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Collective human rights as an (onto)logical solution to climate change: reconceptualizing, applying and proceduralizing an overlooked category of human rights

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Citation

Holtz, J. I. (2025, October 16). *Collective human rights as an (onto)logical solution to climate change: reconceptualizing, applying and proceduralizing an overlooked category of human rights*. Meijers-reeks. Retrieved from <https://hdl.handle.net/1887/4270733>

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Note: To cite this publication please use the final published version (if applicable).

Collective Human Rights as an (Onto)Logical Solution to Climate Change

Collective Human Rights as an
(Onto)Logical Solution to Climate Change

Reconceptualizing, Applying, and Proceduralizing
an Overlooked Category of Human Rights

PROEFSCHRIFT

ter verkrijging van
de graad van doctor aan de Universiteit Leiden,
op gezag van rector magnificus prof.dr.ir. H. Bijl,
volgens besluit van het college voor promoties
te verdedigen op donderdag 16 oktober 2025
klokke 14:30 uur

door

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geboren te Leeuwarden

in 1994

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Opmaak binnenwerk: Anne-Marie Krens – Tekstbeeld – Oegstgeest
Omslagontwerp: Primo!Studio – Delft
Drukwerk: Ipskamp Printing – Amsterdam

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*To my grandmother, H.J. (Hetty) Holtz-van Vliet, who taught me so much.
And to my father, who is just everything to me.*

Acknowledgements

My PhD proposal was inspired by the lack of invocation and understanding of collective human rights and its potential in the climate context as well as a fascination with the idea of the collective and collective being. Solidarity, in my mind, would be vital for the climate challenge ahead. It was also solidarity and a collective of amazing people at my side that guided, supported and informed my PhD journey. Thank you to Margaretha Wewerinke-Singh and Fran Lambrick for reviewing my proposal and challenging my thinking early on. Moreover, Justine Taylor was the best cheerleader anyone could wish for and stimulated me to apply for the position, making me believe I could do it.

My gratitude also goes to my supervisors Daniëlla Dam-de Jong and Carsten Stahn, for providing me with feedback and ploughing through my sometimes (read: often) lengthy chapters and for sharing your knowledge with me. Thank you for setting personal and professional goals – I came out stronger. I would like to express my deep appreciation to the reading committee members – Louis Kotzé, Larissa van den Herik, Helen Duffy, Misha Plagis and Marie Petersmann – for reading and engaging with my research.

I was lucky enough to join the Centre for Climate Change Law and Governance of the University of Copenhagen for three months. Thank you to Bea for the warm welcome and to Amnon for the legal philosophy crash course. I immensely appreciate everyone at the Centre for making me feel like part of the team in such a short period of time. I want to thank Fede, who, thanks to our mutual love of food, became a fast friend. To my Copenhagen flatmates Jeanette, Kat and Hannah – I still cannot believe how lucky I was to get to live with people who are not only lovely but also appreciate a good oven-baked broccoli.

Finishing my PhD would have been much more arduous were it not for the support of my colleagues who embraced my manic self and sticker obsession. To Ida and Anna, who were there from the beginning, keeping me sane with online catch-up sessions during the first pandemic-tainted year (and beyond). To Sophie, for being the wise oracle, always taking time to answer my questions. Misha was the best advocate anyone could ask for. To my office mates for the laughs, the wines and venting-sessions – Paula, Johanna and my little geese, the K1 and K2 to my K3, Lianne and Joni and to others joining such sessions – Annick, Eva, Fé, Joëlle. I was glad that Hilde joined Grotius my second year, whose unwavering support through online pomodoro

sessions, sage advice and the necessary fun distractions were much appreciated. Thank you for being you (and for agreeing to be my paranymp!).

