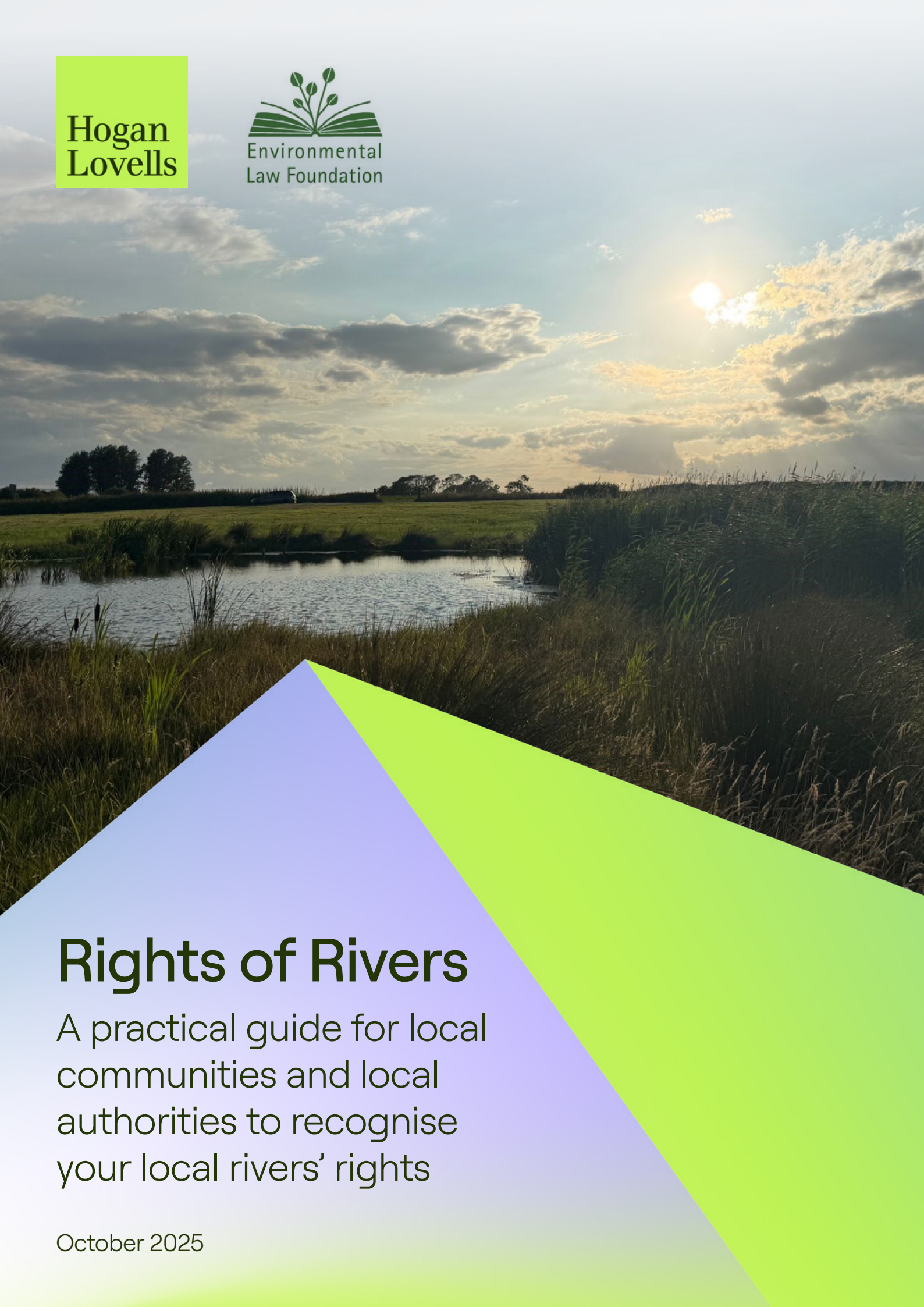




**Hogan
Lovells**



Rights of Rivers

A practical guide for local
communities and local
authorities to recognise
your local rivers' rights

October 2025

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Foreword

Rethinking our relationship with rivers

Although rivers and streams run through the centre of our communities, they are often ignored, reduced to a mere feature. They carry important ecosystems and crucial water for our society, but they have fallen into a desperate state over a number of years, seemingly unprotected by the complicated web of environmental law designed to protect them.

It is clear that environmental law and a culture of liabilities and damages in relation to rivers is not enough. A change is required. What if we saw rivers as kin rather than possessions? We can start by recognising the inherent rights that rivers have, such as the right to exist in its natural state, to flow, to perform essential natural functions, to feed and be fed from sustainable aquifers, to be free of pollution, to support native biodiversity, to regeneration and restoration and to an active and influential voice and considering them when making decisions which affect rivers.

Recognising Rights of Nature is not a new concept but it is coming of age.

Across the world, many Indigenous Peoples and cultures recognise Nature, including rivers, forests and mountains as living entities with inherent rights with whom they recognise a close relationship, a kinship. These aren't just cultural beliefs anymore and they are being enshrined in legal principles by governments and communities across the world.

There is a rich recent history of governance recognising Nature's rights. In 1982, the United Nations General Assembly (UNGA) adopted The World Charter for Nature (with 111 countries voting in favour, including the UK¹, and one against, the U.S.). The Charter's first principal is "Nature shall be respected, and its essential processes shall not be impaired".² In 2009, nine resolutions on Harmony with Nature³ were adopted by the UNGA, which advocates for legal frameworks that respect the rights of ecosystems and non-human life. And on 3 July 2025, the Inter-American Court of Human Rights (IACtHR) officially recognised the Rights of Nature and its components in its advisory opinion, opening the door to new strategic litigation to protect threatened ecosystems and advance rights of Nature legislation.^a



We will be physically, mentally and spiritually impoverished if our children are deprived of contact with the natural world."

Sir David Attenborough

^aGARN Communications, 'InterAmerican Court of Human Rights Officially Recognizes the Rights of Nature' (GARN, 3 July 2025) <<https://www.garn.org/inter-american-court-of-human-rights-rights-of-nature/>> accessed 8 August 2025. The IACtHR only has jurisdiction over the countries which have ratified the American Convention on Human Rights and submitted voluntarily to the jurisdiction of the court but the judgement is still instructive, this includes a number of South American countries.

In 2017, the Whanganui River in New Zealand was granted legal personhood, recognising the river as a living being with rights and interests of its own.

And rights of Nature have been part of Ecuador's constitution since 2008 when it adopted Article 10 recognising Nature as a holder of constitutional rights.^{b, 4} In Ecuador, legal rights for forests, mangroves, beaches, and even a wild monkey in captivity, have been recognised – marking a shift in how ecosystems and species are protected.⁵

Recognising Nature as having legal personhood in the same way as humans, companies and ships (yes, ships!) means that they would be entitled to seek recourse to legal remedies and to sue in their own name without relying entirely on a willingness and capacity to enforce environmental law. Legal personhood would ensure fair compensation for natural sites and revolutionise the human-centric approach of the UK legal system, where Nature is simply regarded as property and a resource, enabling systematic exploitation and leading to the destruction of our natural world and collapse of ecosystems.

In the UK, there have been a number of recent attempts to recognise Rights of Rivers (RoR). The first attempt in the UK, as far as we are aware,

was Frome Town Council's proposal for a byelaw to protect the ecosystems of the River Frome and Rodden Meadow in 2016.⁶

