted the fact that some state waste agencies had declined to dialogue with them until they could provide extensive collection and membership data. This problem is self-perpetuating: because waste picker associations often do not have the equipment or administrative capacity to obtain this kind of data without further support, they therefore miss out on opportunities to expand their operations and move up the value chain which would increase their administrative capacity.

### ***Specific policies***

In Nigeria, policy and legislation is not consistent in its treatment of IWS workers at national and municipal level. For example, since the advent of the Lagos Recycle Initiative (2020), the Lagos Waste Management Authority (LAWMA) is working to integrate the IWS into a new waste management system.<sup>10</sup> In contrast, in 2018, the Federal Capital Territory (FCT) administration banned waste pickers from operating in Abuja, except those who were authorised to work at government approved dump sites.<sup>11</sup> Some government policies require waste pickers to meet requirements which are impossible for them: in the EPR Operational Guidelines, there is a requirement for informal workers to use only approved means of transport such as carts.

### ***Confiscation and exclusion***

Waste pickers have also highlighted the injustice and the challenge of confiscation of their waste and the exclusion faced as a result of government policy, or stakeholders acting on behalf of the government. Furthermore, waste pickers' rights and livelihoods are seriously threatened by systematic market exclusion. SWM initiatives, as well as EPR, which are designed, implemented and monitored without integration and collaboration with the IWS can have a hugely negative impact by seriously restricting their income opportunities.

## **Recommendations for the government**

The following recommendations can be made to government:

- Recognise the IWS in Nigeria's National Solid Waste Management policy, and, in consultation with waste pickers, include provisions to mandate engagement with the IWS at state and municipal level.
- Enforce and monitor EPR throughout Nigeria.
- Amend the EPR Operational Guidelines in consultation with waste pickers to reflect the responsibilities that other stakeholders have with respect to waste pickers.
- Clarify the role of waste pickers as acknowledged in the EPR Operational Guidelines with states and municipal waste management authorities.
- Urgently work to improve health and safety measures at all dumpsites (government owned and unlicensed), including enabling waste picker access to PPE.
- Make grants available to waste picker associations to enable them to organise and access machinery, mobility and land on which to conduct their operations.

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<sup>10</sup> UNIDO. 2021. 79.

<sup>11</sup> Adedigba, A. 2018.

- Amend the EPR Operational Guidelines to remove the responsibility of informal collectors to ‘use approved transportation system/carts’ unless the government, municipalities, producers or collectors will incur this expense.<sup>12</sup>
- Conduct a sensitisation campaign to increase public awareness and appreciation for the environmental service which the IWS provides.
- Ensure that the registration for the informal waste collector is free, and that the registration documentation for informal collectors is available in languages besides English, such as Hausa, Yoruba, Igbo and other languages.
- Enable waste pickers to gain ID cards where desired, and ensure the process for obtaining ID cards is free and available in languages besides English, such as Hausa, Yoruba, Igbo and other languages.
- Ensure that waste pickers are always included in key stakeholder meetings on EPR matters where their livelihoods or rights are likely to be impacted, and that their time and any other expenses are reimbursed.
- Tackle the low education attendance in Nigeria: in particular, address children needing to waste pick in order to support themselves through school, and children accompanying their parents to work because school fees are unaffordable.
- Ensure that waste pickers are compensated for their time in the design and implementation of integration initiatives.
- Help waste pickers establish databases and administrative capacity to register membership and track business activity.

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<sup>12</sup> NESREA. 2014. 28.