

Submission to the UN Special Rapporteur on the Human Rights of Internally Displaced Persons
Climate Change and Internal Displacement
June 12, 2023

What specific groups or populations are particularly or differentially affected by climate change and internal displacement? Is their meaningful and full participation ensured and if so, how? If not, what are the main obstacles?

The 2023 Global Report on Internal Displacement included a special focus on the complex relationship between conflict, violence, disasters, food insecurity and internal displacement.¹ In October 2022 Climate Refugees conducted in-country research in Kenya, visiting eight communities experiencing climate change and internal and cross-border displacement, driven by drought and flooding. These communities represent marginalized populations – especially Indigenous Peoples groups – who are often left out of discussions, and who are also particularly vulnerable to the impacts of climate change.

Current Climate Impacts in Kenya

Drought

The Horn of Africa is experiencing an unprecedented drought, the worst to strike the region in 40 years, pushing the region to the brink of famine.² Despite the contribution of the Covid-19 pandemic, protracted conflicts, the war in Ukraine and a major shortfall in humanitarian funding, five rainy seasons have failed since 2020 in parts of Ethiopia, Kenya and Somalia, and researchers now contend it would not have happened without human-induced climate change: “Climate change has made events like the current drought much stronger and more likely; a conservative estimate is that such droughts have become about 100 times more likely.”³ The region’s two rainy seasons - the “long rains” from March to May, and the “short rains” from October to December have largely failed. Since October 2020, an unprecedented long dry spell has persisted, occasionally interrupted with short intense rainfall that has often led to flash floods.

Food Insecurity

The longest and most severe drought in the Horn of Africa has left 23.8 million people in hunger, with 35 million people facing food and water insecurity, health, protection and education needs across the region.⁴ With only 23% of last year’s donor appeal funded, humanitarian agencies are seeking \$7 billion to meet the basic humanitarian needs of people, calling this drought a primary example of climate injustice.⁵ Kenya’s northern counties like Turkana are expected to reach Emergency levels of food insecurity (IPC 4) between March and June 2023. Feared famine-levels in Somalia have slightly abated due to recent rains, however some regions where agro-pastoralist populations and IDPs reside, remain at risk of famine (IPC 5) if the “long rains” are worse than forecasted and assistance does

¹ IDMC 2023 Global Report on Internal Displacement (GRID). <https://www.internal-displacement.org/global-report/grid2023/>.

² “Meteorological and Humanitarian Agencies Sound Alert on East Africa.” World Meteorological Organization, May 30, 2022. <https://public.wmo.int/en/media/news/meteorological-and-humanitarian-agencies-sound-alert-east-africa>.

³ “Human-Induced Climate Change Increased Drought Severity in Horn of Africa.” World Weather Attribution, April 27, 2023. <https://www.worldweatherattribution.org/human-induced-climate-change-increased-drought-severity-in-southern-horn-of-africa/>.

⁴ “NGOs Call Out Climate Injustice and Urge Global Donors to Fully Fund the Humanitarian Response in the Horn of Africa Now.” Oxfam, May 22, 2023. <https://www.oxfam.org/en/press-releases/joint-statement-ngos-call-out-climate-injustice-and-urge-global-donors-fully-fund>.

⁵ Oxfam, May 22, 2023. <https://www.oxfam.org/en/press-releases/joint-statement-ngos-call-out-climate-injustice-and-urge-global-donors-fully-fund>.

not reach the most vulnerable.⁶ Even with April's improved rain conditions in Kenya, 4.4 million people are food insecure across 23 arid and semi-arid counties, and remain dependent on food and humanitarian assistance.⁷

