



INSIGHT

# **Beyond National Bans** Compelling Case for the EAC Single-Use Plastics Bill

Plastic waste has become one of the most pressing environmental challenges in the East African Community (EAC). The heavy reliance on single-use plastics (SUPs) and inadequate waste management has had tangible consequences. In urban centres like Nairobi, drainage systems are regularly clogged with plastic debris that washes up along the coasts of Kenya, Tanzania, Somalia, and even affects the environment of the Democratic Republic of the Congo (DRC). These impacts highlight the urgent need for coordinated regional action on plastic pollution.

In response to this mounting crisis, the EAC Partner States have made significant strides in tackling SUPs. All eight member states, Burundi, Kenya, Rwanda, South Sudan, Tanzania, Uganda, the Democratic Republic of Congo (DRC), and Somalia, have implemented legislative measures, primarily targeting plastic carrier bags and certain other plastic items. Kenya, for instance, implemented a sweeping ban on plastic carrier bags in 2017 and later restricted single-use plastics in protected areas. Rwanda has long-standing prohibitions on certain plastic items. Tanzania, Uganda, Burundi, and the DRC have similarly introduced national legislations, regulations, or decrees addressing the manufacture, import, or use of various plastic packaging and bags.

### **Failure of Fragmentation: Why National Bans Are Not Enough**

While these country-specific actions demonstrate commendable political intent, they have often struggled with inconsistent enforcement and resistance from key stakeholders, ultimately limiting overall progress. The fundamental flaw lies in the fragmented nature of these policies— inconsistencies in policy enforcement create loopholes that undermine environmental objectives. Plastics, after all, do not recognise national boundaries. A ban in one EAC Partner State can be easily undermined by the influx of cheap, non-compliant packaging manufactured or imported through a neighbouring country where regulations are weaker or non-existent. This regulatory arbitrage creates loopholes, compromises environmental goals, and penalises compliant businesses. Eventually, each EAC Partner State pays for it with their health and the environment in which they live. It is now glaringly clear that national bans alone are not enough; a harmonised, regional approach is essential.

This necessity for a unified strategy is recognised globally, notably by the forthcoming Global Plastics Treaty, but also by the ambitious European Union's Packaging and Packaging Waste Regulations (PPWR). For East Africa, this regional imperative is championed by the proposed EAC Bill on the Prohibition of Manufacturing, Importation, Use, and Sale of Single-Use Plastics (SUP Bill), developed by ALN Kenya in collaboration with The FlipFlopi Project. The EAC SUP Bill represents a critical step towards ensuring East Africa remains at the forefront of championing environmental protection, while maintaining competitiveness in global markets by aligning with emerging international frameworks such as the PPWR.

This article assesses why the EU's PPWR offers a compelling blueprint for EAC and highlights how the EAC SUP Bill, despite different contextual challenges, is moving in step with the highest international standards.

## Europe's PPWR: The Gold Standard for Regional Regulation

The EU's PPWR represents one of the most ambitious global efforts to tackle plastic waste through law, fundamentally shifting the focus from simple waste management to preventing waste at the source. The regulation aims to reduce packaging waste, improve recyclability, and stimulate a circular economy across all EU member states. The PPWR's power and relevance to the EAC lie in its uniformity and enforceability. Unlike earlier directives, the PPWR sets binding, enforceable requirements that apply uniformly across all member states, eliminating regulatory arbitrage and forcing market-wide transformation.

## Europe's PPWR: Key Features and Design Principles

### A) Recyclability design

PPWR requires that all packaging placed on the market must be recyclable by design, indicating clear targets for minimum levels of recycled content. This provision intends to drive innovation among manufacturers in packaging materials and force producers to rethink how products are designed from the outset. The EU has set targets to reduce packaging waste by 5% by 2030, 10% by 2035, and 15% by 2040.

### B) Extender Producer Responsibility (EPR)

The EPR requirement requires producers and importers to cover the costs of waste collection, sorting, and recycling, thus creating economic incentives for better product design. In this way, the financial responsibility shifts from local authorities and taxpayers to the companies that profit from packaging.

### C) Deposit-Return Schemes (DSR) and Reuse

The PPWR encourages deposit-return and reuse systems for beverage containers and food packaging. This requirement normalises a circular economy practice and reduces reliance on single-use items.

