

# Rights of Rivers

## A Two-Day Curriculum for Community Campaigners

Amazon River | Photo by Shutterstock



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**RIVERS**  
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# Two-Day Curriculum for Community Campaigners

## Learning Objectives

During this two-day workshop, participants will:

- Develop a shared understanding of the basic principles of the rights of nature and rights of rivers and how they are being applied around the world
- Explore how local communities traditionally protect the wellbeing of their rivers
- Learn what tools communities are using to secure legal rights for their rivers
- Develop advocacy and campaign strategies to protect the rights of local rivers

## Materials Needed

- Whiteboard
- Overhead Projector
- Butcher's paper
- Colored pens, markers, or crayons
- Room to spread out (both within the training room and outside)
- International Rivers' Community Guide to River Protections<sup>1</sup>
- Supplemental resources listed at the end of this document



Crossing Lake Chad. | Photo by International Rivers

1. <https://www.internationalrivers.org/asia-campaigns/transboundary-rivers-of-south-asia/a-community-guide-to-river-protections-rights-of-rivers/>



**Time needed:** approx. 1 hour

## Day 1: Opening Session

1. **Introduce facilitators** – tell a story of how you came to be here.
2. **Explain learning style** – experiential, participant centered. We want to draw on the experience of the participants as much as possible, so that people can learn from each other and build on what they already know and are already doing. We also want to target the training to help build and develop current campaigns and activities and ensure they are strategic, as well as helping to make the activities of the network complementary, in working in different ways towards the same goals. We will be doing a lot of small group work through the training to develop practical ways of collaborating to protect our rivers.

The facilitators may choose to document the ideas and experiences shared by participants during the workshop, keeping in mind that this information may be sensitive, depending upon the social and political context. In less sensitive areas, participants may consent to photography and/or video documentation. In more sensitive contexts, participants may agree to the sharing of drawings and written documentation of stories and campaign plans, granted that it is done anonymously.

3. **Shared values** – discuss the fact that a campaign is composed of people with a set of shared values coming together to advocate for positive change. A campaign can also be composed of different groups, using different strategies and activities to work towards common visions and shared goals.
  - Brainstorm what values are important to the group, inviting participants to shout out key words. Facilitator writes them on the board. Ask for confirmation that participants agree to these shared values.
4. **Set ground rules** – Given that these are our shared values, ask participants whether we need some ground rules for the training to ensure that our values are respected. Ask participants to suggest rules, write them up on poster board and hang them where everyone can see them. Ask participants what we should do when these rules are not respected, and who should have the power to address this.
5. **Introduce Workshop Goals:**
  - To learn about the worldwide movement to protect the rights of nature and the rights of rivers
  - To share ways in which local communities traditionally protect their rivers' wellbeing
  - To learn about the threats currently facing the world's rivers and the need for legal protection of rivers
  - To explore how legal protection of rivers can improve the health of rivers and the living beings that depend upon them
  - To learn what tools communities are using to secure legal rights for their rivers
  - To learn about the role of river guardians in protecting local rivers
  - To develop potential advocacy and campaign strategies to protect the rights of local rivers

## Introductory Game

Invite participants to stand in a circle, and ask them to think about how they interact with their local river on a daily basis. Go around one by one, inviting each participant to act out one of their daily interactions with their river, for example, fishing, washing clothes, driving a boat, selling fish in the market, etc. Ask each of them to act this out silently, and invite the others to guess its meaning.



## Activity 1: River Mapping

**Time needed:** 30 minutes

Ask the group to think about their river. Where is its source, and where is its mouth? Through which areas does it flow? What natural geographic features does the river have, for example, waterfalls, rapids, glaciers, twists and bends? Tape several sheets of butcher paper together into one long sheet and either tape it to the wall or lay it on the floor. Invite participants to gather around and help one another to draw the river, adding natural features as they go.

Once the basic outline of the river is complete, gradually ask more questions, inviting participants to add to the drawing each time:

What countries, cities, towns, historical, and spiritual sites does the river pass through?

What kinds of people live there? What languages do they speak? What occupations do they have? How do people make their living from the river? What crops do they grow on nearby farmland?

Ask participants to mark their home towns or ancestral homes along the river.