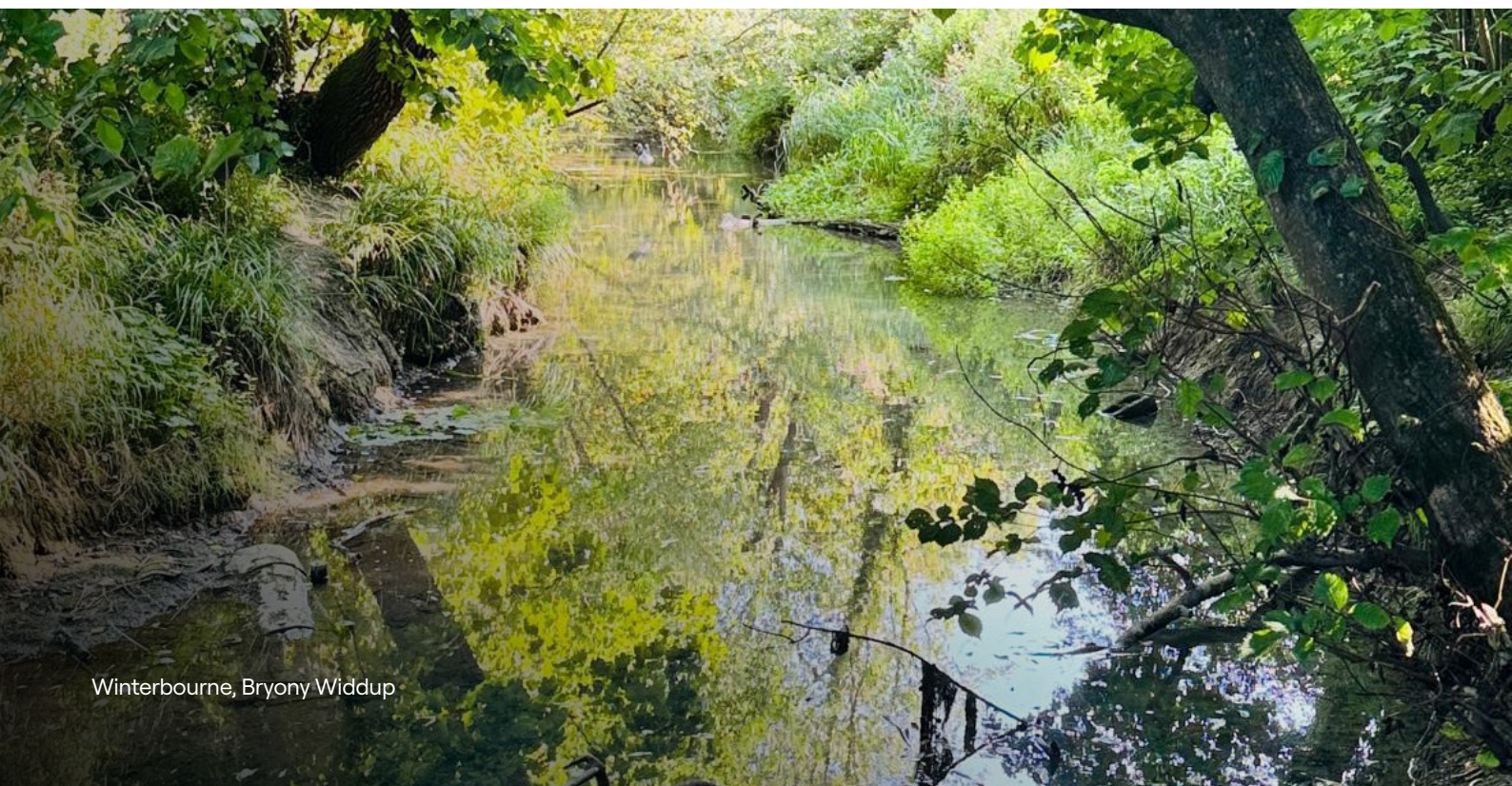
In February 2025, Lewes District Council supported a Charter for the rights of the River Ouse, the first time a local authority has "supported and championed" the rights of a river. The Rights of Rivers movement is gathering pace as we get closer to a new system, as many local councils pass motions and declare the Rights of Rivers through Charters – we are truly at a turning point.

Although recognition of Rights of Rivers at grassroots and local authority level is a good beginning it does not create legal personhood for rivers in England. This can only be achieved by changing the law.

This guide explores how rivers could be granted legal rights, and how, in the absence of legal rights being granted, councils and community groups are recognising these rights through motions and River Charters. Of course other types of Nature could also be protected in a similar way but this guide concentrates on rivers in England.

Emma Montlake and Emily Julier
October 2025

^b 'Constitution of the Republic of Ecuador' (Political Database of the Americas, School of Foreign Service, Georgetown University 31 January 2011) <<https://pdba.georgetown.edu/Constitutions/Ecuador/english08.html>> accessed 8 August 2025. Chapter Seven sets out the rights of Nature under the constitution where it sets out that "Nature, or Pacha Mama, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes". Article 71 gives persons, communities, peoples and nations the right to call upon authorities to enforce the rights of Nature.



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1. Charter Rights for the River Ouse
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In this practical guide, we aim to set out the main principles of Rights of Rivers and to break down the steps needed to recognise Rights of Rivers at local council level. We have deliberately made this document short and at the end we direct you to further materials or to get in touch with us, Environmental Law Foundation, Hogan Lovells or Love Our Ouse, to discuss further.

1

Why do we need a new way to protect rivers?

England already has a complex system of environmental protections, including laws, policies, and regulatory duties, that aim to hold polluters accountable under the “polluter pays” principle and to uphold a standard of water quality. But despite this framework of environmental protection, our rivers continue to decline in health.

The Water Framework Directive,⁷ as retained in England and Wales after Brexit, requires measurement of river health under two main categories: chemical (looking at presence of pollutants) and ecological (looking at life in rivers and how it is being affected) status, which are combined to give an ‘overall status’.⁸

As of 2024, **none of England’s rivers are in good overall health**,⁹ with 85% of river stretches falling below good ecological health standards because of a combination of reasons. The report shows that 62% of river stretches failed because of activities attributed to agriculture and rural land management (e.g. pollution from fertiliser and livestock); 54% of river stretches failed because of activities attributed to the water industry (including treated and untreated sewage discharge and abstraction of groundwater) and 26% of river stretches failed because of activities attributed to the urban and transport sector (e.g. urbanisation and transport pollutants).^c A similar story plays out all over the UK.

This failure points to a deeper issue: our current environmental laws largely treat Nature as property to own, something to manage, extract from as a resource, or protect for human benefit. But what if we shifted the perspective entirely? Recognising Nature as a living subject with moral and spiritual worth, deserving recognition and legal protection for its own sake.¹⁰



Tambopata River, Roger Tym

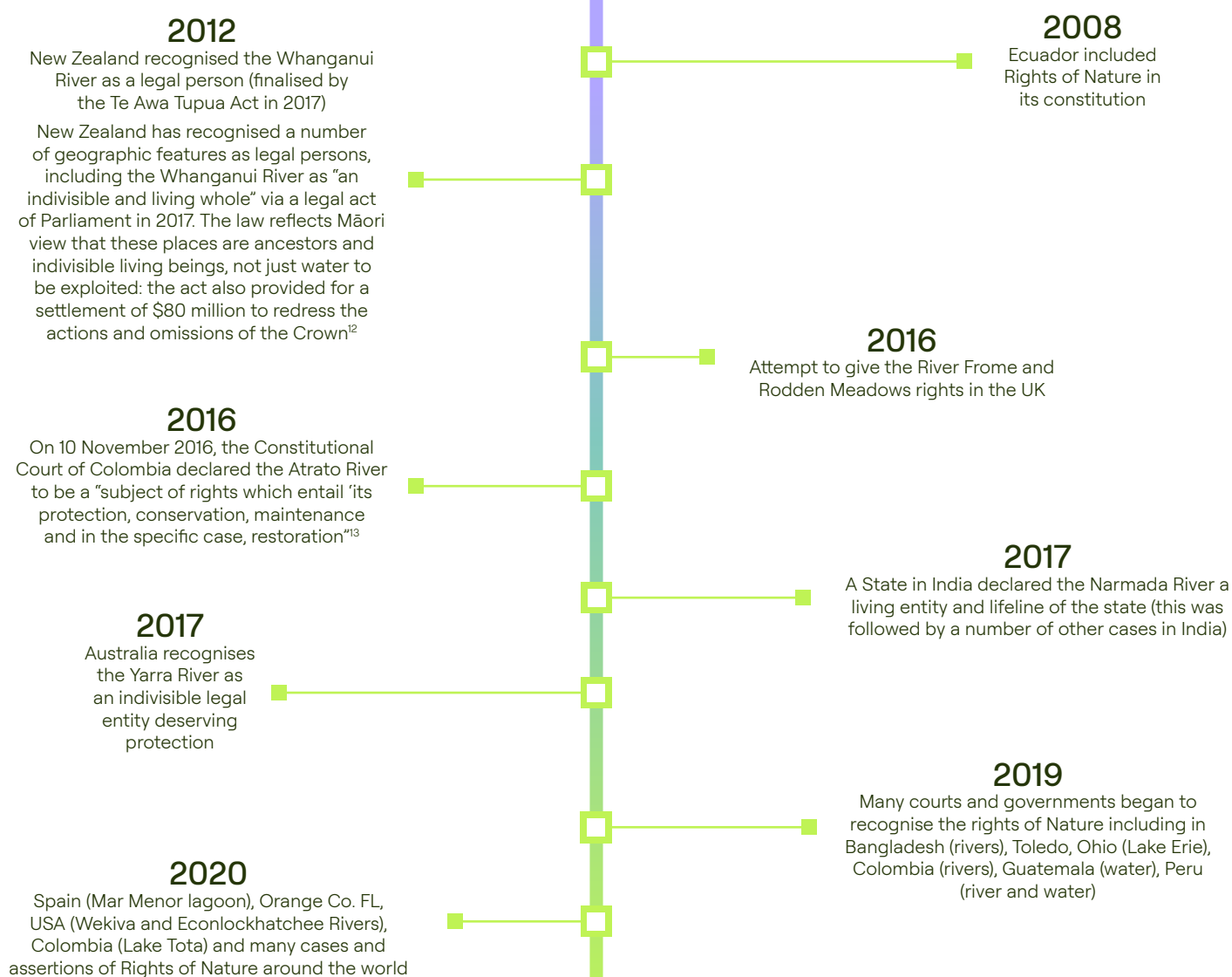
^c England’s Water Framework Directive data is published every three years, and most recent results show no signs of change, or even improvement since the last data from 2019. Of the 3553 river stretches that have been tested, just 151 stretches of river got better and moved up an ecological standard with 158 getting worse results in 2024. Source: <https://theriverstrust.org/rivers-report-2024>.

