

Fair and inclusive Extended Producer Responsibility (EPR) in the Global South

As the international community is moving towards a legally binding instrument to end plastic pollution, understanding how EPR can be designed and implemented to reduce plastic pollution, increase plastic recovery rates, and improve working conditions and livelihoods in the informal recycling sector (IRS) is pertinent. To bridge this knowledge gap, this policy brief draws on existing knowledge and perspectives on the challenges and opportunities for fair and inclusive EPR schemes in the Global South, including a webinar organised by GRID-Arendal and NIVA through the International Knowledge Hub Against Plastic Pollution (IKHAPP 2023).

The emergence of EPR in countries of the Global South

Growing plastic consumption and mismanagement of plastic waste worldwide increases pressure on fragile waste management systems and calls for increasingly circular solutions. Consequently, investment and policy development to improve waste management systems has spiked across the world. As part of this shift, Extended Producer Responsibility (EPR) has become a commonly pursued policy approach that seeks to reduce waste in the environment by holding producers accountable for recovering their products and packaging for recycling or disposal.

In the Global North, EPR systems have been introduced since the 1990s, supplementing existing waste management frameworks and infrastructures (Walls, 2006). EPR in these contexts has led to enhanced material recovery and recycling.

In the Global South, the adoption of the EPR principle attracted a growing interest in overcoming challenges associated with informal handling of e-waste (Islam & Huda, 2019; Faibil et al., 2023). With the rising concern of plastic pollution, countries across the Global South have also adopted the EPR principle for certain types of plastic packaging and waste (Johannes et al., 2021).

EPR initiatives, policies, and regulations for plastic packaging waste have been introduced in Asian countries, including India, China, Indonesia, the Philippines, Malaysia, and Vietnam, and in Latin American countries, including Chile, Brazil, Venezuela, Colombia, Mexico, and Uruguay (Brinkmann et al., 2022).

Voluntary industry-led EPR has been a cornerstone policy of advancing towards a circular economy in South Africa since the early 2000s and is now progressing towards mandatory EPR regulations (Arp, 2021). Similar trends can be observed in Ghana, Kenya, and Nigeria. Voluntary EPR is also in place in Tunisia and Namibia, while in Cameroon, EPR legislation applies to certain types of packaging, such as non-biodegradable materials (Langhill, 2021).

Voluntary EPR initiatives have also been launched by companies and business associations, including multinational companies such as Unilever, Nestle, and Coca-Cola, and national companies such as Middle East-based Emirates Global Aluminum and African telecom company MTN (Paben, 2021).

Despite efforts to reduce plastic pollution through EPR, implementation and enforcement of regulations remain a challenge in many of the above-mentioned countries (Brinkmann et al., 2022).

Interlinkages between EPR and the Informal Recycling Sector

Many countries in the Global South face challenges with managing waste and pollution. Furthermore, the collection and recovery of materials in these contexts often depend upon the operations of the informal recycling sector (IRS), which accounts for at least 15-20 million people globally (Medina, 2008; IAWP, 2023). Estimates suggest that the IRS recovers and handles 58% of all recycled post-consumer plastic waste (Lau et al., 2020). This highlights the indispensable role of the IRS in enabling a circular economy in the Global South and beyond – and thus a key stakeholder in EPR.

Some national frameworks recognise the role of the IRS, including in countries like the Philippines, Malaysia, South Africa, Brazil, Colombia, Chile, and Uruguay (UNEP, 2018; Kaza et al., 2018). However, in many countries, existing EPR regulations, does not consider IRS workers and risks threatening livelihoods and displacing workers in the IRS value chain (ILO, 2020). In some cases, EPR systems have made it increasingly difficult for waste pickers to participate in EPR systems, as illustrated by the example of the deposit-return system for PET bottles in Ecuador below (Text box 1).

