

REVIEW OF MACEDONIAN WASTE POLICIES AND LEGISLATION REGARDING THE INFORMAL WASTE PICKERS

Blazhe Josifovski

Institute for Sociological, Political and Juridical Research (ISPPJ), University "Ss. Cyril and Methodius"
Skopje, blaze.j@isppi.ukim.edu.mk

Abstract: In recent years the Macedonian economy was negatively impacted with special emphasis in the waste sector. This had a tremendous adverse effect on its most valuable, but at the same time, most vulnerable stakeholder—the waste picker. The volatile prices, the increase of transportation costs and the lack of certain materials, made the situation in the Macedonian recycling sector to resemble that of the phrase: “Survival of the fittest”.

The post Covid-19 economic recovery demands new sustainable approaches to the waste sector. There is the challenge to solve the issues in the waste sector by taking into consideration different needs of all the various stakeholders. For the citizens it is the protection of human health and the environment, for the businesses it is their profitability, while at the same time these needs have to be affirmatively affecting the informal waste pickers.

The social element of waste management is often neglected as a factor in the Macedonian waste management sector, though the estimates predict that up to 5,000 informal waste pickers are active and contribute with at least 80% of the sorted and recovered waste in the country. Instead of praise and support, the general public and the decision-making bodies are interested in eliminating this marginalized group from the waste value chains. Their valuable societal role is not recognized and there is a need to create actions to protect them and improve their current positions. This can be done with measures that are synchronized with an improved waste legislation and policies.

That is why, this paper entails a national waste management legislation and policy review. The evidence-based documents can provide guidance to municipalities and the government on policy creation that would improve the working and living situation of the informal waste pickers.

This paper is conceptualized as a dynamic, evolving document that different organizations can use to advocate for the informal waste pickers and negotiate their rightful spaces and entitlements within national and local policies and practices. By applying measures towards systematic integration as ascribed in this document, the Macedonian local governments and the national one can tackle core social issues like child illiteracy and poverty, hunger and homelessness, while simultaneously achieving important economic results like, decreased unemployment, improved productivity, increased recycling and recovery rates, and more tax income. It can lead to better quality of life for all Macedonian citizens through a cleaner environment

Keywords: waste, management, integration, pickers.

1. INTRODUCTION

We live in an increasingly complex world, where economic goals must be combined with objectives that have social and environmental essence. That is why the Macedonian situation in the waste management sector is not unique. It is an interesting phenomenon how informal waste pickers throughout the world are pretty similar in their working behaviors, socioeconomic situation and even in their waste recovery rates. In most cases their marginalized position in society is what leads them to waste picking as a best viable option to provide for their existence.

The research findings that led to the conclusions of the similarity of informal waste picking influenced the creation of similar policy measures of actions in the last 10 to 15 years in different parts of the world. Interestingly, these similar policy measures created similar results in societies from different continents. Additionally, certain actions towards informal waste pickers in the reuse sector that few rich EU countries implemented, showed that the informal waste picking policy measures and legislations can be applicable in developing countries as well as in developed ones. That led many international organizations to consider cohesive legislation and policy actions as best practices in this field. Some of these organizations include one of the most important ones, like the World Bank and OECD.

In Macedonia the waste management is a particularly important domain of intervention for anyone supporting the organization of poor and vulnerable populations. Waste pickers are the main actors of the waste system in the country that provides an essential service to the society in terms of self-employment, entrepreneurship, clean environment, cheap materials for the industry, and decreased operational costs for the public communal enterprises. Although they create these positive benefits, they are usually marked with a bad reputation and are placed on the margins of society.

Through the years this injustice has motivated research activities and on the ground piloting as efforts to support this marginalized group of people. There were multiple stages of development concerning the improvement of

livelihoods of the informal waste pickers and international donors have financially backed different organizations to continue the process of formalization and empowerment that started almost 15 years ago.

One of the activities last year was to conduct a waste pickers' social enterprise as an innovative solution that previous research and pilots have recommended as a viable solution. The results on the ground are showing that there are potentials to attain the higher values that these social enterprises can create and provide long-term sustainability. But, in order to be able to accomplish it, there is a prerequisite for the value chain to be well-functioning. The experiences of waste picker's social enterprises, in the current environment, clearly demonstrate a need for a well-functioning value chain. And this is possible if there are substantial efforts from local and national authorities to back it up with well-proportioned measures. It would be critical to improve the current regulatory framework, provide strong technical capacity and support, and create financing mechanisms and incentives. There is a need to continue the efforts to demand from the national Government changes in the laws, by-laws, and policies in order to consider the waste pickers as part of their waste management solutions and remove any current or potential obstruction to their work.