## Activity 2: Our Sense of the River

**Time needed:** 20 minutes

Reflecting on the river map, discuss how rivers have shaped the lives of the people along them, both historically and nowadays, and how our lives are inseparable with the fate of our rivers. Invite participants to delve deeper into the meaning of their river by breaking them into small groups of 3-4. Give the groups 5-10 minutes to complete the following sentences based on their memories and personal life experiences and write down their answers:

1. Our river looks like...
2. Our river smells like...
3. Our river sounds like...
4. Our river feels like...
5. Our river tastes like...

Invite each group to stand up and share their answers, encouraging questions and discussion with the larger group.

— — — — — 15-Minute Tea Break — — — — —



### Activity 3: Checking the Health of Our River

Time needed: 1 hour

The facilitator discusses the fact that the Earth's rivers are dying at a faster rate than ever before. Half of all wetlands have been destroyed over the last century, and the world's aquatic ecosystems – including oceans, lakes, and rivers – have lost half of their biodiversity since the mid-1970s. A recent United Nations study warns that up to a million animal and plant species now face extinction, many in just a few decades.

Ask participants to reflect on the state of their river's health. How is the quality of its water? Is it able to breathe, and to flow freely? Are its sources regularly replenished by clean, healthy water? Is it able to freely expand and contract with the changing seasons? Is their river able to filter out waste? What about the health of the plants and animals that live in the river? And the plants, animals and humans living along its banks?

Invite participants to return to their small groups and discuss the state of their river's health, the symptoms that are occurring, and possible reasons for these changes. Allow the group 10-15 minutes for discussion.

Once discussions seem to be slowing down, pass out colored markers or crayons and invite the members of each group to approach the large river map and draw in symptoms of the river's health, and reasons for the changes they see. These may include factories, towns, or agricultural industries releasing waste into the river, dams, irrigation canals, and other water diversions blocking or changing the river's flow, construction projects, commercial navigation, overfishing, fishing by illegal means, war or conflict, etc.

Invite each group to present their ideas. Once all groups have presented, ask them to imagine that they are a team of doctors, and that the river is their patient. Ask them to rate the overall health of the river according to the following categories: excellent, good, fair, poor, very bad. Allow for discussion until the group reaches consensus, and write the overall health condition of the river to the top of the map.

— — — — — **Lunch Break** — — — — —



## Activity 4: Rights and Responsibilities

Time needed: 1.5 hours

The facilitator explains that the group is not alone in their concern for the health of their river – groups of citizens and water users around the world share their concerns for the declining health of their rivers. The laws and policies designed to protect the world's rivers, though made with good intentions and helpful to some extent, are still inadequate. This has inspired people to think about new ways to ensure their rivers and other natural resources have the protection necessary to survive and thrive. This has led to a new movement called the rights of nature, and the rights of rivers is an important part of it.

Write the following quote on the board, explaining that it is from Gerrard Albert, Chair of the Governance Body for the Whanganui Tribes, New Zealand:

**“We treat the river as a brother or a sister, a father or a mother. It has rights, as do you and I... When you’re dealing with a sick river, you feel sick yourself, because that river is you and you are that river.”<sup>2</sup>**

Ask participants to think about their own communities. How do people traditionally view their river? What kinds of relationships do they have with the river? What stories do elders tell about the river? How was the river created, and how does it sustain life? Is the river viewed as a living being? Do people see the river as being male or female? What emotional qualities does it have: is it angry, gentle, fierce, or calm? Does it have a soul? Do community members have a spiritual relationship with their river? Are religious ceremonies held along the river?

Does the river have rights? Another way of asking this is, do we have obligations to protect and care for the river when it is sick or hurt? Where do these obligations come from? How are they taught, and passed down from generation to generation?

Write the following quote on the board and invite participants to discuss its meaning:

**“We see the river as a living entity that carries our ancestors, that carries their memories, as a metaphor for our history.”**

**-Geoffrey Hipango, Māori Community Leader, New Zealand<sup>3</sup>**

Explain that all communities are different, but they share a common concern for the health of their rivers and have developed special ways of teaching their children and grandchildren to protect their rivers as a source of life.