Text box 1. Waste pickers facing entry barriers to participate in EPR for plastic bottles – Experiences from Ecuador

Ecuador’s Redeemable Tax on Non-Returnable Plastic Bottles (IRBP) introduced in 2021 provides an example of how EPR models have not succeeded to integrate waste pickers: The IRBP tax levies USD 0.02 for every PET bottle produced and sold in the country. Although this model has increased the recovery of PET bottles, it restricts waste pickers from buying PET bottles through the formal EPR system due to not meeting the administrative and financial requirements to qualify for an IRBP tax refund (Viteri, 2022).

The development of a circular economy, commonly promoted by strengthening EPR regulations and waste segregation in the Global South, is expected to lead to a rapid emergence of large-scale and highly technical waste collection and recycling agencies (Tumu et al., 2023; Compagnoni et al., 2023). There is a risk that these emerging solutions may leave IRS workers behind due to structural and technical limitations, inequitably distributing material ownership and profit towards formal companies and associations. This is illustrated by the example of Brazil’s reverse logistics system below (Text box 2).

Text box 2. Unequal power dynamics – learnings from Brazil’s reverse logistics system

Brazil’s 2010 Law 12305 on the National Solid Waste Management Policy contains an EPR provision referred to as a reverse logistics system. It recognises the role of waste picker cooperatives, and mentions that corporations should integrate these in their recycling schemes as service providers. In 2015, CEMPRE¹ invited the MNCR (The National Movement of Brazilian Waste Pickers) to participate in the negotiations of the Sectoral Agreement on the packaging alongside itself and representatives from the Ministry of the Environment. Due to power inequities, organised waste pickers were unable to exert significant influence on the Agreement to install provisions favorable to waste pickers, such as linking the amount of financial support from producers to the real costs of services or allowing waste pickers autonomy over how these funds are allocated (Dias, 2021).

Overarching elements of fair and inclusive EPR Schemes

“Inclusive EPR systems shall generate recognition and opportunities for informal waste workers to access labor and social protections, and advancement within material management systems and decision-making processes.”

– International Alliance of Waste Pickers (GAWP, 2021)

The recommendations below address key elements of integrating IRS workers and just transition principles into EPR schemes, based on input from the online webinar [“Fair and Inclusive EPR Schemes in the Global South: Challenges and Ways Forward”](#) and work of GRID-Arendal and NIVA (GRID-Arendal, 2022; UN-Habitat & NIVA, 2022).

Meaningful participation of all IRS actors in EPR design and implementation

Lucia Fernandez Gabard, Acting General Secretary for the International Alliance of Waste Pickers (IAWP), highlights the “need to strengthen the role of waste pickers in the debates to develop and implement EPR

1. CEMPRE is a non-profit association founded in 1992 with a board of big Brazilian and multinational companies. CEMPRE is dedicated to promoting recycling and the circular economy in the country, looking to reduce waste and make proper use of materials.

in the Global South” to avoid new competition and excessively high barriers for the IRS to enter EPR systems (Fernandez, 2023).

EPR policy should be designed in ways that allow full participation of the IRS in policy design, governance, implementation, and monitoring. To ensure the engagement of all IRS actors (waste pickers and their organisations, informal middlemen, scrap center owners/aggregators, and recyclers) in EPR policies, they must be listened to and provided with platforms to be heard (Cass Talbott et al., 2022). Moreover, coordination between policymakers, waste management regulators, and waste picker organisations is necessary to promote ownership and shared responsibilities for waste management.

Elvia Pisuna, President of Renarec, National Association of Recyclers in Ecuador, outlines that “the incorporation of waste pickers’ views and capabilities in framing and regulating EPR is crucial to a fair system for waste pickers that will improve their livelihoods and lead to efficient and effective waste management” (Pisuna, 2023).

Clear rules for the integration of the IRS and the responsibilities of Producer Responsibility Organisations (PROs)

EPR regulations should clearly outline how the IRS should be included in the implementation process, including the responsibilities of different actors. Juliana Seidel, representing the Business Coalition for a Global Plastics Treaty, emphasises the importance of setting clear rules for businesses “to support the collaboration with workers in informal and cooperative settings through Producer Responsibility Organisations in a fair and transparent manner” (Seidel, 2023). In Chile and South Africa, existing EPR frameworks clearly outline the responsibilities of PROs in integrating waste pickers in waste management systems, including mechanisms and tools to enable a just transition (Text box 3).