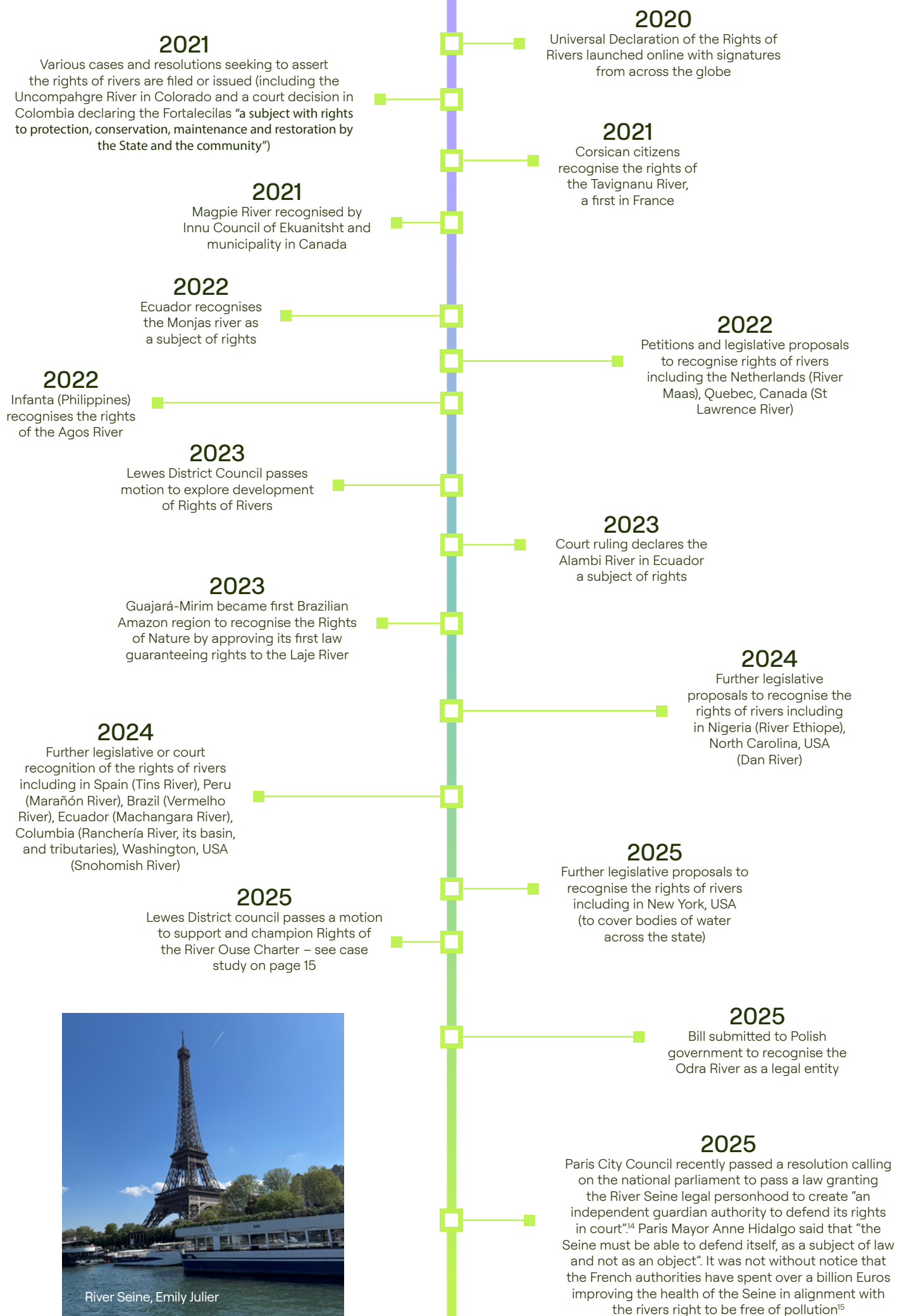


2

Inspiration: Timeline of significant milestones in the global Rights of Rivers movement¹¹

Below we set out a timeline of significant milestones in the Rights of Rivers movement (which forms a part of the Rights of Nature movement).





River Seine, Emily Julier

Other Rights for Nature

It's not only Rivers that have been granted legal rights. In 2025, New Zealand granted rights to Taranaki Mounga, a mountain,¹⁶ and in 2024, the Brazilian city of Linhares granted legal rights to existence, regeneration and restoration to the waves at the mouth of the Doce River.¹⁷

In Spain, citizen-led advocacy succeeded in gaining rights for a lagoon, Mar Menor, complete with a legal and scientific monitoring structure after agricultural runoff, algae blooms and declining salinity led to mass fish deaths.¹⁸ The lagoon's legal personhood has since been recognised by Switzerland.¹⁹ Recently, we have also seen action to protect dolphins in South Korea²⁰ and whales²¹ by giving them legal personhood.^d

Although legal rights have been granted to rivers and Nature, in practical terms these rights have not always resulted in better outcomes for Nature. For example, in India the courts briefly gave legal rights to the Ganges and Yamuna Rivers, but the decision was later overturned. In Ecuador, some court victories for Nature haven't always been properly enforced and Mar Menor has not had a guardianship process in place until very recently meaning that little has been achieved to protect the lagoon thus far.²² Mar Menor is making a claim against the European Court of Human Rights claiming breaches of article 6 (fair trial) of the European Convention on Human Rights.²³



River Rhône, Avignon, Emily Julier

^dFor further examples see [International Rivers](#), Earth Law Center and Cyprus R. Vance Center for International Justice, [Rights of Rivers: A global survey of the rapidly developing Rights of Nature jurisprudence pertaining to rivers](#), accessed 10 August 2025.

3

How can rivers be given legal personhood in England?

This section will cover:

1. National legislation – an Act of Parliament

Rights of Rivers could be introduced by an Act of Parliament – this would be legally binding and apply throughout England

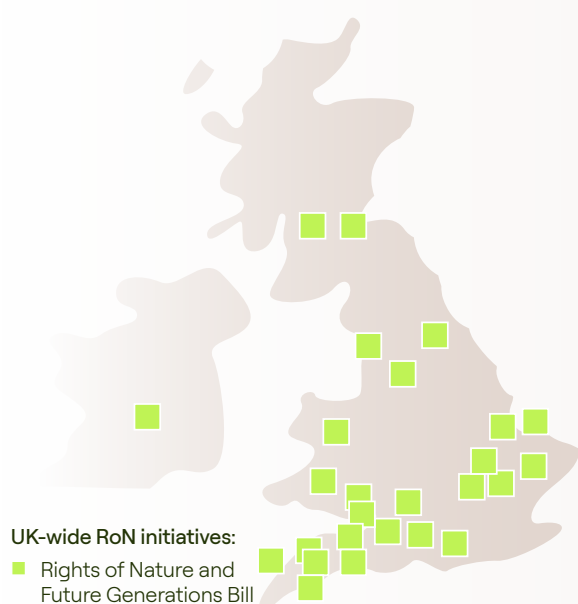
2. Building common law through court rulings

Judgments made by English courts are an independent source of law through which we may see an incremental move towards Rights of Rivers in England as has been seen in international contexts

3. Risks: integrating Rights of Nature in the English legal system

Integrating Rights of Rivers into the English legal system will be challenging. There are international examples to lead the way but there are risks which need to be thoughtfully addressed.

Rights of Nature in the UK



Local River Rights Initiatives:

- River Ouse
- River Loddon
- Rivers Itchen and Test
- River Medway
- River Usk
- River Roding
- River Wye
- River Cam
- River Dart
- River Dôn
- River Exe
- River Plym
- Channel Sea
- River Kent

- Gaywood River
- River Char
- River Severn
- River Clyde
- Loug Neagh
- River Avon
- River Deben
- River Frome
- River Wensum
- Falkirk
- St. Ives
- Ryedale
- River Test
- River Itchen

Nature in the Board Room:

- Faith in Nature
- House of Hackney

Networks:

- UK RoN Network
- River Rights Network
- Ocean Rights Coalition

Below we set out two different methods of achieving legal rights for Nature. They can be used together with the actions discussed below that local councils and local communities can take as a method to educate and raise public and government awareness of rights of Nature. An Act of Parliament might be the final step in a community’s campaign but reflects the ultimate goal. (In the UK, the Green Party has proposed a Rights of Nature Act and there is a draft bill in progress but would need cross party support to be passed.²⁴⁾

1. National legislation

The most effective solution for rivers would be an Act of Parliament introducing Rights of Nature as a concept under English law. An Act of Parliament would take precedence over all other forms of law (interacting with planning law and any law which affects rivers) and could not be struck down by the courts on any grounds. A Bill could be brought by the government (the majority of Bills are brought this way) or via a Private Members’ Bill.

