



PRELIMINARY ASSESSMENT OF THE LAWS ON PLASTICS AND THEIR ENFORCEMENT IN UGANDA

2023



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ABBREVIATIONS AND ACRONYMS

AU	African Union
ASP	Assistant Superintendent of Police
COP	Conference of Parties
CSO	Civil Society Organization
DPHS	Directorate of Public Health Services
DPP	Director of Public Prosecution
EPPU	Environment Protection Police Unit
EPR	Extended Producer Responsibility
KCCA	Kampala Capital City Authority
NEMA	National Environment Management Authority
MWE	Ministry of Water and Environment
ODPP	Office of the Director of Public Prosecutions
REMA	Rwanda Environment Management Authority
RWF	Rwandan francs
UN	United Nations
UNBS	Uganda National Bureau of Standards
UNEP	United Nations Environment Programme





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Asante sana!

Executive Summary

Greenwatch exists to ensure that every citizen of Uganda enjoys their constitutional right to a clean and healthy environment.¹ One of the ways Greenwatch enables the enforcement of Article 39 is through Public Interest Litigation.² The discussion about the impacts of plastic waste on the environment in Uganda stems back to the early 2000s (2003 to be specific) when Greenwatch filed a public interest case³ against the Attorney General⁴ and the National Environment Management Authority⁵ (the case is famously known as the “kaveera case”) Greenwatch sought a total ban on plastic products (particularly polythene bags commonly known as kaveera) because of their hazardous impact to the environment and to human health.

Greenwatch petitioned court asserting that the indiscriminate use and disposal of plastics had caused more harm than good, as plastics destroyed soil and the environment. At the time (2003), there were reports in the newspapers of children who had suffocated while playing with polythene bags (kaveera) by putting the kaveera over their heads. Greenwatch sought a total ban on kaveera products contending that the manufacture, distribution, sale and disposal of kaveera and other related products, infringe the rights of citizens to a clean and healthy environment. To be specific, Greenwatch sought;

1. A declaration from the court that, the manufacture, distribution, use, sale sell, disposal of plastic bags, plastic containers, plastic food wrappers, all other forms of plastic (kaveera) violate the rights of citizens of Uganda to a clean and healthy environment.
2. An order banning the manufacture, use, distribution and sale of plastic bags and plastic containers of less than 100 microns.
3. An order directing NEMA to issue regulations for the proper use and disposal of all other plastics whose thickness is more than 100 microns including regulations and direction as to recycling re-use of all other plastics.
4. An environmental restoration order be issued against both respondent directing them to restore the environment to the state it was before the menace caused by plastics.
5. An order directing the importers, manufacturers, distributors of plastics to pay for the costs of the environmental restoration.
6. And lastly no orders made to costs of the suit.

In 2007 long after the case had been instituted, the government of Uganda through the budget speech in June of the same year issued a ban on the importation, use and distribution of polythene bags of less than 30 microns. Greenwatch then embarked on a nationwide consultation and carried out research which revealed that the said ban had no effect on the use, distribution, manufacture and disposal of polythene bags, on the contrary the manufactures of the polythene bags increased the thickness of the bags from 30 to 31 microns and continued to manufacture, use and distribute the polythene bags on a larger scale. It was therefore evident that the ban on polythene bags issued did not take into account the methods of use, distribution and disposal because the danger posed by polythene bags results from their chemical composition and not

¹ Article 39 of the Constitution of the Republic of Uganda 1995 - Every Ugandan has a right to a clean and healthy environment

² Black's law Dictionary (Sixth Edition), Public Interest is defined as follows:

Public Interest. -Something in which the public, the community at large has something pecuniary interest, or some interest by which their legal rights or liabilities are affected. It does not mean anything so narrow as mere curiosity, or as the interest of the particular localities, which may be affected by the matters in question. Interest shared by the citizens generally in affair of local, State or national government.

³ Greenwatch v Attorney General and National Environment Management Authority Misc. Cause No. 140 of 2002

⁴ Article 119 (c) of the Constitution of the Republic of Uganda – The function of the Attorney General is to represent the Government in courts or any other legal proceedings to which the government is a party

⁵ Section 8 (c) of the National Environment Act, 2019.

from their thickness in terms of microns.

The ruling in the *kaveera* case was delivered in 2012. In his ruling Justice Eldad Mwangusya stated that, *“All this court can say is that whoever is involved in the process of enacting a law towards protection of the environment should do so as a matter of urgency because the damage is likely to be extremely costly. In view of this observation the best this court can do is make a declaration that the manufacture, distribution, use, sale, sell, disposal of plastic bags, plastic containers, plastic food wrappers and all other forms of plastic commonly known as kaveera violates the rights of citizens of Uganda to a clean and healthy environment as acknowledged by both parties.”*

After nearly ten (10) years of litigating and fighting the scourge of kaveera the court pronounced itself ruling that, the manufacture, distribution, use, sale sell, disposal of plastic bags, plastic containers, plastic food wrappers, all other forms of plastic (kaveera) violate the right of citizens to a clean and healthy environment.

It is now ten (10) years since Greenwatch’s victory in the kaveera case, this assessment report is meant to gather initial information through informal investigation to determine how effective the existing laws on plastics in Uganda are in fight against plastic pollution and to identify ways that both the government and Civil Society can vigorously advocate for implementation and enforcement of the law or other avenues that can be used or implemented to ensure that the citizens of Uganda enjoy a clean and healthy environment free of plastic waste and pollution.

Objectives of the preliminary assessment of the laws on plastics and their enforcement in Uganda.

Main Objective

The main objective is to afford a preliminary assessment of the existing laws on plastics and the ban on thin plastic bags in Uganda and advise on a way forward based on a review of the available information.

Specific objectives

- i. To identify the existing laws on plastics in Uganda and determine whether they are comprehensive in addressing the challenges associated with plastic waste;
- ii. To identify the agencies mandated to enforce the existing laws on plastics and determine whether they have successfully implemented these laws, and as well identify the challenges they have encountered while executing their mandate;
- iii. To identify cases that have been filed by the mandated agencies or the public in the courts of law as a result of violations spelled out in the existing laws on plastics
- iv. To draft recommendations to the government, its agencies, Civil Society Organizations (CSO), the public and any other relevant stakeholders on addressing the challenges associated with plastic waste

Methodology

A qualitative research method was adopted for this research comprising of analysis and review of available literature on plastics, in-depth interviews with key informants and case law studies.

Literature Review

For the literature, relevant legislations on the use and management of plastics, journal articles and video essays on production, use and the harmful effects of plastics were sourced out and reviewed. In addition, we sourced out international and regional legislation in order to compare and contrast the use and management of plastics on the regional and global stage.

Key informant interviews

We interviewed a total of ten (10) representatives from:

1. MWE (3),
2. NEMA (1),
3. Uganda National Bureau of Standards (3),
4. the Directorate of Public Health Services under Kampala Capital City Authority (1),
5. Environment Police Protection Unit (1), and
6. Office of the Director of Public Prosecution (1) in relation to their work as government agencies mandated to protect the environment and its citizens from the effects of plastics.