Fostering partnerships and collaborations with waste picker organizations

EPR systems building on collaborative and participatory partnerships between municipalities and/or the private sector and waste pickers and their organisations can enable a just transition towards reducing plastic pollution. In Argentina and Brazil, some waste picker cooperatives have engaged with industries under EPR frameworks, such as reverse logistics agreements and corporate environmental auditing (e.g., with ABIHPEC, the Brazilian Association for Packaging of Hygiene Products) (IAWP, 2023). The IRS provides a service to these industries by managing their recyclable waste, helping them to keep up with their EPR requirements, and allowing them to reach recycling targets and accredit their green metrics through a transfer of proof of recycling compliance.

Fair remuneration and living income⁴

The IRS needs to be structurally funded as part of EPR systems, using EPR fees and municipal taxes to subsidize IRS services, including collection, transportation, sorting, processing, infrastructure, innovation, and end-of-life management for all materials. This can, for example, be done through a basic service fee or by subsidising the secondary material market to improve and stabilise prices (Arp, 2021).

Michikazu Kojima, Senior Advisor on Environmental issues at the Economic Research Institute for ASEAN and East Asia (ERIA), stresses the need for “appropriate incentives

2. Chilean Supreme Decree No. 12 of 2021 on Collection and Recovery Targets and Associated Obligations for Packaging.

3. Government Gazette. Staatskoerant. REPUBLIC OF SOUTH AFRICA. REPUBLIEK VAN SUID AFRIKA. Vol. 671. 5. May. Mei. No. 44539. 2021.

4. Living income is defined as the required earnings to afford a decent standard of living. See Fair Circularity Initiative and Systemiq (2024) more details and tools for assessing living income for waste pickers.

Text box 3. Examples of EPR regulations outlining clear responsibilities for integrating the IRS

In Chile, the regulatory EPR framework for packaging (2021)² states that waste pickers must be registered (RETC or PRTR) and certified (National System of Certification of Labour Competencies established in Law No. 20 267) to participate in waste management and outlines that PROs must make waste collection and recovery contracts available to waste pickers. The PRO’s Inclusion Plan (Article 13) indicates mechanisms and tools for training, financing, and formalising informal workers with a view to enabling the full integration of waste pickers.

South Africa’s EPR Regulations (a. 2021)³ provide a definition for “waste pickers” and stipulate that PROs must integrate informal waste collectors, reclaimers, and pickers into the post-consumer collection value chain and compensate those who register with the National Registration Database for collection services and environmental benefits through the collection service fee by November 2022.

in EPR frameworks for waste pickers to collect low-value and time-consuming plastics” such as multi-layered plastics (MLPs) and flexible plastics (Kojima, 2023; GIZ, 2023). Moreover, Kabir Arora (2023), from the Alliance of Indian Waste Pickers, highlights how the SWaCH model for MLP collection in Pune, India, provides an example of how partnerships between waste picker cooperatives and municipalities can create a market for low-value plastic waste (Text box 4).

Text box 4. Enabling a living wage and a market for multi-layered plastics in Pune

SWaCH Pune is a waste pickers’ cooperative in partnership with ITC Limited and the Pune Municipal Corporation (PMC). The program, designed as an EPR initiative, works directly with a collective of waste pickers (SWaCH Plus) to create a market value for recovering and processing a difficult-to-recycle material. The initiative has collected over 1,000 metric tonnes of MLP waste in Pune, diverting them from landfills and cement plants (ITC Ltd & SWaCH Plus, 2022). The program has also resulted in a reduction of over 1,030 tonnes of CO₂ equivalent emissions (ITC Ltd & SWaCH Plus, 2022). Over 1000 waste pickers have been integrated into this EPR initiative and compensated for their contribution through a premium rate for MLP with INR 4/kg, which is USD 0.054/kg adding to their monthly salaries on average Rs.600 (8.08 USD) (ITC Ltd & SWaCH Plus, 2022; Anantakrishnan, 2021).

