

COMBATING THE SILENT THREAT OF STREET TRADING RESULTING IN ILLEGAL DUMPING OF WASTE IN UGANDA

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ABSTRACT

The Uganda government has taken legal and institutional measures (such as the Uganda constitution, National Environmental Act and the Climate Change Act) to ensure clean and healthy environment and resolving major environmental issues. However, the rate of street trading within the terrain of Uganda, has resulted in the illegal dumping of refuse. It suffices to state that illegal dumping of refuse could generate major environmental issues such as flood, soil pollution, water pollution, air pollution, and destruction of habitat. This study embarks on a hybrid method of study in examining the need to combat the threat of street trading associated with the illegal dumping of waste. 290 questionnaires were sent to respondents residing in the various regions of Uganda. The data obtained through the questionnaire was analyzed using a descriptive and analytical method of research. The study therefore found that, there are unchecked incidents of street trading which often result in illegal dumping of refuse. Furthermore, the continuous dumping of refuse as a result of street trading could result in severe environmental pollution. The study therefore concludes and recommends that for a sustainable environment free from any form of pollution, there is a need for the Uganda government to through institutional measures reinforce the laws against illegal dumping of refuse resulting from street trading.

Keyword: Dumping; Environmental; Illegal; Pollution; Refuse; Uganda

INTRODUCTION

The global environment is one earth and is considered the safer planet for the existence of living things, including humans¹. The international environmental organizations championed by the United Nations, European Union, African Union, and several sub-regional groups have emphasized the need to safeguard one earth from imminent destruction from harmful pollution arising from harmful human activities.² Although several nations who are members of this organization have subscribed to this global initiative of combating pollution³, however, the current climate change or global warming of climate Earth is a pointer to the fact that there is a need to intensify measures that could correct the current environmental pollution challenges⁴.

However, it suffices to state that Uganda is also one of the developing countries that have through its laws on the environment sought to ensure green conservation, a safe and healthy environment that is conducive to living⁵. For example, Article 39 of the Uganda constitution provide that the Uganda citizens has a rights to clean and healthy environment and the Uganda government must ensure that this right to clean and healthy environment is attain. Furthermore, in furtherance of giving effect to article 39 of the Uganda constitution, the National Environment Act of 2019 was enacted. Concerning this, by section 78 of National Environment Act, it strictly prohibits anyone from involving in the act of illegally dumping of waste and street pollution. Also, the National Climate Change Act also provide for the elimination and prohibition of indiscriminate dumping of waste that may cause pollution within the environment. Therefore, required the relevant authority to prevent environmental pollution. However, despite its laws concerning safeguarding major environmental root causes, there seems to be a high rate

¹ H.S. Auta, C.U Emenike, and S.H Fauziah, "Distribution and Importance of Microplastics in the Marine Environment: A Review of the Sources, Fate, Effects, and Potential Solutions," *Environment International* 102 (May 2017): 165–76, <https://doi.org/10.1016/j.envint.2017.02.013>.

² Endre Tvinnereim, "Paths Towards Large, Unilateral Climate Policies: Policy-Seeking, Attenuated Accountability and Second-Order Government Assertiveness," *Journal of Energy & Natural Resources Law* 31, no. 4 (November 3, 2013): 379–405, <https://doi.org/10.1080/02646811.2013.11435340>.

³ Paul Atagamen Aidonojie et al., "The Legal Challenges and Effect Concerning the Environmental Security in Nigeria: A Lesson from International Perspective," *Journal of Commercial and Property Law* 9, no. 1 (2022): 110–20, file:///C:/Users/USER%20DK/Downloads/11+PAUL,+OLUWASEYE,+ADEFISAYO+&+ALADE.pdf.

⁴ Kingsley Eghonghon Ukhurebor and Paul Atagamen Aidonojie, "The Influence of Climate Change on Food Innovation Technology: Review on Topical Developments and Legal Framework," *Agriculture & Food Security* 10, no. 1 (December 2, 2021): 1–14, <https://doi.org/10.1186/s40066-021-00327-4>.

⁵ Pius Gumisiriza and Sylvester Kugonza, "Corruption and Solid Waste Management in Mbarara Municipality, Uganda," *Journal of Environmental and Public Health* 2020 (June 29, 2020): 1–10, <https://doi.org/10.1155/2020/4754780>.

of street and road trading which often results in the illegal dumping of refuse within the Uganda terrain or street⁶. In Uganda street and road trading most especially during the night is becoming rampant as a result of the struggle for survival⁷. Although, it is an informal means of survival for poor individuals, however, it also has far-reaching environmental consequences when the manner of disposing of refuse emanating from street trading or road trading is not properly controlled⁸. Furthermore, in the street or road trading, the majority of the refuse dump is majorly plastic which is very difficult to decompose thereby leading to blockage of sewage and gutter, which will eventually lead to flooding⁹. Furthermore, illegal dumping of refuse is considered toxic and a pollutant to the environment, which often results in severe environmental conditions.