Drought-Related Displacement

The drought has forcibly displaced 2.28 million people across the region, with impacts in Somalia alone displacing 1.4 million people.⁸ UNHCR estimates 180,000 people have crossed borders from Somalia and South Sudan into drought-stricken refugee camps in Kenya and Ethiopia⁹. Noting climate change as an increased driver of migration, IOM has noted a 64% uptick in migration of women and children traveling alone this year from the Horn of Africa to Gulf countries. The solo travel of women marks a significant shift of a group that traditionally opted out of the treacherous journey through Yemen.¹⁰ In 2022, 5.3 million people lived in drought-affected regions across the Horn of Africa, 2.2 million were displaced by drought alone, and a further 534,000 people were forced to move from these areas.¹¹

Livelihood Loss and Malnutrition

According to WFP, at least 9.5 million livestock - the lifeblood of pastoralists - have died across the three countries - 4 million in Ethiopia, 3 million in Somalia and 2.5 million in Kenya - contributing to poverty, livelihood and income loss and high rates of malnutrition. That livestock loss translates to the loss of 120 million liters of milk that children under 5 are dependent on for daily nutrition. Over 5 million children are acutely-malnourished in drought-stricken areas. In Kenya, the loss of livestock has incurred an economic loss of more than \$1.5 billion. Past experience has proven it takes at least 5 years for pastoralist families to rebuild their herd after a drought. With families losing all their livestock during this current drought, and droughts increasing in frequency and intensity across the region, many will be forced to abandon pastoralism as a livelihood altogether.¹²

Flooding

Since 2010, Kenya's Rift Valley lakes have been rising and expanding. Among others, these include Lake Baringo, Lake Bogoria and Lake Turkana, regions and lakes visited by Climate Refugees last year. Scientists have concluded that to a great extent, increased rainfall since 2010 explains the rise of these lakes.¹³ A Kenyan government report released last year found that while tectonic activity in the Rift Valley is partly to blame, excessive rainfall, driven by the climate crisis, is the main cause of lakes' rise. As well, environmental degradation like deforestation has been a contributing factor leading to landslides and increased water runoff.¹⁴ Freshwater Lake Baringo is moving closer to saltwater Lake Bogoria, threatening an ecological disaster. Through Climate Refugees' visit to affected regions, we learned from residents that the lakes are now six miles apart. Guardian reporting indicates the lakes were even closer once with only four miles distance between them.

⁶ DRC Horn of Africa Drought Situation Report #8: 1 March to April 30 2023. Reliefweb, May 8, 2023.

<https://reliefweb.int/report/ethiopia/horn-africa-drought-situation-report-8-1-march-april-30-2023>.

⁷ National Drought Management Authority. Early Warning Bulletin. May 2023. Pg 2. <https://www.ndma.go.ke/index.php/resource-center/national-drought-bulletin/send/39-drought-updates/6933-national-monthly-drought-update-may-2023>.

⁸ DRC May 8, 2023.

⁹ Reliefweb. UNHCR Horn of Africa Drought Situation Appeal (January-December 2023). <https://reliefweb.int/report/ethiopia/horn-africa-drought-situation-appeal-january-december-2023#:~:text=The%20Horn%20of%20Africa%20region,raise%20livestock%20and%20buy%20food>.

¹⁰ "UN Raises Alarm Over Surge in Horn of Africa Migration." Africanews with AP. February 16, 2023.

<https://www.africanews.com/2023/02/16/un-raises-alarm-over-surge-in-migration-from-horn-of-africa/>.

¹¹ Reliefweb. IOM Horn of Africa Drought 2022: Human Mobility Snapshot. February 23, 2023. <https://reliefweb.int/report/ethiopia/horn-africa-drought-2022-human-mobility-snapshot-january-december-2022>.

¹² Reliefweb. OCHA Horn of Africa Drought: Regional Humanitarian Overview & Call to Action. November 29, 2002.

<https://reliefweb.int/report/ethiopia/horn-africa-drought-regional-humanitarian-overview-call-action-revised-28-november-2022>.

¹³ Mathew Herrnegger et al., "Hydroclimatic analysis of rising water levels in the Great rift Valley Lakes of Kenya," *Journal of Hydrology: Regional Studies* 36 (August 2021): 1, 23-24, <https://doi.org/10.1016/j.ejrh.2021.100857>.