EPR systems can also enable increasing recovery rates and livelihood generation among IRS workers in areas where waste management infrastructure is scarce and recovery is less economically viable, such as island communities (GIZ, 2023).

According to the International Alliance of Waste Pickers, EPR remuneration towards implementing organizations should also include payment for costs for training, organization, access to clean water/sanitation, innovation, administration, legal advice, visibility and outreach, compliance with labor and social protection laws, and disaster response resources for service providers (IAWP, 2023).

Several elements must be considered to ensure that IRS workers are fairly remunerated, as outlined by Linda Godfrey, Principal Scientist at the CSIR and Extraordinary Professor at North-West University, South Africa, below (Text box 5).

Text box 5. Element to consider for enabling fair remuneration of IRS workers – The case of South Africa (Godfrey, 2023)

- Set up systems that enable financial flows to IRS workers.
- Ensuring that waste collection fees reach waste pickers involved in primary collection.
- Avoid that IRS actors with storage facilities and increasing financial flexibility deflate the markets for recyclable materials.

Capacity building and technical and financial assistance

Capacity building amongst IRS workers can enable increasingly fair EPR systems. In the first stage of EPR implementation, training and awareness raising to explain to workers what EPR is, how they may participate in these schemes, what their legal rights are, and how they may coordinate with producers, consumers and the government is essential. Capacity-building efforts should be developed and implemented through partnerships with IRS workers and their organisations to ensure they meet local needs. Experiences indicate that these efforts should focus on enhancing the technical expertise of waste pickers, including training to ensure the safe and environmentally sound management of hazardous waste. Providing financial and technical assistance, infrastructure, and tools can enable waste pickers and other IRS workers to contribute more effectively to safe and environmentally sound waste management (MAREA, 2022).

Capacity-building programs for waste pickers on EPR should be participatory, inclusive, and tailored to their specific needs and contexts. Collaboration between government agencies, non-governmental organisations, and waste picker organisations is essential for the success of these programs. By strengthening their capacity, waste pickers can become active partners in EPR systems, contribute to sustainable waste management, and improve their livelihoods.

Transparency and traceability in the plastics value chain

Transparent value chains are crucial for ensuring that EPR schemes are just, inclusive, and effective. Waste may be exported, handled, and disposed of illegally without proper reporting and tracking, leading to serious environmental and social problems.

Establishing a reliable reporting system could ensure and monitor the participation of IRS actors in EPR systems and the delivery of commitments made by all stakeholders.

Text box 6. Traceability of the contribution of the IRS to recycling – The case of Brazil

The National Association of Brazilian Waste Pickers (ANCAT) has since 2017 managed the traceability of the country's EPR scheme for packaging based on sales invoices from the waste pickers cooperatives registered in a database (Rutkowski, 2020). The database includes information about the waste pickers' income and material selling prices and was the basis for the first Brazilian Recycling Yearbook, launched in 2019. This yearbook aims to annually record the waste pickers' contribution to recycling in Brazil (Rutkowski, 2020).

This would require annual audits to verify compliance with regulatory requirements and the obligations set out in the EPR scheme. Audits need to include an assessment of the financial transactions and operations of the management body responsible for implementing the EPR system, as well as an evaluation of the socioeconomic impacts of EPR (GAWP, 2021). Moreover, the traceability of the IRS's contribution to recycling is essential (Yang, 2021).

Opportunities for ensuring a Just Transition of the IRS under the Plastics Treaty

Inclusive EPR systems are linked to broader just transition debates, particularly in relation to the ongoing negotiations towards an international legally binding instrument to end plastic pollution (henceforth, plastics treaty). In the plastics treaty negotiations, a just transition can be seen as "ensuring that measures taken to end plastic pollution are fair, equitable, and inclusive for all stakeholders across the plastic lifespan by safeguarding livelihoods and communities impacted by plastics pollution and corresponding control measures" (O'Hare et al., 2023). Within this narrative, the IRS is recognised a rights- and knowledge holder whose participation in the development, implementation, and monitoring of strategies aimed at reducing pollution is vital (GRID-Arendal, 2022; UN-Habitat & NIVA, 2022).

