



Women in Informal Employment: Globalizing and Organizing

Inclusive Cities Project

August 2015

ARB: Fighting for an Inclusive Model for Recycling in Bogotá¹

Olga Abizaid

Introduction

In March 2013, waste pickers in Bogotá witnessed something they never thought would happen so quickly: the introduction of a payment scheme for their services in reclaiming recyclable materials, with the payments funded from the fee charged to waste collection service users. That payment scheme forms part of an even greater transformation in the regulatory framework that opens the door to the inclusion of waste pickers into solid waste management throughout the country. This dramatic change is the result of the ongoing struggle by Bogotá's Waste Pickers Association (ARB, Asociación Cooperativa de Recicladores de Bogotá), which has been working for the defense of waste pickers' rights for more than 20 years.

While there are other examples of the inclusion of waste pickers in public waste management systems in Colombia (e.g., in Bucaramanga, Cali, Pasto, and Popayán), this case study focuses on the experience of ARB, which has led the way in the legal battle for recognition of the work of waste pickers. The Bogotá success demonstrates that the inclusion of waste pickers within the waste management system is possible through continuous effort over time to gradually change government policies and practices. At every step in

The Bogotá success demonstrates that the inclusion of waste pickers within the waste management system is possible through continuous effort over time to gradually change government policies and practices. At every step in the process, waste pickers had to overcome the interests of large private waste management consortiums and government officials who opposed change by using a combination of strategies, including legal action, developing policy proposals, forming alliances, and social mobilization.

the process, waste pickers had to overcome the interests of large private waste management consortiums and government officials who opposed change by using a combination of strategies, including legal action, developing policy proposals, forming alliances, and social mobilization. This case study shows that the success of a campaign to bring about the necessary changes requires solid waste pickers' organizations (**voice**) to have the ability to generate and distribute well-founded information about their work (**visibility**)

¹ Translation of the document in Spanish titled "La ARB: Por un modelo inclusivo de manejo de residuos en Bogotá".



One of Bogotá's nearly 14,000 waste pickers separates plastics at a sorting facility. Photo: J. D. M. Mulford



This worker uses safety protection such as a mask and gloves in a waste sorting facility. Photo: L. Tuttle

inclusion of waste pickers for consideration at the highest legal levels. In the words of Nohra Padilla, a leader of ARB: “Sometimes people think that what they need to learn is the result. I believe that what has to be learned is the process”.

City Context

Bogotá is the capital of Colombia and the biggest city in the country. As the seat of the national government, what happens within the city, even in municipal affairs, has impacts at the national level.

The city is divided into 20 politico-administrative units, known as *localidades* (local municipalities), each of which has its own city hall (*alcaldía menor*). Bogotá is Colombia’s most important city in economic terms and one of the most significant economic centres in Latin America. In 2013, Bogotá’s gross domestic product (GDP) was US \$98.1 billion, while per capital GDP was over US \$10,000 (Universidad del Rosario/Inteligencia de Negocios; DANE 2014, 8). The Gini coefficient of income inequality in 2013 was 0.497 (Alcaldía Mayor de Bogotá 2014).³ The city’s economy is built on the service sector (especially financial services), and on industries (agri-food, construction, chemicals, plastics and metal work) (DANE, quoted by Chamber of Commerce 2013).

Bogotá’s population in 2013 was over 7.6 million (DANE 2013a), of whom almost 4 million (52 per cent) were employed. While Bogotá has a lower level of informal employment than many other cities in Colombia, 44.1 per cent of the people employed in Bogotá were working in the informal economy, either within informal productive units or through informal employment relationships (without any employment contract and with no health coverage or pension benefits) (DANE 2013b).⁴ They are mainly employed in businesses, hotels, restaurants, community services, social and personal services, and in the manufacturing industry. For the most part, people working in a situation of informality in Bogotá are self-employed (which includes waste pickers), salaried workers labouring in the public sector or in private businesses, and workers labouring in subsistence conditions. Among these three groups, self-employed workers represent a little more than half of the informal worker population. In general, these are disadvantaged people in

the lower socio-economic strata with little education. Their incomes are below the minimum wage, and they are especially vulnerable because their jobs have no protection or guarantees. In most cases, these workers are also heads of family (Camacho and Dussán).

At the national level, policy responses to informality tend to focus on incentives to promote formalization and job creation, targeted mainly at productive units (Law 1429 of 29

² This case study does not delve into the two initiatives launched at the end of 2013 to remove Mayor Gustavo Petro from office (2012-2016). For the purposes of this analysis, what is relevant from those initiatives is that waste pickers perceived them with great concern because, in their view, there is uncertainty regarding the institutionalization of measures geared to include them into the public waste management system and to remunerate them. There is also fear that economic interests may exert pressures to dismantle them. In brief, the mayor is facing two processes. One was launched by the Attorney General of Colombia, who ordered the mayor’s destitution and banned him from occupying any public office for 15 years, with the reason that, in his view, the waste management model implemented since 2012 was not in line with existing legislation because it did not respect the principle of free competition. In his view, it had also been poorly handled. The second process is being pushed by a group interested in withdrawing the mayor’s mandate. This group gathered enough support to demand a recall vote. Up to February 2014, both processes were ongoing.

³ The Gini index is used to measure income distribution, using values between 0 and 1, where 1 represents concentration of income and 0 represents equal distribution of wealth.

⁴ At the national level, the rates of informality vary depending on the source used: the UN Economic Commission for Latin America and the Caribbean (ECLAC) reported that Colombia had an informality rate of 56.8 per cent while Colombia’s central bank reported a rate of 62 per cent. The differences between these figures may be explained by differences in the definition of “informality”. The Colombian government uses the definition proposed by the International Conference of Labour Statisticians (ICLS) and the Delhi Group. Such definition includes productive units in the informal economy as well as informal employment relationships, where workers do not have access to health or pension benefits.

and to be able to combine those two qualities to effectively promote their position and proposals in spaces for dialogue and decision-making (**validity**).

It should be understood, however, that the results achieved during the period analyzed in this document (2008-2013) are the product of a much longer, and at times tortuous, process that is still not finished.² While important milestones have been reached in the struggle to recognize the value of the waste picking as an occupation during this period, much remains to be done in terms of policy advocacy to translate those successes into public policies at the local level (in the city halls of local municipalities), to gradually move forward in the process to formalize waste pickers as ordered by the Constitutional Court, and to establish business models that will allow waste pickers to take advantage of the opportunities that have been opened for them.

This case study seeks to highlight the advocacy process that has taken place in Bogotá to defend waste picking as an occupation, to gain access to public spaces, to have a say in the waste management model, and to raise the issue of the

December 2010). The inclusion of people into the Complementary Social Service of Periodic Economic Benefits, which provides protection to low-income people in their old age (Decree 0604 of 2013), was created to ensure that these people are assured of a regular income (lower than the monthly minimum wage) in retirement and until they die.

Membership-Based Organization

ARB is a second level organization that links together 17 cooperative organizations representing about 1,800 professional waste pickers who work in 12 of the 20 local municipalities that make up the city of Bogotá.⁵ ARB was formed in the 1990s when three cooperatives—Rescatar, Porvenir and El Triunfo—came together to protest against the closing of three open-air waste dumps (Acosta and Ortiz).

ARB's core objectives are to defend waste picking as a profession, to encourage the upward movement of waste pickers in the recycling value chain, and to work towards the integration and remuneration of their activities into the public service. Their defense work is done in various ways, one of which includes dialoguing with relevant authorities both in consultative and public participative spaces related to recycling and waste management. Some of these spaces for dialogue include the working roundtable of the Solid Waste Management Integrated Plans (PIGRS) and bilateral spaces of dialogue. ARB's defense work has also entailed legal action before the courts, tribunals, and even the Constitutional Court, as well as marches and demonstrations.