2. MATERIALS AND METHODS

This document offers a brief overview of the waste management sector in Macedonia with the emphasis on the current situation in which the informal waste pickers function and what hinders their formalization. In short, it showcases the waste sector in Macedonia in regard to the stakeholders, rules of play and its deficiencies. Additionally, the barriers and measures are listed as a way to inform about the actions needed in order to achieve the above mentioned policy goals regarding the formalization of the informal waste pickers. In order to achieve this the following was undertaken:

Desk research and literature review

Data analysis

3. RESULTS AND DISCUSSION

Macedonia is in the process of affiliating with the EU, so it implements wide-range of measures to harmonize its legal standards with those of EU countries. The Macedonian MSW is being modernized in the EU waste legal framework and this creates the following changes:

- Municipal waste collection;
- Waste recycling, processing and trading;
- Waste prevention, import and production;

EU policies require Macedonian local and national institutions to take more responsibility towards goals such as: waste prevention, reuse and recycling (EC, 2017). Though it's more than 20 years since the country started its way towards the EU, still the Macedonian public communal enterprises are almost entirely just focused on cleansing and mixed communal waste collecting, than towards processes and policies requiring them to implement measures to divert waste from going to the unstandardized landfills (EEA, 2021).

Though Macedonia on paper has its EU standardized waste management, it totally lacks implementation. On the other hand, the legislators don't recognize the biggest waste reuse and recycling implementers- the informal waste pickers (Josifovski et al., 2017). Also, the perception is not helpful, the Public Utility Companies throughout the country perceive the informal waste pickers only as a group that 'makes a mess' when they sort out materials from the containers and that this is making their employees work more in order to clean that (Josifovski et al., 2017). Additionally, although a bit irrational, the waste public utility companies treat waste picking as stealing from them, although they make significant financial and operational savings from the work of informal waste pickers (Josifovski, 2022).

The Macedonian waste management system includes the following entities:

- Ministry of Environment and Physical Planning;
- The Directorate of Environment;
- Local self-government units;
- Regional waste management centers;
- Public enterprises;
- Legal and natural persons established for performing communal activities, individual waste pickers, waste processors, legal entities for handling packaging waste;
- State Inspectorate of environment and other institutions.

In the sphere of environmental protection, the Ministry of Environment and Spatial Planning is the designated party for creation and monitoring of environmental policies, the implementation of laws and supervision of activities that

aim to protect the environment (EEA, 2021). It includes the following mediums: water, air and soil. In the field of waste management, the Ministry of Environment and Spatial Planning fulfills the following obligations:

- Proposes all the laws and by-laws in the field of waste management to the Macedonian Assembly;
- Creates the Strategic Plan for Waste Management of Macedonia;
- Implements the international agreements and conventions for waste management;
- Issues the permits for the different waste management activities;
- Approves the local plans for waste management that the municipalities create;
- Approves the Environmental Impact Assessments;

The legislation envisages the adoption of strategic, planning and program documents at central, local and regional level. According to the State Audit Office (2021), some of these documents have not been adopted or have expired. All this, according to them (State Audit Office, 2021), points to inconsistencies in establishing an integrated waste management system. Also, although certain activities have been initiated, regional waste management has not yet been established, which does not create the basic conditions for prevention of waste generation and processing (State Audit Office, 2021).

The Ministry of Environment and Spatial Planning prepared six new laws on waste management which were adopted by the Assembly. These new changes have both elements of substitution and entirely new texts.

New Draft Law on Waste Management;

New Draft Law on Packaging and Packaging Waste Management;

New Draft Law on EPR for Management of Special Waste Flows;

New Draft Law on Management of Electrical and Electronic Equipment and Management of Electrical and Electronic Waste;

New Draft Law on Management of Batteries and Accumulators and Waste from Batteries and Accumulators;

New Draft Law on Management of Additional Waste Flows in the System of Liability of Producers;

The Law on Management of Additional Waste Flows incorporated four new waste streams (waste textiles, waste tires, waste oils and waste vehicles) with an EPR system based on the gained experience in the management of products and packaging waste, batteries and accumulators and electrical and electronic equipment.

The main difference that these laws brought were the following:

No more free plastic bags passed out in the markets, only biodegradable plastic bags that is allowed to be sold at a price of 15 denars;

PET to be stored in regional landfills where recycling centers would operate;

Price of communal waste service to be regulated by the energy and water services regulatory commission with the possibility waste disposal to be charged per quantity of generated waste and not per square meter;

Prevention of the generation of waste tires, waste oils, waste textiles and waste vehicles (waste products) by reuse, recycling and other types of waste processing to reduce their disposal;

Table 1. Barriers in the current Macedonian context to formalization and potential measures