¹⁴ Carey Baraka, "A Drowning World, Kenya's Quiet Slide Underwater." Guardian, March 17, 2022.

<https://www.theguardian.com/world/2022/mar/17/kenya-quiet-slide-underwater-great-rift-valley-lakes-east-africa-flooding>.

Water fluctuations in the Rift Valley are not new, but the risks posed by rising lake levels to higher populations is new and immediate. Scientists don't know whether the lakes will keep rising, pointing to fluctuations ten thousand years ago of lakes with significantly higher levels that abruptly disappeared, and that little can now be done to curb increases in rainfall and climate change. However, they point to the necessity to prepare society and populations at-risk through effective disaster risk measures like holding back water in the catchment and upstream areas, afforestation, soil water conservation and even costly damming, if necessary.¹⁵

Flood-Related Displacement

A joint 2021 Kenya government and UNDP report found that rising lake waters in the Rift Valley have affected and displaced more than 75,000 households, with more than 379,000 to 400,000 people at risk.¹⁶ Flooding around Lake Baringo is considered to be the most severe, with more than 3,000 households destroyed. This [video](#) news story from The Nation reveals 20 villages submerged by rising water levels in 2020. In Lake Baringo, entire communities are now underwater, displaced and living with almost no support in many cases. Their situation is not a declared humanitarian disaster. It is not a conflict. And the situation is hardly even known. These are farming, fishing and pastoralist populations who are displaced, trapped or forgotten people.

Indigenous Populations

That work revealed profound climate change impacts on Indigenous rural populations, manifesting in displacement, food insecurity and even conflict for Indigenous populations whose livelihoods are deeply connected to the land, natural resources and local biodiversity.

For some populations, climate effects have led to outright displacement. This is the case for the internally displaced people living in Kiwaja Ndege IDP camp in Marigat, Baringo County. The camp is composed of residents from 10 villages whose homes are now underwater, submerged by the rising waters of Lake Baringo. When we asked them what had displaced them, they replied with one simple word: water.

One hundred fifty households comprising 1000 ethnically-marginalized Indigenous Ilchamus people reside in the camp that has limited access to humanitarian services and protection programming. The residents identify as 100% climate displaced since their homes were submerged in 2020 when Lake Baringo waters swelled past human habitability.

Urban Poor

The Kibera area of Nairobi is an immense informal urban settlement that is quite possibly the largest in Africa.¹⁷ Officially, about 250,000 people live in less than 3 square kilometers, making it far more densely populated than Dhaka and Mumbai which are considered the world's most densely populated cities.¹⁸ Kibera has been experiencing increasing climate change impacts over the past five years. Residents who are also local community climate advocates spoke vividly of the acute impacts from flooding and drought to extreme heat. Extreme heat has resulted in fire outbreaks when high temperatures merge with exposed electrical wiring and discarded incendiary devices.

¹⁵ Matthew Hernegger, "Kenya's Rift Valley Lakes are Rising, Putting Thousands at Risk - We Know Why." January 16, 2023.

<https://www.preventionweb.net/news/kenyas-rift-valley-lakes-are-rising-putting-thousands-risk-we-now-know-why>.

¹⁶ Key Informant Interview with AP's Julie Watson and Kenya's Ministry of the Environment and Forestry and the United Nations Development Programme report, "Rising Water Levels in Kenya's Rift Valley Lakes", 2021 (pg 13) <https://ir-library.ku.ac.ke/bitstream/handle/123456789/22854/Rising%20Water%20Levels%20in%20Kenya%e2%80%99s%20Rift%20Valley%20Lakes....pdf?sequence=1&isAllowed=y>.

¹⁷ Kibera Facts and Information. <https://www.kibera.org.uk/facts-info/>.

¹⁸ Callum Brodie. "These are the world's most crowded cities." World Economic Forum, 22 May 2017. <https://www.weforum.org/agenda/2017/05/these-are-the-world-s-most-crowded-cities/>.