Internally, the Association also works to secure fixed sources of materials and to promote skills development training for its members through the professionalization programmes of Colombia's National Service for Apprenticeships (SENA). Through those programmes, waste pickers have an opportunity to be certified as recycling technicians and to receive training that is similar to what is provided for employees of the large waste collection companies. ARB has also worked hard to improve its own productive and administrative processes. Since 2010, ARB has earned ISO 9001 certification for quality management for small and micro businesses (NIC-6001) by the Colombian Institute for Technical Standards and Certification (ICONTEC). At the national level, ARB belongs to the National Association of Waste Pick-

The men and women who recycle waste materials have been victims of much discrimination, and they continue to be targets of harassment, abuse, and even violence.

ers (Asociación Nacional de Recicladores, ANR). At the regional and global levels it is linked to the Latin American and Caribbean Network of Waste Pickers (Red Lacre) and the Global Alliance of Waste Pickers, respectively. ARB has been recognized nationally and internationally for its work on behalf of waste pickers. Among the honours accorded the Association are: the "Por una Bogotá mejor" (Making Bogotá Better) civic award in 2000 and recognitions by the Colombian Ministry of the Environment in 2002 and 2003. More recently, in 2013, Nohra Padilla was awarded the Goldman Environmental Prize for South and Central America. The award is regarded as the environmental Nobel Prize and is given to community leaders for their ongoing work in protecting the environment and promoting positive change through community or citizenship participation in issues affecting them, often at risk to their personal safety.

Worker Overview

The current size of the waste picker population of Bogotá is uncertain. Various counts of the sector have been made but there is still disagreement regarding its actual size.⁶ The most recent enumeration of waste pickers was made in 2012 by the district government through the Special Administrative Unit of Public Services (UAESP), which is the office responsible for waste collection services in the city. According to that census, there were 13,754 waste pickers in Bogotá. The majority of them are men (68.7 per cent) between the ages of 26 and 50 (53.1 per cent) (Parra 2015). Waste pickers' activities include collecting and sort-

⁵ Interview with Silvio Grisales, leader of the ARB, on 17 January 2014.

⁶ In a telephone conversation with Silvio Ruiz Grisales, leader of ARB, on 17 January 2014, he estimated that 25,000 people were involved in the people's economy linked to recycling; of these, 18,000 were waste pickers working on the streets.



Colombia's waste pickers, like these ones, are considered pioneers in the world for their organizing experiences. Photo: L. Tuttle

ing recyclable materials, which they bring to collection centres to be further treated and packaged for resale and used in producing new products.

There is a great disparity among the waste picker population. For some, it is a full-time occupation (professional). Others work only periodically (rummaging). Bogotá's professional waste pickers have been working in that occupation for a long time – for an average of 20 years. As a result, they have well-established territories within which they gather materials. In many cases, the family constitutes the productive unit (Acosta and Ortiz).

Historically, Colombia's waste picker population has been made up of economic migrants and displaced people, driven from their homes by the country's armed conflict. It is an extremely vulnerable group of people, typically with low levels of education and few employment alternatives (Acosta and Ortiz). The men and women who recycle waste materials have been victims of much discrimination, and they continue to be targets of harassment, abuse, and even violence.⁷ To protect themselves from these abuses and adverse government policies and practices, some waste pickers have become organized. However, although Colombia's waste pickers are considered pioneers in the world for their organizing experiences, the number of organized waste pickers remains low.

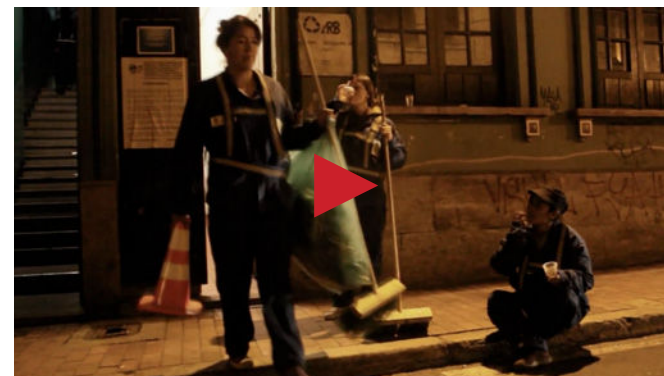
The waste pickers who belong to ARB are mainly women (58 per cent), the heads of their families, and are located in the socioeconomic strata 1 (low-low) and 2 (low) (Aluna Limitada 2011a). On average, they have two dependents, and their income comes from informal employment. The

factors that determine their income include the location of the area in which they gather their materials (which also affects the type and quality of material they collect); the means used to collect materials (whether they go on foot or use a cart); and the market price of the different materials they collect. On average, their daily income is about US \$3.41 (7,000 Colombian pesos), and only 5 per cent of these workers can afford to make contributions to social security.⁸ The great majority of these workers have low levels of education and have few employment alternatives other than waste picking (Acosta and Ortiz).

Legal and Policy Framework

Since the 1980s, waste management in Colombia has been regarded as a health concern, which has resulted in the closing of many open-air dumps (unfortunately, without consideration for the men and women for whom the dumps represented their livelihoods). In general, the regulatory framework for dealing with waste at the national and district level has been designed to favour burying garbage rather than introducing systems for recovery or reducing waste. This approach has emphasized the role of private corporations as providers of public services to the detriment of the waste picker population, which has been losing spaces in which to carry out their work (Parra 2015).

Examples of this biased regulatory framework include 1994's Law 142 concerning household public services that stipulates only corporations can provide services in cities with populations of more than 8,000 inhabitants, therefore excluding waste pickers from the tendering processes for the provision of cleansing public services. The National Transit Code of 2012, which prohibits the use of animal-drawn vehicles on public streets, is another example of a biased regulatory framework. Also in 2012, the National Decree 1713 stated that waste material disposed of in public streets belonged to the government, which assigned its benefit to contracted waste collection companies. That decree could have been interpreted to mean that when recycling, waste pickers were stealing the waste materials. The 2008 National Law 1259 on environmental subpoenas prohibited sorting waste material deposited in containers in public spaces, the transport of waste in vehicles not



The Recognition, Promotion, and Remuneration of Informal Waste Pickers. Video: F. Parra.

designed for that purpose, and the commercialization of waste in conditions that were not appropriate for that purpose. Other standards, such as the 2010 District Decree 456, affected the next level within the value chain—the private warehouses for solid waste recyclables—by establishing minimum size standards for warehouses.

In a recent study, waste pickers also said that government practices threaten their ability to earn a living (Acosta and Ortiz): repeatedly, the design of the terms of reference of the tenders gives preference to large private consortiums for the awarding of contracts for the services of collection, sweeping and cleaning (CSC). This preference was a constant in the 2003 and 2011 public tenders for the concession of exclusive areas for CSC services and in the tendering process for the management of the Doña Juana landfill in 2009.

To remain in their occupation and be included in solid waste management, waste pickers have repeatedly opposed such legislation and exclusive government practices. Through their efforts, waste pickers' demands were upheld by the Constitutional Court, which declared exclusionary standards and practices unconstitutional because they went against waste pickers' fundamental rights to work and to their livelihood. Because the Constitutional Court is the highest legal authority in Colombia and because its judgments are binding, these decisions have led to some legislative changes that call for the inclusion of waste pickers into waste man-

⁷ One of the most sounded cases in this regard was the assassination of 10 waste pickers in 1992 in the University of Barranquilla to use their corpses in research and the organ trade. Outrage generated by this case led to the establishment of the Global Waste Pickers Day on March 1.

⁸ Telephone interview with Silvio Ruiz Grisales, leader of the ARB, on 17 January 2014. The exchange rate used was the exchange rate from 3 March 2014: 1 USD for \$2,047 Colombian Pesos. Telephone interview with Silvio Ruiz Grisales, leader of the ARB, on 17 January 2014. The exchange rate used was the exchange rate from 3 March 2014: 1 USD for \$2,047 Colombian Pesos.

agement systems. At a higher level, these changes could represent the start of a dramatic change in the very concept of waste management: a shift from an approach based on waste burial to a new model focused on recycling and reuse of materials (the changes in government standards and practices resulting from the long campaign conducted by waste pickers are described later in this case study).

