

# Rights of rivers in practice: lessons for equitable river governance

---

SEI brief  
June 2026

Robert Farnan  
Dayoon Kim  
Yesica Rodríguez-Blásquez  
Alison Dyke  
Sushmita Mandal  
Tania Fernanda Santos Santos

---

## Key messages

- Legal recognition of river rights is the first step for equitable river governance.
  - River rights must be clearly defined and operationalized.
  - Governance arrangements must enable coordinated leadership and accountability.
  - River governance should integrate community knowledge and participation.
  - River health should be assessed through both ecological and social criteria.
- 

## 1. Introduction

Across the world, rights of nature are gaining legal recognition. Such legal frameworks treat ecosystems, such as forests, rivers and wetlands, as both biological and social entities with personhood rights that must be respected and protected. Rivers are often the focus of this movement: critical to ecological systems, they support biodiversity and regulate water cycles, as well as sustain people's livelihoods and cultures.

Recognizing rights of rivers entails establishing guardianship arrangements that can transform environmental governance, by moving it away from systems that treat rivers solely as economic resources for human use. Crucially, the legal mechanisms and guardianship arrangements that recognize rights of rivers give voice to a river itself, representing it in decision-making processes.

Despite these innovations, legal recognition alone does not guarantee favourable environmental outcomes. The efficacy of rights of rivers is largely dependent on how these rights are implemented on the ground.

This policy brief draws on research examining the implementation of rights of rivers in Bangladesh and Colombia (Rodríguez-Blásquez et al., 2026). While these cases differ in their legal and institutional design, they illustrate general challenges for countries that have adopted rights of rivers frameworks. Through a comparative analysis of rights of rivers implementation in both countries, we focus on practical governance lessons for policymakers seeking to make rights of rivers effective.

Image: Boats and ships dock near colorful buildings in Dhaka, Bangladesh. © Yue Wu/Unsplash  
<https://unsplash.com/photos/boats-and-ships-dock-near-colorful-buildings-LpMw-7mTWtU>



---

## 2. Why rivers' rights matter for environmental governance

Granting rivers rights can transform environmental governance in three significant ways.

First, the concept reframes rivers as the subject of environmental governance. Environmental law tends to focus primarily on protecting human interests. Such practice typically treats rivers as resources or property to be exploited. The rights of rivers frameworks shift this “extractivist” perspective by acknowledging rivers as entities whose ecological health and integrity must be valued and protected. This perspective enables legal, planning and policy processes to consider the interests of rivers and their health.

Second, the concept of river rights expands accountability for environmental harm. Conventional environmental governance treats individuals (and their property) as the principal beneficiary of environmental protection. In contrast, rights of rivers approaches can trigger legal action when rivers themselves are threatened. Expanding the purview of legal accountability in this way enables pre-emptive interventions that can address environmental damage before it becomes irreversible.

Finally, rights of rivers enable more inclusive governance. Recognizing rivers as rights-bearing entities can generate alternative governance and decision-making processes. In some cases, these result in more participatory arrangements, which bring together communities, government institutions, scientific actors and technical experts to represent the river's interests through guardianship bodies that represent the river in decision-making. However, the benefits of these frameworks do not accrue automatically, nor do they exist within a socio-political vacuum. The legal recognition of rights of rivers is a catalyst and opportunity for transformation, of which the efficacy and impact largely depend on existing governance structures, institutional alliances and political capabilities.

## 3. Key implementation challenges and policy priorities

When rights of rivers fail to translate into practice, several challenges must be addressed to achieve effective governance, along with setting key policy priorities. These include operational clarity, coordinated and inclusive governance, integrated social and ecological indicators, and long-term financing and institutional capacity building.

### 3.1 Operational clarity, defined responsibilities and adequate resourcing

Conferring legal personhood to rivers can shift how they are understood. Weak implementation mechanisms can reduce rights of rivers to symbolic legal concepts,

---

reducing their transformative potential. Legal recognition must be accompanied by clarity over the obligations and responsibilities that rights of rivers generate, otherwise the effectiveness of these legal provisions can be limited and unsustainable.

As our cases demonstrate (see Box 1), legislation and court cases that recognize rivers as legal entities often do not adequately demarcate: (1) what rights rivers hold; (2) what governance obligations must be realized; and (3) how violations should be addressed. Governments need to establish the following measures:

- **clearly defined rights and responsibilities (e.g. pollution prevention or ecological maintenance)**
- **specific environmental standards**
- **measurable indicators for compliance and the monitoring of river health**
- **clear procedures for enforcement when rights are violated.**

These measures will help to ensure that legal recognition effectively translates into tangible action and supports the consolidation of decision-making processes and structures.

In certain contexts, environmental degradation persists despite rivers obtaining legal recognition. Beyond clear definitions, agencies operationalizing rights of rivers require adequate resources to translate legal recognition into tangible governance practices and processes. When governance institutions and guardianship bodies are not sufficiently resourced, they lack political authority, making enforcement of rights of rivers difficult.