However, the Uganda government in furtherance of the green constitution provides for the Uganda government to ensure a safe and healthy environment and enacts several laws concerning environmental protection and sustainability¹⁰. There seems to be a missing point concerning setting a policy and institutional framework at the local level in curtailing the silent threat of minor issues of illegal dumping of refuse as a result of street and road trading¹¹.

It is concerning the above, that this study tends to adopt a hybrid method of study in examining street and road trading resulting in illegal dumping of refuse. The study will also identify several laws that tend to restrict the indiscriminate dumping of waste and its challenges in curtailing waste dumping through street trading within the vicinity in

⁶ Kenneth Kazibwe, "Museveni Says Allowing Vendors on Streets Is Committing Suicide," *Chimpreports.Com*, November 3, 2016, <https://chimpreports.com/museveni-says-allowing-vendors-on-streets-is-committing-suicide/>.

⁷ Winnie V Mitullah, "Street Vending in African Cities: A Synthesis of Empirical Findings from Kenya, Cote D'Ivoire, Ghana, Zimbabwe, Uganda and South Africa" (Nairobi, 2003), <http://erepository.uonbi.ac.ke/handle/11295/38735>.

⁸ Ilda Lindell, Christine Ampaire, and Andrew Byerley, "Governing Urban Informality: Re-Working Spaces and Subjects in Kampala, Uganda," *International Development Planning Review* 41, no. 1 (January 2019): 63–84, <https://doi.org/10.3828/idpr.2019.4>.

⁹ Happy M Kayuni and Richard I.C Tambulasi, "Political Transitions and Vulnerability of Street Vending in Malawi," *Theoretical and Empirical Researches in Urban Management* 3, no. 12 (2009): 79–96, <https://www.jstor.org/stable/24872439>.

¹⁰ Paul Atagamen Aidonojie et al., "Environmental Law in Nigeria: A Review on Its Antecedence, Application, Judicial Unfairness and Prospects," *Archive of Science & Technology* 1, no. 2 (2020): 211–21, https://www.researchgate.net/profile/Osikemekha-Anani/publication/349622789_Environmental_Law_in_Nigeria_A_Review_on_its_Antecedence_Application_Judicial_Unfairness_and_Prospects/links/603888ed299bf1cc26efbeb0/Environmental-Law-in-Nigeria-A-Review-on-its-Antecedence-Application-Judicial-Unfairness-and-Prospects.pdf.

¹¹ Ukhurebor and Aidonojie, "The Influence of Climate Change on Food Innovation Technology: Review on Topical Developments and Legal Framework."

Uganda, and propose possible ways to combat this menace of illegal dumping of refuse associated with street and road trading in Uganda.

RESEARCH METHOD

The study adopts a hybrid method of study that involves a doctrinal and non-doctrinal legal research method of study. The doctrinal method of study aims at theorizing the conceptual issues as it concern street and road trading that often results in illegal dumping of refuse within the Uganda terrain. Furthermore, it also aims to examine the legal framework concerning environmental pollution and the need for a healthy environment. In this regard, the study relied on primary and secondary sources of authority such as the Uganda Constitution, environmental laws, case laws, and articles from learned authors. The non-doctrinal method is aimed at ascertaining the incidence of street and road trading that often results in illegal dumping. Furthermore, it is aimed at ascertaining the dangers of dumping refuse in the street and the possible measures to curtail this silent threat of refuse dumping associated with street and road trading. Concerning this, the study utilizes the dissemination of questionnaires to respondents residing in various regions of Uganda

RESEARCH OUTCOME AND DISCUSSION

1. Conceptualising Street Trading Associated With Illegal Dumping of Refuse

Uganda is an African country that is located in the eastern part which shares borders with DR Congo in the west, Sudan in the east, Tanzania in the south, and Kenya in the east. It has a diverse geography that is made up of mountains, hills, and lakes it is a country rich in resources and a conducive climatic condition. However, Uganda is regarded as one of the developing countries within the global terrain¹². In this regard, given the poor rate of some of its citizens which is common with African countries, they often resort to street and at night road trading¹³. Street and road trading is a common

¹² Patrick Oyugi and David Mwesigwa, "The Street Vending Agenda in Northern Uganda: Examining Its Management Praxis in Lira City," *International Journal of Public Policy and Administration* 5, no. 2 (September 19, 2023): 69–89, <https://doi.org/10.47941/ijppa.1442>.

¹³ Graeme Young, "From Protection to Repression: The Politics of Street Vending in Kampala," *Journal of Eastern African Studies* 11, no. 4 (October 2, 2017): 714–33, <https://doi.org/10.1080/17531055.2017.1378448>.

informal or casual method of economic activity by Ugandans¹⁴. It involves selling goods in open spaces on the street or road at night, to earn a living and meet their needs for survival¹⁵.