Case Law Studies

Five (5) cases were retrieved from the High court of Uganda and the Standards, Utilities and Wildlife court on violations concerning plastics. This would essentially demonstrate the public's awareness of laws on plastic as well as the agencies' enforcement of the laws through the prosecution of violators.

I INTRODUCTION



What is plastic?

Plastic means a synthetic material made from a wide range of organic polymers such as polythene that are molded into shape while soft and then set into a rigid or slightly elastic form⁶. Production for plastics has increased over the years from 2 million metric tons in 1950 to 380 million metric tons in 2015. It is thus estimated that plastic production will continue to grow at 3.5 percent per year from 2030 through 2050⁷. Another report estimates that plastic production will triple by 2060 at 1,231 million metric tons⁸. In Uganda, 600 tonnes of plastics are produced every day⁹. Increase in plastic production is as a result of the increase in population, as well as the convenience and cheapness of plastics¹⁰. By 2014, Uganda's population was 34,856,813 million people¹¹ and with the rapid urbanization and fast economic development, demand for plastic bags and plastic products is projected to increase in the country.

Why is plastic dangerous for our environment?

Plastics are generally made up of synthetic organic polymers, and chemical additives such as plasticizers, fillers, stabilizers, colorants and flame retardants that help to maintain, enhance and impart specific characteristics like flexibility, and make the plastics fire resistant¹². While these additives make the product toxic to the environment and life, the polymers make them non-biodegradable¹³. In essence, end of use for plastics doesn't necessarily mean end of life; and that is why the minute a plastic bottle is discarded into the environment, it remains there and merely disintegrates into smaller particles known scientifically as micro-plastics¹⁴. This is the biggest challenge that the world and Uganda is facing with plastics. When plastics are not disposed of properly, they negatively affect the environment, human life, animal life and the economy.

The commonest methods of plastic waste disposal in Uganda are open incineration, landfilling¹⁵ and indiscriminate dumping of the waste on the road sides, in the sewers where they are left uncollected. As established earlier, because plastics don't biodegrade, when they are left in the soil, they keep in the soil, causing soil degradation as they prevent water from infiltrating the soil.¹⁶ Uganda is an agriculture-based economy. In the financial year of 2021/22, agriculture accounted for about 24.1% of Uganda's Gross Domestic Product (GDP), and 33% of export

⁶ Section 2 of the NEA, 2019

⁷ Lisa Anne Hamilton, Steven Feit, Carroll Muffett, Matt Kelso, Samantha Malone Rubright, Courtney Bernhardt, Eric Schaeffer, Doun Moon, Jeffrey Morris and Rachel Labbe-Bellas (2019) *Plastic and Climate: The Hidden Costs of a Plastic Planet*

⁸ Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment First session UNEP/PP/INC.1/7

⁹ Uganda generates 600 tonnes of plastic waste daily by the Monitor Newspaper available at <https://www.monitor.co.ug/uganda/news/national/uganda-generates-600-tonnes-of-plastic-waste-daily-nema-3706372>

¹⁰ Okunola A Alabi, Kehinde I Ologbonjaye, Oluwaseun Awosolu and Olufiropo E Alalade (2019) *Public and Environmental Health Effects of Plastic Wastes Disposal: A Review Journal of Toxicology and Risk Assessment*

¹¹ National Population and housing Census, 2014 available at https://www.ubos.org/wp-content/uploads/publications/03_20182014_National_Census_Main_Report.pdf

¹² Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment First session UNEP/PP/INC.1/7

¹³ Lisa Anne Hamilton, Steven Feit, Carroll Muffett, Matt Kelso, Samantha Malone Rubright, Courtney Bernhardt, Eric Schaeffer, Doun Moon, Jeffrey Morris and Rachel Labbe-Bellas (2019) *Plastic and Climate: The Hidden Costs of a Plastic Planet*

¹⁴ Joao Pinto da Costa, Teresa Rocha-Santos and Armando C. Duarte (2020) *The environmental impacts of plastics and micro-plastics use, waste and pollution: EU and National Measures*

¹⁵ Paige Balcom, Juliana Mora Cabrera and Van P. Carey (2021) *Extended exergy sustainability analysis comparing environmental impacts of disposal methods for waste plastic roof tiles in Uganda Vol. 6 Development Engineering Journal* and Okunola A Alabi, Kehinde I Ologbonjaye, Oluwaseun Awosolu and Olufiropo E Alalade (2019) *Public and Environmental Health Effects of Plastic Wastes Disposal: A Review Journal of Toxicology and Risk Assessment*

¹⁶ Godfrey Olukya (2022) *Plastic trash causes environmental, health hazards in Uganda* available at <https://www.aa.com.tr/en/africa/plastic-trash-causes-environmental-health-hazards-in-uganda/2507066>

earnings with 70% of Uganda's population employed in the agriculture sector.¹⁷ In effect, plastics are disastrous for the country's agriculture sector and the economy at large.

Plastics are notorious for getting stuck in drainage channels, and sewers which has led to flooding due to blockage of water passage ways. Kampala Capital City Authority (KCCA)¹⁸ reportedly spends about ten (10) billion shillings in unblocking drainage channels in the city as a result of plastic bags, plastic bottles and other debris that get stuck in the drainage channels.



Plastic bags and bottles discarded in a drainage channel in Kitintale, Kampala.

Credit: Greenwatch

As of 2022, only 9% of all plastic ever manufactured in the world were recycled especially owing to the complexity involved in recycling plastics; from the separate collection, processing and re-manufacture¹⁹ not to mention it being an expensive enterprise, therefore, most plastics end up in landfills, or in the environment after use because it poses an economical conundrum.

When plastics are not removed from the soil, they seep into the ground water and as well find their way into water bodies such as lakes, rivers and oceans causing water pollution. The plastics are then consumed by the fish we eat. 1 in 5 fish in Lake Victoria have been found to have ingested plastic²⁰. Animals and aquatic organisms such as fish, birds, turtles have reportedly died from ingesting or getting entangled in plastic debris.²¹