Situation Prior to Intervention (Problem Analysis)

As in most big cities, the production and management of waste in Bogotá is a major issue. The residents of Bogotá produce about 8,000 tons of waste every day. Waste pickers and private companies collect around 1,200 tons of that waste for subsequent reintegration into the productive pro-

cess. Some 6,300 tons are delivered to the only landfill in the city—the Doña Juana landfill—for final disposition, and the rest is disposed of, unlawfully, into the city’s water system (Monroy 2013).

However, for a long time there was no clear model for handling the city’s waste. Since the 1990s, and still today, the issue of managing waste in Bogotá has been marked by two convergent phenomena at the world level. On one hand, there is a trend to favour privatizing public services on the premise that this will lead to greater efficiency (defined in terms of reduced costs through increased mechanization of processes) and put an end to corruption. On the other hand, there is shift in the perception of waste: from considering waste as something without value to regarding it as a sought-after commodity. The combination of these two phenomena has been very harmful to the work of waste pickers, who have seen a progressive loss of spaces—normative, regulatory, and the actual physical spaces to collect waste—to big waste collection and recycling companies. The latter not only have massive working capital, but also

exercise great political influence over the definition of government programmes and practices.

The privatization of waste collection services, however, has not necessarily resulted in reduced costs or a higher quality of service; nor has it eliminated corruption. But it has had a negative effect on the residents of Bogotá—who cover for the profits of the service providers—and for the waste pickers who are faced with increased difficulty in having access to recyclables and in trying to earn their livelihoods.

Model of Intervention/Theory of Change

ARB’s process in defending waste pickers’ rights and advocating for an inclusive waste management model in Bogotá is a good example of how empowered MBOs can succeed in creating gradual changes in policy and legal frameworks. Eventually, and after overcoming opposing forces, these changes result in systemic changes in favour of workers’ quality of life and livelihoods (see the Appendix for a detailed explanation of the theory for change). While the process of change in Bogotá is long and began before the period studied here, the results obtained are significant.

During this period, the waste picker population saw threats to their work on various fronts:

- **Despite the decisions of the Constitutional Court in 2003, recognition of waste pickers’ work and their historic organizations was not reflected in government practices.** Indeed, in spite of judgments C-741 and T-724 of the Constitutional Court, which recognized the right of the waste pickers’ organizations to provide waste collection services in cities with populations of more than 8,000 inhabitants and to be included in public tendering processes—even though they were not private corporations—the district governments’ policies, plans and programmes continued to exclude them. In the tendering processes for the management of the Doña Juana landfill in 2010 and in the awarding of exclusive service area contracts for CSC services the same year, it became evident that the district government authorities remained biased in favour of big waste collection corporations. They only pretended to include waste pickers in the process, and in an effort to weaken or discredit existing

In Bogota, waste pickers and private companies collect around 1,200 tons of waste for subsequent reintegration into the productive process. Photo: L. Tuttle



waste picker organizations, they promoted the creation of irregular waste picker organizations. In exchange, these irregular organizations were given access to the affirmative actions towards waste pickers that were prescribed by the Constitutional Court.

- **Existing laws continued to threaten the viability of traditional waste picking and were now also threatening the recycling value chain.** The restrictions contained in the Law on environmental subpoenas, the National Transportation Code, and other legislation on the way waste pickers work, represented new limits on how waste pickers carried out their activities and threatened to criminalize their work. In addition to that, district standards concerning the specifications of warehouses also affected the recycling value chain and put in jeopardy the existence of waste pickers, since those businesses were the main clients for the recyclables that waste pickers recover from the waste stream. From the waste pickers' perspective, dismantling the next link in the value chain puts traditional waste picking at risk and with it, its own viability as an occupation.
- **Unfair competition for access to recyclables.** In addition to existing regulations that favoured large private corporations, growing commercial interest in recyclable materials has led to increased competition for access to waste materials, including from large corporations with immense political influence (for example, Ecoeficiencia, the company owned by the sons of former president Álvaro Uribe Vélez).
- **Corruption**, a problem found not only among some government officials, but also among individual waste picker leaders who were willing to “sell out” the cause for personal advantage or to benefit a small group of waste pickers.
- **Discrimination against waste pickers** on the part of the authorities and the general public remained an obstacle to advancing the workers' cause.

To overcome these challenges, ARB has opted for a combination of four strategic, simultaneous approaches: legal defence of their fundamental rights, social mobilization, forging alliances, and the development of policy proposals.

Each success, every step forward has been met with opposition to change.

- **Legal Defence of their Fundamental Right to Work.** ARB has resorted repeatedly to the judicial system, especially through the use of writs of protection of fundamental rights to the Constitutional Court of Colombia.⁹ It has done so in order to 1) seek the reversal of adverse laws to carrying out their occupation; 2) to win recognition for waste pickers as agents of the waste collection service and as environmental managers in tendering processes; and 3) to demand compliance with the Court's orders relating to the inclusion of waste pickers in waste management. The Constitutional Court's pronouncements have been instrumental in negotiating an inclusive waste management model and a payment scheme for their services that was implemented in 2013. This strategy has been one of the hallmarks of the ARB fight and one of its greatest achievements: the use of existing institutional mechanisms has given not only greater stability to the results, but has also given the continuing struggle legitimacy and locked it in.
- **Social Mobilization**, through demonstrations, marches, and sit-ins, serves to bring public attention to the waste pickers' cause and to demand spaces for dialogue with the authorities responsible for the key issues affecting waste pickers in order to negotiate and/or to influence the decision-making process.
- **Forming Alliances** with other organizations at the national and international level give greater visibility to waste pickers' demands and strengthens their bargaining position with local and national authorities. A good example of this effort at the national level was the experience with the Recycling Pact (*Pacto Gremial Reciclador*),¹⁰ which brought together organizations of waste pickers, private solid waste warehouses, and owners of animal-traction vehicles to defend the traditional recycling value chain. The alliances also serve to gain access to resources, expert knowledge and professional services in many areas, which have helped to sustain and defend the alternative waste management model proposed by waste pickers. By forming alliances with other sec-



Substitution of Animal Traction Vehicles: Waste Pickers Fight for Their Rights. Video: Christian Mantilla.

tors of Colombian society who are sympathetic to their cause (e.g., the media), ARB has been able to reach larger audiences and bring its points of view to public attention. At the international level, membership in the *Red Lacre* network and the Global Alliance of Wastepickers has allowed ARB to benefit from the experiences of waste pickers in other countries and to access the best practices for inclusion of waste pickers in solid waste management. The knowledge attained this way has been used by ARB in negotiations with the authorities and to develop its own policy analyses.

- **Developing Policy Proposals.** The ability to develop alternative policy proposals is of the utmost importance in order to negotiate effectively with government authorities. Alternative proposals are also necessary to overcome the

⁹ Colombia's political constitution accords the defense of fundamental human rights the highest relevance. The writs of protection of fundamental rights are one of the instruments at the disposal of citizens to defend their rights against actions or omissions from the authorities. The Constitutional Court is the entity in charge of ensuring compliance with the constitution, and it is the highest body within Colombia's judicial system. Therefore, its sentences prevail over any other norm.

¹⁰ Members of the Pact include: ANIR, ARUB, ACOREIN, Red de Suba and, Funsocial. The Pact also has allies like Ecoalianza and Porvenir.

resistance of entrenched officials and to present arguments against policy proposals that, even if well-intentioned, are in opposition to the needs of waste pickers and the value chain where they work. The development of policy proposals allows for a more strategic use of spaces for discussion and influence related to the issue of recycling, whether in actual negotiations, in open forums of the district council, or at the working tables of the PIGRS.

Intervention, Details of Strategies

This section will look at the details of ARB's interventions that led to successfully advancing an inclusive waste management model. The process of defending the rights of waste pickers in Bogotá began a long time ago, and, since 2003, it has been marked by several important milestones. The existence of favourable legislative factors, such as an emphasis on the protection of basic human rights (including the right to work) within the Colombian constitution, and ARB's previous experience as a waste collection service provider, enabled it to develop and successfully carry out a legal defence strategy of the occupation based on the right to work and to their livelihoods.¹¹ In 2003, the Constitutional Court ruled in favour of waste pickers' right to be waste collection service providers, regardless of the size of the city and despite the fact that they are not shared capital organizations. The Court also ruled that from then on the authorities had to include measures to ensure that waste pickers' organizations were included in the tender calls for those services.