It must be noted that there are several reasons associated with street or road trading and this reasons which include, but are not limited to the following;

- i. Avoiding Payment of shop rent which is costly to afford by this peasant seller.
- ii. At night the roadside is quite busy to get the attention of passersby to patronize them.
- iii. To avoid the payment of tax.
- iv. To earn a living.

Concerning the above, it suffices to state that it is necessary to strive to earn a living¹⁶. However, the means of earning a living must be sustainable enough to ensure the preservation and conservation of the environment from any harmful activities that could result in pollution¹⁷. In this regard, it is apt to state that the illegal dumping of refuse within Uganda's streets and roadside is often associated with street and road trading¹⁸. Illegal dumping of refuse resulting from street and road trading involves dumping or disposal of plastic, debris from leftover, and other waste materials in open places, streets, roadside, and water bodies that are considered unauthorized places for refuse dumping¹⁹. This in essence could result in severe environmental conditions such as air pollution, water pollution, and blockage of gutters resulting in flooding. Furthermore, it could also result in soil pollution, thereby resulting in poor agricultural productivity.

¹⁴ Pamela Amia, "Kamya Orders Vendors Off The Streets," *ChimpReports.Com*, July 10, 2017, <https://chimpreports.com/kamya-orders-vendors-off-the-streets/>.

¹⁵ Graeme Young, "De-Democratisation and the Rights of Street Vendors in Kampala, Uganda," *The International Journal of Human Rights* 22, no. 8 (September 14, 2018): 1007–29, <https://doi.org/10.1080/13642987.2018.1492915>.

¹⁶ Guillaume Iyenda, "Street Enterprises, Urban Livelihoods and Poverty in Kinshasa," *Environment and Urbanization* 17, no. 2 (October 1, 2005): 55–67, <https://doi.org/10.1177/095624780501700205>.

¹⁷ Osikemekha Anthony Anani et al., "Application of Microorganisms as Biofactories to Produce Biogenic Nanoparticles for Environmental Cleanup: Currents Advances and Challenges," *Current Nanoscience* 19, no. 6 (November 2023): 770–82, <https://doi.org/10.2174/1573413719666221219164613>.

¹⁸ Jaap Spier, "There Is No Future without Addressing Climate Change," *Journal of Energy & Natural Resources Law* 37, no. 2 (April 3, 2019): 181–204, <https://doi.org/10.1080/02646811.2019.1565197>.

¹⁹ Ray Bromley, "Street Vending and Public Policy: A Global Review," *International Journal of Sociology and Social Policy* 20, no. 1/2 (February 1, 2000): 1–28, <https://doi.org/10.1108/01443330010789052>.

It is apt to reiterate that there are several regulatory frameworks concerning preserving and conserving the environment from any form of pollutant. Furthermore, there is also a policy framework concerning waste management, however, given the antic and method often adopted by street and roadside traders which often result in illegal refuse or waste dumping, often poses a challenge to the implementation process²⁰. This is concerning the fact that the majority of the street and roadside trading activities often occur at night which poses challenges towards having the fate of the culprit involved in illegal dumping determined by a competent court.

2. Dangers and Effects Associated with Illegal Wastes Dumping in an Authorise Place

Several dangers and effects could be from the illegal dumping of refuse associated with street and roadside trading activities²¹. This effect could affect both man, biodiversity, and the environment which could result in severe global warming. In this regard, such potential effects of illegal waste dumping in water bodies and landfills often result in contamination of surface water, groundwater, and soil²². This waste could last for a very long period thereby resulting in the formulation of toxic chemicals²³. This chemical could easily seep into water bodies that are often used for agriculture and consumption by humans, thereby leading to a severe health problem that include; neurological disorders, respiratory illnesses, and other severe medical conditions²⁴. Furthermore, having this waste for a very long time within the landfill could result in the loss of the ecosystem and biodiversity.

Also, it must be noted that illegal refuse dumping in unauthorized places could result in air pollution. This is concerning the fact that when this refuse dumped in

²⁰ Fidelis I. Abam et al., "Environmental Sustainability of the Nigeria Transport Sector through Decomposition and Decoupling Analysis with Future Framework for Sustainable Transport Pathways," *Energy Reports* 7 (November 2021): 3238–48, <https://doi.org/10.1016/j.egy.2021.05.044>.

²¹ I.N. Abdullahi et al., "The Interplay between Environmental Factors, Vector Competence and Vaccine Immunodynamics as Possible Explanation of the 2019 Yellow Fever Re-Emergence in Nigeria," *New Microbes and New Infections* 41 (May 2021): 100858, <https://doi.org/10.1016/j.nmni.2021.100858>.

²² Paul Atagame Aidonojie et al., "A Facile Review on the Legal Issues and Challenges Concerning the Conservation and Preservation of Biodiversity," *Global Sustainability Research* 2, no. 2 (April 30, 2023): 34–46, <https://doi.org/10.56556/gssr.v2i2.461>.