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2. <https://www.nationalgeographic.com/culture/graphics/maori-river-in-new-zealand-is-a-legal-person>

3. The Atlantic. 2019, April 22. New Zealand's Maori Won Personhood for This River. Video, [youtube.com/watch?v=YQZxRSzxhLI](https://www.youtube.com/watch?v=YQZxRSzxhLI)

Show the following video, which provides a comprehensive picture of the rights of rivers concept. Should subtitles in relevant languages not be available, they can be added ahead of time using a subtitle program, or the facilitator can press pause and translate during the video.

## Video

### **New Zealand's Whanganui River is a Legal Person. How will it Use its Voice?**

<https://www.nationalgeographic.com/culture/graphics/maori-river-in-new-zealand-is-a-legal-person>

Invite participants to discuss how the community views their relationship with their river, their responsibilities towards their river, and the actions they have taken to protect their river's health.

## 15-Minute Tea Break



### **Activity: What Rights Does a River Have?**

**Time needed:** 1.5 hours

Ask participants to think about human rights. What are some of the essential rights that we need to survive and thrive as humans? (These can include the right to life, the right to health, freedom of movement, the right to legal representation, etc.). Invite participants to share their answers and write them on the board. Explain that in campaigning to protect their rivers, communities have come up with the following ideas regarding the basic rights of rivers – write them on the board.

1. The Right to Flow
2. The Right to Perform Essential Functions within its Ecosystem
3. The Right to be Free from Pollution
4. The Right to Feed and be Fed by Sustainable Aquifers
5. The Right to Native Biodiversity
6. The Right to Regeneration and Restoration

In this next session, we will be exploring what these mean, and how we can work with our communities to develop a shared understanding of them.

Break into six small groups, and give each group a paper with a description of one of the basic rights of rivers, translated into the relevant language. Ask participants to imagine that they will be sharing this information with their local community at a large public gathering. How will they convey the meaning in a way that is fun, easy to understand, and relevant to people's daily lives? This could be done through a drawing, a song, storytelling, or a short skit or play. Give each group a half hour to develop a five-minute presentation on the basic right they have been assigned.



## **The Right to Flow**

The right to flow can be compared to a human being's right to breathe. If we cannot breathe, our systems shut down. As a river flows, it takes in oxygen necessary for a healthy river life. Fish, seaweed, shellfish, and many other species thrive in a healthy river system. A river's flow must be strong enough to maintain the health of the entire river ecosystem. Rivers – not people – must own the water that flows within them.

## **The Right to Perform Essential Functions within its Ecosystem**

A river does the important work of bringing nutrients to surrounding areas through seasonal flooding and by moving and depositing rich sediment. Rivers also replenish our groundwater, and provide places for native flora and fauna to grow and thrive. A river must be free to do this important work.

## **The Right to be Free from Pollution**

Chemicals, nutrients, and heavy metals from farms, factories, mines, and cities pollute our rivers, and plastic is blown in by the wind or washed into rivers via storm drains and sewers. These pollutants cause algae to grow quickly. When the algae die and decay, this uses up a river's oxygen. Without enough oxygen in the water, fish and other life forms suffocate. Water pollution can cause an entire river ecosystem to collapse.

## **The Right to Feed and be Fed by Sustainable Aquifers**

An aquifer is a body of rock or sediment that holds groundwater. Groundwater moves freely underground and is naturally replenished by rain and snowfall, streams and rivers. When humans remove too much groundwater for drinking and irrigation, aquifers can collapse, forever reducing their ability to store water and feed our rivers.

## **The Right to Native Biodiversity**

Native biodiversity refers to species that occur naturally in a specific river basin. Native plants, fish, and animals evolved along with the river over millions of years and are perfectly adapted to living in that particular environment. Native biodiversity is harmed when humans stock rivers with non-native fish, and when non-native species enter rivers through shipping canals and global trade routes. This destroys the balance of nature and threatens native species.

## **The Right to Regeneration and Restoration**

A river that has been harmed has the right to have its health restored. A river regains its health when its natural flow and the movement of its sediment are restored. This can also include restoring the natural state of a river's banks and floodplains. Restoring the natural conditions of a river makes the river system and the species dependent upon it healthy and resilient.

After each presentation, ask the audience how they felt. Was the information clear and accessible? Was it presented in a way that is relevant to their lives? Was any key information missing? Do they have questions, or additional things they'd like to learn? Once all groups have presented, ask whether they would like to propose any additional rights, and explain why they feel this is important.