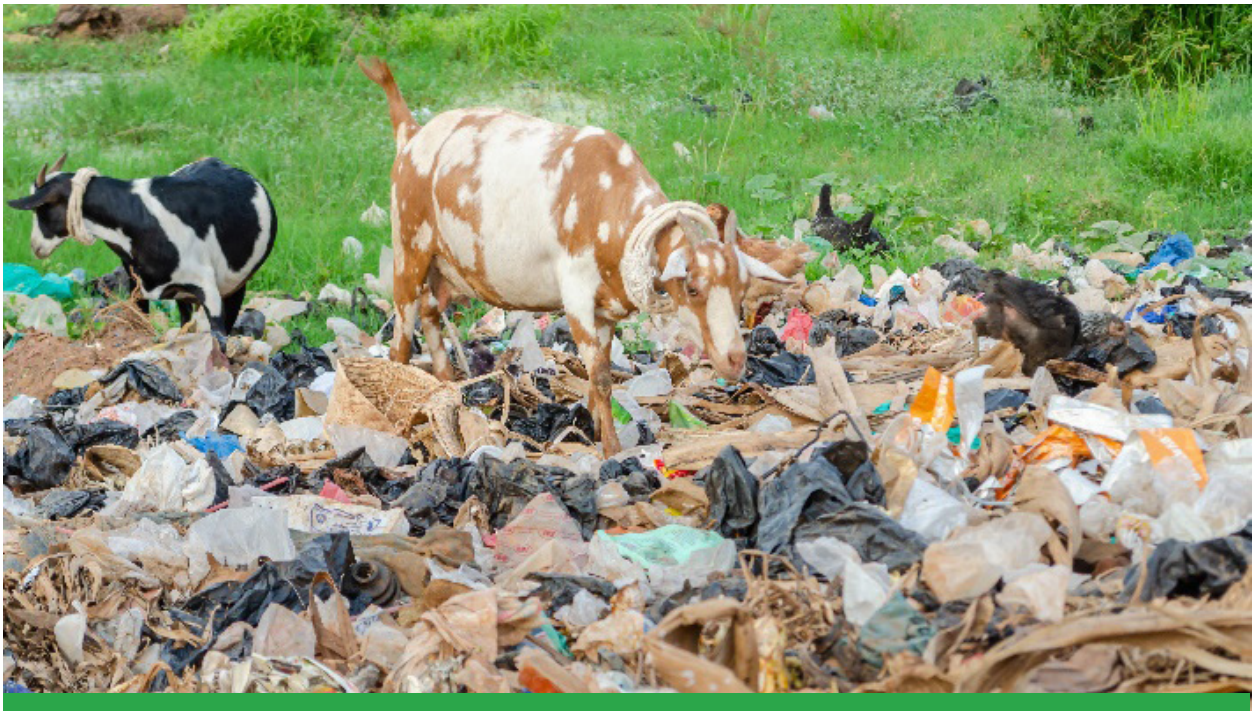
¹⁷ International Trade Administration: Country commercial Guide for Uganda 2022 available at <https://www.trade.gov/country-commercial-guides/uganda-agricultural-sector>

¹⁸ KCCA is the governing body of the Uganda's capital city, Kampala and it administers the capital on behalf of the central government subject to the KCCA Act. Section 5 of KCCA Act states that there shall be a body corporate (KCCA) with perpetual succession and may sue and be sued in its corporate name and do, enjoy or suffer anything that may be done, enjoyed or suffered by a body corporate.

¹⁹ Joao Pinto da Costa, Teresa Rocha-Santos and Armando C. Duarte (2020) The environmental impacts of plastics and micro-plastics use, waste and pollution: EU and National Measures

²⁰ Cynthia Mutonyi Wandeka, Nicholas Kiggundu, Raymonds Mutumba (2022) Plastic Packaging: A Study on Plastic Imports in Uganda International Journal of Scientific Advances ISSN: 27087972 Volume: 3 | Issue: 1 | Jan Feb 2022 Available Online: www.ijscia.com

²¹ Joao Pinto da Costa, Teresa Rocha-Santos and Armando C. Duarte (2020) The environmental impacts of plastics and micro-plastics use, waste and pollution: EU and National Measures



A picture of chickens and goats feeding on garbage waste, littered with plastics.

Credit: Greenwatch

Although burning of plastics is a favored disposal method in Uganda especially among low-income households, it presents a significant amount of challenges for the human population and the environment. When plastics are burnt, they release halogenated additives²² and harmful gases like dioxins, hydrogen chloride, airborne particles and carbon dioxide²³ which are greenhouse gases that lead to climate change²⁴. Moreover, when these gases are absorbed by humans, can lead to respiratory complications²⁵.

As a response to the plastics challenge, the government of Uganda through the Ministry of Water Environment (MWE) and other authorities like National Environment and Management Authority (NEMA) have put in place mechanisms to address plastic pollution in the country in the form of laws, policies, and as well created bodies to enforce the laws. The question is are these mechanisms adequate to deal with the problem?

This assessment therefore examines and documents the existing laws on the management of plastics in Uganda, determining whether these laws have been enforced by the agencies mandated to protect the environment from degradation, and identifies cases that have been brought before courts of law as a consequence of violations of these laws. This assessment report also proposes recommendations that are systematic and push for behavior change for the government, its agencies, CSOs and the public to address plastic pollution in Uganda.

Plastics are directly manufactured from crude oil and natural gas²⁶ through a process called polymerization. With the inception of the oil and gas sector in Uganda and with the first oil production expected in 2025, there is likely to be more plastic production in the country as a result.

²² Okunola A Alabi, Kehinde I Ologbonjaye, Oluwaseun Awosolu and Olufiropo E Alalade (2019) *Public and Environmental Health Effects of Plastic Wastes Disposal: A Review Journal of Toxicology and Risk Assessment*

²³ Neha Patni, Pallav Shah, Shruti Agarwal and Piyush Singhal (2013) *Alternative Strategies for Conversion of Waste Plastic to Fuels*

²⁴ Lisa Anne Hamilton, Steven Feit, Carroll Muffett, Matt Kelso, Samantha Malone Rubright, Courtney Bernhardt, Eric Schaeffer, Doun Moon, Jeffrey Morris and Rachel Labbe-Bellas (2019) *Plastic and Climate: The Hidden Costs of a Plastic Planet*

²⁵ Yusuf Sarkingobir, Malami Dikko, Sulaiman Aliyu, Umar Tambari, Abdullahi Adamu, Ibrahim A. Salau (2020) *The Dangers of plastics to Public Health: A review*

²⁶ Neha Patni, Pallav Shah, Shruti Agarwal and Piyush Singhal (2013) *Alternative Strategies for Conversion of Waste Plastic to Fuels*

There is therefore need for comprehensive laws governing the production, use and disposal of plastic in Uganda alongside addressing the challenges or impacts on the environment, human life, animal life and the economy from production and post production of plastics in the country. Production of plastics contributes to climate change through the emission of greenhouse gases like carbon dioxide. In 2019, plastics generated 1.8 billion metric tons of greenhouse gas emissions – 3.4 per cent of global emissions with 90 per cent of those emissions coming from plastics production and conversion from fossil fuels²⁷.

²⁷ Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment First session UNEP/PP/INC. 1/7

| ASSESSMENT OF THE | LAWS ON PLASTICS



Uganda has an abundance of legislation that provides for the protection and preservation of the environment from which the law on the manufacture, use, management and disposal of plastic waste stems.

National Laws

The 1995 Constitution of the Republic of Uganda

The 1995 Constitution of the Republic of Uganda is the supreme law from which other laws are created. Articles 39 and 17(j) provide for the right to a clean and healthy environment and a citizen's duty to create a clean and healthy environment respectively. Objective XXVII provides that the State shall take all possible measures to prevent or minimize damage and destruction to land, air and water resources resulting from pollution or other causes. Article 245 on protection and preservation of the environment states that Parliament shall, by law, provide for measures intended to protect and preserve the environment from abuse, pollution and degradation. The 1995 Constitution creates cabinet Ministers such as the MWE under Article 113, and also creates the Office of the Director of Public Prosecution (ODPP) and provides for its functions under Article 120.