²³ Ismaila Rimi Abubakar, "Understanding the Socioeconomic and Environmental Indicators of Household Water Treatment in Nigeria," *Utilities Policy* 70 (June 2021): 101209, <https://doi.org/10.1016/j.jup.2021.101209>.

²⁴ Osikemekha Anthony Anani et al., "Bio-Nano Filtration as an Abatement Technique Used in the Management and Treatment of Impurities in Industrial Wastewater," in *Bio-Nano Filtration in Industrial Effluent Treatment*, ed. Maulin P Shah, 1st ed. (Boca Raton: CRC Press, 2023), <https://doi.org/10.1201/9781003165149>.

unauthorized places decomposes, it often releases air pollutants such as volatile organic compounds, carbon monoxide, and sulfur dioxide²⁵. It must be noted that these pollutant substances result in severe health risks such as respiratory problems and could activate asthma attacks. Furthermore, burning of this refuse often results in the emission of greenhouse gases which could result in global warming²⁶.

Furthermore, indiscriminate waste dumping as a result of street and roadside trading that is unchecked and unregulated, often breeds a culture of increased irresponsibility and undermines the regulation of a sustainable environment²⁷. In this regard, the consequences of not curtailing indiscriminate refuse dumping in authorized places always place the burden on the government at the local and central levels to channel resources that could be used for other profitable ventures for refuse cleanup²⁸. Concerning this, it suffices to state that illegal dumping of refuse in an authorized place resulting in high expenses in heavy clean up often affects economic development and investment in the order sector²⁹.

In this regard, concerning the danger and effect of illegal refuse dumping in unauthorised places, it will be relevant to examine the laws that tend to provide for a clean and sustainable environment, in ascertaining the extent these laws curtail harmful activities that could result in environmental pollution.

3. Legal Regulation of Pollutions Arising From Illegal Dumping of Waste

The Uganda government has enacted several legislation concerning the

²⁵ Paul Atagamen Aidonjic, "Environmental Hazard: The Legal Issues Concerning Environmental Justice in Nigeria," *Journal of Human Rights, Culture and Legal System* 3, no. 1 (February 14, 2023): 17–32, <https://doi.org/10.53955/jhcls.v3i1.60>.

²⁶ Aidonjic.

²⁷ Oludamilare Bode Adewuyi et al., "Techno-Economic Analysis of Robust Gas-to-Power Distributed Generation Planning for Grid Stability and Environmental Sustainability in Nigeria," *Sustainable Energy Technologies and Assessments* 55 (February 2023): 102943, <https://doi.org/10.1016/j.seta.2022.102943>.

²⁸ Osikemekha Anthony Anani, Paul Atagamen Aidonjic, and John Ovie Olomukoro, "Environmental Principles and Ethics: Current Challenges in the Field of Bioscience and Law," in *Ethics, Media, Theology and Deveelopment in Africa: A Festchrift in Honour of Msgr. Prof. Dr. Obiora Francis Ike*, ed. Peter Eshioke Egielewa and Blessed Frederick Ngonso (Geneva: Globethics.net Co-Publications & Others, 2022), 142–58, https://www.researchgate.net/profile/Jesse-Ishaku/publication/365780827_ETHICS_AND_CULTURE_IN_AFRICA_THE_NEXUS_IN_SELECTED_ETHICAL_CODES/links/6383d38f48124c2bc677b251/ETHICS-AND-CULTURE-IN-AFRICA-THE-NEXUS-IN-SELECTED-ETHICAL-CODES.pdf#page=143.

²⁹ Anthony. L Andrad, "Persistence of Plastic Litter in the Oceans," in *Marine Anthropogenic Litter*, ed. Melanie Bergmann, Lars Gutow, and Michael Klages (Berlin : Springer Nature, 2015), 57–77, https://link.springer.com/chapter/10.1007/978-3-319-16510-3_3.

preservation, conservation of its environment and furthermore to prohibit any form pollution or activities that could be harmful to the environment and individual residing within that territory. In essence, the government is geared towards ensuring a sustainable environment that is conducive to human survival and the conservation of biodiversity. This ideology is in line with Article 39 of the constitutional provision³⁰ of Uganda which stipulates that Uganda citizens have the right to a healthy and sustainable environment free from any form of pollution. Furthermore, article 245 of the Uganda constitution also requires the government of Uganda to through legal and institutional measures enforce the following:

- i. To protect and preserve the Uganda environment from any form of pollutant activities, degradation, and abuse.
- ii. Ensure effective management and sustainable development of the Uganda environment.
- iii. Promotes sensitization and awareness of environmental safety

Concerning the above, it suffices to state that the value content of the Uganda constitution inclines towards regulating, safeguarding, and managing the environment from any form of pollution or activities that could be harmful. Furthermore, the constitution also requires the Uganda government to ensure the effective preservation of the environment and create a level of awareness of the need to safeguard the environment from any form of waste pollution that may emanate from street and roadside trading activities. Concerning the above, it suffices to state that the Uganda government has taken the bold step of considering policies, laws, and institutional frameworks that tend to regulate the way and manner the individual interacts with the environment. In this regard, it will be relevant to consider some of these laws as follows.