I would not be here if it were not for my 'holy trinity' – Kimberley, Fardau and Marije. To have such incredible lifelong friends and to have your support throughout this journey just meant everything to me. Kim, my honorary third paranymp, thank you for your boundless optimism even when you were struggling yourself, for always putting trust in me, for the dances, the (camper-van) adventures. Marije, thank you for always being a comfort, for the Italian adventures, Gilmore Girls nights, the chats and the laughs. Far, as my flatmate for most of this journey and my paranymp, you experienced all the ups and downs and were always there to listen, provide advice and hold me up. Thank you for letting me cook while you did the cleaning up, for being my pandemic hairdresser, OG writing partner and archeological guru (and much more).

While a certain human exceptionalism is expected for acknowledgments, I would be remiss considering my research to not also express gratitude to other vital parts of my collective experience – my adorable foster puppies that helped structure my days and the beautiful places that helped me find some inner peace during the many stress-reducing walks. Art and music were vital to my creative process, providing guidance through the rollercoaster of emotions of the PhD journey.

A special thanks goes to my father whose love and support mean everything to me – words cannot express how much you helped me to not only being able to finish this PhD but to become the person I am. And to Joke, whose listening ear and words of encouragement made all the difference. To my sister-in-law, Corian, and to my beautiful sister, Karlieke, who always welcomed me into their home and endured listening to me whine. Karlieke, while I tend to describe you as me but then the exact opposite with a similar nose, your calm, kind, supporting stability was, and is, essential to offset my dramatic side. Thank you both for creating my amazing, 'sterk en stoere' niece, Jente, who only came into my life in the second year of my PhD but whose life and future provides me with a daily reminder of the importance of my work, motivating me to keep going.

Jolein Holtz

December 2024

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List of Abbreviations

ACHPR	African Charter on Human and Peoples' Rights
ACHR	American Convention on Human Rights
ACmHPR	African Commission on Human and Peoples' Rights
ACtHPR	African Court on Human and Peoples' Rights
ADRIP	American Declaration on the Rights of Indigenous Peoples
AO	Advisory Opinion
ARSIWA	Articles on the Responsibility of States for International Wrongful Acts
CAT	Committee Against Torture
CBA	Cost-Benefit Analysis
CBD	Convention on Biological Diversity
CBDR	Common but Differentiated Responsibilities and Respective Capabilities
CCPR	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination Against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
COB	Concluding Observations
COP	Conference of the Parties
CRC	Committee on the Rights of the Child
CRPD	Committee on the Rights of Persons with Disabilities
DCRD	Draft Convention on the Right to Development
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EMRIP	Expert Mechanism on the Rights of Indigenous Peoples
EU	European Union
FPIC	Free, Prior and Informed Consent
GHG	Greenhouse Gasses
HRC	Human Rights Council
HRTBs	Human Rights Treaty Bodies
IACmHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Convention on the Rights of the Child
ICJ	International Court of Justice
IEL	International Environmental Law
ILA	International Law Association

ILO169	International Labour Organization's Indigenous and Tribal Peoples Convention
IMF	International Monetary Fund
IPCC	Intergovernmental Panel on Climate Change
IPVI	Indigenous Peoples in Voluntary Isolation
KP	Kyoto Protocol
LCIP-P	Local Communities and Indigenous Peoples Platform
LVC	La Vía Campesina
NDCs	Nationally Determined Contributions
NGO	Non-Governmental Organisation
NIEO	New International Economic Order
OHCHR	Office of the High Commissioner on Human Rights
PA	Paris Agreement
PIL	Public Interest Litigation
PSNR	Permanent Sovereignty over Natural Resources
RHE	Right to a Clean, Healthy and Sustainable Environment
Rio Declaration	The Rio Declaration on Environment and Development
RoN	Rights of Nature
RtD	Right to Development
SIDS	Small Island Developing States
SPM	Summary for Policymakers
TWAIL	Third World Approaches to International Law
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDRD	United Nations Declaration on the Right to Development
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNDROP	United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas
UNESC	United Nations Economic and Social Council
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UNSR	United Nations Special Rapporteur
UPR	Universal Periodic Review
US	United States of America
VCLT	Vienna Convention on the Law of Treaties