Osoba Odra in Poland provides an example of a group which has managed to bring a Bill to Parliament and in Paris there are plans to do the same.^{25 26} In the UK, community groups could work to bring this to the attention of lawmakers by connecting with MPs in local communities to educate them and get them to raise in Parliamentary discussions. There is also a mechanism to start e-petitions [here](#). We note that Cornwall-based group, Voice of the River, has started a UK Government and Parliament petition to recognise the Rights of Rivers and Rias (drowned river valleys) in England – so support the community and [sign it!](#)^e Any petition which gets 10,000 signatures will receive a response from the government and 100,000 signatures will trigger a debate in the House of Commons. Both of these methods, even if unsuccessful, would promote Rights of Nature and build public awareness – this in itself would be valuable but needs to be done in tandem with community engagement.

2. Building Common Law through court rulings

Law is not just made by Parliament in England and Wales, the courts have traditionally played an important role in the evolution of the legal system and the development of new legal doctrines, including that of corporate personality.²⁷ Judicial law-making is an independent source of law within the common law system²⁸ and it has a role in keeping common law up to date with current social conditions and expectations.²⁹ Though courts see their role as focussing on interpreting law rather than creating it³⁰ and have been reluctant to expand legal personality to Nature in the UK.

On 23 July 2025, the International Court of Justice’s [Advisory Opinion on climate change](#) was published.³¹ It opines that there is a binding legal duty on states to protect the rights of current and future generations to a clean, healthy and sustainable environment^f and where a state has failed to prevent a significant harm, the state can be held liable. This may impact climate-related law, environmental impact assessments and planning law in England and Wales, providing a way to protect rivers and other natural environments through the courts in the future.



Kits Coty, Emily Julier

^e UK Government and Parliament petition to grant rivers and rias in England legal personhood, recognising the rights of rivers & rias (drowned river valleys) in England as living entities with rights to ‘their’ own voice by creating a system to appoint lead legal guardians and guardian groups for each river and ria in England to enforce ‘their’ rights: [Grant Rivers and Rias in England Legal Personhood - Petitions](#), accessed 29 July 2025.

^f The advisory opinion found: (i) “States have a duty to prevent significant harm to the environment by acting with due diligence and to use all means at their disposal to prevent activities carried out in their jurisdiction or control from causing significant harm to the climate system and other parts of the environment, in accordance with their common but differentiated responsibilities and respective capabilities”, (ii) “States have a duty to co-operate with each other in good faith to prevent significant harm to the climate system and other parts of the environment, which requires sustained and continuous forms of co-operation by States when taking measures to prevent such harm” and (iii) “States have obligations under international human rights law to respect and ensure the effective enjoyment of human rights by taking necessary measures to protect the climate system and other parts of the environment”. Richard Turney KC on [LinkedIn](#) accessed 27 July 2025.



Recognizing that nature has legal rights and accepting these rights as part of our legal systems require not only the introduction of new laws observing these rights, but also a shift in paradigm for them to be fit in a contemporaneous legal puzzle.”³²

3. Risks: integrating Rights of Nature in the English legal system

Whilst Rights of Rivers herald many possibilities to protect rivers in new ways and change perspectives, many questions have and will be raised about how the legal doctrine of Rights of Rivers would work in practice and how it fits into the existing legal framework in England. There is no simple way to do this and it will require research and forethought.

It will not be possible to replicate the rights that humans and companies have. Humans and companies have rights and duties but they can also be held accountable for actions and damage that they cause to others. Clearly this is not a model which would work for rivers. But whatever method is used to include Rights of Rivers in the English legal system, the river and its ecosystems will need to be represented in decision-making. If the law is not specific about who represents the river, how they are funded, how the liabilities of the river and any of its representatives are limited and how the law can be enforced, then the law may be unworkable and fail in practice.

For example, in Bangladesh in 2019 all rivers were declared by the High Court Division of Bangladesh’s Supreme Court to be living entities with the right to flow, regenerate and be protected. The National River Conservation Commission (NRCC) was appointed as a guardian in *loco parentis*. On appeal, some of the directives made by the court were softened with the result that although the law still upholds rivers’ legal personhood in Bangladesh, it cannot protect rivers in the way it was intended³³.

Some considerations when legislating for Rights of Rivers are:

- Failure to integrate Rights of Rivers through the entirety of English law, including legislating for the consequences to land law, planning, tort and environmental law, could mean that the existing law is made less clear and the protection of rivers may be attacked or made harder.
- Any law will need to ensure that rivers have no liabilities, just rights. If rivers have liabilities then this may result in a system where rivers are held liable for flooding (for example) leading to them (and/or their guardians) being locked in expensive continuous litigation.
- Rivers need representatives to assert their rights and advocate for their best interests. Some countries have rights within their constitution for any person to do this (public guardianship) and others appoint specific people to act as legal guardians. Whatever the model, there needs to be sufficient funding to achieve the objectives both to fund the guardians (who may also need to represent the local communities) and advisory committees to ensure that decisions are science-based and appropriate for the local ecosystems. And the distinction between what guardians are *empowered* to do and what they are *required* to do must also be clear.

Seeking support from government agencies, such as the Environment Agency, may also be a positive step for councils to take in gaining further recognition for Charters for the rights of rivers.

4

What actions can local authorities take?

This section will cover:

Local byelaws	Byelaws make rules for specific topics for a specified area, they are not supposed to duplicate existing law and have to be signed by the Secretary of State
Council motions declaring support for Rights of Rivers/Nature	Local councils are supporting Charters for Rights of Rivers (either new or existing) through Council motions
Changing local policies and local development plans	After supporting Charters for Rights of Rivers, local councils are embedding the principles into their local policies and development plans to integrate the rights into the decision-making processes as far as possible
Conservation covenants	Conservation covenants are private, voluntary agreements between a landowner and a Responsible Body. They cannot give rights to rivers but they can be used to mimic RoR by setting out legally binding commitments to do something or not do something in respect of a specific piece of land



1. Local Byelaws

Local authorities have the power to propose local byelaws under The Byelaws (Alternative Procedure) (England) Regulations 2016 (the Byelaws Regulations). This has been unsuccessfully attempted – see the case study of the River Frome. These byelaws have the force of law and sanctions or penalties can be set for breaching them. But byelaws can only be made for specific purposes which fall within a prescribed class.³⁴ For the purpose of protecting rivers, the class “byelaws relating to good rule and government and the prevention and suppression of nuisances” would be the most useful.

The case study on the right sets out the details of an attempt by Frome Town Council to protect the River Frome and Rodden Meadow using a byelaw. It was not successful but it is possible that the byelaw approach might be tried again, setting out clearly how the byelaw is different to existing legislation. For example, instead of arguing (as Frome Town Council did) that existing legislation was not being enforced adequately, a new byelaw could argue that existing legislation does not outlaw pollution altogether and this is what the byelaw would seek to do and, in the case of illegal pollution, the new byelaw would seek to give direct recourse against illegal polluters, which existing legislation does not provide.

Case Study – a byelaw giving legal personhood to River Frome and Rodden Meadow³⁶

In March 2019, Frome Town Council made an application to the Ministry of Housing, Communities and Local Government (MHCLG) to enact a byelaw under the Byelaws Regulations. The proposed byelaw aimed to prevent nuisances affecting the River Frome and Rodden Meadow and to tackle chronic pollution and nuisance issues affecting the River Frome and Rodden Meadow. One of the innovative means used by Frome Town Council to address these issues was to attempt to grant the River Frome and Rodden Meadow legal personality, setting out the rights of the River Frome and Rodden Meadow and appointing guardians of the interests of the river and meadow and who would “balance these interests with the health and safety of local people”. The byelaw envisioned that the provisions of the byelaw would be integrated into all relevant policy areas and decision-making processes that would affect them as stakeholders in their own right.

For a byelaw to be enacted, a local authority has to obtain leave from the Secretary of State for MHCLG.³⁵ On 27 January 2020, the Secretary of State refused to give leave to the Council to enact the byelaw citing a number of existing laws which already address the concerns expressed by the council, such as the existing Water Resources Act 1991 and the Environmental Permitting Regulation 2010 (and the EU Water Framework Directive which still applied to the UK at the time). The Secretary of State did not remark on the new duty of care created by the Frome byelaw or the attempt to give legal personhood to the river and the meadow, but there is an argument that the Council’s attempt to do this could be construed as *ultra vires* (i.e. outside their powers).