They all say climate change effects have accelerated in Kibera, and with it, disaster impacts like electrocution, flooding and fires are ever increasing. “Residents here are domestic climate refugees,” said one community leader. “They move from one village to another based on different disasters and even with early warning, when their houses are at-risk, they choose to move and start again in a new shack, because it’s much cheaper.”

The Ngong River passes through Kibera. When the dwindling rains do come, they are increasingly more extreme, swelling the river and flooding Kibera. Because monthly rents are significantly cheaper in shacks that line the river, death, loss and damage during flash floods have been much higher in these quadrants. Seeing flash flood impacts increase with frequency and intensity, many residents choose to relocate to higher ground during the rainy season.

What actions would you suggest the Special Rapporteur take to address these issues, within the purview of her mandate and complementary to the actions of her predecessors?

Internal displacement reached an all-time high last year. In 2022, 60.9 million displacements were recorded, of which, a record 32.6 million people were displaced by disasters, a 41% increase over the last decade.¹⁹ Climate change impacts manifest in two ways: sudden onset events such as extreme weather events like cyclones, storms, hurricanes and typhoons, and slow onset events such as drought, increasing temperatures, desertification, loss of biodiversity, rising sea levels and excessive rainfall.

As much as we know about the number of people displaced each year by climate change, these are primarily derived from disaster contexts and extreme weather-related events. There is a need to distinguish slow onset events as well, and better understand how they are contributing towards internal and cross-border displacement.

With climate change-related events driving more displacement in many years than conflict or violence, the Special Rapporteur should encourage states to adopt laws that both recognize and provide protection to IDPs. One positive example to explore in this area comes from Latin America.

Colombia is moving forward with legislation that could soon provide legal recognition to Colombians internally displaced by climate change events. Under a landmark bill that has already passed one of four stages, the bill proposes to “recognize the existence of forced internal displacement due to causes associated with climate change and environmental degradation.” It’s encouraging that the proposed law encompasses a broad definition of climate displacement, from families fleeing sudden events such as hurricanes to slow onset events like drought and environmental degradation, situations that are increasingly forcing farmers to move due to crop failure and food insecurity.²⁰

The bill aims to give individuals internally displaced by the effects of climate change priority access to housing, health services and education. The bill also aims to create a national register of climate-displaced people. Such a tool would be critical in identifying and guaranteeing protection for those displaced by the effects of climate change.

If passed, in addition to providing legal recognition and the development of public policy to meet government demands of displacement driven by climate change, the bill also outlines the principal causes of displacement, including families living in geographically vulnerable regions.

Not so long ago, Colombia had the highest number of internally displaced persons as a result of conflict and violence. Today, the Norwegian Refugee Council estimates nearly 800,000 Colombians are dependent on humanitarian services due to climate change-induced impacts. According to UNHCR, the bill could be an important step forward in properly identifying and guaranteeing protection to people displaced by climate change contexts.

¹⁹ IDMC 2023 GRID.

²⁰ Rahul Balasundaram & Amali Tower, “Colombia Moves Closer to Legally Recognizing Internal Climate Displacement.” Climate Refugees. May 30, 2023. <https://www.climate-refugees.org/spotlight/2023/5/30-colombia>.

Should it be successful, the law would be the first of its kind in Latin America and the Caribbean, a region where the World Bank's estimates there could be as many as 17 million internal climate migrants by 2050, representing 2.6 percent of the region's total population.

