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**KENYAN SECTION** | Since 1959

# CLIMATE CHANGE AND THE RIGHT TO HEALTH IN KENYA



*Fact Sheet*

# INTRODUCTION

## a) Issue

Climate change poses a serious threat to health in Kenya, directly impacting the right to health as enshrined in national, regional and international human rights frameworks.

## b) Focus

This Fact Sheet explores the health impacts of climate change, legal frameworks, social determinants of health, and recommendations for action.

### KEY ISSUES



#### Extreme Weather



Increasing droughts and flooding episodes are exacerbating diseases (such as waterborne and respiratory illnesses), and malnutrition, and placing a strain on health services.

#### Vulnerable Groups



Children, the elderly, people living in poverty, and rural communities are at heightened risk of health impacts due to climate change. Indigenous communities, women, and persons with disabilities are also disproportionately affected, as they often lack access to basic services and resources to mitigate these impacts.

#### Environmental Degradation



Deforestation, soil erosion, and water scarcity threaten food production, reduce the availability of clean water, and heighten disease susceptibility. Ecosystem degradation also impacts biodiversity, reducing the availability of medicinal plants and resources that indigenous communities rely on for traditional health practices.

### Social Determinants of Health Affected by Climate Change:

The right to health is influenced by various social determinants such as:

- **Water**

Access to clean and safe drinking water is a fundamental determinant of health. Climate change has led to prolonged droughts, reducing water availability, while flooding contaminates existing water sources. Both conditions heighten the spread of waterborne diseases like cholera, dysentery, and typhoid, with rural and low-income populations particularly affected. Insufficient access to water also impedes hygiene and sanitation practices, increasing vulnerability to disease outbreaks.

- **Food Security and Nutrition**

Food security is intricately linked to climate conditions, particularly in a country like Kenya where agriculture is heavily rain-dependent.

Erratic weather patterns, including droughts and floods, have disrupted crop production, leading to food shortages and rising prices.

This results in widespread malnutrition, particularly affecting children, pregnant women, and other vulnerable groups. A lack of adequate nutrition compromises the immune system, increasing susceptibility to diseases and stunted growth among children.



- **Shelter and Housing**

Safe housing is essential for health, but climate-induced extreme weather events, such as floods and landslides, often damage or destroy homes. Informal settlements, where construction is often substandard, are particularly vulnerable.

Overcrowded and unsafe living conditions lead to the rapid spread of diseases, especially respiratory infections and waterborne illnesses.

Displacement caused by such events further disrupts health services and access to essential resources like food and water.

- **Air Quality**

Climate change contributes to worsening air quality, particularly through deforestation, increased temperatures, and industrial emissions. Poor air quality leads to respiratory issues, including asthma and bronchitis. The temperature rise also favours the spread of vector-borne diseases like malaria, as mosquitoes thrive in warmer conditions. Air pollution from burning fossil fuels exacerbates these health issues, particularly in urban areas.

- **Education**

Education, particularly for children, is disrupted by climate-related events. Schools are often damaged by floods or other extreme weather, and children, especially girls, may be kept out of school to help their families cope with food or water shortages. A lack of education limits future economic opportunities, perpetuating poverty and poor health outcomes.

- **Livelihoods**

Economic stability is a critical social determinant of health, and climate change is disrupting livelihoods, particularly for those in agriculture and fisheries. Loss of income due to crop failure or reduced fish stocks means that families cannot afford nutritious food or healthcare. This economic strain also leads to psychological stress and mental health issues, further complicating health outcomes.

- **Healthcare Access**

Access to healthcare services is already limited in many rural and remote areas of Kenya. Climate change-induced disasters such as floods often make roads impassable, further isolating communities from medical facilities. In addition, healthcare infrastructure may be damaged by extreme weather, reducing the availability of essential medical services and emergency care.

## LEGAL & POLICY FRAMEWORK

### a) International Commitments

- *Maputo Protocol, Article 18:* Recognises the vulnerability of women to environmental health risks, emphasising their need for special protection.
- *African Charter on Human and Peoples' Rights, Articles 16 & 24:* Guarantee the right to health and a satisfactory environment, which are interconnected.