2. Council Motions and supporting Declarations of Rights of Rivers

A number of local councils have passed motions to recognise the Rights of Rivers and/or to support river charters and we have heard from a number of councils who are drafting declarations of Rights of Rivers to protect their local rivers.¹

“

It is going to be important to have consistency in the rights which are being recognised in river charters going forward as they express the inherent rights of rivers and consistency in rights recognised makes it easier to establish the argument for legislation in England.”

Case Study – the first local council to “support and champion” a River Charter

In February 2023, Lewes District Council passed a Motion³⁷ to acknowledge the growing global movement of ‘Rights of Nature’ and to explore the development of a declaration of the rights of the River Ouse for possible endorsement by the Council within two years. This became a reality in February 2025, when Lewes District Council supported and championed³⁸ the Rights of Rivers Charter for the Ouse (the Ouse River Charter).

The Ouse River Charter recognises the right of the River Ouse to exist in its natural state, to flow, to perform essential natural functions within the river catchment, to feed and be fed from sustainable aquifers, to be free from pollution, to have native biodiversity, to regeneration and restoration and to an active and influential voice. We set out the full text of the Ouse River Charter in the Annex 1.

We note the final right of the River Ouse to have an influential voice is important to ensure the other rights of the Ouse are recognised and implemented. We look at how this can be achieved in section 6 “*Who will represent the voice of the river?*” below.

The Ouse River Charter was based on the Universal Declaration of the Rights of Rivers³⁹ published by the Earth Law Center. It is going to be important to have consistency in the rights which are being recognised in river charters going forward as they express the inherent rights of rivers and consistency in rights recognised makes it easier to establish the argument for legislation in England. Therefore we would recommend taking the rights in the Ouse River Charter for other rivers too. The Preamble to the Charter can be used to individualise each river, describing its character and river nature and what makes it special to the human and “more-than-human” community, whilst recognising its cultural and historic as well as ecological significance.

3. Changing local policies and local development plans

River health is influenced by planning policies, biodiversity strategies and climate commitments. Many local councils are exploring changing their local policies and development plans (many of which are currently at consultation stage) to embed Rights of Rivers and refer to rivers. It is surprising how little an entity running through the centre of towns is not mentioned in local plans outside the context of flooding.

We note that Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on public authorities in England to have regard to conservation of biodiversity when delivering their functions (including “determining such policies and objectives as it considers appropriate to take action to further the general biodiversity objective”).⁴⁰ In England, the Environment Act 2021 extends this requirement to have regard to “conserving”, “restoring” and “enhancing” biodiversity (section 102) and requires local authorities and local planning authorities to produce biodiversity reports setting out actions taken under the biodiversity objective (section 103). As local authorities are required to “conserve and enhance” biodiversity, local authorities could arguably use this biodiversity duty to underpin local policy around Nature’s rights.

4. Conservation covenants⁴¹

Conservation covenants are private, voluntary agreements between a landowner and a Responsible Body^k to deliver lasting conservation benefits for the public good and enforce local conservation through the means of English land law. They cannot give rights to Nature *per se* but can mimic them by setting out legally binding commitments to do something or not do something in respect of a specific piece of land. In this way, it is possible to embed Rights of Nature, such as the right of a river to its own native biodiversity, into conservation covenants to give binding protections to rivers and riverbanks. The covenant is recorded as a charge on the land and is transferred with the land binding on future landowners. If the land is freehold, then the covenant could bind indefinitely. If the land is held under a leasehold longer than seven years, the covenant could last as long as the leasehold lasts. Parties are free to agree a shorter time period. The conservation covenant is enforceable by the Responsible Body. The conservation covenants could also be used with a number of landowners simultaneously to achieve more wide-ranging conservation goals.

^k A responsible body is set out in Section 119 of the Environment Act 2021 and can either be the Secretary of State for DEFRA, local authorities, any other public body or a charity provided that, apart from the Secretary of State, such responsible body is designated by the Secretary of State and can demonstrate that some of its main purposes or functions relate to conservation.



5

What actions can local communities take?



This section will set out ways that communities can act together as guardians of their river, promoting Rights of Rivers:

Spend time with your river

Events such as local clean-ups, celebrations of the river and river festivals can bring together disparate river communities. Citizen Science (including testing river water quality) collects data to identify sources of river pollutants

These also create good opportunities to gauge and harness local support for wider ranging initiatives, such as public support for charters or conservation covenants in the local area

Set up or join grassroots community organisations

Local organisations encouraging positive engagement with the river can create inclusive networks of residents, community groups, recreational users, landowners and farmers. These groups can engage with local councils, environmental organisations and regulators to develop river charters and drive a rights of rivers movement locally

Understanding the ecological needs of the river

It is essential to understand your local river: its ecology and protected species, its water quality and the main sources of river pollutants as well as the residents and users of the river

Start or support existing groups recognising Rights of Rivers

If you are lucky a group will already exist that you can support. If not start one and network with local river and nature charities to create a river charter

Engaging with local councils

Councils can support Citizen Science initiatives, adopt river-friendly development policies and river charters

Comment on local consultations

Have your say – comment on river basin management plans and local development plan consultations and respond to planning applications. If there is a relevant river charter this can support your case



Eternal Lake, Kent, Emily Julier

1. Community is the foundation of river guardianship

Grassroots community involvement in river protection and guardianship is a key way to protect river biodiversity, local ecosystems and overall enhance climate resilience. Engaging local residents, businesses, landowners, anglers, canoeists, farmers and other users of the river helps everyone to understand the vital role that rivers play in our ecosystem and their importance to individuals, communities sense of place, as well as recognise the cultural, historic and spiritual importance of local rivers.⁴²

The concept of “guardianship” in relation to rivers speaks to some people: a concept similar to the guardianship held on behalf of children. For others, a spiritual connection leads them to Rights of Nature. Either way, when we scratch below the surface many of us already have a strong relationship with our rivers, which we develop through acceptance of river rights and recognition of our kinship, where rights teach us our responsibilities to the river and a deeper understanding of what a river needs to be itself. Community involvement creates collective responsibility to, and pride in, the health of local waterways, encouraging long-term commitment to protection efforts and behavioural change.

Community groups can begin with arranging simple events, such as participating in local clean-ups and celebrations of the river, bringing people to spend time with their local rivers. A river festival can bring together disparate river communities, whose interests may not align, and they share a common love of the river and want to see their river flourish. Citizen Science is another activity that communities can engage in, collecting data on river pollutants to identify major sources of pollution which could potentially lead to legal action.

“

People protect what they love, they love what they understand and they understand what they are taught.”

Jacques-Yves Cousteau

2. Join or start your own community organisations

Love Our Ouse (LOO) is a standout example of community-driven organisation. This Community Interest Company reconnects people with the River Ouse in Sussex, encouraging positive action from source to sea. With an inclusive network of residents, community groups, recreational users, landowners and farmers, LOO engages communities to love and act for their river. Working through creative engagement, such as storytelling, public walks, poetry, art (including working with the Tate Modern⁴³), and events as well as practical activities like litter picks and citizen science. Its aim is to foster love, local pride and active guardianship of the river. LOO has a strong partnership with stakeholders such as local authorities, environmental organisations and regulators.⁴⁴

LOO has also been the lead organisation for the Ouse River Charter, whilst working with many local stakeholders and local people, taking advice from lawyers including from Environmental Law Foundation (ELF)⁴⁵ and Hogan Lovells to draft the document. The Ouse River Charter is the result of an open and participatory approach. This has been important to foster a sense of ownership and commitment to the Ouse River Charter.

Rights of Nature and declarations of Rights of Rivers can be embodied by local organisations engaging the local population, educating them on how Rights of Nature can be recognised in the community and using this force to drive change at local council and national level. Local groups and individuals can also become part of the UK Rights of Nature Network⁴⁶ which envisions a world where rights and representation of the “more-than-human world becomes a part of legal, governance and decision-making systems”.

3. Understanding the ecological needs of the river

An essential first step is getting to know your river. Gathering information from ecological studies helps communities understand the root causes of poor water quality, pollution or water scarcity. It also reveals the presence of protected species and the special features that make a river ecologically unique. This local knowledge empowers people to take more targeted and effective action as well

as use targeted legislation to conserve protected species. There are a number of charities which combine community involvement with rigorous science to protect Nature and rivers.

For example, the Wildlife Trusts⁴⁷ plays a major role in river restoration and Nature-friendly farming. Many of the trusts are involved in river restoration, catchment management and collaboration with farmer clusters to promote Nature-friendly farming practices that benefit river ecosystems such as reducing pollution and restoring wetland habitats. They are also involved in recognising Rights of Rivers, for example the Hampshire & Isle of Wight Wildlife Trust has been instrumental in a number of local council decisions supporting the development of rights of rivers.⁴⁸

The Rivers Trust⁴⁹ is dedicated to its shared vision “wild, healthy, natural rivers, valued by all”. The member organisations carry out practical conservation, from habitat restoration and invasive species removal to pollution tracking and weir removals. They rely heavily on volunteers, community monitoring, and education to drive their work.