Without observable improvements following legal recognition, there is a risk that public confidence in rights of rivers approaches will decline and lose legitimacy. Well-designed governance systems alone are not enough; rights of rivers also need material commitments to function equitably and sustainably. Implementing rights of rivers requires funding for:

- **data collection and monitoring**
- **institutional coordination**
- **restoration programs**
- **legal action and enforcement.**

---

### **BOX 1. CASE STUDIES: LEGAL RECOGNITION AND OPERATIONALIZATION**

In Bangladesh, the Supreme Court's decision to extend legal personhood to "all rivers" lacks institutional depth, resulting in limited implementation measures, narrowly focused on encroachment-related evictions and misaligned with the statutory authorities of different river-related authorities. In Colombia, the implementation of the Atrato River decision succumbs to procedural difficulties, as implementation mechanisms are not embedded into river-related plans, nor has ecological repair been able to keep pace with environmental degradation.

---

---

## 3.2 Coordinated governance for decision-making and responsibility

Effective rights of rivers implementation require establishing coordinated governance structures to address fragmented decision-making and diffuse responsibility. River governance involves the interaction of multiple governance agencies, ministries and levels of bureaucratic administration. When these jurisdictional responsibilities conflict, implementation becomes fragmented, disjointed, inconsistent and slow. (See Box 2 for results from our case studies.)

Fragmented governance can result in opaque leadership mandates; duplication of efforts; enforcement gaps; and a lack of responsiveness to environmental threats. Fragmented governance undermines the large-scale transformation necessary for cost-effectiveness and long-term sustainability, as decision-making structures overlap, making accountable governance and equitable budget allocation difficult to achieve. Such “diffuse responsibility” generates enforcement gaps, where no single agency or institution has enough authority and incentive to take decisive action or make long-term plans.

Adoption of rights of rivers must be accompanied by widespread changes to the governance structures that exacerbate fragmentation. Improved coordination will support this, reducing duplication of efforts and strengthening accountability practices and budgetary processes. Implementation of rights of rivers will improve with the establishment of institutional leadership arrangements and coordinating structures, including the assignment of a designated authority to align institutional mandates and take charge of implementation processes that could help address fragmented governance challenges and make decision-making more effective. Policymakers should consider:

- **assigning a coordinating authority responsible for leading implementation**
- **aligning mandates across ministries and agencies**
- **ensuring that local and national governance processes work together.**

---

### BOX 2. CASE STUDIES: FRAGMENTED GOVERNANCE

In Bangladesh, multiple agencies and ministries operate across several rivers at once. The guardianship body (National River Conservation Commission) lacks adequate coordination with other government bodies as well as human and financial resources necessary for effective governance. In Colombia, rights of rivers implementation is distributed over numerous jurisdictions and institutions, which leads to ill-defined governance arrangements susceptible to co-option by powerful institutions, leading to uneven adoption across different governance scales.

---

---

### 3.3 Inclusive governance

Inclusive governance should be built to keep riverine communities at the centre. When affected communities are excluded from governance and decision-making, efforts to implement rights of rivers will not fully address unfolding realities. (See Box 3.)

River-dependent communities often have deep local knowledge and lived experience of riparian ecosystems, as well as rich, long-standing socio-cultural relationships with rivers. However, this knowledge and experience is largely marginalized and disregarded in formal decision-making processes. For example, reliance on technical assessments in governance often obscures the contextual understanding and ecological knowledge situated in experiences of local livelihoods. Such exclusion undermines public support for rights of rivers measures, eroding river protection and the societal legitimacy of these governance arrangements and structures; it also marginalizes local knowledge and governance structures that may contribute to implementing river rights.

To strengthen and foster just and equitable environmental outcomes, it is crucial to include communities in a wide range of governance processes, from environmental monitoring to decision-making and planning. Such multistakeholder participation is a necessary condition for effective rights of rivers governance and should include:

- **government institutions**
- **local communities**
- **civil society organizations**
- **scientific experts**

The inclusion of river-dependent people will help ensure that rights of rivers frameworks are well placed to represent the needs, interests and priorities of local people and the ecosystems they inhabit. Co-production, participatory planning and community-based accounting and monitoring activities can all contribute to equitable policy design, strengthened legitimacy, and improved decision-making and implementation, ensuring that policies accrue public benefits and reflect real-life conditions.

---

#### **BOX 3. CASE STUDIES: UNEVEN COMMUNITY INTEGRATION**

In Bangladesh, rights of rivers implementation failed to ensure space for the knowledge of Indigenous or local communities in support of governance measures taken. That disconnect left decision-making susceptible to economic influence by elite groups. In Colombia, rights of rivers governance, including decision-making by community guardians, created opportunities for knowledge exchange, enabling local community members to foster territorial authority and a degree of autonomy based on biocultural instruments, such as seasonal calendars and maps. However, the inclusion of place-based knowledge in decision-making remains inconsistent.