**Homework:** Pass out copies of the **Universal Declaration of the Rights of Rivers**<sup>4</sup> and the **Community Guide to River Protections**<sup>5</sup> in relevant languages. Explain that the declaration is a guide for citizens, lawyers, policy makers, and community leaders to make Rights of Rivers a reality. Ask participants to read the declaration in the evening and come to class with ideas for how to put the ideas in the declaration into action.



Mekong river boat | Photo by International Rivers

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4. <https://www.internationalrivers.org/resources/reports-and-publications/rights-of-river-report/>

5. <https://www.internationalrivers.org/asia-campaigns/transboundary-rivers-of-south-asia/a-community-guide-to-river-protections-rights-of-rivers/>



## Day 1: Review

**Time needed:** 15 minutes

To review the previous day's lesson, tie a scarf into ten or more loose knots. Invite participants to stand in a circle, and play some lively music. Pass the scarf around. As each participant gets the scarf, he/she must untie one knot then pass it on. Stop the music every minute or two. Whoever is still holding the scarf when the music stops must share one of the rights of rivers with the group.



## Day 2: Discussion

**Time needed:** 2 hours

**(Note: the following discussion contains some difficult legal concepts. It's important to go slowly, allowing plenty of time for questions and discussion, and writing key words and phrases on the board with definitions).**

The facilitator explains that under current legal systems, rivers are seen not as whole, living entities, but are divided into parts such as water, riverbeds, banks, tributaries, and catchment areas. Each of these parts can be privately owned and exploited for economic gain.

Treating nature as mere human property rather than a life-giving entity with its own rights has led to its destruction. This began happening in many parts of the world when settlers moved into Indigenous lands, bringing new laws based on individual freedoms that overlooked our collective responsibilities to the natural world.

Rights of Rivers addresses this problem by acknowledging that humans and other natural entities are members of the same ecosystem, and thus deserve the same protection under law. Adapting this way of viewing our rivers allows us to harmonize our legal system with the natural laws of the earth rather than trying to force the earth to operate within our human-created laws. This will ensure that current and future generations of humans and other species have enough clean water and other natural resources to meet their basic needs.

## **What Approaches are Communities Using to Secure Rights for Their Rivers?**

Explain that communities are taking a number of different approaches to protect the rights of their rivers. In some cases, Rights of Nature are grounded in Indigenous laws and treaty rights. These can include customary laws, meaning legal systems and obligations that have arisen from practice over time, rather than from formal written laws. (**Note:** As you talk, write the following words on the board: **rights of nature, Indigenous laws, treaty rights, customary laws**).

In other places, citizens have successfully secured Rights of Nature as rights guaranteed by their country's constitution. In some countries, Rights of Nature have been secured by including them as part of the international human rights framework. This is a natural step, as international human rights law already encompasses the right to a healthy environment and Indigenous peoples' rights, two important concepts in the Rights of Nature movement. Rights of Nature can also be written into national laws, or passed directly by presidents or prime ministers as executive orders. (**Note:** as you talk, add the following words to the list on the board: **constitutional rights, international human rights, national laws, executive orders**).

Many communities are using strategic litigation to apply the law in new ways to protect rivers. Litigation refers to the process of taking legal action, and strategic means that this process is carefully planned to serve a particular, long-term purpose such as securing legal rights for rivers. Strategic litigation aims to bring about broad changes to a society and its legal system beyond the scope of one specific case. Through strategic litigation, people can use their legal systems to address injustices and highlight weaknesses and gaps in the law. The goal is to change laws, policies, and practices to respect, protect, and fulfill the rights of nature. Strategic litigation is also about raising public awareness of injustice. Educational materials about the case can help explain its importance to other citizens and encourage discussion around the importance of rights for rivers. In this way, strategic litigation can bring about lasting political and social change.

In cases when a national government fails to take action, citizens have advocated for local laws or ordinances to secure legal protection for their rivers. This can include establishing special independent authorities, tribunals, or counsels to investigate and address cases where the rights of rivers are being violated. These special bodies play an important role in setting standards for river protection and ensuring that everyone involved is held accountable. (**Note:** as you talk, add the following words to the list on the board: **strategic litigation, local laws, ordinances, tribunals, counsels**).

Stop at this point to see whether participants have any questions or comments, and allow for discussion.