There are a number of organisations uniting local residents and users of rivers to analyse river quality through citizen science. Organisations such as Freshwater Habitats Trust⁵⁰ play a critical role in building the scientific foundation to protect rivers and provide data to support rights of rivers declarations.

4. Start or support existing groups recognising Rights of Rivers

Legal empowerment is another vital form of action. Many local groups recognise Rights of Rivers and are engaging with local councils and others connected with the specific rivers to recognise them too.

ELF helps communities use the law to protect their environment. It is part of the Rights of Nature community and supports community groups and local councils to recognise Rights of Rivers.⁵¹ It was heavily involved with supporting LOO in relation to the Ouse River Charter with Hogan Lovells and Monica Feria-Tinta.

There are a number of other organisations in the UK and globally who offer guidance and networking opportunities to learn more about Rights of Nature in different countries around



Canal near Kings Cross, Emily Julier

the world. Lawyers for Nature are another organisation in the UK involved in rights of Nature. Internationally, ELF works with the Center for Democratic and Environmental Rights in the U.S. who have been heavily involved with the Rights of Nature movement globally.⁵²

5. Engaging with local councils

As mentioned above, local councils have a key role to play and they are leading the way. As rivers often span multiple council areas, collaboration between local authorities is vital and councils are beginning to collaborate more closely across borders. Councils can support initiatives like Citizen Science, adopt river-friendly development policies, declarations and champion local waterway initiatives. Community groups and local river and wildlife charities can and do play an important role in bringing local councillors together and facilitating meetings with a broad range of local stakeholders. They can also bring councils together to support community projects. For example, in Lewes, the District Council supported a chalk stream restoration project⁵³ and is part of the Sussex Flow Initiative.⁵⁴ The Ouse

River Charter is an extension and an alignment with these projects already being undertaken to restore the river's health.

6. Comment on local consultations

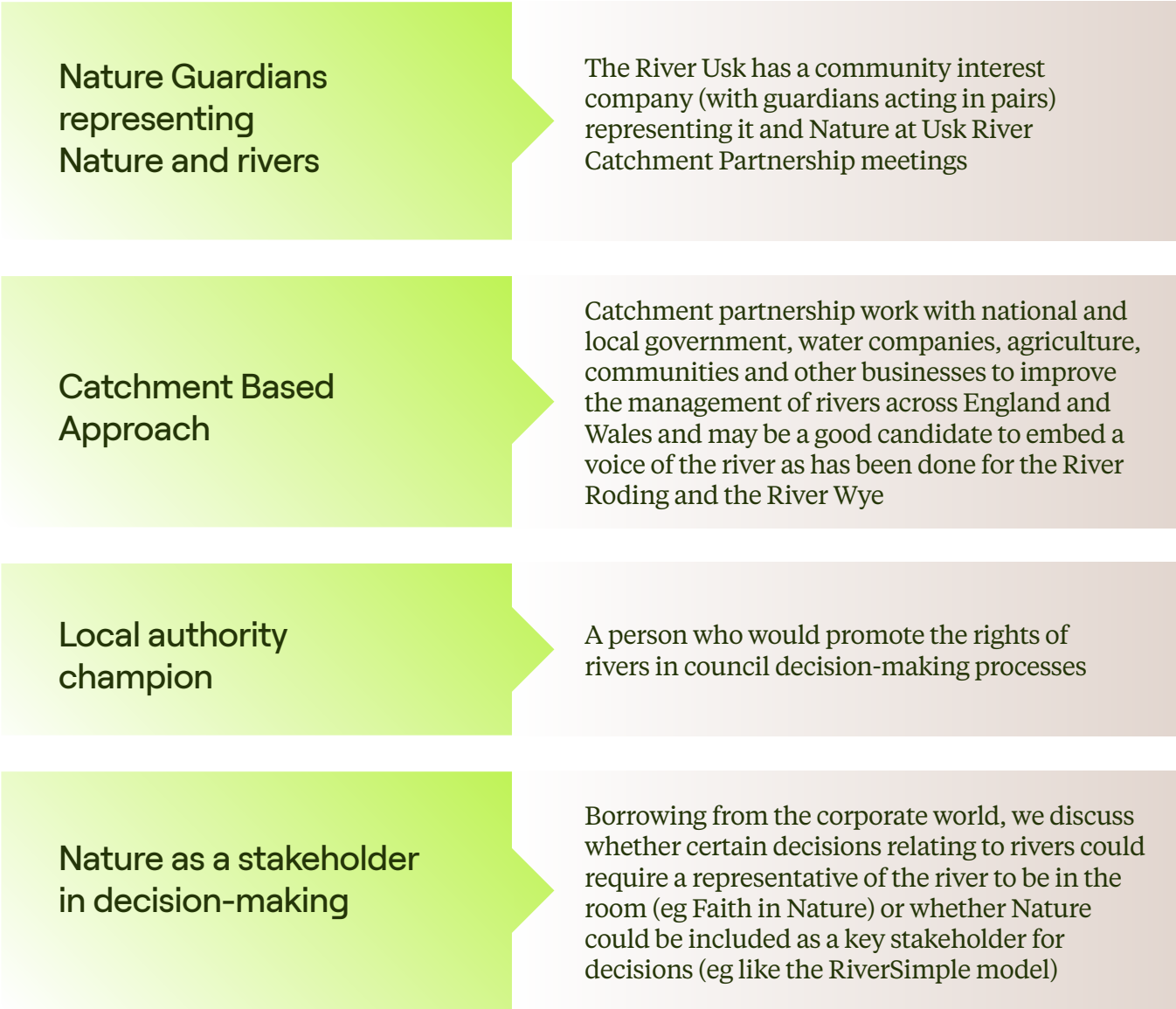
We can all take an interest in our local rivers by commenting on the Environment Agency's consultations on river basin management plans, local development plans for the area, planning applications and more. By participating in these local consultations, citizens help set objectives and priorities for their local rivers. These consultations are an essential part of the democratic process where local people can help shape policy and importantly can speak for their rivers by engaging in these locally accountable processes.

We need to start seeing the river as kin not an unending resource. Recognising that we, humans, are part of Nature and not separate from it. Rights of Rivers reframes our relationship from one of use to one of belonging and responsibility. Being kin to your local river might mean speaking up for it, learning about it, or simply spending time with it. We can all play a part.

6

Who will represent the voice of the river?

Whatever method groups use to recognise the rights of rivers or other Nature, it is crucial that an individual, committee or body represents the river so that they can advocate on the river’s behalf. In this section we lay out the different ideas for achieving this:





River Ouse, Bryony Widdup

Guardianship partnership

Borrowing from the Whanganui River, rivers could be represented by an advisory group (three members) and a strategy group (larger group including local people, local authorities, the State, commercial and recreational users and environmental groups). This would likely require significant funding

Guardians Commission

Borrowing from the Atrato River, the river could be represented by a State Guardian (in that case the Ministry of the Environment) and a community guardian (comprised of 14 guardians with equal split between male and female and representing all of the communities along the river)

Citizens' Assembly (or Interspecies Councils)

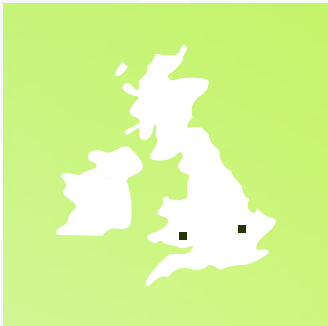
A group of citizens, advised by government and other experts could represent Nature or rivers. An Interspecies Council would assign representation of different river species to different members

Case studies

In the UK, there are a number of ways that an influential voice for rivers have been achieved:

The **River Usk** is represented by We Are Nature Based CIC⁵⁵ which acts as a Nature guardian to the core group of the Usk River Catchment Partnership. The director of We are Nature Based CIC, said “it gives us a real opportunity to have conversations with farmers, policymakers and land owners from that deep ecology and Nature perspective, and to find Nature-positive solutions to the nutrients issues and to slowing the flow of water; flooding and drought issues, and the broad suite of challenges that river catchments within the UK face”.⁵⁶ He also emphasised that “that the guardians, which operate as a pair, do not speak for the Nature and the river but keep the question of what they want at the heart of collaborative conversation and decision-making”. This can be through Nature-connection practices and imaginative play.⁵⁷

In the UK, there is an existing “inclusive civil society-led initiative” to protect rivers called the **Catchment Based Approach**⁵⁸ supporting the Water Framework Directive⁵⁹ which requires the protection of water environments. Catchment partnerships work with national and local government, water companies, agriculture, communities and other businesses to improve the management of rivers across England and Wales.⁶⁰ Due to the wide range of stakeholders included these partnerships offer an existing structure of varied stakeholders connected to specific rivers which may be a good candidate for providing a representative for rivers in a particular catchment area.