Categories	Barriers	Measures
Policy/ Legal	Lack of institutional capacities; Poor law enforcement; No informal waste picker policies; Unreliable data and statistics; Laws disfavoring informal waste pickers; Lack of health and safety protection mechanisms; Power and economic conflicts;	Formal recognition of informal waste pickers; Creation of linkages between informal sector, municipal departments and decision makers; Support training in processing, recycling and reuse; Provide health insurance and pension; Provide occupational safety equipment; Pilot projects to test different measures and policies;
Financial	No financial sustainability and growth potential; Financial incentives for recycling schemes without the informal waste pickers; Poor bargaining power; Deficient equipment and space;	Develop a source segregation financing scheme; Contract the informal waste pickers for waste services; Provide grants to organizations of waste pickers; Provide space for recycling facilities, storage of recyclables, and processing; Formation of social enterprises, cooperatives and associations; Support the waste pickers to provide diversified waste

		services;
Social	Social disrespect for informal waste pickers; Poor understanding of informal waste pickers' contributions; Child labor; Poor education levels; Poor trust between the different stakeholders;	Support organizational structures with equal representation ; Implement awareness raising campaigns; Provide scholarships for kindergarten and school attendance to informal waste pickers' children;

The new laws do not mention or take the informal waste pickers into consideration, although all reports produced by foreign (UNEP, 2021) and some domestic policy entities (State Audit Office, 2021) are suggesting the contrary. They suggest that the country has its waste management specifics in the form of the informal waste pickers, who instead of being pushed out of the waste streams, needs to be supported and integrated.

5. CONCLUSIONS

The Macedonian informal waste collection sector is a social group of several thousand citizens, including children, who collect and value parts of waste through activities that are not organized. Even the state auditors (2021), conclude that in the legislation, the informal sector is hardly mentioned, except in the part for their registration. Possibilities for their formalization and organization through a social enterprise or public-private partnership, which would provide them with a stable income and legalization of their activities, have not been considered.

From the waste policy adoption and implementation one can conclude that as the technology-driven and formalized EU waste approach spreads in Macedonia, often in synchrony with economic policies that suppress informal waste activities, but don't offer opportunities for formal employment. Because the formal labor markets are inadequate to absorb the informal waste pickers, they face loss of livelihood, and have to depend on social benefits that are insufficient for the informal waste pickers who in most cases live in large families with many children.

When it comes to the undertaken efforts to harmonize the Macedonian waste management with the EU policies and legislation, one is not able to see any reduction of the amount of generated waste and does not ensure sustainable development through its processing. In addition, waste selection is not a daily habit and behavior, and there is a low level of primary and secondary waste selection, which in turn adversely affects the effective and efficient treatment of waste.

Additionally, it is hard to make a conclusion as to what approaches can create the biggest impacts, but still it is easy to predict that without the inclusion and representation of informal waste pickers at institutional levels, we are faced with decreased chances of success. In multiple countries we can see that the formalization of informal waste pickers goes hand in hand with the empowerment of this marginalized group. That is why, the Macedonian local and national authorities must create policies and measures that take into consideration the specificity of the informal waste picker's lifestyle and culture in order for these actions to be effective. Also, more research in order to evaluate the possible effects of the formalization policies and measures in order to follow the development that will take place as a consequence of the formalization experiences.

In short summary, full structural integration of workers needs to start with a legal framework recognizing access to waste as a livelihood resource. The current ban on picking MSW is helping no one, because in this way the waste pickers lose their income, the waste goes to landfills with transportation that everyone is paying for, and the PUCs are not saving money that can be invested in improving the infrastructure.

At the moment, a critical element of integration would include the provision of proper contracts with payment for collection services, but no one from the stakeholders believes that this is possible. Additional critical element would be the provision of infrastructure for sorting and capacity-building for the informal waste pickers. But, what we can see is that on the contrary, the PUCs and PROs are competing with the informal waste pickers in order to make it more difficult for them to pick the sorted waste from the bring system and from the underground containers.

A strong support to waste pickers' entities in terms of infrastructure and equipment is essential in order to increase their incomes and to enable them to acquire the added value that comes with those improved operations. On top of that, there is a requirement to alter the current social protection schemes and provide proper customization in order to impact the big issues that embody informal waste picking, like child labour and the big gender inequality.

The formalization and integration of waste pickers should take the insights from different domestic and foreign researchers who have good solutions and suggestions on how to engage with this socially marginalized group and face it as a complex problem. The findings from the cities where formal integration has happened and shows significant results and change, as in Belo Horizonte (Dias, 2011), Bogotá (Parra, 2020) and Pune (Chikarmane,

2014) should be taken seriously. There is a substantial amount of evidence to support the claim that formal integration of waste pickers is feasible, as different non- EU and EU cities and municipalities show us.

The first steps are clear and simple, the waste picker groups need to have the right to have access to waste. Secondly, local and national institutions can improve the work conditions with actions as simple as the ones of providing uniforms, carts and buckets for waste sorting and transport.

Thirdly, there is a clear need to provide custom-made access to welfare that would protect the most vulnerable ones in this marginalized group- the women and children. This can be accomplished by providing the much needed daycare for children, scholarships, and health protection.

There is a need for decision-makers on different levels that would be able to broadly understand the complexities that come with the informal waste picking and the willingness to shape the waste management system in this country beyond the traditional approaches.

We can already notice the limits of the current way how informal waste pickers operate and how much they can accomplish and contribute. Having that said, the institutions must provide financial support and incentives, in order for the formalized groups of waste pickers to go beyond the current insufficient profit margin.

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