## **How are Rivers Granted Rights under Law?**

Explain that rivers gain their rights under the law when a judge grants them legal personhood. In Western legal thought, the living beings that are part of our natural environment do not automatically have rights. To have rights under our legal system, a living being must be declared a "legal person," or a "legal subject." Granting rivers legal personhood means recognizing that all rivers are living entities with rights that must be upheld in a court of law.

Another way to say this is that we are making rivers subjects rather than objects under the law. Unlike an object, a legal subject is able to hold rights. Historically, only a human being could be a legal subject. But the Rights of Nature movement is changing this. Once a river is recognized as a legal person and a subject of legal rights, the court is then able to begin thinking about what specific rights that river now holds.

## Legal Guardians

If a river's rights have been violated, that river has the right to access justice through the legal system of the country or countries through which it flows. How does a river show a judge that it has suffered harm? To do this, rivers are appointed legal guardians to represent them in court.

River guardians are Indigenous People and river users from communities that traditionally depend upon the river. Legal guardians can also include both Indigenous and non-indigenous scientists, lawyers, lawmakers, and other people with specialized knowledge. A river guardians' job is to act in the river's best interests, speaking on behalf of the river to make sure that its rights are fully recognized.

Ask participants who in their community might best be suited to serve as river guardians, allowing time for discussion. Following the discussion, play the following video about how citizens are working with their governments to stop the destruction of rivers by recognizing and enforcing rivers' rights, stopping to translate as necessary:

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### Video

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<https://www.bbc.com/reel/video/p080h12j/this-river-can-sue-you-in-a-court-of-law>

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Allow for questions and discussion after the video. Then, show the map in the following link on an overhead projector, pointing out the various communities around the world that have secured rights for their rivers: \*

<https://www.google.com/maps/d/u/0/viewer?mid=18EJx5Sy-eEbtLNYKeX-4sRactwd6zAxC&ll=30.859335448434603%2C9.733152273485388&z=2>

\*For a longer workshop with participants who have strong reading skills and internet access, the facilitator may divide participants into groups of 2-3, and assign each group a river rights protection case to research and present to the class: Colombia (Atrato River), New Zealand (Whanganui River), India (Ganga and Yamuna rivers), Bangladesh (all rivers), the US (Snake River), and Australia (Yarra River). Give participants up to an hour to research their cases, and five minutes to present, asking them to highlight the strategies used, the benefits and drawbacks of each strategy, and the potential to use these strategies in their own countries.

**Note:** Depending on the time and the group's energy level, the facilitator may choose to break for lunch at this point, or to take another 30 minutes to introduce the mock trial activity, assigning participants roles for the trial so that they can think about them over lunch.



## Activity: Rights of Rivers Mock Trial<sup>6</sup>

**Time needed:** 2.5 hours

Invite the participants to imagine that they have succeeded in gaining legal personhood for their river. Today will be the first time in the history of their country that a river has the opportunity to access the justice system through a court of law. Explain that this is a civil case, and that the entire river system will be the plaintiff, from the source of the river, its tributaries and flood plain, to its mouth at the river delta. The goals of a civil case are to:

- Provide remedy to the victim, in this case, the river. Examples of this could include ecosystem restoration, restoring the river's flow, removing dams, and/or fining polluters;
- Condemn unfair or unjust conduct that has caused harm to the river's health;
- Punish the person, corporation, or other legal entity that has injured the river; and
- Deter other people and/or legal entities from acting this way in the future, such as by setting water quality and river ecosystem health standards
- The defendant will be the government of your country, which is accused of failing to protect the river's health. Each of the participants will have a role to play in this mock trial.

### Role Preparation

Assign participants the following roles by preparing stickers or name cards:

1. 1 plaintiff lawyer (lawyer representing the river)
2. 1 defense lawyer (lawyer representing the government)
3. 5 plaintiff witnesses (these may be referred to as River Guardians): 3 river users from local communities and 2 scientists from a national university
4. 5 defense witnesses (3 government officers and 2 representatives of hydropower companies)
5. 1 clerk
6. 1 river
7. 1 judge

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6. Adapted from <https://ojen.ca/wp-content/uploads/OJEN-civil-law-mock-trial-ROLES.pdf>

### ***Role preparation for plaintiff and defense lawyers***

Explain that as the plaintiff's lawyer, you represent the victim who is suing, in this case the river. As the defendant's lawyer you represent the person who is being sued, in this case the government. During the trial, lawyers for both sides:

- Make opening and closing statements;
- conduct direct examination of your own witnesses; and
- conduct cross-examinations of the other side's witnesses

The plaintiff's lawyer will make an opening statement and call witnesses first. The defendant's lawyer follows with an opening statement and witnesses. The plaintiff's lawyer presents closing arguments first. The defendant's lawyer presents their arguments secondly.