One of the relevant laws that tend to provide for and regulate the incidence of pollution is the National Environmental Act of 2019. The preamble of the act stipulates that the essence of the law is aimed at managing and regulating environmental issues and emergent environmental issues that may be considered harmful to man and the

³⁰ Eren Cifci and Matthew E. Oliver, "Reassessing the Links between GHG Emissions, Economic Growth, and the UNFCCC: A Difference-in-Differences Approach," *Sustainability* 10, no. 2 (January 28, 2018): 334, <https://doi.org/10.3390/su10020334>.

environment. In this regard, section 3 of the act stipulates that every individual residing in Uganda has the right to a healthy and clean environment as stipulated in the Uganda constitution. Concerning this, section 3(2) of the act stipulates that it is not just the responsibility of the government alone to secure the protection of the environment from any harmful activities but also the duty of the citizens of Uganda to protect and enhance the environment from pollution.

Section 2 of the National Environmental Act stipulate that pollution involves any activities that are likely to result in nuisance and harmful damage to the environment and human health. In this regard, section 78(1) of the act, prohibit any person from indulging in any activities such as illegal dumping of waste in authorized places that could result in environmental pollution. Concerning this, sections 78(2) and (3) of the act further stipulate that where an individual contemplates that his/her activities are likely to cause pollution, such individual must ensure precautionary measures and best available techniques are being employed to combat or prevent the occurrence of the pollution. However, where cases of pollution occur, section 79 of the National Environmental Act stipulates the measure the individual whose action results in environmental pollution should take as follows;

- i. That individual to take necessary step or measure to abate further pollution
- ii. Notify the relevant authority of the incidence of pollution
- iii. Ensure step are taken to mitigate the damage caused by the pollution
- iv. Initiate a clean up
- v. Pay damages or compensation to affected individuals who suffer from pollution incidence

The essence of the above concerns the fact that section 4 of the National Environmental Act stipulates that nature has the right to persist, exist, and regenerate, and where there is a bridge or infringement of the right of nature resulting in pollution the individual and government can institute an action against the erring party. In this regard, section 80 of the act further places strict liability on any who fails to comply with the act and is found wanting of polluting the environment.

Furthermore, it must be noted that Uganda is a signatory to several international environmental treaties, conventions, and protocols. In this regard, in adherence to this provision of international environmental laws concerning combating climate change, the National Climate Change Act was enacted in 2021. Section 3 and the preamble of the

National Climate Change Act stipulate that the essence of the law is to effect to the various international environmental laws as it concerns climate change mitigation. Concerning the fact that the decomposition and burning of waste could release greenhouse gases that could result in global warming, section 5 of the act stipulates the Uganda government through its relevant departments should take into cognizance the need for sustainable development, should adopt adequate measures in combating and curtailing incidence that often result to climate change. Furthermore, the act also stipulates that the relevant government agency should identify possible vulnerable areas (such as street and roadside trading resulting in illegal dumping of waste) that have no resilience to climate change given their harmful activities., section 6 of the act also stipulates that there the relevant government agencies on climate change must initiate national plans, measures and programs in mitigating climate change within the terrain of Uganda. However, section 5 of the act further stipulates some of this plan to include educating, training, and creating public awareness concerning climate change and the need to prohibit harmful activities that could result in climate change.

It suffices to state that there are several laws concerning the prohibition of illegal dumping of waste as a result of street and roadside trading. However, despite this these laws there seems to be an increase in the indiscriminate dumping of waste on the street and roadside. It suffices to state that the reason for the inability for these laws to curtail incidence of illegal waste dumping arising from street trading, is as a result of the fact that implementation of these laws has always been a major challenge. This is concerning the fact that the various agency in charge of enforcement of these laws do not have sufficient capacity and personnel to ensure compliance of most these vendors that are within every nook of the street and most often operate at night when this agency has retired home for their days job. Furthermore, there other traders or vendor who operate without formal license and there several of these vendors withing the informal sector carrying out street trading which often makes it impossible to track their illegal dumping waste and prosecute them. Furthermore, lack of harmonising and a fragmented process of illegal waste management among local government and other relevant environmental authorities often result to overlapping jurisdiction. Therefore, making it impossible to have a proper coordination in enforcing compliance of the law against illegal dumping of

waste. In this regard, it suffices to state that combating this menace requires a concert effort strict implementation measures, public awareness, and education concerning the dangers of indiscriminate dumping of waste.

