

April 2024

## Case Study Submission 2 from [Climate Refugees](#) to the Warsaw International Mechanism for Loss and Damage to Update the Technical Paper on Non-Economic Losses in the Context of Loss and Damage Associated with Climate Change Impacts

Provided by [Climate Refugees](#) based on excerpts derived from our August 2023 report "[Climate Change is Controlling Everything. Let Them Compensate Us](#)": *Stories of Loss and Damage in Kenya* by Amali Tower and Ryan Plano

### Loss of Territory, Biodiversity and Cultural Heritage

**Location:** Baringo County, Rift Valley, Kenya

**Population:** Indigenous Endorois People

**Climate Change Events:** Slow-Onset Flooding and Drought

#### Lake Bogoria

Lake Bogoria is a saline, alkaline lake that due to increasing precipitation is getting increasingly closer to freshwater Lake Baringo, threatening to [wreak havoc](#) on the Baringo ecosystem. With some 88 km<sup>2</sup> of land around the lake now [submerged](#), humans and animals have been displaced, and invasive species have gained a foothold, with obvious impacts on livelihoods. If the trend continues and the two lakes do eventually merge, the result would be nothing short of an "[ecological disaster](#)", according to a Kenya Wildlife Service official.

Like Baringo, Lake Bogoria has experienced [notable expansion and flooding](#) since rainfall began significantly increasing in 2010, with some formerly intermittent inflow rivers now flowing into Bogoria year-round. While local human activities may partly account for such a phenomenon, the available evidence [suggests](#) that climate change and weather dynamics - primarily heavier rainfall - are the main contributors to flooding. Increases in mean annual rainfall of up to 30% in the region's catchments between 2010 and 2020 increased nearby Lake Solai from 3km<sup>2</sup> in 1984 to nearly 12km<sup>2</sup> in 2014 and 2020, a [four-fold increase](#).

## CLIMATE REFUGEES

Lake Bogoria is also home to an important and once lucrative tourism industry. The [Lake Bogoria National Reserve](#) is home to some of Kenya's most iconic geothermal hot springs, geysers and a bird lover's paradise with 135 distinct species, including pink flamingos that once drew people from all over the world to witness. Communities interviewed said flamingoes that once numbered two million are now reduced to 200. Today much of that industry and biodiversity has been impacted by the climate change losses in this region, and along with it, tourism jobs and revenue that communities once depended upon.

### 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. Despite the contribution of the Covid-19 pandemic and resulting economic slowdown, protracted conflicts, a global food shortage with markets hard-hit by 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](#)." Researchers found the combination of low rainfall and high evapotranspiration driving the exceptional drought to be the result of global warming. 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. The first rainy season of 2023 brought above average heavy rains and flash floods across the same region. Overall, the conditions in the region are an extreme example of a phenomenon seen across the globe, where drought has complex and cascading impacts, which are only [likely to increase](#) in severity and frequency. The situation is made worse in combination with high temperatures: the number of "very hot days", where the daily maximum is above 35°C, is [expected to increase](#), especially in the ASALs of Kenya.

### The Endorois People

The Endorois are an Indigenous minority group who live around Lake Bogoria and environs. They consider the lake and forest sacred grounds. They were first displaced by land conservation when they were [forcibly dispossessed](#) of their lands in the 1970s to make way for Lake Bogoria National Reserve. Today, the community living within the periphery of Lake Bogoria has been progressively displaced yet again by climate change-induced rising waters. Although climate-induced losses could have been anticipated by both the international community and Kenyan government, the historic marginalization of the Indigenous community cannot be overlooked as a contributing factor that increases their vulnerability.

The interviewed community members highlighted challenges of failed compensation for loss of homes, farms and culture, increased human-wildlife contact and social ills such as child exploitation, early marriage and prostitution driven by high poverty levels. Here, too, urgent

## CLIMATE REFUGEES

humanitarian needs exist amongst the whole community with food insecurity and malnutrition rising.

Rising lake waters have led to the displacement of at least 200 households. The community has reported this data to the Kenyan government, but mentioned the compensation they seek has been elusive. Displacement assessments in Bogoria are lacking, but one account [indicates](#) 116 households have been affected with 700 people displaced.

Community leaders told us the lake is six kilometers closer to the shore today than its initial position. Many people, they said, were initially displaced to their neighbor's homes, stripping them of whatever land they once owned. Eventually, they were displaced from their homes and locations all together. Family dynamics have been disturbed, they explained. "In our culture, the men provide, but now they are languishing in poverty when displaced."

They recalled acute lake rise beginning in 2010-2011, as well as again in 2012 through 2013. The lake expansion led to the displacement of multiple families and has now cut across bypass roads to schools, leading to several disruptions even before the community was displaced. In an article in Cultural Survival, Endorois community leader Carson Kiburo [writes](#) "these enormous climate change challenges have led to rural-urban migration, thus disdaining our People's way of living and eroding our language."

In response to the effects of drought, the Endorois have taken up climate-smart agroecology farming that incorporates drought-resistant crops and tubers to minimize water usage and ensure food security. Livestock and crop diversification, as well as supplementary livestock feeding, are long-term [local adaptive practices](#) for the Endorois. Communities tell us, recent lake-rise displacement though, has disturbed the sustainability of these adaptive practices.

Jobs once held in tourism are now lost, the community tells us. "Our tourism economy is devastated, reduced because geysers are submerged, although you can still see them bubbling underwater." When asked how they have adapted to the loss of these jobs and revenues, they pointed to social ills of early marriage, prostitution and the break-up of families as negative coping mechanisms forced upon them in the absence of meaningful support.

The [IPCC](#) notes the increased vulnerability that Indigenous people face of seeing their "cultural points of reference disappearing." The UN Declaration on the Rights of Indigenous Peoples affirms Indigenous peoples rights to the conservation and protection of their environment, lands and resources, and spells out [States' obligations](#) to assist such without discrimination. Indigenous people also have the right to determine how their lands and resources are used through free, prior and informed consent, and methods for redress must exist when there are negative environmental and cultural impacts.

## CLIMATE REFUGEES

These policy frameworks and international laws must be viewed through the reality that Endorois traditional knowledge is intertwined with nature, symbolized in totems. For instance, clan systems where customs are attached to totems depicted by animals, plants and

ecosystems have already [been lost](#), first via forced evictions, and now again, via climate-driven land loss and displacement.

**Solutions** must be accessible at the community level through Kenya's sub-county ward planning committees, which is essential given the historic marginalization of the Endorois People. This also provides the opportunity for Indigenous knowledge and culturally-appropriate solutions to be integrated and funded through [Ward Development Plans](#). These include:

- Relocation
- Legal and economic compensation for loss of livelihood, schools, homes, land, cultural sites, healthcare and lives
- New livelihood training and opportunities