### ***Role preparation for the plaintiff and defense witnesses***

Ask the witnesses for both sides to think about their goals regarding the outcome of the trial, and to make lists of key facts and information supporting their desired outcome.

### ***Role preparation for the clerk***

The clerk calls the session to order, and asks the lawyers to introduce themselves to the judge. For this mock trial, he/she will also keep time, making sure that no-one speaks over time or out of turn.

### ***Role preparation for the judge***

Explain that the judge's role is to:

- Be a referee and explain the law
- Since this is not a jury trial, the judge will decide whether the accused (the government) is liable and, if so, how the plaintiff (the river) will be compensated for damages

### ***Role preparation for the river***

The facilitator may select a participant with a background in art, theatre, or music to fill this role. Explain that the performer may choose to represent the river any way they imagine, keeping in mind that although the river cannot speak, other creative means may be used to express its opinions and emotions as the trial progresses. These could include use of blue cloth or paper streamers to represent the river. The performer may wave these at different tempos to express the river's reactions to the testimonies presented, or may change the colors of the props to express varying emotions. The performer may also use sounds such as percussion to represent the river's reactions to the court proceedings.

— — — — — **Lunch Break** — — — — —



## Mock Trial Preparation

**Time needed:** 1 hour

Once participants have returned from lunch, explain the components of a trial as follows, writing key words on the board as you go along.

### Opening Statements

The opening statement gives a brief overview of your case. The purpose of an opening statement is to tell the judge what he or she will hear in the course of the trial. It is best to stick to the facts. Try to speak in short, clear sentences. Be brief and to the point.

### Direct Examination

Direct examination is when one side puts a witness on the stand to give evidence to support its case. The purpose of a direct examination is to have the witness tell the court, in a clear and logical way, what the witness observed. To prepare for direct examination, write down all the things that your side is trying to prove. Make a list of all the facts in the witness' testimony that help your case. Create questions to ask the witness that will help the witness tell a story. Remember to keep your questions short and to use simple language.

### Cross Examination

Cross-examination is when the lawyer for the other side gets to ask your witness questions.

### Closing Statement

Each side gives a closing statement at the conclusion of the trial, after all evidence has been given. Each lawyer will give a summary of the evidence the judge heard on the key issues, and offer their opinion on the reasons the judge has to find in their favor. The information in the closing statement should be similar to the opening statement.

### Judge's Feedback and Decision

After the conclusion of the trial, there is an opportunity for the Judge to give their feedback to participants, including tips on what worked and what didn't, and advice for the future. The Judge may also give a decision on which way they may have ruled if this were a real case.

### Courtroom Etiquette

The courtroom is a formal setting, and there are some specific etiquette rules to follow that may not be familiar to you. Here are some pointers:

- When facing the judge, counsel for the plaintiff usually sits at the table to the left and counsel for the defendant sits at the table to the right.
- When the judge enters, everyone in the courtroom must stand up. Sit down when the clerk instructs everyone to do so.
- Every person should introduce themselves before starting to address the court.
- If it is not your turn to address the judge, pay attention to what is happening. Take notes that you can use during your submissions or closing statements.
- Stand every time you are addressing or being addressed by the judge.



- Address the judge formally as “Your Honor.”
- Do not interrupt the judge, and do not interrupt while an opposing counsel is addressing the judge. Wait until you are specifically asked by the judge to respond.

### Mock Court Timeline

Post the following timeline on the board for all to see. The clerk will serve as the timekeeper, as it will be important to keep the time. He/she may hold up cue cards showing minutes remaining, or set a timed alarm to inform players that their time is up.