4. Presentation and Analysis of Data

Concerning the distribution of the questionnaire to the various respondents residing the the various regions in Uganda, the data obtained are hereby analysed as follows:

a. Sample Size and Techniques

In reaching and accessing the respondents residing in the various regions in Uganda to respond to the questionnaire, the study adopted a simple random sampling method or techniques. This is concerning the fact that a simple random sampling technique is considered preferable given its unique characteristics³¹. Several studies have considered the relevance of simple random sampling techniques as follows³²

1. A simple random sampling technique is devoid of any form of complication
2. It is more suitable where the respondents are from a heterogenous population
3. It is free from obtaining a biased result

³¹ Paul Atagamen Aidonojie et al., "The Prospect and Legal Issues of Income Tax in the Nigerian Metaverse," *Trunojoyo Law Review* 6, no. 1 (February 26, 2024): 17–50, <https://doi.org/10.21107/tlr.v6i1.23874>; Simon Ejokema Imoisi and Paul Atagamen Aidonojie, "Legal and Socio-Economic Issues Concerning Black Marketer's Activities of Petroleum Products in Nigeria," *Yuridika* 38, no. 2 (May 1, 2023): 261–84, <https://doi.org/10.20473/ydk.v38i2.44999>; Paul Atagamen Aidonojie et al., "Legal Issues Concerning of Data Security and Privacy in Automated Income Tax Systems in Nigeria," *Hang Tuah Law Journal* 8, no. 1 (March 8, 2024): 14–41, <https://doi.org/10.30649/htlj.v8i1.223>; Paul Atagamen Aidonojie et al., "Prospect, Legal, and Socio-Economic Implication of Metaverse Operation in Nigeria," *YURISDIKSI : Jurnal Wacana Hukum Dan Sains* 19, no. 4 (March 11, 2024): 455–75, <https://doi.org/10.55173/yurisdiksi.v19i4.201>; Paul Atagamen Aidonojie, Toyin Afolabi Majekodunmi, and Omolola Janet Adeyemi-Balogun, "The Legal Issues Concerning the Operation of Fin-Tech in Nigeria," *Jurnal Media Hukum* 30, no. 2 (October 31, 2023): 78–97, <https://doi.org/10.18196/jmh.v30i2.18337>.

³² Milicent Ekeata Idahosa, Omohoste Patience Agbale, and Paul Atagamen Aidonojie, "The Causes and Legal Implications Concerning Assault against Healthcare Providers by Patients or Their Relatives in Nigeria," *NIU Journal of Humanities* 7, no. 4 (December 31, 2022): 79–88, <https://doi.org/10.58709/niujuhu.v7i4.1558>; Toyin Afolabi Majekodunmi et al., "The Causes of the Rising Incidence of Terrorism Occasioning Deprivation of the Right to Life in Nigeria," *NIU Journal of Humanities* 7, no. 2 (June 30, 2022): 5–19, <https://doi.org/10.58709/niujuhu.v7i2.1498>; Paul Atagamen Aidonojie and Esther Chetachukwu Francis, "Legal Issues Concerning Food Poisoning in Nigeria: The Need for Judicial and Statutory Response," *Jurnal Media Hukum* 29, no. 1 (August 31, 2022): 65–78, <https://doi.org/10.18196/jmh.v29i1.12595>; Odetokun Olukayode Oladele et al., "An Empirical Study of Criminalizing Minor Infractions of Tax Laws in Nigeria: The Need for Negotiated Punishments," *KIU Journal of Humanities* 7, no. 2 (2022): 157–68, https://www.researchgate.net/profile/Paul-Aidonojie-2/publication/366577525_An_Empirical_Study_of_Criminalizing_Minor_Infractions_of_Tax_Laws_in_Nigeria_The_Need_for_Negotiated_Punishments/links/63a7cc41a03100368a2829d3/An-Empirical-Study-of-Criminalizing-Minor-Infractions-of-Tax-Laws-in-Nigeria-The-Need-for-Negotiated-Punishments.pdf.

4. It is suitable and relevant for conducting mixed methods of legal research
In this regard, the study further focuses on a sample size of 290 respondents residing in the various regions of Uganda.

b. Data Analysis

The responses of the respondents are therefore presented in a tabular and graphical representation for clarity and proper presentation of the result.

c. Research Question One

Which of the regions in Uganda do you reside in?

290 responses

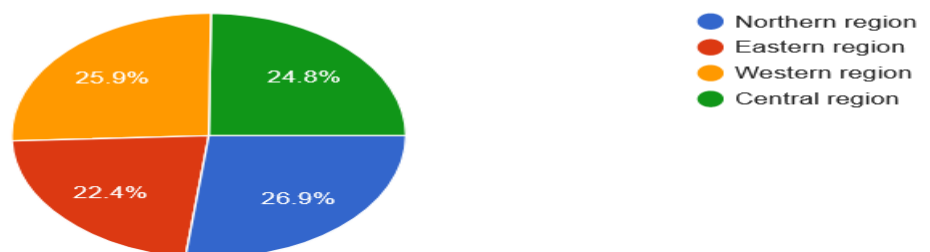


Figure 1: Identification of the various regions in Uganda where the respondents reside

S/N	Regions in Uganda	Responses of Respondents	Percent
1	Northern Region	78	26.9%
2	Eastern Region	65	22.4%
3	Western Region	75	25.7%
4	Central Region	72	24.8%
TOTAL		290	100%

Table 1: Valid identification of the various regions in Uganda where the respondents reside

Figure 1 and Table 1 are an identification of the various regions in Uganda where the respondents reside.

d. Research Question Two

Do agree that there are incidences of dumping of refuse as a result of street and road trading?