Substantive Law

National Environment Act, No.5 of 2019

The 2019 Act maintains NEMA as the principal agent responsible for regulating, monitoring, supervising and coordinating all activities relating to the environment, it is in addition the enabling law prohibiting the local manufacture, importation, exportation, use or re-use categories of plastic carrier bags or plastic products made of polymers of ethene (polythene) and propylene (polypropylene) below 30 microns²⁸. This Act also gives authority to the Uganda National Bureau of Standards (UNBS) to enforce provisions on the standardization of plastic bags and plastic products, the Act addresses environmental concerns arising out of petroleum activities and mid-stream operations, provides for the management of plastics and plastic products²⁹; Section 76 (2) states that the Minister shall, in consultation with the Authority, lead agencies and relevant stakeholders, put in place a criteria for the documentation, handling, storage, recycling, re-use and disposal of plastics and plastic products and provides for Extended Producer Responsibility³⁰ (EPR) and product stewardship.

Uganda National Bureau of Standards Act Chapter 327 (2013 amendment)

The UNBS Act is a 1983 law that provides for the establishment of the UNBS as the body responsible for formulating national standard specifications for commodities, establishes standard specifications for commodities and provides for offences and penalties.

The Public Health Act, Chapter 281

The Public Health Act, imposes obligations on the urban and local governments in connection with public health issues. Section 103 of the Act imposes a duty on every local authority to take all lawful, necessary and reasonably practicable measures for preventing any pollution danger-

²⁸ Section 76(1) of the NEA, 2019

²⁹ Section 76(4) of the NEA, 2019

³⁰ Regulation 2 of the National Environment (Waste Management) Regulations defines Extended Producer Responsibility as the responsibility of a producer for the entire life cycle of the product, including responsibility for take back, recycling and final disposal of the product. Under the Organization for Economic Co-operation and Development (OECD) Fact sheet, Extended Producer Responsibility is defined as a concept where manufacturers and importers of products bear a significant degree of responsibility for the environmental impacts of their products throughout the product life-cycle, including upstream impacts inherent in the selection of materials for the products, impacts from manufacturers' production process itself, and downstream impacts from the use and disposal of the products. Available at <https://www.oecd.org/env/waste/factsheetextendedproducerresponsibility.htm>

ous to health of any supply of water which the public within its district has a right to use and uses for drinking or domestic purposes.

National Climate Change Act, 2021

The National Climate Change Act provides for climate change response measures in Uganda; it provides for participation in climate change mechanisms. Although the Act is silent about the contribution of plastic emissions during production and disposal to climate change, it provides for measuring and reduction of greenhouse gas emissions in general.

Kampala Capital City Authority Act, 2010 (2019 amendment)

In accordance with Article 5(4) establishes Kampala as the capital city of Uganda in accordance with Article 5 of the Constitution; to provide for the administration of Kampala by the central government; and also establishes Kampala Capital City Authority (KCCA) as the governing body of the city. The Act additionally provides for Directorates that assist in the effective operation of the Authority such as the Directorate of Public Health Services (DPHS). The DPHS guides KCCA on the efficient management of public health and the environment in Kampala city and has the mandate to facilitate and provide support in ensuring the health and productivity of citizens; a clean, habitable and sustainable community³¹.

The Petroleum (Exploration, Development and Production) Act, 2013

The Petroleum (Exploration, Development and Production) Act gives effect to Article 244 of the Constitution to regulate petroleum exploration, development and production, and to establish the Petroleum Authority of Uganda, to regulate the licensing and participation of commercial entities in petroleum activities, to create a conducive environment for the promotion of exploration, development and production of Uganda's petroleum potential, and to provide for efficient and safe petroleum activities.

Regulations:

National Environment (Waste Management) Regulations, 2020

The 2020 Waste Management Regulations were established by MWE to regulate waste in Uganda. The Regulations provide for the generation, collection, transportation, storage, treatment and disposal of waste, plastic waste inclusive; transboundary movement of waste and to all waste management facilities. In addition, the regulations prohibit the importation, sale and use of plastic bags and other plastics used for packaging, and provide for offences and penalties in relation to plastic carrier bags and plastic products. Regulation 38 imposes a duty on every person to minimize the generation of plastic waste and Regulation 39(2) requires every person who buys or uses plastic carrier bags to undertake measures to minimize single-use plastics by using reusable containers when shopping, reusing the same plastic carrier bags for multiple shopping, re-purposing plastic bags as trash liners or pet waste bags, buying products in bulk.

The Finance (Permitted Plastic Bags and Other Plastics for Exceptional Use) Regulations, 2010

These Regulations provide for the prohibition to import, sale and use plastic bags except plastic woven bags for the packaging and conveyance of goods, they provide for a [list of plastic bags that are permitted for exceptional use](#)³², and Regulation 7 provides for the offence and penalty of manufacturing, importing, exporting, distributing or otherwise dealing in prohibited plastic bags and other plastics.

³¹ Mandate and the core functions of the DPHS, KCCA available at <https://www.kcca.go.ug/public-health-services-and-environment>

³² Regulation 4(b) of the Finance (Permitted Plastic Bags and Other Plastics for Exceptional Use) Regulations, 2010

Guidelines:

Uganda Standard 773:2007 Plastic carrier bags and flat bags specification

This Uganda Standard prepared by UNBS specifies requirements and methods of sampling and testing plastic carrier bags and flat bags made from thermoplastic materials, both locally produced and imported for use in Uganda. This standard covers the thickness and printing requirements of these bags and most importantly sets 30 microns as the minimum requirement for flat and plastic carrier bags.

Guidelines for the Management of Landfills in Uganda, 2020

These Guidelines by NEMA assist urban centers to manage waste effectively, they provide for waste management hierarchy that entails; prevention, reduction, re-use, recycling, other recovery, and responsible disposal of waste to landfill, the Guidelines also provide guidelines for operators intending to set up and operate a landfill. The Guidelines are to be read and applied concurrently with the National Environment Act of 2019, and the National Environment (Waste Management) Regulations of 2020 and other applicable law.

International Laws and Treaties

The Basel and Bamako Conventions

These conventions are on controlling export of hazardous and other waste (plastic waste). The Basel Convention was formed in by the United Nations (UN) while Bamako was formed by the African Union (AU). Uganda is party to both. During the Conference of Parties III (COP3), Plastic Waste Decision invited parties and other African states that have not already done so, to phase-out and prohibit the manufacturing, importation, use, and sale of plastic bags and other single-use plastic items in their countries and to duly consider adopting such a prohibition on a regional basis as a new article of the Bamako Convention. In addition, they call for a new legally binding global agreement to combat plastic pollution covering the full life-cycle of plastics.

| ENFORCEMENT OF THE LAWS



Discussions and information gathered from interviews and field visits to the government agencies and institutions

Enforcement of the existing laws on plastic use and management in Uganda, is the responsibility of; the MWE, NEMA, UNBS, DPHS under KCCA, and ODPP and Environment Police Protection Unit (EPPU).