The Zero Draft and the revised version of the plastics treaty outline options for how EPR may be regulated through globally agreed and/or nationally determined targets. A just transition for waste pickers has been cross-referenced in negotiations surrounding provisions on EPR and waste management. However, there is a need to more clearly define how waste management and EPR systems can facilitate a just transition for waste pickers and other IRS workers. To advance these discussions, definitions are needed for waste pickers, workers in informal and cooperative settings, and just transition, whilst

guidelines may be developed for the safe and sustainable management of plastic waste and for integrating informal waste workers in EPR systems.

Elements that have been emphasised as key to enabling increasingly fair and inclusive EPR in the plastics treaty process include:

Recognition as rights- and knowledge holders: Given their historical presence and worldwide contribution to material recovery rates and reducing plastic pollution, waste pickers and other IRS workers should be recognised as key rights- and knowledge-holders in the plastics treaty process (O'Hare and Nøklebye, forthcoming). This can be facilitated through a dedicated workstream on ensuring a just transition for waste pickers and other IRS workers, including financial assistance, capacity building on mutually agreed terms, and platforms for knowledge-sharing from local to global levels, involving stakeholders across sectors and levels of government (GRID-Arendal, 2022; UN-Habitat & NIVA 2022).

Inclusion of social safeguards:⁵ The Plastics treaty should address the social dimensions of its implementation and protect the rights and well-being of waste pickers and IRS workers involved in extended producer responsibility programs. Examples of such are equal employment terms, access to social protection, and inclusion in the circular economy (USAID, 2023).

Allocation of resources for implementation: Adequate financial and technical support should be provided to back up the deployment of EPR measures. This includes the provision of programs for funding waste management infrastructure, collection systems, and capacity building for waste pickers and other informal recyclers (USAID, 2023).

Monitoring and accountability mechanisms: The plastics treaty should set up effective tracking mechanisms to monitor and assess the implementation of EPR initiatives (Yang, 2021). Such implementation measures could strengthen producers' liability by making data publicly available and promoting fairness and transparency (Yang, 2021). EPR systems and other materials management policies and plans should also include regular public or social audits of the integration of waste pickers and other actors in the informal waste supply chain (IAWP, 2022).

The plastics treaty could also include an annex setting out key principles for socially just and effective EPR systems, co-designed with waste pickers and IRS workers, including aspects of health, safety, welfare, and income.

5. Social safeguards define social objectives and principles and guide management of social risks and impacts (ILO, 2022)

This policy brief has outlined key elements of fair and inclusive EPR systems as part of reducing plastic pollution in the Global South, which are also pertinent in the Global North. These include clear rules and responsibilities, fostering partnerships and collaborations with waste picker organisations, meaningful participation of IRS actors in design and implementation, fair remuneration, capacity building and technical and financial assistance, and promoting transparency and traceability in the plastics value chain. In relation to the ongoing plastics treaty process, the need for recognising waste pickers and other IRS workers as essential rights- and knowledge-holders in EPR, social safeguards, allocation of resources to support implementation, and monitoring and accountability mechanisms were highlighted as key elements of a just transition.

More broadly, it should be acknowledged that EPR is a cross-cutting issue spanning across the plastics lifecycle, from production to end-of-life management. Fair and

inclusive EPR must, therefore, be considered in relation to other provisions and core obligations of the plastics treaty and broader sustainability issues, including waste management, just transition, and means and measures of implementation. Recognising the overarching elements of fair and inclusive EPR systems outlined in this policy brief and adapting these to enable a just transition from global to local contexts can contribute to implementing increasingly just systems that protect the environment and human health and supports a just transition.

Further recommended reading:

- [IAWP's Vision for a Just Transition for Waste Pickers under the UN Plastics Treaty \(IAWP 2023\)](#)
- [Extended Producer Responsibility \(EPR\) and Waste Pickers \(WIEGO 2022\)](#)

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More information on IKHAPP and the webinar can be found [here](#).

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