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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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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

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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.*

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Jolein Holtz

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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