Ministry of Water and Environment

MWE is a cabinet ministerial level body established in the 1995 Constitution under Article 113. Its key responsibility is developing environmental policy, regulation, coordination, inspection, supervision and monitoring of the environment and natural resources as well as the restoration of degraded ecosystems and mitigating and adapting climate change.

MWE has devised a number of strategies to address plastic pollution among which was re-viewing and repealing the NEA Chapter 153, a law that was silent about plastics. It has since replaced the above-mentioned law with the current law, the NEA, 2019 that introduced a number of provisions addressing plastic use and management among which is section 76 that prohibits the local manufacture, importation, exportation, use or re-use of categories of plastic carrier bags or plastic products below 30 microns. Additionally, MWE created EPPU to assist NEMA in policing environmental crime such as littering, pollution, etc. According to Nathan Mununuzi of the Environment Sector Support Department under MWE, MWE has not yet committed itself to working on a bill aimed at outlawing single-use plastics in Uganda, especially since it recently reviewed and repealed the NEA Chapter 153 in 2019 bringing into force the current NEA, 2019.³³



Interview session with Betty Mbolanyi, Senior Environment officer MWE (left), Nicholas Magara, Principal Environment officer MWE (middle) and Bridget Ampurira, Project officer, Greenwatch (right).

Credit: Greenwatch

National Environment Management Authority

NEMA is mandated under section 9 (1) of the National Environment Authority, 2019 as the principal agency in Uganda responsible for regulating, monitoring, supervising and coordinating all activities relating to the environment.

In addressing environmental issues such as plastic pollution, NEMA works with other institutions like KCCA, UNBS and the Uganda Revenue Authority to curb and restrict the local manufacture, importation, exportation, distribution, sale and use of substandard plastics bags and plastic

³³ In an interview with Nicholas Magara, Nathan Mununuzi and Betty Mbolanyi under the Environment Sector Support Department of MWE

products. In 2021, NEMA in collaboration with VIVO Energy and Next Media launched the “Taasa Obutonde”³⁴ awareness campaign that was aimed at creating awareness around the dangers of plastics. NEMA is working on a new law aimed at outlawing single-use plastics. In that effect, NEMA submitted a cabinet paper on prohibiting single-use plastics to the MWE. Once the paper has been approved by the MWE, NEMA will begin drafting provisions for a bill to be passed into law.³⁵



Interview with Stella Muheki, Inhouse Counsel NEMA (left) and Bridget Ampurira, Project Officer and legal Assistant Greenwatch (right)

Credit: Greenwatch

Uganda National Bureau of Standard

The UNBS Act establishes UNBS as the body responsible for formulating national standard specifications for commodities, promoting standardization in commerce, industry, health, safety and social welfare. One of UNBS’s core roles is to ensure that products consumed and used in Uganda comply with set standards during manufacture, in composition, treatment or performance and prohibits sub-standard goods where necessary³⁶. Section 76(4) of the NEA, 2019 gives UNBS the mandate to enforce the provision in the NEA prohibiting the local manufacture, importation, exportation, use or re-use of categories of plastic carrier bags or plastic products below 30 microns.

The UNBS Act provides for declaration of compulsory standard specification for commodities and states that;

“Subject to this section, the Minister may, on the recommendation of the council, by notice in the Gazette—(a) declare a standard specification for any commodity or for the manufacture, production, composition, blending, processing or treatment of any commodity to be a compulsory standard specification.”³⁷

The compulsory standard specification for plastic carrier bags and flat bags is Uganda Standard 773:2007 which was established in 2007 and specifies the requirements and methods of

³⁴ Taasa obutunde translated as “Save the environment”

³⁵ In an interview with Stella Muheki, In-house counsel for NEMA

³⁶ Section 3(1a) and 3(1e), UNBS Act

³⁷ Section 18(1)(a) of the UNBS Act

sampling and testing plastic carrier bags and flat bags made from thermoplastic materials both locally produced and those imported for use in Uganda. These requirements include;

- i. defects on the plastic bag;
- ii. color and opacity of the plastic bag;
- iii. ease of opening;
- iv. odour of the plastic bag;
- v. construction and materials used; and
- vi. film thickness.

Using this standard, UNBS checks the compliance of traders and manufacturer of plastic carrier bags and flat bags. One-way of checking the compliance is by using a micron meter screw gauge that measures the diameter of thin wires, the thickness of small sheets such as glass or plastics.

UNBS also uses permits as tools for ensuring that plastic manufacturers comply with the specified standard. The permits give permission to manufacturers to trade in a particular product and contain conditions that the manufacturers have to follow and, in the event, that they fail to comply with the conditions, it can result in the revocation of the manufacturer's permit³⁸. A manufacturer can apply for the 12-month permit from the National standards council or a person acting under the authority of the council³⁹.

The Bureau also works with other lead agencies such as NEMA and Police in their operations to ensure that manufacturers, and traders adhere to the set standards. UNBS carries out quarterly inspections of factories that manufacture plastic bags and plastic products to ensure that they are complying with the compulsory standard. In August of 2019 and sometime in 2021, the UNBS together with NEMA closed down several factories that were producing substandard plastic bags and plastic products. Companies such as Jesco Plastics Limited, Teeffe plastics, and Earth Quec Enterprises Limited.⁴⁰



Photo session with Gaston Kironde (extreme left), Prossy Nabagala (middle), Linda Kobere (2nd right) of the Markets Surveillance and Standards Department of UNBS, Daphine Nuwasiima (2nd left) and Ampurira Bridget (extreme right) Project officers, Greenwatch.

Cedit: Greenwatch

³⁸ Section 20(1) and 20(3) of the UNBS Act respectively

³⁹ Section 20(2) and 20(4) of the UNBS Act respectively

⁴⁰ In an interview with Linda Kobere, Prossy Nabagala and Gaston Kironde of the Markets Surveillance and Standards Department of UNBS

Section 23 of the KCCA Act establishes the Directorate of Public Health Services (DPHS) to facilitate and provide a clean, habitable and sustainable community and in addition guides KCCA on efficient management of public health and the environment in Kampala. Section 103 of the Public Health Act imposes a duty on every local authority to take all lawful, necessary and reasonably practicable measures for preventing any pollution dangerous to health, of any supply of water which the public within its district has a right to use for drinking or domestic purposes.