For example, a group of three river catchments along the **River Roding** have agreed to seek a person to act as a voice for the River Roding in quarterly meetings of the partnership using the Declaration of Rights of the River Roding⁶¹ as a guiding document. The job description states that the purpose of the role is to speak for the river, listen to the expertise of catchment partners to understand the best interests of the river, uphold the rights in the Declaration and ask appropriate questions of speakers to encourage the partnership to set aside other interests and consider what the preference of the river itself would be and have them considered in decision-making and speak publicly for the interests of the Roding.⁶² In Herefordshire, the Voice of the **River Wye** is now represented on the Wye Catchment Nutrient Management Board. The role is to “represent the interests of the River Wye, to act as an advocate and to vote on behalf of the River in Board decisions”.⁶³ We note that these jobs do not seem to be paid roles, though this is understandable due to lack of budget, it does mean that only people who can afford to spend their free time to represent the river are able to apply and this may lead to a lack of diversity of possible candidates. We wonder whether it also sends a signal that there is no value in representing nature.



Putting the River on the board begins to move us away from an anthropocentric view of the world, where Nature is a resource for us to use, towards a view in which we understand ourselves to be interdependent parts of the natural world, reminding us that we belong to the earth, the earth does not belong to us.”

Dr Louise Bodnar⁶⁴

In her article, Emma Rowland suggests⁶⁵ (i) creation of an informal role within a local authority of a ‘champion’ who would practically promote the river in Council decision-making referring to the relevant River Charter without legal responsibilities (perhaps a role for a person like the Voice of the River Roding with the wisdom and expertise of a Catchment Partnership behind them) or (ii) the establishment of a charity or body whose purpose would be to promote the River Charter and act akin to a ‘guardian’ of the River (perhaps a person like that in the River Usk example above).¹ Such a guardian would need to have access to a network of stakeholders and advisers such as a catchment partnership to ensure that the person is well-informed. We wonder whether a government-funded national charity could act as an umbrella charity for local river guardians?



Tambopata River, Roger Tym

¹Emma Rowland notes in “A River-lution: Rights of the River Ouse” that charity or body could be possibly be established using the ‘general competence power’ under s. 1(1) Localism Act 2011 which grants a “A local authority [the] power to do anything that individuals generally may do” and refers to “The General Power of Competence”. Mark Sandford, 20 September 2021 to argue that although the general competence power has attracted relatively little attention it may be worth exploring despite uncertainty as to whether it could be used for these purposes.

Ideas from the corporate world

There are a number of corporate examples^m which could inform how a guardianship role might work, for example an ‘informal champion’ might change from week to week represented by whomever who sits in a green chair at a council meeting or catchment area meeting.

Some decisions relating to the river might be specifically earmarked to require a representative of the river in be in the room, in a similar way that Faith in Nature has a non-executive corporate director appointed to its board to act solely on behalf of Nature (and as advised by a representative for Nature).⁶⁶ Or the river could be included as a stakeholder in another way, perhaps analogous to making Nature or the Earth a shareholder⁶⁷ or creating key stakeholders groups who are managed by a steward to ensure that conflicting interests are managed⁶⁸. By using these mechanisms we can ensure that our governance represents all of its constituents, including non-human ones. Putting humans back into the definition of Nature, as they should be.

Learning from international examples

In addition to the above, we might borrow from international examples of guardianship structures.

Case study – the Whanganui River

For example, two guardians are appointed to represent the Whanganui River in New Zealand, one from the Whanganui iwi and one from the Crown to act and speak on behalf of the Whanganui River. The guardian partnership is supported by a three-person advisory group and a strategy group of around 17 members representing Whanganui River, local Maori, relevant local authorities, departments of State, commercial and recreational users, and environmental groups. Dedicated funds have been provided by the Government.⁶⁹

Case study – the Atrato River

In Colombia, the Atrato River is represented by the Commission of the Guardianship of the Atrato. The Commission is made up of the Ministry of the Environment as the State guardian and the Collegiate Body of Guardians of the Atrato as a community guardian (this consists of seven male and seven female guardians representing the different communities in the Atrato region). The Guardians Commission has an advisory team which provides technical advice and guides the guardians.⁷⁰

Ultimately, a Citizens’ Assembly, advised (both by government and other experts) and well-informed and in a format not unlike the People’s Assembly for Nature may be an inclusive solution to embed people firmly within Nature.⁷¹ Alternatively there may be a place for Interspecies Councils. Akin to Citizens’ Assemblies, Interspecies Councils⁷², introduce a more-than-human perspective into policy making where river species are represented. An example of this was where the UK government as part of Policy Lab UK and DEFRA’s Water Post-2043 project used a variation of an Interspecies Council⁷³, using a more-than-human citizen assembly. Interspecies Councils have been run with local governments, scientists, artists, and policymakers. Moral Imaginations is the leading organisation working internationally.

^mSee [Toolkit: Onboarding Nature: Imagine if the nature of business was Nature’s business](#) for a number of examples of how Nature can be incorporated into corporates, B Lab Benelux (BLB), Earth Law Center’s Nature Governance Agency (ELC-NGA), and Nyenrode Business Universiteit (NBU), 2024, accessed 31 July 2025.

7

Looking to the future, how will local devolution in England affect Rights of Rivers

The Planning and Infrastructure Bill (the Bill) currently making its way through the House of Lords introduces a system of strategic planning which is intended to encourage combined authorities and combined county authorities to develop spatial development strategies (which in turn are to be created through the English Devolution and Community Empowerment Bill which is making its way through the House of Commons) across England. The current planning system largely depends on individual local planning authorities cooperating with each other on their local plans to address cross-boundary issues. The SDS (which is closely modelled on the mayoral system in London) would encourage partnership across larger areas so that SDS include policies on the use and development of land that are of strategic importance to the area and can include policies on housing and identify infrastructure requirements. It would also identify areas where the natural environment needs to be protected and/or restored.⁷⁴ If Rights of Rivers and Nature were already embedded into local council decision-making then they could allow for expansion of the idea to further areas, particularly when combined with the duty to conserve and enhance biodiversity.

Although the new system of strategic planning is likely to happen in the next two years in England, there is much to be done ahead of these changes. Our experience is that local authorities are busy using the time they have left, pushing through motions to support Rights of Rivers to create a legacy which will be carried forward into the new system.⁷⁵

Practically, this may be achieved by a number of councils acting in concert to recognise Rights of Rivers, for example in Hampshire, where, at the time of printing three Councils had passed such river motions. When there is co-ordination through the geographical areas which will become the strategic authorities, the reasons for this movement will be harder to ignore and remove after the transition. It is up to all of us to make sure that this pioneering work in England transfers to the new local governance system.

Going forward, these SDS may be particularly useful when trying to protect rivers which span multiple local authorities, as the strategic authority would have the power to enact protections across local authority borders (something which seems crucial for the meaningful protection of rivers). However, there is still much uncertainty, not only in terms of how SDS are to operate (given that the Bill could still be subject to amendment) but also in terms of how these strategic authorities will be set up. Part 3 of the Bill also includes provisions for Nature Restoration Fund and Environmental Delivery Plan (EDP) models. This falls outside the scope of this document but may impact the ability to protect rivers and Nature through the planning system.

8

Where to get help

Feel free to reach out to us for further help: emily.julier@hoganlovells.com, yasmin.waljee@hoganlovells.com (Hogan Lovells) and emma@elflaw.org (Love Our Ouse and ELF).

If you are wondering how you can get involved, get in touch with your local Wildlife Trust, Rivers Trust to find out if you can help with any existing initiatives or start new ones.

For more information about the legal background to river protection and a list of Rights of Nature organisations, also see King's College London Legal Clinic's Rights of Nature toolkit.⁷⁶

9

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With thanks to Yasmin Waljee OBE for her amazing support.



River Axe, Axmouth, Emily Julier

Annex 1

Charter

Rights for the River Ouse⁷⁷

Rivers are essential to all life. Humans depend on our rivers to provide clean water for drinking and sanitation, fertile soil, and regeneration but rivers also support an extensive diversity of species and ecosystems and play a vital role in the functioning of the Earth's continuous water cycle. Rivers are also one of the largest natural carbon-transport systems on our planet, moving land-based carbon to be stored in the oceans and providing temperature regulation functions.

Rivers and the wetlands they create give many communities a sense of place and identity. Many towns exist in their place because of a river. Communities increasingly demonstrate that they care for their Rivers and act as guardians as the public's concern grows for the poor state of our rivers' ecological health, which increasingly impacts public health.

At a basic level, our rivers face severe pressures from climate change, unsustainable consumption patterns, diffuse and point source pollution, invasive species, failing and inappropriate infrastructure and unsympathetic development. We must work together, faster, at a landscape scale, in delivering action to address these threats.

