

El Río Tiene Derechos – The River Has Rights



Informe especial - Special report
by Isabel Martínez, aged 17, Chocó



Photo by Steve Cagan

If someone told you that a river could have rights like a person, would you believe them?

In 2016 in Chocó, Colombia, that’s exactly what happened. The Río Atrato—one of the most important rivers in our region—was legally recognised as having the right to be protected, to be clean, and to thrive.

This didn’t just happen overnight. For years, communities living along the river—many of them Afro-Colombian and Indigenous—watched their home turn into a dangerous place. The problem? Minería ilegal de oro—illegal gold mining.

For hundreds of years the way of life of the ethnic communities along the river has contributed to its preservation and biodiversity. All this changed in the 1980s, in the gold rush, which saw paramilitary groups and miners arriving with mechanical diggers and bulldozers.

The miners use mercurio (mercury) to extract gold quickly, but it poisons the river, the fish, and the people who drink and bathe in the water. People were getting sick and families have had to leave their homes. And it’s not just the environment that suffers—armed groups are often involved, bringing violence and fear.

In Chocó, all kinds of illegal armed groups are making money from the gold trade. Miners pay bribes to bring in big machines, and others pay for

‘protection’ to avoid trouble. Some of the gold is even used to launder money from drug trafficking, because Chocó also grows a lot of coca (the plant used to make cocaine).

This creates a dangerous situation. Armed groups are the ones setting the rules. They’ve forced people to follow curfews, and anyone who speaks out risks being threatened—or worse.

At the same time, mining brings jobs to a region where poverty is high and roads are few. For many families, it’s the only way to earn a living. That’s what makes it so complicated.

So, what did our communities do? They stood up. Using a constitutional law, a “Tutela”, in an attempt to force the government to comply with its obligations to protect their fundamental rights and the rights of the river. With the help of Consejos Comunitarios (Community Councils) and lawyers from Centro de Estudios para la Justicia Social Tierra Digna (Centre for Social Justice Studies Tierra Digna), they took the case all the way to Colombia’s highest court. And they won. In 2016, the court ruled that the Río Atrato has legal rights—just like a person. The judges said the river should be protected, and the government must act to clean it up and stop illegal mining.

It was a powerful moment. I was only eight years old when the court made that decision. I remember adults talking about it like it was a big win. And it was. But now I’m 17— and here we are in 2025, and illegal mining hasn’t stopped. We’re still waiting for real change.

The government say they care, but on the ground, we don’t see much happening. Communities are still struggling. There are promises—but not enough action. Community councils have tried to take action—but when they speak up, they risk their lives.

One leader said it clearly:
“You’re putting yourself in serious danger... This kind of situation creates fear and terror. Not everyone has the courage to stand up to it.”

Even so, many leaders still take that risk—because they’re trying to protect their land, their culture, and their future.

When the court ruled in favour of the Río Atrato, it also ordered the creation of a special team to protect it. They’re called the Guardianes del Atrato (Guardians of the Atrato).

A team of 14 Guardians, 7 men and 7 women, was chosen by the community to speak for the 750 kilometre long river and the smaller rivers connected to it. That’s a lot of land, water, and people to represent.

The problem? They were given no money to do the job – they are voluntary, unpaid roles. These communities are already struggling with poverty, pollution, and violence—so trying to protect the river without the resources needed is incredibly difficult.

Still, the Guardians haven’t given up. They keep showing up, speaking out, and defending the river, even at great risk to themselves.

“When the miners came to our community, they started taking everything. They took our resources and left us with nothing. Before, we used to do small-scale, traditional mining—just enough to support ourselves. But now it’s different. I’ll be honest: the armed groups either control the miners or demand money to ‘protect’ them.”

Why should you young people care about this? Because it’s about more than just a river. It’s about justice, climate, health, and the future.

If you’re reading this and you’ve never heard of the Río Atrato before, now you have. And now you know that young people like me—teens from Chocó, from across Colombia, and from all over the world—can raise our voices too.

Ask questions. Speak out. Act.

museo del oro

¡Descubre el tesoro nacional de Colombia!

📍 Carrera 6 No. 15-88, Bogotá

🕒 Lunes - Sábado: 09:00–18:00 | Domingo: 10:00–14:00

💰 Entrada: \$4,000 COP (¡gratis los domingos!)

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📍 Desde Catedral San Francisco de Asís

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1 gramo =

- COP \$240,000
- USD \$60
- GBP £48

Fuente: Banco de la República