Yet, each success, every step forward has been met with opposition to change. The struggle process in Bogotá has been marked by a constant tension between these forces. Taking this dialectical process into consideration, the period between 2008 and 2013 can be divided into three key moments: a period of setbacks in the gains achieved in 2003 (2008-2011); a period of change toward an inclusive model based on the Constitutional Court's Order 275 of 2011; and the introduction of a payment scheme to compensate waste pickers for their services (2012-2013).

Period of Setback (2008-2011)

The time between 2008 and 2011 was characterized by a setback in the exercise of the rights achieved through

the Court's decisions of 2003 (see box below). During this period, the influence of the major economic interests in limiting, in practice, the recognition of waste pickers was evident. Waste pickers in other cities faced similar problems: in Cali, waste pickers saw their livelihoods threatened with the closure of the city's open-air dump in 2009 and their exclusion from the waste management model.

In addition to the introduction of new standards that prohibited waste pickers' traditional ways of working (i.e., the Law on Environmental Subpoenas), this period was marked by corruption and collusion on the part of the large waste management consortiums and government officials, which affected government practices to the detriment of the waste pickers.¹² As such, this period presented a deplorable environment for waste pickers to exercise their rights.

ARB used a combination of strategies to overcome these threats (see previous section). Of these strategies, the use of legal defence has undoubtedly been ARB's most visible approach. The box above outlines the dynamics of the association's ongoing fight to define waste pickers' rights in the face of restrictive government laws and practices. This struggle produced a series of pronouncements by the Constitutional Court upholding the waste pickers' rights to:

- Participate as independent service providers in the waste management system in the components of recycling and transportation.
- Benefit from affirmative actions to guarantee a level playing field vis-à-vis other tenders for procurement contracts and to be able to integrate more effectively into the waste management system.
- Have legislation on waste management that does not affect their right to work and to earn a livelihood.
- Be recognized as public service providers and be compensated for their work, which benefits the city.

As important as the legal strategy was, ARB's use of the other strategies—namely social mobilization, documentation and development of information, and the establishment of alliances with other groups—was equally essential to strengthen its bargaining position in the negotiations that, since 2012, have sought an inclusive waste management



ARB uses a combination of strategies to overcome threats to the livelihoods of waste pickers. Photo: J. D. M. Mulford

model and a payment scheme for waste pickers. These decisions, in turn, have been based on ARB's understanding of the realities before it. For instance, when ARB saw the value chain threatened, it responded with the establishment of alliances with other actors within that chain. This resulted in the creation of the Recycling Pact (*Pacto Gremial Reciclador*) in 2012 and the definition of points for a com-

¹¹ In the 1990s, Bogotá went through its first sanitary emergency when the public company in charge of cleaning services (EDIS) became financially and operationally overwhelmed. The district government was forced to engage private entities to cope with the emergency. One of the entities was Fundación Social, which, in turn, subcontracted ARB to provide that service in one localidad of Bogotá (Aluna Consultores Limitada 2011b).

¹² A high-profile corruption case was the so called "contract merry-go-round" (carrusel de contratación), which involved high ranking officers in the allocation of public contracts in exchange for large sums of money, including the then mayor of Bogotá Samuel Moreno (2008-2011) and his brother, the former Senator Iván Moreno.

mon agenda that the members of the pact would defend in bloc in their discussions with municipal authorities. This development was a major accomplishment given that relations between ARB and some of the other members of the pact had not been good in the past (Acosta and Ortiz 2013). Another strategy ARB used was to keep track of what was happening in other cities. In 2009, when the city of Cali began to include waste pickers into its public waste management system and started to compensate them, the sums paid to waste pickers were not based on the actual costs of recuperating materials, and thus were low. ARB—with support from WIEGO and the Inter-American Development Bank (IADB), among other organizations—launched a research project to identify the real costs incurred by waste pickers in recovering waste materials. This research proved to be fundamental in the proposal for inclusion that was later presented to the Constitutional Court and in determining the tariff methodology that was used to calculate payment to waste pickers in exchange for recycling services.

Towards an Inclusive Model (Order 275)¹³

It could be said that, in 2011, the major problem was that most of the threats faced by waste pickers resulted from the gap between the Constitutional Court's pronouncements and government policies and practices. It was perhaps this gap that prompted the Court to make its strongest pronouncement to date.

Order 275 of 2011 was issued in response to a claim filed by ARB for contempt from the district government in the handling of the tendering process (001) for service procurement in exclusive service areas for the components of CSC launched in 2011, arguing that it did not ensure the inclusion of waste pickers. In Order 275, the Constitutional Court agreed that, indeed, the terms and conditions of Tender 001 did not ensure the inclusion of waste pickers, and therefore, declared it null and void. In this pronouncement, the Court reiterated its position that waste pickers must be included in the public waste management system. To ensure compliance with this position, the Court ordered the district government, through the UAESP, to submit a

Pronouncements of the Constitutional Court

C-741 in 2003

- In response to a challenge of unconstitutionality filed by ARB against the prohibition on the right of waste pickers to work in cities with populations larger than 8,000 inhabitants stated within the Law 142 of 1994 and the regulatory decree 421 of 2000, the Court stated that waste pickers had the right to work in all municipalities, regardless of size, and questioned the concept that linked efficiency with private procurement of services.

T-724 in 2003

- In response to an action of protection filed by ARB against the prohibition from participating in tender calls for public services, the Court recognized waste pickers' right to work and ordered municipal authorities to take affirmative actions to include waste pickers in procurement contracts for public services.

C-355 in 2003

- In response to an action of protection filed by ARB against the prohibition on the use of animal-traction vehicles within the National Transportation Code, the Court ordered a gradual, orderly substitution of those vehicles and ordered that the owners of animal-traction vehicles be compensated in the form of an equivalent working tool.

C-793 in 2009

- In response to an action to demand their rights filed by ARB to challenge the prohibition to sort waste material deposited in containers in public spaces, to transport waste in vehicles not designed for that purpose and commercialize waste in non-apt conditions, the Court ruled the law could not be applied to the detriment of waste pickers.

T-291 in 2009

- In response to an action of protection filed by the Waste Pickers' Association of Cali, the Court ordered the development of a process for social and economic integration of waste pickers.

Order 268 in 2010

- In response to a demand for contempt on the sentence T-724, filed by ARB, the Court ordered the inclusion of a recycling component at disposal sites, and that waste pickers be linked to the company awarded with the contract to manage the site.

Order 275 of 2011

- In response to a demand for contempt on the sentences T-724 and T-291, filed by the ARB, the Court ordered structural inclusion of waste pickers in the recovery process and payment for the recovery services they provide.

Source: Adapted from Parra (2015).

¹³ For an illustration of the process described in the next two subsections, see diagram in Appendix 2.

plan for inclusion within three months to make that happen. The Court also instructed the Regulatory Commission for Water and Basic Sanitation (CRA, by its Spanish acronym) to determine the tariff methodology that would be used to remunerate waste pickers for the recovery and reuse of recyclable materials and to create an incentive for end users to encourage waste separation at source. The Court also directed ARB to present a proposal, and by doing so, it granted ARB a statutory role in the negotiations and in the definition of the methodology to remunerate waste pickers for recycling services (see diagram in Appendix 2).