289 responses

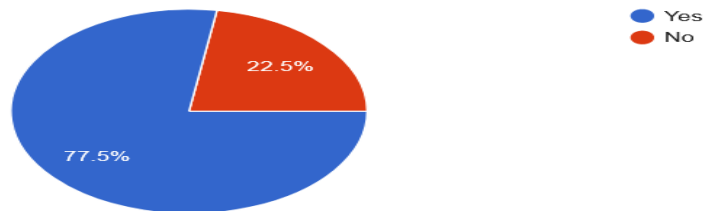


Figure 2: confirmation of incidences of illegal refuse dumping as a result of street and roadside trading

	Response	Percent
Valid Yes	224	77.5%
Valid No	65	22.5%
Total	289	100%

Table 2: Valid confirmation of the incidences of illegal refuse dumping as a result of street and roadside trading

Figure 2 and Table 2 above are respondents' confirmations of the incidence of illegal refuse dumping as a result of street and roadside trading within Uganda.

e. Research Question Three

Which of the following environmental issues could occur as a result of illegal dumping of refuse associated with street or road trading? You can tick more than one option

228 responses

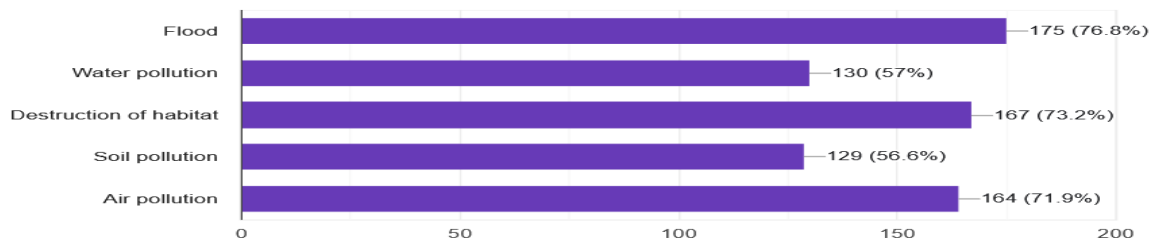


Figure 3: identification of the environmental issues that often occur as a result of illegal dumping of waste

Environmental Issues arising from refuse dumping	Cluster of Response	Percentage
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Flood	175	76.8%
Water pollution	130	57%
Destruction of habitat	167	73.2%
Soil pollution	129	56.6%
Air pollution	164	71.9%

Table 3: Valid Cluster of environmental issues that often occur as a result of illegal dumping of waste

Figure 3 and Table 3 are respondents' valid clusters of identifying the various environmental issues that often occur as a result of illegal dumping of waste.

f. Research Question Four

Do you agree that there is a need for the government to take necessary measures to combat this silent threat of street trading resulting in refuse dumping?

290 responses

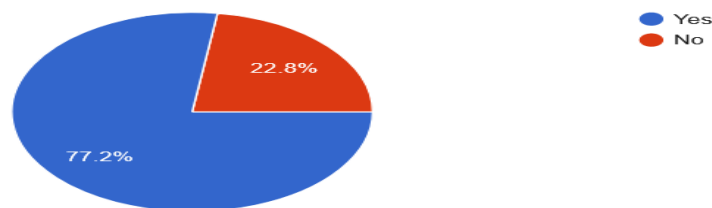


Figure 4: Clarification by respondents on need for adequate measure in combating illegal dumping of refuse

	Response	Percent
Valid Yes	224	77.2%
Valid No	66	22.8%
Total	290	100%

Table 4: Valid clarification that there is need for adequate measure in combating illegal dumping of refuse

Figure 4 and Table 4 are respondents clarification on the need to adopt adequate measure concerning combating illegal refuse dumping arising from street and roadside trading in Uganda.

g. Research Question Five

Which of the following measures could aid in combating the silent threat of illegal dumping of waste resulting from street trading? You tick more than one option