The River Ouse sustains a diverse array of life forms, including legally protected endangered and vulnerable species. However, climate change and consumption patterns are having significant effects on water availability and flow rates; in-channel structures present major impediments to the movement of fish, in particular, and pollution impacts the rivers natural function and resilience of all species. All of this puts unsustainable pressure on the river's ecosystem, increasing its vulnerability to future change.

This Charter recognises that a wide range of organisations are already having a positive impact on the health of the river, utilising to the best of their abilities the often-limited resources available to them. However, there is a need to increase this

effort if we are to see improvement which matches the ambition of those at the frontline of positive change especially as the river faces increasing threats across a number of areas. The Charter and its implementation seek to tackle these threats with a partnership framework that recognises the river as its own entity - promoting good practice and identifying where more needs to be done; what action can be taken to restore the Ouse's ecological and chemical health, recognising that we all have responsibilities to fulfil the river's rights. The Charter also seeks to increase political, social and economic benefits for activities that support the river's health.

This Charter establishes that these rights are intended not only to recognise the rights of the River Ouse, but also the health of the river catchment and bioregion of which the Ouse is a part and the health of all ecosystems and natural beings therein, all of which possess, at minimum, the fundamental rights to exist, thrive, and evolve.

Acknowledging the river rights detailed in the Charter is considered a critical component in safeguarding the River Ouse for present and future generations, placing a new emphasis on how we consider nature restoration and filling a gap within existing thought processes and strategies. This step will promote a sustainable river system for the River Ouse, emphasising harmony with nature and benefiting both the river and the public.

Supporters of this Charter of Rights for the River Ouse agree to work together towards the following aspirations.

The River Ouse should possess the following fundamental rights as set forth in this Charter, which arise from its very existence.

- **The right to exist in its natural state:** recognising and reflecting that the River Ouse, like all rivers, is essential for ensuring life, including human life, within the Ouse catchment and bioregion whilst recognising the modification of the river where it is necessary to protect existing critical infrastructure and or communities.
- **The right to flow:** flows must follow natural flow patterns and be sufficient in quantity to maintain the ecosystem health of the entire river system.
- **The right to perform essential natural functions within the river catchment:** these include maintaining horizontal and longitudinal connectivity, flooding, moving and depositing sediment, recharging groundwater, providing adequate habitat for native flora and fauna, processing nutrients; being water.
- **The right to feed and be fed from sustainable aquifers:** ensuring that clean, healthy aquifers provide sustainable ecosystem services in the context of how climate change is affecting these processes.
- **The right to be free from pollution:** taking a holistic view to include diffuse and point sources including but not limited to damaging levels of sewage discharge, industrial waste, litter, antibiotics, agricultural run-off from pesticides, manure and fertilisers; and accelerated soil erosion from human activities, recognising that our changing climate can exacerbate all of these issues.
- **The right to native biodiversity:** recognising and responding to the severe decline in native biodiversity over the last fifty years and the threats that invasive non-native species represent for local biodiversity.
- **The right to regeneration and restoration:** that a shared vision which identifies and develops best practice river and Nature restoration and regeneration across the River Ouse Catchment is progressed in partnership with all relevant stakeholders.
- **The right to an active and influential voice:** to have the interests of the River Ouse appropriately and in so far as is possible, impartially represented and considered in the determination of matters that directly affect it. To lobby the Government to create the legal frameworks that can ensure consistent representation for all rivers.

Annex 2

Local Council Resources

Below is a list of the motions we are aware of as of mid August 2025, but the number is growing:

- Lewes District Council supported the Rights of the Ouse River Charter: [Decision details](#).
- Wealdon District Council passed a Motion to (i) support rights of rivers in general, (ii) support the introduction into law of the rights of rivers and explore becoming a supporter of the Rights of the Ouse River Charter and any declaration of the rights of the River Medway: [Full Council meeting](#) and [Member's Motion: Rights of Rivers](#).
- Basingstoke & Deane Borough Council commit to developing a full 'Declaration on the Rights of the River' in collaboration with stakeholders by Spring 2026. It also calls for river rights to be considered in future planning and development decisions, particularly to safeguard chalk streams: [Minutes of Council Meeting \(May 2025\)](#) and [Minutes of the Cabinet Meeting \(June 2025\)](#). See also [Hampshire Rivers Given Legal Rights in Landmark Decision](#).
- On 16 July 2025, Southampton City Council voted in favour of a motion and on 23 July 2025, Test Valley Borough Council [unanimously backed](#) a similar motion to recognise rivers as vital, living ecosystems deserving of legal rights and stronger protection from pollution, development, over-abstraction, and habitat degradation: [Two More Hampshire Councils Back Legal Rights for Rivers](#), [Southampton City Council Motion](#) and [Test Valley Motion](#).
- [Declaration of Rights of the River Roding](#) – this has not been supported by a council as far as we are aware but has been put forward by the Catchment Partnership - [Roding, Beam & Ingrebourne Catchment Partnership](#).



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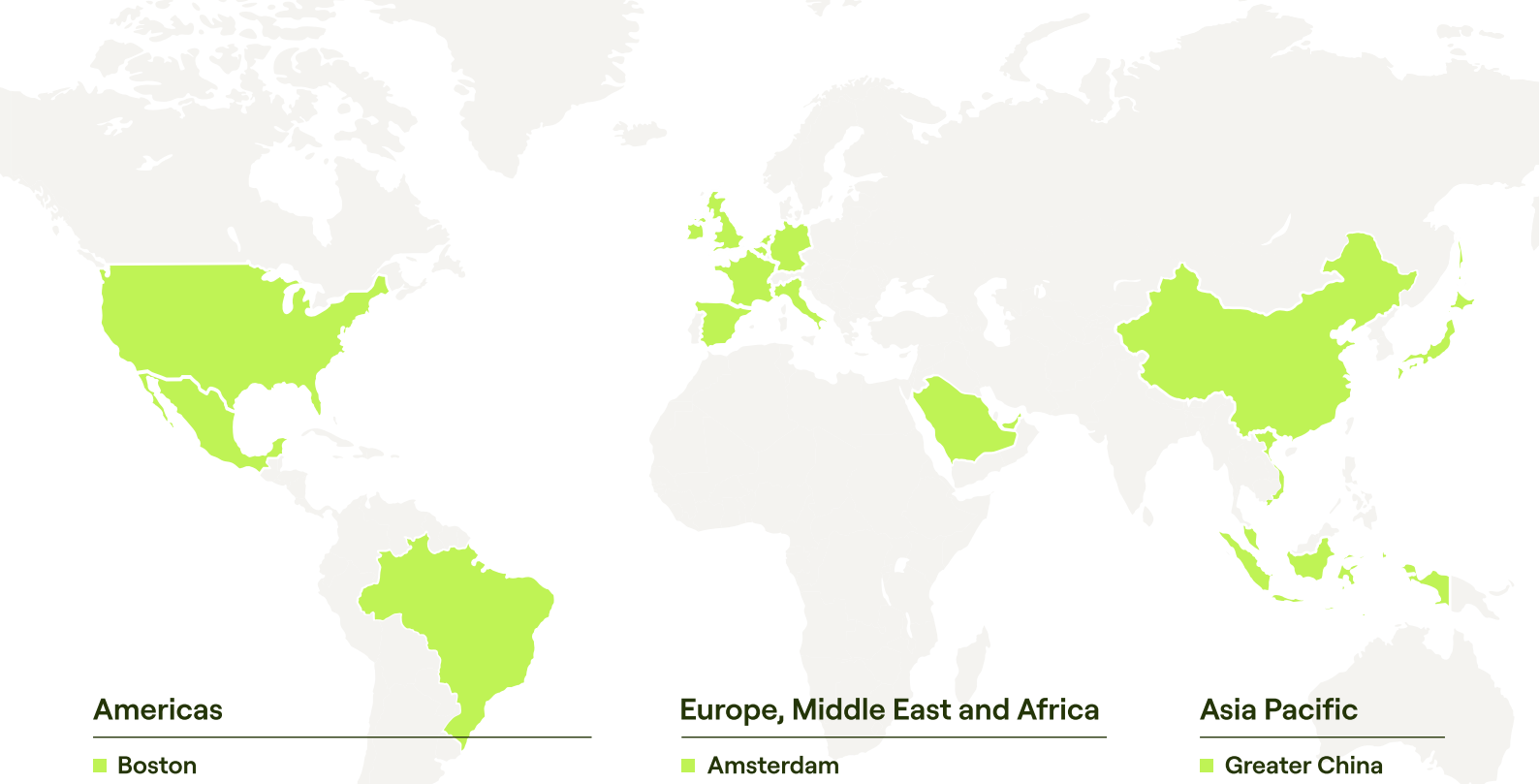
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