While the new law only addresses internal climate displacement, it could have significant regional implications as countries continue to step up efforts to address both internal and cross-border movement due to the effects of climate change. There also exists the potential to scale up such policies, perhaps using the 2009 Kampala Convention on IDPs as a model.²¹

Internal Displacement Driven by Conflict and Climate Change

Historic legacies and conflict over land and natural resources are overlapping with climate stressors in Kenya's Rift Valley, including Baringo and Turkana counties where Climate Refugees visited. The conflict is long-standing, rooted in colonial land disputes, entrenched poverty due to government neglect, all now made worse by increasing climate impacts. The current Horn of Africa drought, recurring floods, private land ownership and a lack of grazing land are fueling tensions and renewing violence as pastoralists who are forced to travel longer distances in search of land and water, come into contact with other herding groups, land owners and private conservancies.²²

The current drought is exacerbating and renewing conflicts, particularly acute in Turkana County. Turkana is one of Kenya's poorest counties. Situated in dry, harsh climate conditions, the semi-nomadic Turkana people are pure pastoralists out of necessity. In terms of natural resources, the Turkana people are far more deprived as compared to neighboring tribes in Kenya and across borders.

According to county experts we interviewed at TUPADO, the semi-nomadic Turkana are more highly mobile than ever due to their pastoralist livelihoods meeting the forces of climate change: "the Turkana are watching their livestock die, while water is available on the other side of the border."

As the Turkana move within Kenya and even across borders however, they are being met with resistance from other pastoral communities. That resistance is exacerbating simmering hostilities rooted in land tenure, access and rights, resources, water reserves and grassland pasture. That resistance is also increasingly resorting to armed violence.

Experts say the potential for conflict due to resource scarcity and other issues among these diverse groups only increases with climate change, as well as due to poorly conceived government interventions.

Internally, Turkana borders the four Kenyan counties of Pokot, Baringo, Marsabit and West Pokot, all composed of pastoralist communities. Across borders, Turkana county borders Uganda to the west, and South Sudan and Ethiopia to the north. This entire region in Kenya and across borders is inhabited by ethnically-related people, all of whom are nomadic and semi-nomadic pastoralists and agro-pastoralists. All of these communities are moving within and across borders as a coping mechanism against climate change impacts. As they move, however, many are coming into contact with other pastoralist groups, setting off conflicts arising from natural resource sharing, water scarcity, land access and ownership.

Although inter-state cooperation exists to combat arms proliferation, weapons from Sudan and South Sudan are reportedly flowing through the porous borders of the IGAD countries, where pastoral communities in this region are now heavily armed in response to new and renewed climate-conflicts. The region is a place where underdevelopment, marginalization and climate change merge. Insecurity has returned with cattle raiding resuming

²¹ African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

<https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>.

²² Climate Refugees interview with Sammy Ekal, Director, Turkana Pastoralist Development Organisation (TUPADO), Lodwar, Kenya, 13 October <https://tupado.org/>.

and many increasingly armed with AK-47's, due in large part to conflicts resuming over mobility and sharing of overstretched resources.²³ Internal migration in Kenya and across borders has increasingly become a coping mechanism for those who can manage the travel, but this has led to new and renewed problems as well. Particularly acute are historic conflicts of cattle rustling in Turkana and between the peoples of Pokot and Baringo counties.²⁴

As complex as these dynamics are, this displacement – the result of both sudden and slow onset climate change impacts – is a prime example of loss and damage, which disproportionately impacts the poorest and most marginalized populations, most of whom remain largely unsupported. The UN Special Rapporteur should therefore urge Parties to the Paris Agreement to support IDPs as a result of climate change, chiefly through the creation of a new Loss & Damage Fund, which must be rapidly and robustly developed and operationalized. As Special Rapporteur on Human Rights and Climate Change Ian Fry has made clear, “Ad-hoc humanitarian support is not adequate to meet the needs of such people. Funding arrangements could come under developmental work on the lost and damage fund.”²⁵ This process must continuously and meaningfully include displaced and otherwise affected populations.

²³ TUPADO

²⁴ Cattle rustlers kill at least 11 people during ambush in Kenya, September 25, 2022, <https://www.bbc.com/news/world-africa-63027210>.

²⁵ OHCHR. Special Rapporteur on the promotion and protection of human rights in the context of climate change. Thematic report A/HRC/53/34. <https://www.ohchr.org/en/documents/thematic-reports/ahrc5334-providing-legal-options-protect-human-rights-persons-displaced>.