Clerk calls to order and counsel introduces themselves	2 mins
Plaintiff's opening statement	3 mins
Defendant's opening statement	3 mins
<b>Plaintiff's case:</b>	
Plaintiff's direct examination of plaintiff witnesses # 1	3 mins
Defendant's cross-examination	3 mins
Plaintiff's direct examination of plaintiff witnesses # 2	3 mins
Defendant's cross-examination	3 mins
<b>Defendant's case</b>	
Defendant's direct examination of defendant witnesses # 1	3 mins
Plaintiff's cross-examination	3 mins
Defendant's direct examination of defendant witnesses # 2	3 mins
Plaintiff's cross-examination	3 mins
<b>Closing Arguments</b>	
Plaintiff's closing arguments	3 mins
Defendant's closing arguments	3 mins
Judge gives feedback and discusses civil trial process	5-10 mins

Invite participants thirty minutes to work alone or in small groups to prepare for the mock trial according to the roles they have been assigned.



### Mock Trial

**Time needed:** 1 hour

Invite the participants to act out the mock trial, with facilitators intervening as little as possible. Encourage the participants to act as naturally as possible, allowing them to have fun, argue, and make mistakes during the course of the trial.

----- **15-Minute Tea Break** -----



**Time needed:** 30 minutes

## Mock Trial Debrief

As emotions may have run high during the mock trial, ask everyone to remove their name tags and throw them in the center of the group. Invite everyone to close their eyes and do a deep breathing exercise, leaving their assumed roles and returning to themselves. Debrief by asking the following questions:

- What were the plaintiffs trying to achieve?
- To what extent were the plaintiffs successful?
- What were the main arguments from the defense?
- How did each group advocate for their interests?
- What strategies did they use?
- What strategies were successful? Unsuccessful?
- What would you do differently if given another chance?
- How did you feel about the judge's decision?
- What potential do you see for using this kind of legal strategy in your own country?
- What challenges would you anticipate facing?



Himba women | Photo by Bertchen Kohrs



**Time needed:** 30 minutes

## Future Plans

Continuing from the post-mock trial discussion, invite participants to think about who would potentially support a campaign to secure legal rights for their river, and who would most likely pose a challenge to the campaign.

Draw two columns on the board with the following headings:

Potential supporters	Potential challenges
<ul style="list-style-type: none"><li>•</li><li>•</li></ul>	<ul style="list-style-type: none"><li>•</li><li>•</li></ul>

Invite the group to brainstorm potential supporters who would benefit by securing legal rights for their river. As the participants give their answers, write them under the potential supporters column. Next, invite the group to identify potential challenges to a campaign, noting their ideas in the next column.

Next, invite the participants to brainstorm strategies to promote discussion and action on the rights of rivers among potential supporters. Ask them to be as specific as possible, making sure their strategies are appropriate to the local context. Note their ideas on the board. Then ask participants how they would address potential challenges to their campaign. This could include strategies to persuade those who are opposed to change their minds. For those whose interests would be directly affected by a campaign to secure rights for the river, ask what potential threats they could pose to campaigners, and what ways those threats could be mitigated.