### D) Single-Use Restrictions

The PPWR places strict limitations on certain types of single-use plastics considered unnecessary or highly polluting, accelerating the phase-out of products for which sustainable alternatives already exist.

## The Compelling Case: Why the EAC SUP Bill is the Necessary Next Step

The EAC SUP Bill and the EU PPWR, despite their different contexts, share several significant similarities and a unified legal framework for plastics management across a multi-country bloc. This shared methodology forms the foundation of the compelling case for the EAC Bill.

### 1) Creating a level playing field and encouraging investment

The primary limitation of national bans is the inability to realise the necessary economies of scale. While EAC bans have encouraged some investment in alternatives, the scale of this shift remains limited compared to the increasing demand for sustainable packaging seen under the EU's uniform standards. The EAC SUP Bill addresses this by creating a unified legal framework for plastics management, which is critical to prevent cross-border leakage of banned plastics and to unlock economies of scale.

A unified regional market creates the critical mass required to transform investment risks related to large-scale recycling infrastructure, advanced plastic-to-fuel technologies, and manufacturing facilities for locally sourced, sustainable alternatives (such as cassava, bamboo, and banana-fibre packaging), into economic viability. Through the elimination of internal trade barriers and standardisation of demand for compliant packaging across Partner States, the EAC SUP Bill achieves key economic advantages. First, this harmonisation ensures predictability in the market, thus offering manufacturers of sustainable alternatives a guarantee of demand.

Secondly, market predictability significantly de-risks capital investment, enabling investors to confidently fund large-scale facilities with the knowledge that a single set of standards and regulations applies across the entire EAC region. Finally, the EAC SUP framework ensures that alternatives can be produced at prices that compete effectively, making sustainable packaging the default and most cost-effective option in the region.

## **2) Adopting and adapting extended producer responsibility (EPR)**

The most significant supply-side transformation evidenced by the EU's PPWR is the mandatory EPR. The EAC SUP Bill incorporates a similar approach, obligating manufacturers to contribute fees that fund waste infrastructure, thereby incentivising accountability.

The EAC is strategically utilising and adapting the EPR mechanism in the following ways:

- A. Financial Instrument for Infrastructure:** Like the EU, the EPR requirement in the EAC Bill ensures that producer levies finance the development of local and regional recycling systems, addressing the key challenge of insufficient infrastructure in the region.
- B. Social Equity and Just Transition:** Crucially, the EAC Bill is using EPR not just as a financial tool but as part of a broader, fair transition to a circular economy model. Section 18(f) of the Bill requires Partner States to ensure an inclusive transition by mandating that a portion of the collected EPR fees be used to improve infrastructure and improve the livelihoods and opportunities for, and develop the skills of, workers in the waste sector, including waste workers in informal and cooperative settings. This provision is vital for integrating and supporting the thousands of informal waste collectors who are central to recycling within the region.