228 responses

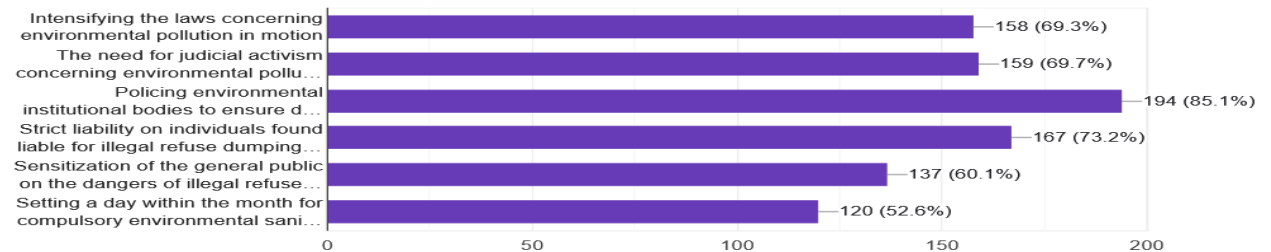


Figure 5: Identification of remedies in curtailing illegal dumping of refuse

Remedies concerning illegal refuse dumping in Uganda	Cluster of Responses	Percentage
Intensifying the laws concerning environmental pollution in motion	158	69.3%
The need for judicial activism concerning environmental pollution cases	159	69.7%
Policing environmental institutional bodies to ensure due compliance from street dumping of refuse	194	85.1%
Strict liability on individuals found liable for illegal refuse dumping in street	167	73.2%
Sensitization of the general public on the dangers of illegal refuse dumping	137	60.1%
Setting a day within the month for compulsory environmental sanitation	120	52.6%

Table 5: Valid cluster of possible remedies in curtailing illegal dumping of refuse

Figure 5 and Table 5 are valid identifications of possible remedies for curtailing the illegal dumping of refuse.

5. Discussion of Findings

Concerning the data obtained and presented in the tabular and graphical representation above, the results obtained are therefore analyzed as follows. Figure 1 and

Table 1 review that a total of 290 respondents responded to the questionnaire. These respondents are from various regions in Uganda, in this regard, it further shows that the respondents possess the requisite knowledge concerning street and roadside trading and illegal dumping of refuse within unauthorised places in Uganda. Concerning this, in Figure 2 and Table 2, the respondents were able to identify that there are incidences of illegal waste dumping as a result of street and roadside trading within the Uganda terrain. Furthermore, the respondents in Table 3 and Figure 3 further identify that there several environmental issues that could occur in the dumping of refuse in unauthorised places as follows;

- i. 76.8% of the respondents identify flooding
- ii. 57% stated that there could be a danger of water pollution
- iii. 73.2% agreed that it could result in the destruction of habitat
- iv. 56.6% of the respondents state soil pollution
- v. 71.9% further stipulated that illegal dumping of refuse could result in air pollution
- vi. Concerning the above, it suffices to state that the findings of the above are a common

Environmental issue that is currently affecting most African countries. In this regard, to ensure a sustainable environment free from any form of pollution there is a need for adequate measure in curtailing the menace of illegal refuse dumping. In this regard, in Figure 4 and Table 4, 77.2% of the respondents were of the view that there is a need for the Uganda government to take adequate measures concerning curtailing illegal waste dumping arising from street and roadside trading. Furthermore, in Figure 5 and Table 5, the respondents were able to identify possible measures that could be adopted by the Uganda government to curtail the incidence of illegal dumping of waste as a result of street and roadside trading as follows;

- i. 69.3% of the respondents stated that intensifying the laws concerning environmental pollution in motion could aid in curtailing illegal waste dumping
- ii. 69.7% agreed that there is a need for judicial activism concerning environmental pollution cases
- iii. 85.1% stated that there is a need for policing environmental institutional bodies to ensure due compliance from street dumping of refuse
- iv. 73.2% were of the view that strict liability on individuals found liable for illegal refuse dumping in the street is necessary
- v. 60.1% stated that sensitization of the general public on the dangers of illegal refuse dumping will aid curtail the incidence of illegal refuse dumping
- vi. Furthermore, 52.6% of the respondents stated that there is a need for setting a day within the month for compulsory environmental sanitation

CONCLUSION

This study examines the issues of street and roadside trading which is a common and informal method of buying and selling goods and services. The study further identifies that the majority of the individuals involved in street and roadside trading are mainly peasants and it is a means of survival. In this regard, street and roadside trading hold a significant place in the Uganda economy. However, the study further observed that in recent times there have been several illegal dumping of refuse in unauthorised places. Most of this illegal waste dumping is a result influx of street and roadside trading. Waste dumping in unauthorized places could result in severe environmental pollution such as air pollution, flooding as a result of blockage of gutter, water pollution, and soil pollution. Furthermore, it was stated that waste pollution could also have adverse effects on the health of man.

Despite the several laws and institutional frameworks that tend to curtail the incidence of environmental pollution, however, there seems to be an increase in waste pollution arising from street and roadside trading. In this regard, it is therefore recommended that for effective conservation, preservation, and ensuring a sustainable environment free from any form of pollution, there is a need to intensify the

implementation of the laws on environmental pollution, sensitize and create an awareness of the dangers of illegal waste dumping in unauthorised places. Also, there is need for a harmonizing and an effective institutional mechanism in the enforcement of these environmental laws that restrict the illegal dumping of waste arising from street trading by commanding compliance. The study also recommends judicial activism and setting a day within the month for compulsory environmental sanitation

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