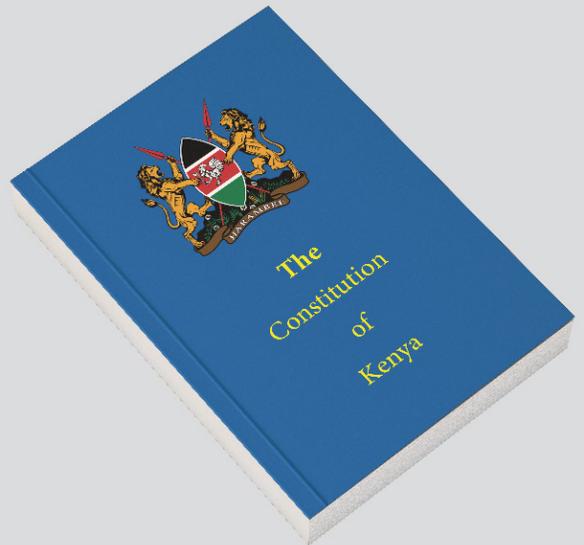
- *International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 12*: Recognises the right to health, including the underlying determinants such as access to food, water, and a healthy environment.

- *Paris Agreement, Articles 2 & 8*: Focus on mitigating climate impacts and addressing loss and damage, both of which directly affect health outcomes.



## b) National Framework

- *Constitution of Kenya, Article 43(1)(a)*: Guarantees the right to the highest attainable standard of health, including access to clean water and food.
- *Constitution of Kenya, Article 42*: Ensures the right to a clean and healthy environment, which is threatened by the impacts of climate change.



- *National Climate Change Action Plan (2018-2022)*: Includes health-related strategies aimed at tackling climate impacts, particularly for vulnerable communities.

- *Kenya Health Policy (2014-2030)*: Addresses environmental determinants of health, with a focus on improving access to healthcare services and resilience against climate-induced health challenges.

## ICJ KENYA'S EFFORTS

- **Public Awareness**

Promoting a rights-based approach to climate action through campaigns that raise awareness of how climate change affects health, especially through its impact on social determinants like water, food security, and shelter.

- **Public Advocacy**

Engaging policymakers to ensure that health policies align with human rights, emphasising the protection of water sources, sustainable agricultural practices, and the health needs of vulnerable communities.



## RECOMMENDATIONS FOR ACTION

- **Strengthen Legal Frameworks**

Ensure that climate legislation explicitly protects the right to health, with clear accountability mechanisms, particularly addressing access to clean water and adequate nutrition as fundamental health rights.

- **Resilient Healthcare**

Improve healthcare infrastructure and preparedness to ensure health systems are capable of responding to climate change impacts. This includes enhancing access to clean water, improving sanitation, and ensuring food security in vulnerable areas.

- **Water & Food Security**

Promote sustainable agricultural practices, improve water conservation efforts, and invest in infrastructure to secure food production and water supplies, safeguarding public health in the face of climate disruption.

- **Research & Data**

Support research on the health impacts of climate change, with a particular focus on how water scarcity, food insecurity, air pollution, and environmental degradation affect public health. Reliable data will guide more effective policymaking and intervention strategies.

- **Community Engagement**

Involve local communities in decision-making processes related to climate adaptation, particularly focusing on improving access to water, food security, and health services. Local solutions are key to addressing the specific needs of different regions.

- **Universal Health Coverage (UHC)**

Implement UHC to guarantee equitable access to healthcare, particularly for those most vulnerable to climate change impacts such as waterborne diseases, malnutrition, and vector-borne illnesses.

- **International Collaboration**

Strengthen partnerships to share resources and expertise, particularly in the areas of water management, sustainable food systems, and healthcare innovation to address the health impacts of climate change.



A comprehensive approach is essential to protect the right to health in the context of climate change. This includes addressing the social determinants of health such as access to clean water, nutritious food, and safe shelter. Strengthening legal frameworks, building resilient healthcare systems, fostering community engagement, implementing Universal Health Coverage, and enhancing international cooperation are critical steps. ICJ Kenya is committed to promoting climate justice for all Kenyans by advocating for policies that secure the social determinants of health in the face of climate challenges.



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