Implementation of the Environmental and City Ambience Management is still a challenge for DPHS especially in relation to waste management but the core function being waste management, DPHS continues to collect waste (plastic waste inclusive) around the city of Kampala together with other private companies that were contracted by KCCA. The waste is then dumped at Kiteezi landfill even though this act is prohibited under Regulation 70 of the National Environment (Waste Management) Regulations, 2020 and the 2020 Guidelines for the Management of Landfills in Uganda which mutually state that landfilling of polymers, including non-biodegradable plastics and carrier bags is prohibited. Landfills are not typically designed to aid in the biodegradation of waste rather they are burial grounds for solid waste and other wastes⁴¹. One example is food waste, while it ordinarily takes food waste a short time to biodegrade under natural conditions such as sunlight and oxygen, in a landfill food waste takes approximately 6 months to 2 years to break down^{42,43}. Plastics or polymers on the other hand take 10 to 100 years to break down in a landfill. To address this gap, the DPHS acquired a new landfill at Ddundu in 2017 that is approximately 135 acres that will house a processing facility where KCCA will be able to separate plastic waste and other non-landfillable waste before landfilling. At the moment the landfill is not yet operational. In addition to the above, the DPHS works with other agencies for instance UNBS and NEMA to ensure that manufacturers of plastic bags and plastic products comply with the law.⁴⁴



A picture of KCCA DO NOT LITTER signpost next to a drainage channel littered with plastics in Kampala.

Copyright: Greenwatch

⁴¹ J.D. Hamilton, K.H. Reinert, J.V. Hagan & W.V. Lord (1995) Polymers as Solid Waste in Municipal Landfills, *Journal of the Air & Waste Management Association*. Available online: <https://doi.org/10.1080/10473289.1995.10467364>

⁴² Things you might not know about landfills. Available online: <https://thisisplastics.com/environment/things-you-might-not-know-about-landfills/>

⁴³ How long does it take garbage to decompose? Available online: <http://storage.neic.org/event/docs/1129/how-long-does-it-take-garbage-to-decompose.pdf>

⁴⁴ In an interview with Maximus Kwesiga, an environmental officer working in the DPHS, KCCA

Environment Protection Police Unit

EPPU was established by the MWE to assist NEMA in policing environmental crime⁴⁵. EPPU doesn't have specific strategies on addressing plastic pollution as an environmental crime however when the Unit receives complaints in relation to plastic pollution from the public, they respond to them. The EPPU carries out routine inspections, patrols, surveillances and monitoring around its areas of jurisdiction as a tactic to arrest those violating environmental laws in Uganda.⁴⁶

Office of the Director of Public Prosecution

Finally, ODPP was established under Article 120 of the 1995 Constitution. Its core mandate is to direct the police to investigate any information of a criminal nature, and to institute criminal proceedings against any person or authority in any court with competent jurisdiction (Article 120 (3) of the 1995 Constitution).

ODPP receives information from the public, newspapers on acts of a criminal nature. It then directs police to investigate before sanctioning the violators. The ODPP also licenses officers that are stationed at NEMA and KCCA to handle cases of an environmental nature such as pollution, littering, and nuisances. It is through such initiatives that ODPP enforces the law on plastic pollution for which it is mandated.⁴⁷

The ODPP has instituted a number of cases on environmental crime specifically concerning the UNBS standard and have resulted in prison terms, fines for the offenders and seizure of the prohibited plastic bags and plastic products. Examples of such cases include;

UGANDA v Sahle Mesfun Asfaha Criminal Case No. 333/2022, where the managing director of L'uley Plastic World Company Ltd, Sahle Mesfun Asfaha was charged with the manufacture plastic carrier bags not conforming to the required standard specification US 773:2007 SPECIFICATION FOR PLASTIC CARRIER BAGS AND FLAT BAGS. The court ordered that the 24 cartons of plastic bags be recycled at the cost of the accused under the supervision of UNBS.

UGANDA v Lubega Drake Francis Criminal Case No. 1056/2019 managing director of Jesco Industries limited was charged with the manufacture of non-conforming plastic bags contrary to US 773:2007 SPECIFICATION FOR PLASTIC CARRIER BAGS AND FLAT BAGS and for making false statement or representation on commodity with intention of implying that it was complying to the compulsory standard when in fact it didn't. In this case, the court ordered that the substandard bags and carrier bags be returned to UNBS for destruction under court supervision and for Lubega Drake Francis to pay a fine of 2.6 million Uganda shillings to meet the cost of destroying the substandard products.

UGANDA v Kariuki Patrick Maina Case No. 1291/2019 in which Kariuki Patrick was charged with the manufacture of plastic carrier bags which were not in conformity with the requirements of US 773:2007 SPECIFICATION FOR PLASTIC CARRIER BAGS AND FLAT BAGS. The court ordered for the plastic bags are to be handed over to UNBS for further management.

⁴⁵ Amos Ronald Kalukusu (2018) *The Role of the Environmental Protection Police Unit in the Protection of Wetlands: A Case of Kajansi Peri-Urban Areas in Uganda*

⁴⁶ In an interview with Assistant Superintendent of Police David Dauna of EPPU

⁴⁷ In an interview with Assistant Director of Public Prosecution Barbra Kawuma

Challenges of enforcement

A number of challenges were identified by the interviewees from the discussion and field visits that were made as detailed above. The challenges faced by the government authorities, agencies, institutions and courts include:

1. Lack of political will

Political will is the commitment of political leaders and bureaucrats to undertake actions to achieve a set of objectives and to sustain the costs of those actions over time⁴⁸. Lack of political will on the other hand, is the unwillingness of actors to undertake actions to achieve a set of objectives⁴⁹. Majority of the interviewees, report that there is minimal to no support from government in relation to dealing with plastics in the country. As such, the ban on single-use plastic bag ban was announced in 2007 but it was not until 2009 when, Syda Bbumba⁵⁰ announced the decision to ban plastic bags and other plastic material of less than 30 microns⁵¹. To date, government is still inconsistent with its stance on plastics. In 2018, government came out strongly against plastics and even halted 45 manufacturers from production, distribution, sale and use of plastics but this didn't last long as the same year a different direction was taken in favor of recycling instead of a complete ban on the harmful products. In 2019, the current National Environment Act was enacted and therein contained the prohibition on the local manufacture, import, export, use or re-use of categories of plastic carrier bags or plastic products made of polymers of ethene (polythene) and propylene (polypropylene) below 30 microns. Unfortunately, this law has been criticized for not being effective in dealing with the current challenge. There is no evident change pre-NEA, 2019 and post-NEA, 2019 as plastic bags and plastic products of polymers below 30 microns are still common on the Ugandan market.

2. Limited resources

Resources are personal, social and material conditions, objects, means and characteristics that the individual/organization can use to cope with the external and internal demands of life and objectives.⁵² Without the required resources to operate, the work of an organization is rendered near impossible. Gaston Kironde, a Standards officer with UNBS, confirms that limited resources both financial and human is one of the challenges that UNBS faces in implementing its mandate. He gave an example of the inspector: district ratio which he qualified as low and the product: inspector ratio which he qualified as high; the result of these two ratios is that they make their routine inspections difficult. Similarly, ASP David Dauna of EPPU informed us that limitation in funds has made EPPU's operation difficult. For example, the Unit doesn't have a sufficient number of cars to patrol factories that manufacture plastic carrier bags and plastic products which hinders regular inspection. The ODPP also informed us that as a result of limited man power to investigate and prosecute environmental crimes has made their operations difficult causing them to prioritize other cases in favor of environmental crimes. She said that the ODPP operates at 40% a low percentage to enable them fully operate as required or expected.