---

---

### 3.4 Integrated social and ecological indicators

The effective governance and monitoring of river health should be holistic, integrating the assessment of both ecological and social indicators to inform an understanding of riparian ecosystems and territories based on the socio-cultural relationships that rivers support (e.g. livelihoods, mobility, traditional fishing practices). This relational understanding recognizes that rivers are more than ecological system; they are also fundamental to shaping local livelihoods.

Indicators may include:

- **ecological flows and water quality**
- **biodiversity and habitat conditions**
- **agricultural and fisher livelihoods**
- **socio-cultural relationships with rivers**
- **the role of rivers in mobility and transport.**

Integrating both social and ecological indicators will help ensure that river governance reflects the norms, interests, priorities and values that shape how local communities live with riparian ecosystems.

### 3.5 Long-term financing and institutional capacity

Strengthening the implementation of rights of rivers requires establishing financial, material and institutional mechanisms and procedures to consolidate and sustain rights or rivers governance.

Donors and the state should prioritize:

- **long-term resourcing for guardianship bodies and governance institutions**
- **data and monitoring systems**
- **restoration programs**
- **inter- and intra-agency coordination mechanisms.**

Reliable and consistent resource streams, both financial and material, will help to strengthen the efficacy of rights of rivers implementation practices and processes.

---

## Published by

Stockholm Environment Institute  
Visiting address: Textilgatan 43  
Post and deliveries: Virkesvägen 1A  
120 30 Stockholm, Sweden  
Tel: +46 8 30 80 44

Copyright © 2026 Stockholm  
Environment Institute. This  
work is licensed under Creative  
Commons Attribution 4.0  
International.

To view a copy of the licence, visit  
[creativecommons.org/licenses/  
by/4.0](https://creativecommons.org/licenses/by/4.0)

## DOI:

[https://doi.org/10.51414/  
sei2026.028](https://doi.org/10.51414/sei2026.028)

## Author contact

[bobby.farnan@sei.org](mailto:bobby.farnan@sei.org)

## Editor

Naomi Lubick

## Layout

Tyler Kemp-Benedict

## Media contact

[ulrika.lamberth@sei.org](mailto:ulrika.lamberth@sei.org)

Visit us: [sei.org](https://sei.org)

**Stockholm Environment  
Institute is an international non-  
profit research institute that  
tackles climate, environment  
and sustainable development  
challenges.**

**We empower partners to meet  
these challenges through cutting-  
edge research, knowledge, tools  
and capacity building. Through  
SEI's HQ and seven centres around  
the world, we engage with policy,  
practice and development action  
for a sustainable, prosperous  
future for all.**

## 4. Conclusion

Rights of rivers approaches reflect a significant shift in knowledge and practice of environmental governance worldwide. In recognizing rivers as distinct legal entities and rights holders, these frameworks catalyse new governance processes and opportunities for ecosystem protection, which are explicitly tied to supporting different forms of knowledge and the diversity of communities that rely on riparian systems for maintaining cultural continuity and everyday livelihoods.

However, as the experiences of Bangladesh and Colombia have revealed, legal recognition alone is not a sufficient condition for translating these juridical mandates into an effective and sustainable form of environmental governance. For its implementation to be tangible for long-term river health and community wellbeing, policymakers must reconsider the political efficacy of decision-making and governance structures. Socio-ecological transformations require strong coordination, community participation and adequate resourcing. Only with these in place can rights of rivers realize their potential to advance equity and environmental protection.

Based on these findings, we propose the following strategic actions for decision-makers, including governments, civil society, funders and policymakers.

**For governments and policymakers:** the legal recognition of rights of rivers ought to be anchored in transparent political institutions and guardianship structures, with clearly defined decision-making rules and responsibilities, coordinated governance and leadership arrangements across institutional scales and with reliable financial support. Effective implementation of rights of rivers policies, practices and processes must also consider the socio-political inclusion of local communities as well as equitable, sustainable long-term outcomes.

**For civil society:** advocacy and activist organizations can play a significant role in strengthening implementation practices and processes by holding institutions accountable, monitoring river health, and supporting participatory processes in local communities.

**For donors and international partners:** the funding and resources such entities can provide are important factors in supporting the effectiveness and resilience of river governance actors and institutions, including their cross-sectoral coordination, guardianship bodies, and socio-ecological monitoring systems.

This brief is based on the SEI report:

*Rodríguez-Blásquez, Y., Kim, D., Farnan, R., Dyke, A., Mandal, S., & Coleoni, C. (2026). Case study report on rights of rivers in practice in Bangladesh and Colombia. SEI report. Stockholm Environment Institute. <https://doi.org/10.51414/sei2026.022>.*