In March 2012, ARB, in alliance with the Recycling Pact, presented a proposal for the inclusion of waste pickers into the waste management system. It emphasized, among other things, the need for recognition of a recycling model that included waste pickers and that was based on shared responsibilities. Such a model should also be linked to integrated waste management policies and guarantee the protection of waste pickers and of the entire recycling value chain (including owners of warehouses, drivers of animal-traction vehicles, and small recycling businesses). The model seeks recognition for door-to-door collection services as a separate service to that of CSC and calls for the use of adequate technologies that would not replace waste pickers. Finally, this model also strives for the recognition of waste picking as an occupation that should be remunerated and calls for upward-mobility opportunities for waste

ARB's use of other strategies—namely social mobilization, documentation and development of information, and the establishment of alliances with other groups—was essential to strengthen its bargaining position in negotiations.

pickers within the value chain (ARB/Pacto Gremial Reciclador).¹⁴ This proposal was later used to influence the CRA for the definition of the tariff methodology.

Gustavo Petro's 2012 arrival as Mayor of Bogotá opened a window of opportunity to influence the city's waste management model. Although it is true that he was obliged to respect the orders of the Constitutional Court—which were binding and had timelines—the mayor was already inclined to make changes towards that model. ARB used these openings to put forward its recommendations as to how the inclusion of waste pickers should be done. Later that year, the city government issued District Decree 564, outlining a Zero Waste programme based on consumers' and producers' shared responsibility to reduce waste and to promote recovery and re-use of recyclable materials. In practice, the city's work plan has materialized in, among other things, the creation of a public operator to procure CSC services and a series of measures to encourage recycling. These include campaigns to promote separation of waste at the source and the establishment of selective routes for the collection of recyclables exclusive for waste pickers.

In complying with the orders of the Constitutional Court, the district government also undertook a number of actions to advance the inclusion of waste pickers into the system. The city conducted a census and started a process to provide waste pickers with ID cards, both of them essential things for the payment scheme that was to be put in place. A programme to compensate animal-traction vehicles was also developed.

The model adopted by the city government embraced many points in the ARB proposal and is a step in the right direction. However, important differences remain in various aspects of the model from the waste picker point of view

– e.g., the definition of authorized waste picker organizations proposed by the government and the determination of the selective collection routes to mention just two. There is also disagreement in regards to the anticipated government timeline to achieve the formalization of waste pickers.

The implications of 2011's Order 275 of the Constitutional Court not only implied changes at the municipal level, but they have also led to a change of a systemic nature in the definition of waste management—namely, a shift from a model based on the burial of waste to a mixed model that places greater emphasis on recycling, where waste pickers are recognized and remunerated. This larger transformation is illustrated in the introduction of references to recycling within national norms and regulations related to public services through the National Decree 2981 in 2013. The body of pronouncements from the Constitutional Court and the legislative changes that resulted from them constitute an opportunity for waste pickers in other cities in Colombia to replicate Bogotá's model.

Materialization of a Payment Scheme (2012-2013)

The call to remunerate waste pickers was one of the most important aspects of Order 275. It was a central point in the model proposed by ARB and was also included in the Zero Waste model proposed by the district government. The analysis of the design of the payment scheme serves to illustrate how, even if the parties are in agreement with regards to a need, a thorough negotiation is needed to obtain the desired results.

Bogotá's payment scheme was launched in March 2013. At the beginning, it benefitted 740 waste pickers, and by January 2014, the scheme had expanded to cover about 5,000 waste pickers, of whom 35 per cent were ARB members.¹⁵ To participate in the payment scheme, waste pickers had to comply with a number of requisites: they had to be included in the census of waste pickers, have an ID card, and have a bank account.



Steps Towards Compliance with Order 275 of 2011.

¹⁴ Telephone interview with Nohra Padilla on 17 January 2014.

¹⁵ Telephone interview with Nohra Padilla, ARB leader, on 17 January 2014.

ARB's model strives for the recognition of waste picking as an occupation that should be remunerated and calls for upward-mobility opportunities for waste pickers within the value chain.

Waste pickers within the payment scheme receive \$87,000 Colombian pesos (about US \$46) for each ton of recuperated materials that is weighed at the authorized weighing centres. Payments are bimonthly. The sums waste pickers receive this way are additional to the money they receive for sale of the recovered material.

ARB played an important role in the negotiation and set up of the payment scheme. When the Constitutional Court ordered the UAESP and ARB to put forward proposals for the inclusion of waste pickers and the CRA to determine a tariff methodology to remunerate waste pickers for services provided on recuperation and transportation, the ARB presented a research-based document on the cost structure of waste pickers for recovering recyclables (see ARB/Pacto Gremial Reciclador 2013). That document informed the tariff methodology elaborated by the CRA to calculate the payment for the recovery of recyclables. According to that methodology, such payments were based on the savings to the waste collection system resulting from recycling and are equivalent to what is paid to large waste management companies. The methodology also included incentives for end users to promote the concept of recovering recyclable materials.

Once the methodology was approved, it was necessary to determine how the payment scheme would operate. Who would be included? How would payment be made? Where would the approved weighing sites be? In giving effect to the Constitutional Court's Order 275, the first point was the identification of the beneficiaries of the affirmative actions, hence the need for a census of waste pickers and for validation of waste pickers' organizations. That way, no one other than waste pickers would benefit from these affirmative actions. According to the Court's order, payment for recycling services had to be done through authorized waste pickers' organizations. To be authorized, these organizations were required to comply with certain conditions regarding

formalization, including being legally registered and having organizational capacity. These requirements, however, were proving to be a problem in moving forward with the payment scheme because a large number of waste pickers' organizations were not ready to meet them. To overcome this challenge, ARB negotiated that payment be made directly to the individuals with no organization as intermediary and that the beneficiaries of the payment scheme be all waste pickers, not just ARB members.

Originally, the district's programme foresaw the four government collection points becoming the official weighing centres where waste pickers would bring materials to be weighed and where waste pickers would be remunerated. However, these collection points were few, and waste pickers would have had to travel long distances to have their materials weighed. For that reason, ARB successfully negotiated to have some of the private warehouses of the Recycling Pact authorized as official weighing centres along with the government centres. With that, the number of authorized weighing centres increased, offering waste pickers more options to weigh their materials and allowing private warehouse members of the Recycling Pact to become authorized weighing centres.

Critical Success Factors

The factors that have contributed to the advances towards an inclusive waste management model in Bogotá are both internal and external. The internal factors relate to the organization's ability to influence government policies and practices. The external factors relate to institutional issues, the formation of alliances with other organizations, and seizing the window of opportunity that came with the arrival of a mayor who was ready to abide by the Constitutional Court's orders and who was ready to make changes.

Internal Factors

- **Clarity on the Goals and Positions.** Starting out with clear objectives established in consultation with member organizations allowed ARB to maintain coherence throughout the struggle to defend waste pickers' rights.
- **Ethical Leadership.** Having ethical leaders who would not jeopardize the cause and the policy proposals to benefit



*Waste picking is difficult, physical, and often hazardous work.
Photo: J. D. M. Mulford*

the waste picker population for the sake of personal or temporary benefit, has granted the ARB recognition as the representative voice of the waste pickers in the forums concerning recycling. Hence, when the Constitutional Court ordered the district government and the ARB in Order 275 to submit a proposal for the inclusion of waste pickers, it implicitly recognized ARB's legitimate role in representing waste pickers and creating a statutory space for it in the discussions on waste management.

- **Informed Proposals.** ARB's efforts to document, analyze, and elaborate proposals has enabled the organization to identify threats and opportunities facing waste pickers. It has also allowed the organization to develop information needed to effectively negotiate with the district government and other government bodies at the national level. The ARB/Recycling Pact's technical proposal for the model of inclusion of waste pickers was critical in influencing the design of the city's 2012 Zero Waste Programme. In a similar vein, 2010's research work (funded by WIEGO and the Inter-American Development Bank

[IADB], among others) was used to determine the costs of recycling for waste pickers depending on the type of vehicle and was used to negotiate the tariff methodology to remunerate waste pickers as developed by the CRA.