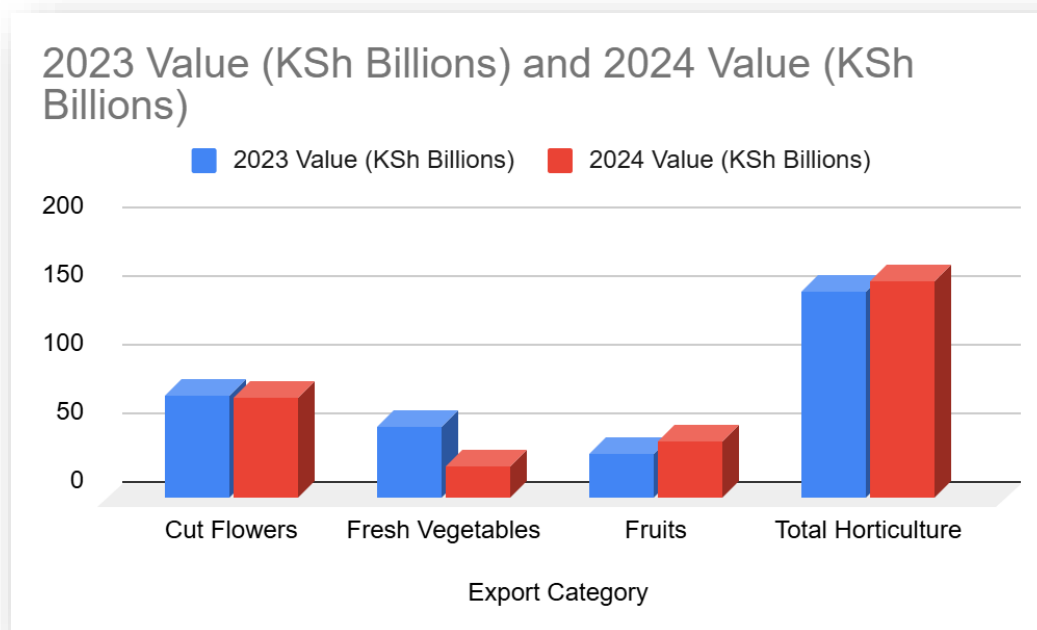
## **3) Aligning with Global Markets**

The EAC SUP Bill is a necessary step to ensure that East Africa is in step with international trends and increasingly higher standards. By adopting a unified, advanced regulatory framework, the EAC is positioning itself to be competitive in the global market. This alignment is particularly critical as exporters to the EU will increasingly need to comply with PPWR requirements. By harmonising domestic and regional standards with global benchmarks, the EAC is proactively securing market access for its goods. Furthermore, the African Continental Free Trade Area (AfCFTA) can leverage the EAC's harmonised standards to boost production efficiencies for alternatives across the continent.

## **4) Securing Market Access: The SUP Bill as a Green Industrialisation Strategy**

From an economic perspective, the Bill's strategic value is its ability to protect and enhance the region's vital export economy by addressing the incoming EU regulatory policies. The EU is Kenya's most important export market, with total trade reaching KES 156.9 billion (approx. USD 1.21 billion) in 2024, compared to KES 150.1 billion (approx. USD 1.16 billion) in 2023. This trade is

dominated by sensitive products that rely heavily on compliant packaging: cut flowers, live plants, fruits, vegetables, and coffee. The chart below illustrates the scale of the trade value at risk.



**Source:** [Kenya National Bureau of Statistics Economic Survey, 2025](#)

These major export categories are precisely the products whose packaging must comply with the PPWR’s stringent circular economy rules to retain duty-free market access secured under the EU-Kenya Economic Partnership Agreement (EPA). The consolidated data confirms that the EAC SUP Bill is a critical necessity to drive compliance for transformation towards strategic green industrialisation. The KES. 27.5 billion (approx. USD 208 million) loss in fresh vegetables shows that non-compliance is the single largest economic threat to Kenya’s trade with the EU. Additionally, the Bill is essential for preventing the KES 156.9 billion (approx. USD 1.21 billion) total export value from being undercut by escalating non-tariff barriers and ensuring that growth continues. By adopting harmonised standards that align with PPWR requirements, the Bill creates the necessary volume advantages to make local investment in green packaging alternatives and regional recycling infrastructure economically viable.

## Conclusion

The experience of Europe’s PPWR affirms EAC’s quest for adoption of a regional framework, the EAC SUP Bill. For one, a fragmented national approach is insufficient; thus, the need for regional harmonisation to increase the efficiency of legislation and ensure proper enforcement. Two, clear and enforceable targets provide a framework for gradual, accountable progress. From the EU’s PPWR experience, recycling obligations will only work if they are backed by investment in municipal systems and regional hubs. Schemes such as extended producer responsibility, though difficult to replicate wholesale, can be adapted so that producer levies fund local recycling initiatives, as provided under section 18 (f) of the EAC SUP Bill.

The EAC SUP Bill is the logical and essential progression from various national initiatives to a unified, comprehensive strategy. It provides the legal framework to enforce clear, binding targets, embed producer responsibility, and, uniquely, protect the livelihoods of informal workers. By drawing lessons from the PPWR while adapting the regulatory tools, such as EPR, to fit the region's specific challenges, the EAC has a historic opportunity to move beyond single-issue bans and create a sustainable, circular economy that delivers both economic and environmental gains.

Crucially, this comprehensive approach positions the EAC as the first trading bloc in Africa to chart a detailed course for plastics management and the circular economy. This pioneering status offers a great economic advantage, as it allows EAC Partner States to set regional standards and build a compliant industrial base well ahead of the curve. The rest of the continent will eventually need to catch up, creating a competitive lead for the EAC in green manufacturing, recycling infrastructure, and exporting compliant goods. This early alignment with global best practices ensures long-term trade competitiveness and establishes the EAC as a leader in sustainable economic transformation.

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