# Evaluation and Closing Ceremony



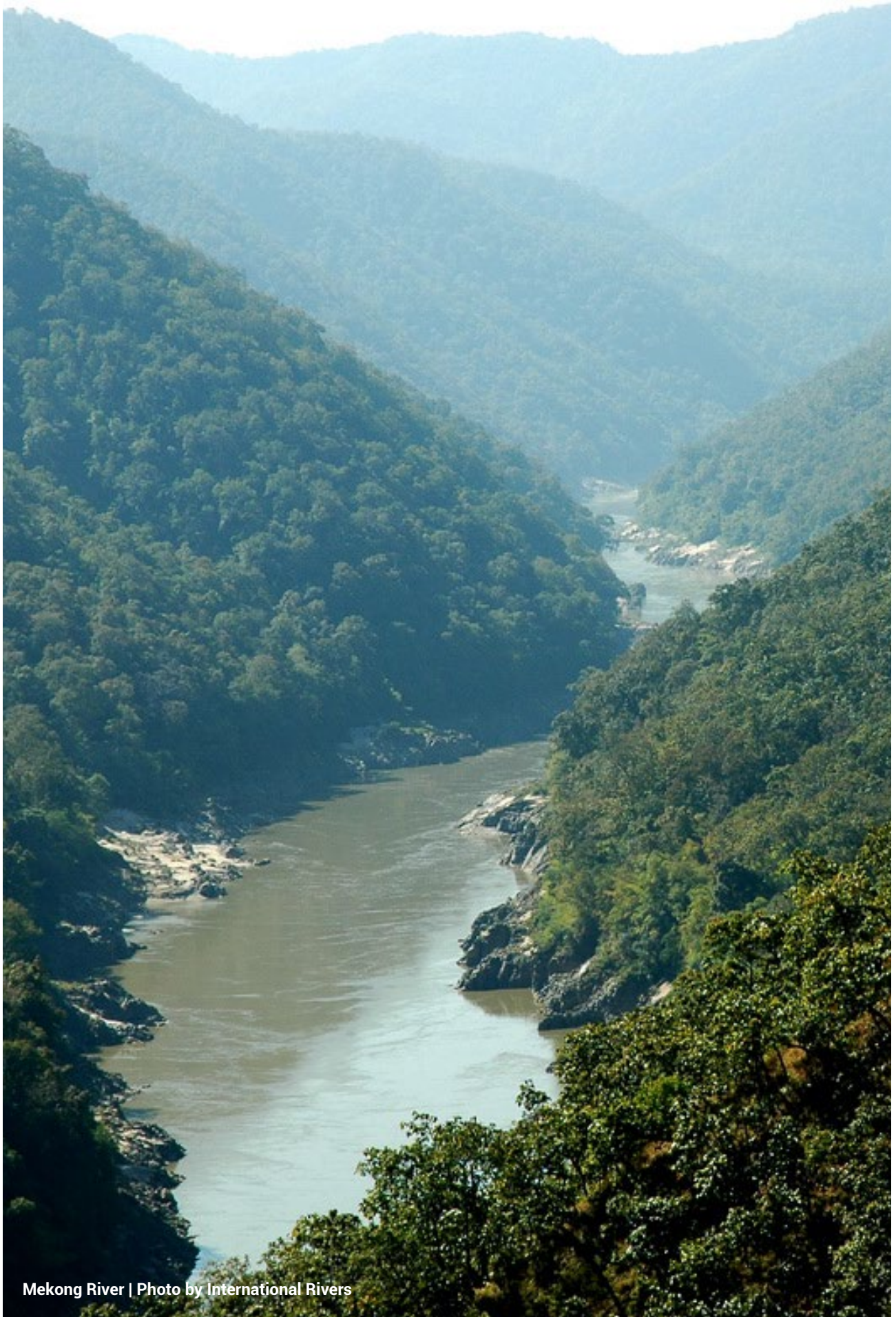
**Time needed:** 15 minutes

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Invite everyone to sit in a circle, and take a few moments to reflect on the workshop. Ask each participant to mention one thing that they liked about the workshop, and led to an important lesson learned, and one thing that they would recommend improving for the next workshop.

Next, invite participants to reflect on how we can ensure that our future work together promotes a healthy river ecosystem. Ask participants to focus on what immediate steps they can take within their organization or community. Go around the circle and share commitments one by one.

Thank participants for their participation and good intentions throughout the workshop and provide contact information for follow-up work. Invite one or more participants to share an inspirational song if possible, and don't forget to take a group photo!



Mekong River | Photo by International Rivers

# Resources

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**The Rights of Rivers Report:** <https://www.internationalrivers.org/resources/reports-and-publications/rights-of-river-report/>

**Rights of Rivers: Stories of Sovereignty and Guardianship in the Fight to Give Rivers Legal Rights:** <https://www.youtube.com/watch?v=EsluKgJRiUo>

**Rights of Nature Law and Policy:** <http://www.harmonywithnatureun.org/rightsOfNature/>

**New Zealand's Whanganui River is a Legal Person. How will it Use its Voice?** <https://www.nationalgeographic.com/culture/graphics/maori-river-in-new-zealand-is-a-legal-person>



**International Rivers – Headquarters**

1330 Broadway, Third Floor  
Oakland, CA 94612, United States  
Tel: +1 510 848 1155  
[www.internationalrivers.org](http://www.internationalrivers.org)

**International Rivers – Africa Program**

377 Rivonia Boulevard  
Rivonia Johannesburg  
2128, South Africa  
Tel: +27 12 430 2029



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