External Factors

- The primacy of basic human rights within the political constitution of Colombia and the existence of channels for legal recourse to individuals whose rights are abused by the actions or omissions of authorities, such as the writs of protection, are external factors that made possible the waste pickers' defense of their right to work and their livelihoods considered at Colombia's highest legal levels. In turn, each Constitutional Court judgement in favour of waste pickers' rights represents an important reference point in the ongoing negotiations with the authorities.
- Interventions by support organizations have opened doors for ARB to access knowledge and expertise and have also served well in strengthening ARB's institutional capacity. The contributions from experts and people sympathetic to the cause, the so called "Group of friends" who lend their expertise be it in the court room, in a technical role, in media and even within the government, have played a critical role in the defense of waste pickers' rights.
- Linkages with the National Association of Waste Pickers (ANR), the Red Lacre, and the Global Alliance of Waste Pickers have served to promote exchanges to learn more about viable alternatives for waste management with waste pickers. The alliance with these groups has also been a source of support during advocacy actions undertaken by the ARB.

Window of Opportunity

- The arrival in 2012 of an administration that, independently of the orders of the Constitutional Court, did not have a positive relationship with big waste management companies and so was inclined to change the waste management model, address recycling and the inclusion of waste pickers, represented a window of opportunity to negotiate a more inclusive waste management system.

"If the people, the leaders, our compañeros, do not understand that the outcomes are made by us, we will always be dreaming of, and hoping for, something that will never happen because we are not working towards it."

— Nohra Padilla

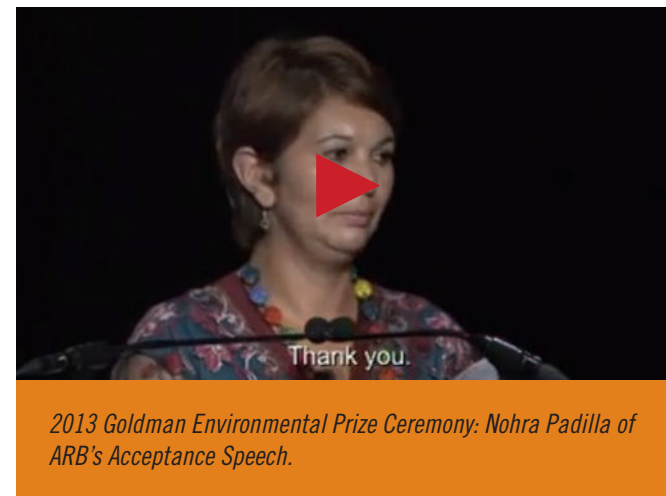
Achievements and Outcomes

Although the inclusion of waste pickers into the public waste management system and the introduction of the payments scheme in Bogotá are recent events, there are already several positive impacts for waste pickers' welfare.

The most direct result has been increased income for the households of the close to 5,000 waste pickers—35 per cent of whom are ARB members—that are included in the payment scheme. Now, in addition to their income resulting from the sale of recyclables, they receive a bi-monthly payment of \$87,000 Colombian pesos per ton of materials taken to and weighed at authorized weighing centres. Having this additional income has allowed them to double—and in some cases triple—their earnings, hence rendering them less vulnerable to fluctuations in market prices of recyclables. In some cases, the additional income has allowed waste pickers to purchase large consumer goods—e.g., refrigerators—that were previously beyond their means. Having an ID card, one of the requirements for receiving payments, could also be useful to reduce harassment and can also become the starting point for having access to social and occupational protection.

Internally, the inclusion model and the payment scheme have resulted in increased membership for the ARB's member organizations. For example, GAIAREC went from 53 members in 2010 to 150 in 2013.¹⁶ However, among independent waste pickers, there is little awareness of the role played by ARB in bringing about these improvements.

At another level, the pronouncements of the Constitutional Court set out in Order 275, the Decree 2981, and the tariff methodology established by the CRA in favour of a model with greater emphasis on recycling have opened the way for



promoting inclusive waste management systems in other municipalities in Colombia, extending this benefit to more waste pickers.

Benefits to the City

The Constitutional Court pronouncements' recognition of waste pickers as environmental managers and of their right to be remunerated for the services they provide are an illustration of the benefits waste pickers bring to Bogotá. By recuperating and diverting recyclables away from landfills, waste pickers make an important contribution to reducing greenhouse gases and mitigating the effects of climate change. They also reduce pollution in the city and its water systems and help extend the useful life of the Doña Juana landfill. The latter is of great relevance since the Doña Juana is the only landfill in the city and is close to reaching its maximum capacity. With their work, waste pickers also make important environmental contributions in recovering materials and returning them to the production cycle and reducing the demand for raw primary materials for the manufacturing process.

The work of waste pickers also produces significant savings for the city in the costs related to collection, transport and disposal of waste. The magnitude of those savings was implicitly

¹⁶ Telephone interview with Silvio Ruiz Grisales, leader of the ARB and GAIAREC, on 17 January 2014.

Having additional income through the payment scheme has allowed wastepickers to double—and in some cases triple—their earnings, hence rendering them less vulnerable to fluctuations in market prices of recyclables.

recognized by the CRA and was considered in the determination of the tariff methodology used in 2013 to compensate waste pickers for their services to the city. The tariff methodology also includes an incentive for end users for separation of waste at the source. In other words, the inclusion of waste pickers in waste management has also resulted in lower fees for those users that separate their waste (CR 2012).

Challenges and Their Root Causes

Despite the successes achieved to date, the root causes remain, and access to recyclables remains a challenge. The big economic interests (the large, private waste management companies and the new recycling firms) continue to exercise enormous political pressures to retain their strong hold on the business that has been so lucrative for them. Pressures to revert the changes implemented by the district government are very strong. Currently, there is a sense of great uncertainty among waste pickers regarding the continuity of the Zero Waste model implemented in 2012, particularly in light of the Inspector General's questioning of Mayor Gustavo Petro's decision to favour a public service provider over private companies in the procurement of waste management services, arguing that it went against the principle of free competition.

Even when the inclusive model included in the Zero Waste Programme survived those challenges, waste pickers still believe there are many areas within the original government plan for inclusion that need to be reviewed or clarified before they are implemented, given that they are potentially prejudicial against waste pickers' work.

There are internal challenges as well. Despite the limitations in terms of resources, it is important for ARB to assign time, money, and effort to developing the managerial and business capacities of its members with the same commitment

that was applied to advocating for workers' rights. Those resources need to be maintained on a continuing basis to ensure the gradual inclusion of waste pickers into the business of recycling. A related risk is that government officials and potential clients may not understand that strengthening business capabilities will take several years and that such a process will require support from the government and other actors. Unfortunately, there has not been very much government support in this area.

ARB has been working for several years in strengthening its capacity through certification of its members in SENA and in gaining certification of its processes from the Colombian Institute for Technical Standards (ICONTEC); however, there is still much work to be done in this area. This work is crucial to moving upwards in the value chain.

For those waste pickers who are not organized, ARB must continue to put pressure on the government to develop and implement support programmes for organizing and capacity-building. Regrettably, there has been little government effort in that direction.

For both the defense and the enjoyment of the rights achieved, it is important that ARB continues to work with individual waste pickers to create awareness that their actions as individuals could help or hinder their organizations' outputs, that the acquired rights are the product of hard effort, and that to fully enjoy those rights, each person must engage in the collective and be responsible for their actions.

The work with individual waste pickers should also include creating greater awareness of the benefits of being organized. Otherwise, there is a risk of losing organizational cohesion and with it the capacity to mobilize. Developing social capital is of crucial importance. From another point of view, ARB's decision to negotiate on behalf of all waste pickers leads to a dilemma in the attraction and retention of individual members. While that decision is consistent with ARB's core principles, and is one of the qualities that have led to ARB's recognition as the representative voice of the waste pickers'

*Waste pickers at work on Bogotá's streets.
Photo: J. D. M. Mulford*





Chronicle of the Fight for Inclusion #1.

cause, it creates collective action problems in the short and medium term. In representing and defending the rights of all workers, regardless of their affiliation or absence of it, ARB faces the risk that some waste pickers may be inclined to accept the benefits gained by the organization without feeling any motivation to become members of the organization. This is an area that will require some consideration.

Finally, although trust relationships are built over time through experience and cannot be changed overnight, looking forward, ARB should develop a range of strategies to negotiate with the government authorities and other counterparts that privilege dialogue.