3. Plastic waste is not separated from biodegradable waste

Maximus Kwesiga, an environmental officer working in the DPHS mentions that one of the challenges faced by the Directorate is the type of waste generators used do not separate plastic

⁴⁸ Derick W. Brinkerhoff, Distinguished Fellow in International Public Management with RTI International (Research Triangle Institute) and is an associate faculty member at GW's Trachtenberg School of Public Policy and Public Administration, in 'Assessing political will for anti-corruption efforts: an analytic framework' (2000)

⁴⁹ U4Brief May 2010 - No. 1. Available online: <https://www.cmi.no/publications/file/3699-unpacking-the-concept-of-political-will-to.pdf>

⁵⁰ Minister of Finance for Uganda (2009-2011)

⁵¹ Behuria, Pritish (2019) *The comparative political economy of plastic bag bans in East Africa: why implementation has varied in Rwanda, Kenya and Uganda*. GDI Working Paper 2019-037. Manchester: The University of Manchester.

⁵² Franz-Christian Schubert and Alban Knecht *Resources – Features, Theories and Concepts at a Glance*

waste from the biodegradable waste as a result, KCCA is cannot account and record the amount of plastics that is collected and disposed making it difficult for the Authority to record the amount of plastic waste generated in the city in order to effectively plan and manage the waste. When plastic waste is not separated from biodegradable waste and ends up in the land, it has detrimental consequences for the environment, human and animal life.

4. Business power over environmental policy

It has been argued by numerous scholars such as Charles Lindblom that often governments will favor businesses because of their contribution to the economy through tax revenue, and employment⁵³ in place of environmental laws and policy. This has resulted in enactment of laws addressing environmental challenges but no enforcement. In effect, politicians will not support enforcement of laws for fear of losing the support usually financial that they receive from these businesses. There have been numerous attempts to ban plastics in Uganda by NEMA; first in 2007, then in 2009 and in 2018 when the President announced his intention to implement a ban on plastic bags and finally the current NEA, 2019 that prohibits the local manufacture, import, export, use or re-use of categories of plastic carrier bags or plastic products made of polymers of ethene (polythene) and propylene (polypropylene) below 30 microns.

5. Lack of public awareness

The public is not fully aware of the harmful effects of plastics on the environment and the complexities involved in recycling plastics thus the continued demand and reliance on the product coupled with the poor disposal methods with the assumption that all plastics are recycled which is not the reality.

Conclusion

The negative impacts of plastics are visible, from clogging waterways and sewers, to suffocating the soils that are important for agriculture production, to contributing to climate change due to the greenhouse gas emissions they release during production and disposal and a health hazard for both humans, animals and plants. Although the consumption of plastics in Uganda is still relatively low compared to developed countries, there is need to check the growing demand for plastics especially given their persistence in the environment and the poor waste management practices⁵⁴ in the country that are drivers to plastic pollution.

The government of Uganda through its agencies has undertaken a number of measures and strategies to address plastic pollution; the major focus on implementation of laws that impose an obligation on lead agencies to protect and conserve the environment and restrict the public from doing certain acts that are injurious to the environment. Primarily, the National Environment Act, 2019, the National Environment (Waste Management) Regulations, 2020 that prohibit the local manufacture, importation, exportation, distribution, sale and re-sale of plastic bags (carrier and flat) and plastic products below 30 microns. Thin plastic bags that are typically below 30 microns are not favorable for recycling because they get tangled in the recycling machinery and cause damage or reuse.⁵⁵ This is why most governments opt to prohibit or ban these types of plastics from production and circulation. In 2011, the Nepalese government issued a Plastic Bag -

⁵³ Behuria, Pritish (2019) *The comparative political economy of plastic bag bans in East Africa: why implementation has varied in Rwanda, Kenya and Uganda*. GDI Working Paper 2019-037. Manchester: The University of Manchester.

⁵⁴ Turpie, J., Letley, G., Ng'oma, Y. & Moore, K. 2019. *The case for banning single-use plastics in Malawi*. Report prepared for UNDP on behalf of the Government of Malawi by Anchor Environmental Consultants in collaboration with Lilongwe Wildlife Trust. Anchor Environmental Consultants Report No. AEC/1836/1. 64pp.

⁵⁵ Yong Li and Bairong Wang (2021) *Go Green and Recycle: Analyzing the usage of plastic bags for shopping in China*. *The International Journal for Environment Research and Public Health*. Available online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8656709/>

Reduction and Regulation Directive which prohibited the usage of plastic bags thinner than 20 microns in the retail sector. Thicker plastics that are above 30 microns are therefore preferred because of their durability and therefore convenient to reuse several times after purchase⁵⁶. However, prohibiting the local manufacture, importation, exportation, distribution, sale and re-sale of plastic bags (carrier and flat) and plastic products below 30 microns is not enough. As already discussed above, plastics whether thin or thick are undoubtedly harmful for the environment, human and animal life. There is therefore need for more effort to address plastic pollution.

In a 2002 case that was filed by Greenwatch against Attorney General & NEMA (Misc. Cause-2002/140[2012] the High court of Uganda declared that the manufacture, distribution, use, and sale of plastic bags, plastic containers commonly referred to as kaveera violates the citizen's right to a clean and healthy environment, a right preserved by Article 39 of the 1995 Constitution of the Republic of Uganda.

Unfortunately, enforcement of the above laws remains a challenge for the mandated agencies. This has been attributed to a number of factors such as; limitation in resources both financial and human capacity, the lack of political will manifested by the government of Uganda and politicians who favor businesses growth over environmental policy, separation of plastic waste from bio degradable waste and the public not being fully aware of the dangers of the use and disposal of plastic material. Also, the existing laws on plastics are not comprehensive in addressing the challenges attributed to plastics.

Majority of the interviewed stakeholders support banning of single-use plastics as opposed to setting prohibitions only on certain plastics like is provided in the current law, the NEA, 2019. They believe a ban on plastics particularly single-use plastics is a step in the right direction towards protecting the environment from plastic pollution.

Recommendations

These recommendations are intended for the government of Uganda, its agencies, law enforcement agencies, plastic manufacturers, courts of judicature, CSOs and the public who have a role to play in curbing plastic pollution in the country.