Lessons Learned

The lessons learned from ARB's experience in influencing and implementing an inclusive waste management model and a payment scheme for waste pickers are as follows:

- Having clear objectives and refusing to jeopardize them in the face of short-term political circumstances is crucial in obtaining the desired results.
- A struggle of this nature, sustained over several years, requires a high degree of internal organizational cohesion and strength. Internally, this means consolidated democratic governance processes, accountability, etc.

It also requires ethical and committed leaders who will hold fast to the direction set by the membership.

- Using the institutional (legal) mechanisms—although it represents a long process—produces more solid results and provides waste pickers with resources to demand respect for their rights in the face of strong economic and political interests. Enforcement of the rights won through these institutional mechanisms demands constant, dedicated effort and calls for developing technical analyses and policy proposals that can be translated into government policies and programmes.
- It is essential to be well informed in order to identify potential threats to waste picking and to seize spaces for dialogue and negotiation. Information is everyone's responsibility, leaders and members alike.
- Developing well-founded technical policy proposals is fundamental to advocate more effectively for policies and practices that meet the real needs of waste pickers and their value chain. Having a range of negotiating strategies may be handy to maximize possible results.
- Forming alliances with support organizations, donors and different groups in society helps to strengthen the voice, visibility and validity of the organization and enables it to act more effectively in the spaces for negotiation.
- Exercising and enjoying the acquired rights (namely recognition as legitimate waste management service providers in the recycling component) requires waste pickers and their organizations to devote resources and efforts to building business abilities and to the development of a business model. However, it should also be recognized that the formalization of waste pickers and the strengthening of their business abilities will not happen overnight and will require support and resources from the government.

Conclusions

The ongoing work to defend waste pickers' right to work, and the decision to use available institutional judicial mechanisms to undertake that defense has brought the inclusion and payment of waste pickers within the public waste management system to the highest level of national legislation. Namely, there was a shift from a privatized rent-seeking model that promoted waste burial towards a mixed model that places greater emphasis on recuperation and recycling of recyclable materials. With this change, the beneficiaries of this struggle are, indeed, the waste pickers of Bogotá (members and non-members of ARB alike) who are included in the payments scheme. These workers now receive remuneration, financed through user fees, that is almost equivalent to the one received by private concessionaires for waste disposed at the landfill. This is in addition to the incomes they generate through the sale of recyclable materials. This struggle has also benefitted waste pickers in Colombia, given that the decisions of the Constitutional Court as well as the standards and regulations at the national level regarding waste pickers inclusion (established since 2012) provide grounds for waste pickers in Colombia to assert those rights. That is the reason why the experience in Bogotá is being analyzed in many parts of Colombia in the hopes of learning from this experience. The model for the inclusion of waste pickers and the payment scheme represent a good example of how the ARB made use of strategic lines of action—namely, legal defence of their rights, social mobilization, formation of alliances, and the development of policy proposals—to influence government agencies at the national and district level to gain results that only a couple of years ago seemed impossible.

Although the struggle remains ongoing, and many issues are not yet solved, now that ARB has earned recognition as a legitimate provider of waste management services in the components of collection, transport, and recycling, ARB must undertake strong political advocacy efforts to ensure that such recognition is locked-in and that it is translated into public policies that promote the inclusion of waste pickers at the local level with the local municipalities. This also demands great communication and dissemination efforts, coupled with

the need for the development of bargaining skills and for the elaboration of proposals. It also requires greater organizational strengthening to face the challenges that formalization entails and to build capacity in terms of business and service procurement skills. This will require support from the government and other actors within the value chain and negotiated timelines that are sensitive to existing conditions of waste pickers and their organizations. Within ARB, there is a need for greater focus on individual workers to instill awareness of each member's role in the organization's results and in accepting the responsibilities that accompany the benefits gained.

References

- Aluna Consultores Limitada. 2011a. *Estudio nacional del reciclaje y de los recicladores. Perfil del reciclador asociado a ARB*.
- Aluna Consultores Limitada. 2011b. *Estudio nacional del reciclaje y de los recicladores*. Available at: <http://www.slideshare.net/mariyinedas/historia-reciclaje> (accessed September 15 2014).
- Acosta, Angélica and Rovitzon Ortiz. 2013. *Estudio de Monitoreo de la Economía Informal. Recicladoras y recicladores de Bogotá, Colombia*. Manchester: Women in Informal Employment: Globalizing and Organizing (WIEGO).
- Alcaldía Mayor de Bogotá. 2013. "Con el nuevo modelo de aseo se democratizó la prestación de este servicio: Alcalde Petro". Bogotá: Alcaldía Mayor de Bogotá. November 18, 2013.
- Alcaldía Mayor de Bogotá. 2014. "Bogotá tiene el índice de desigualdad más bajo de Colombia". Bogotá: Alcaldía Mayor de Bogotá. May 28, 2014.
- ARB y el Pacto Gremial Reciclador. 2012. *Propuesta de modelo para el manejo integral de residuos sólidos de la ciudad de Bogotá hacia la cultura de basura cero*. Document submitted to the Third Appeal Bench of Honourable Constitutional Court.
- Colombia's Central Bank. 2014. *Boletín de Indicadores Económicos*. February 17, 2014. Bogotá. Available at: www.banrep.gov.co/sites/default/files/paginas/bie.pdf (accessed February 20, 2014).
- Camacho, Claudia Ximena and Luis Felipe Dussán. 2012. *Informalidad laboral en Bogotá: Características y respuestas de política*. Noviembre. Bogotá D.C.: Secretaría CDistrital de Desarrollo Económico.
- Cámara de Comercio de Bogotá. 2013. *Tableros de Indicadores de Bogotá y Cundinamarca, II 2013*. Available at: <http://camara.ccb.org.co/contenido/contenido.aspx?conID=730&catID=86> (accessed February 20, 2014).
- Comisión de Regulación de Agua Potable y Saneamiento Básico (CRA). 2013. *El aprovechamiento y su reconocimiento en la tarifa del servicio público de aseo*. Bogotá: CRA.
- DANE. 2011. *Estimaciones 1985-2005 y proyecciones 2005-2020 nacional y departamental desagregadas por sexo, área y grupos quinquenales de edad*. Available at: www.dane.gov.co/index.php/poblacion-y-demografia/series-de-poblacion (accessed February 20, 2014).
- DANE. 2013a. *Boletín de prensa*. "Pobreza Monetaria 2012". Bogotá, D.C.: July 10, 2013.
- DANE, 2013b. *Boletín de prensa. Medición del empleo informal y seguridad social. Trimestre abril-junio 2013. Bogotá, August 19, 2013*. Available at: http://www.dane.gov.co/files/investigaciones/boletines/ech/ech_informalidad/bol_ech_informalidad_abr_jun2013.pdf (accessed February 20, 2014).
- DANE. 2014. *Cuentas trimestrales de Bogotá, B.C.. Producto Interno Bruto (PIB) 2013Pr (trimester IV) y total annual*. Abril. Bogotá, D.C.: DANE. Available at: https://www.dane.gov.co/files/investigaciones/boletines/pib/Bogota/Bol_PIB_Bta_IV_trim_13.pdf (accessed September 15 2014).
- Monroy, Liz Yadira. 2013. *Bogotá Basura Cero. La retoma por parte del Distrito del servicio público de aseo en Bogotá*. Available at: https://www.academia.edu/4010157/Retoma_del_servicio_Publico_de_Aseo_en_Bogotá (accessed February 28, 2014).
- Parra, Federico. 2015. *Reciclaje: ¡sí, pero con recicladores! Gestión pública del aprovechamiento con inclusión de recicladores: Un nuevo paradigma en el manejo de los residuos en Bogotá, Colombia*. Manchester: Women in Informal Employment: Globalizing and Organizing (WIEGO).
- Universidad del Rosario/Inteligencia de Negocios. 2013. *Ranking de ciudades latinoamericanas para la atracción de inversiones*. Colombia and Chile.