1. Amending the current law to include ban of plastics with high utility and littering potential

While we recognize government's efforts to put in place measures and laws to address plastics, such as the law prohibiting the local manufacture, importation, exportation, use or re-use categories of plastic carrier bags or plastic products made of polymers of ethene (polythene) and propylene (polypropylene) below 30 microns, these laws are not adequate or comprehensive as far as addressing the challenge associated with plastics. We therefore recommend government to revise the current laws with an extension of the law banning single-use plastics in the country. In India, where plastic pollution is a challenge, the Ministry of Environment, Forest, and Climate Change introduced an amendment in the law, Plastic Waste Management (Amendment) Rules, 2021 prohibiting identified single-use plastic items, having low utility and high littering potentials. Similarly, in Rwanda, the Parliament established the N57/2008 law that prohibited the manufacture, importation, use and sale of polythene bags less than 60 microns. However, in 2019, the 2008 law was revised for the prohibition to include single-use plastics such as straws, bottles and food containers. The law also provides for strong penalties for violating the law of up to 500,000 RWF⁵⁷.

⁵⁶ Yong Li and Bairong Wang (2021) *Go Green and Recycle: Analyzing the usage of plastic bags for shopping in China. The International Journal for Environment Research and Public Health*

⁵⁷ Global Initiative for Environment and Reconciliation (2021) *Rwanda: A Global Leader in Plastic Pollution Reduction.*

2. Strong and active support from government to combat plastic pollution

Countries that have registered major success in the enforcement of the laws on plastic products, have had tremendous support from their governments to combat plastic pollution. In Kenya, the government successfully implemented a ban on plastic bags in 2018 despite the existence of the strong business power that could potentially threaten the financial aspect in the political arena. Together with the aid of the United Nations Environment Programme (UNEP) and local and international environmental activist groups that demanded for stringent laws against plastic pollution, the government was able to implement a ban on plastic bags for packaging (carrier bags and flat bags)⁵⁸. The ban has facilitated a turnaround or shift by manufacturers from single use plastics to environmentally friendly packaging such as paper bags and cloth bags.

3. Increase in financial resources allocated to government agencies for the enforcement of the laws on plastics

The government of Uganda should increase funding in the environment sector to enable the mandated agencies to address plastic pollution in Uganda. As mentioned above, one of the factors that have contributed to the lack of enforcement of the existing laws is limited resources. In addition, we encourage MWE to provide CSOs, the public and all relevant stakeholders with a breakdown of the funds received from government to support MWE's operations. At the 2022/2023, National Budget reading, the MWE was allocated 628b Uganda shillings⁵⁹ but unfortunately stakeholders are not given a breakdown of how these funds are apportioned among the different sector departments.

4. Capacity building for judicial and court officials on plastic pollution

The government, its agencies and CSOs should work together to strengthen the capacity of the judiciary in Uganda to adjudicate cases on plastic violations. Case in point is in *UGANDA v Kariuki Patrick Maina* Case No. 1291/2019 where the court ordered that the manufacturer Patrick Maina to hand over the substandard plastic bags to UNBS for "further management" without an interpretation of what further management entails. The danger with this kind of order is it can bring about other claims challenging the court's decision which would then delay justice.

5. Mass sensitization

The public plays an important role in curbing environmental challenges such as those arising from plastics since they are the target market. The government of Uganda, its agencies, and CSOs, should therefore carry out more training and as well introduce education programs in schools on the negative impacts of plastics.

The use of media to bring about a shift in the way the public view plastics is an important technique that the government, its agencies and CSOs can employ to get the public from relying on plastics. In Rwanda, the government used media campaigns, and trainings to inform the public about the harmful effects of plastics (Gaia-ger, 2021) and this brought about a change in as far as Rwandese citizens view plastics. Right now, Rwanda is the leading example on addressing the challenges associated with plastics in Africa.

6. The mandated agencies need to place more emphasis on EPR

EPR ensures that producers of all materials with potential to pollute will have the duty to follow the management of their product through products life cycle by minimizing the waste generated all the way from the production process. This environmental principal emphasizes the need to adopt mechanisms that will improve the production processes through monitoring the product

⁵⁸ Behuria, Prithi (2019) *The comparative political economy of plastic bag bans in East Africa: why implementation has varied in Rwanda, Kenya and Uganda*. GDI Working Paper 2019-037. Manchester: The University of Manchester.

⁵⁹ Ministry of Finance, Planning and Economic Development Budget Speech for Financial Year 2022/2023. Available online: <https://parliamentwatch.ug/wp-content/uploads/2022/06/Budget-Speech-June-2022.pdf>

cycle from beginning to end; and incorporating measures and technologies that deliver the best overall environmental outcome in the design and disposal of a product.⁶⁰ EPR represents a shift away from traditional waste management approaches, where the responsibility for funding lies with municipalities and residents with EPR the producer bears the responsibility. While EPR is provided for in the NEA, 2019 and National Environment (Waste Management) Regulations, 2020 it has not been effectively utilized by the mandated agencies to ensure that manufacturers are sustainably managing their product lifecycle to minimize waste generation.

A good example of EPR is the deposit return scheme⁶¹ or bottle deposits which works by placing a monetary value on waste⁶². Consumers of beverages or goods packed in plastics bottle are charged an extra fee at purchase and upon returning the empty plastic bottle to any distributor, the fee is returned to the consumer. Therefore, instead of disposing the plastic bottle in the environment after use, the user is encouraged to return the plastic bottles, thereby doing away with plastic waste. In Norway, the scheme has been extremely successful, registering an impressive 97% recycling rate for plastic bottles⁶³. The deposit return scheme also coined as “panting” in Norway has been in operation since the early 2000s and because of it less than 1% of all plastic bottles sold in Norway end up in the environment. The same has been seen in Germany with the scheme targeting glass, plastic (mostly PET) and metal (aluminium)⁶⁴. For the deposit return scheme to work the government, and retailers implementing the scheme have to bear in mind the cost implication of setting up DRS from installation of the reverse vending machines, transportation costs, and maintenance of the machines.

7. Investing in alternative packaging material.

Reducing on the reliance of plastic products and investing in alternatives would go a long way to attaining a plastic free environment. On that note, we encourage government, its agencies, CSOs, traders to adopt and as well push consumers to turn to other alternative means to plastic products such as paper, cardboard boxes, wood, steel, cloth that are more environmentally friendly⁶⁵.

⁶⁰ What is Extended Producer Responsibility? Available online: <https://newsroom.tomra.com/what-is-epr/>

⁶¹ Deposit return schemes are systems where consumers buying a product pay a small amount of money which will be reimbursed when they bring the container to a collection point once they have finished using it. Available online: <https://www.innovationnewsnetwork.com/deposit-return-schemes-plastic/532/>

⁶² What is Extended Producer Responsibility? Available online: <https://newsroom.tomra.com/what-is-epr/>

⁶³ Lesson from Norway: Deposit return scheme. Available online: <https://theknowledgeexchangeblog.com/2019/11/11/lessons-from-norway-deposit-return-scheme/>

⁶⁴ Deposit return schemes: Resolving plastic waste. Available online: <https://www.innovationnewsnetwork.com/deposit-return-schemes-plastic/532/>

⁶⁵ Johnny Mugisha and Gracious Diiro (2015) Household's responsiveness to Government ban on polythene carrier bags in Uganda *Journal of Agricultural and Environmental Sciences*

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