Legislation Consulted

Constitución política de Colombia. 1991.

Constitutional Court. A-275/11. Available (in Spanish) at: <http://www.corteconstitucional.gov.co/relatoria/autos/2011/a275-11.htm>

District Decree 456 of 2013, adopting the regulatory framework for economic use of public spaces in the Capital District of Bogotá. Available at: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=54978>

District Decree 564 of 2012, that establishes the dispositions to ensure the procurement of public waste management in the District Capital as mandated by the Honourable Constitutional Court in the Verdicts T-724 of 2003 and in the Orders 268 of 2010, 275 of 2011 and 084 of 2012. Available in: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=50832>.

Law 142 of 1994, establishing the regime for public services to households and other related dispositions. Available at: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=2752>

Law 1259 of 2008 that establishes an environmental sub-poenas to those people violating sanitation, cleansing and debris collection and other related dispositions. Available at: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=34388>

National Decree 2981 of 2013 that regulates the procurement of public sanitation services. Available at: <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=56035>

Appendix 1

Bringing About Change for Informal Workers: A Note on Methodology

The methodology framework used in analyzing ARB's advocacy work is the model for change developed by Women in Informal Employment: Globalizing and Organizing (WIEGO). The working hypothesis of this model is that informal workers' livelihood is affected by government standards and practices that exclude them. These workers are invisible to the eyes of policy makers because of their low levels of organization and the lack of reliable information about their work and contributions to the economy and society in general. These two shortcomings also lead to the lack of recognition of those workers as valid participants in the decision-making and norm-setting processes, thereby creating a vicious circle of exclusion. This vicious circle also leads to abuses against those workers by the authorities and society at large.

Breaking the Vicious Circle

Systematic change to increase informal workers' welfare is achieved through a dialectic process that moves forward every time there is progress in the desired direction, and when membership-based organizations (MBOs) have the ability to overcome the forces opposing change. At the beginning, these series of progressive and iterative changes lead to enhanced advocacy capacities and bargaining power of MBOs. Further, these changes lead to the organization's statutory representation in policy-making spaces and to MBOs being more effective in influencing policies. Finally, these series of changes lead to the development of favourable government policies and practices for informal workers that result from their advocacy work. Each step forward within the process enables MBOs to increase their organizational strength, to develop and present well-grounded information, and to make more effective use of political spaces to influence policy-making and to push for more inclusive programmes.

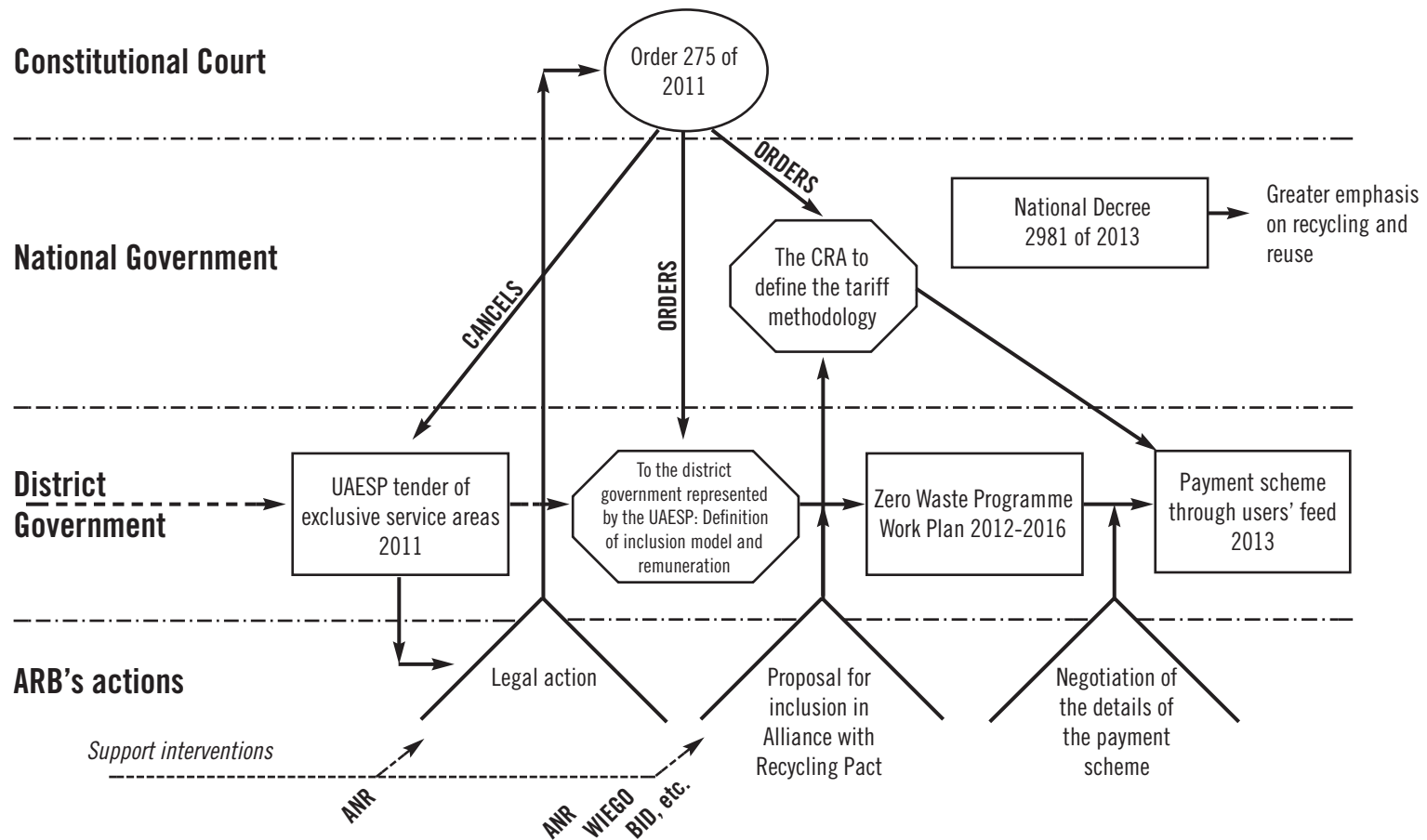
Building Systemic Changes

This process of change requires the existence of a combination of **favourable conditions that help mitigate opposing forces to that change at every step of the way.** Among the conditions that favour change are increased voice, increased visibility and increased validity of informal workers and their organizations. The strengthening of informal workers' **voice** results from the consolidation of strong, democratic MBOs that are accountable to their members and have great organizational ability. **Visibility** is achieved through the development of statistical information and well-founded research on the work informal workers do and the contributions they make to the economy and society at large. It is also achieved through the dissemination of this information in appropriate formats for a variety of audiences. **Validation** is achieved through the MBOs' improved advocacy capacities, based on their work analysing policies, developing messages to argue in favour of their proposals, documenting best practices, and being active in forums for political dialogue.

At a later stage, MBOs that have been empowered by this process are able to participate in a more effective way in policy-making spaces and to change the mindsets of policy-makers. Eventually, these changed mindsets enable the creation of a more favourable environment for systemic changes that will be reflected in norms and public policies that give more weight to employment, and that seek to meet the needs of informal workers – leading to reduced risks, higher incomes, and improved general welfare.

While it is not explicit in the model, throughout the process, external factors can work to the benefit of MBOs, such as the interventions of support organizations and other people sympathetic to the cause to increase the MBOs' voice, visibility and validity. The MBO, as part of a strategic decision, can also decide to establish alliances with various groups at the national and international levels in order to promote information exchanges, to strengthen its bargaining position vis-à-vis the authorities, or to influence groups that affect decisions in one way or another.

Towards an Inclusive Waste Management Model



About WIEGO: Women in Informal Employment: Globalizing and Organizing is a global network focused on securing livelihoods for the working poor, especially women, in the informal economy. We believe all workers should have equal economic opportunities and rights. WIEGO creates change by building capacity among informal worker organizations, expanding the knowledge base about the informal economy and influencing local, national and international policies. Visit www.wiego.org.

