


A Global Approach between Islandness and Human Rights: the Future of European Islands

Katerina Tsampi

University of Groningen, Faculty of Law, Department of Transboundary Legal Studies

✉ a.tsampi@rug.nl

Received 28 March 2025, Accepted 30 June 2025, Available online 30 August 2025

 10.21463/jmic.2025.14.2.02

Abstract

The Future of European islands is influenced by various policies, including those established by international organizations like the EU. While the EU legal framework includes provisions and policies for islands, it remains uncertain whether it holistically addresses the complexities of islandness. This paper builds on the premise that islands should not be seen solely as underdeveloped areas in need of economic support, through a development perspective, but as unique spaces with distinct identities and ways of life. By adopting an islandness-based approach, the paper highlights its connection to a human rights-based perspective, positioning islanders as active rights-holders. Rather than opposing existing EU policies, such as cohesion policy, this global approach between islandness and human rights complements them by emphasizing island empowerment and justice. Integrating human rights into island governance ensures a future that is not only sustainable but also equitable.

Keywords

islandness

human rights

EU

islandness-based approach

human rights-based approach

island justice

1. Introduction

The Future of European Islands is a growing concern for various stakeholders across Europe. In March 2021, the European Directorate for International Policies published a study specialised on the Islands of the EU, outlining the main challenges ahead (Haase and Maier, 2021). A year later, the European Parliament adopted the resolution “EU Islands and Cohesion Policy: Current Situation and Future Challenges”, which called, among other

things, for an Islands Pact and a European action plan for islands (European Parliament, 2022a). However, not all parties view these concerns through the specialised lens of islands. In response to the Parliament's call, the European Commission argued that a separate Islands Pact is unnecessary, as islands are already included in the intergovernmental Territorial Agenda of the EU (European Commission, 2022). Similarly, no recent specialised discussions on European islands have taken place in the Council of Europe's forums, with the last resolution on the matter being adopted by its Parliamentary Assembly 20 years ago (CoE Parliamentary Assembly, 2005).

Moreover, the future of European islands now seems to be framed within a broader policy context, with Articles 174, 175, and 349 of the Treaty on the Functioning of the European Union (TFEU) serving as the primary legal basis for action (European Union, 2012a). While this is important, most—if not all—of the challenges facing islands raise significant human rights concerns. Issues such as depopulation, climate change, welfare, social justice, spatial inequalities, migration, and marginalization fall within the realm of human rights law. Yet, human rights law does not appear to be part of the toolkit currently being used to address these challenges. Although this is not surprising, it is worth considering whether human rights could play a greater role in shaping the future of European islands in alliance with the policy efforts already developed on the matter.

The aforementioned observations beg two separate questions. First, they make one wonder if the challenges connected to the Future of European Islands can be best addressed through a specialised lens on islands and what would the benefit of an islandness-based approach be. Second, they raise the issue of the junction between EU policies and human rights. While separate, these two questions intersect. There is no Future for European Islands unless their challenges are efficiently identified and islandness can provide a relevant context for this identification. Once these challenges are identified, one can easily tell that they raise important human rights issues, under a normative framework, which begs the question of whether a human-rights based approach would be necessary on the matter. Whether, of course, human rights are well-equipped to contribute to the Future of European Islands is a separate question to tackle.

This paper will untangle these questions to explore the potential added value of framing the challenges facing islands through the specialized focus of islandness—drawing on insights from Island Studies—to then examine the role human rights could play in this discourse. To do so, this paper will explore the potential of the islandness-based approach in European policy (2.) to then assess to what extent a human rights-based approach would render service in the effort to support the future of European islands (3.).

Before proceeding with the actual analysis on these two points, however, there is a fundamental exercise that needs to be undertaken, namely the delineation of the concepts “islandness-based approach” and “human rights-based approach”. This introductory exercise pertains to providing working definitions of both concepts. The analysis in the main body of the present paper will provide further insights on both concepts. After all, both concepts encompass definitional challenges.

The term “human rights- based approach” is not a novel-one. On the contrary, it is widely used in literature and policy. Admittedly, though, this does not imply that there is a unanimous and common definition of “human rights-based approach”. Given the focus of this study on European islands and policy, our analysis will depart on the understanding of “human rights-based approach” as encompassed in EU policy, such as the one on international partnerships (European Commission, 2021). Whether one regards it as methodology or conceptual framework, the “human rights-based approach” relies on a number of working principles, namely: a) Applying all human rights for all; b) Meaningful and inclusive participation and access to decision-making; c) Non-

discrimination and equality; d) Accountability and rule of law for all; and e) Transparency and access to information supported by disaggregated data (European Commission, 2021: 8). No matter how many different versions of these principles one may encounter, what needs to be particularly underlined is that any human rights-based policy cannot be regarded without being in line with the legal rights set out in domestic and international laws. International human rights law, in particular, and the universal standards it encompasses lie at the heart of the “human rights-based approach”.

While the notion of “human rights-based approach” is widely employed, the idea of an “islandness-based approach” is not as such encountered (Tsampi, 2023). Certainly, the idea of a place-based approach in island matters is not novel and it has been employed in different contexts (indicatively, Jenkins et al, 2018; Malatesta, 2018; McKinnon et al, 2016). The aim of this paper is not to exhaustively immerge into the delineation of this concept, as such a conceptualisation would qualify as a separate self-standing study. It nonetheless needs to be clarified what the basic traits of the notion “islandness-based approach” entail. An “islandness-based approach” generates a conceptual framework that revolves around the idea of “islandness” itself. Unlike in the case of the “human rights based approach”, which entails compliance to the legal human rights framework, an “islandness-based approach” does not encompass normativity in that sense (Depraetere, 1990). It nonetheless entails that a policy complies with the understanding of islandness. This is not just about introducing policies on and for islands but ensuring that policies get islandness right. Naturally, this begs the question: what is “islandness”? “Inlandness” is yet another notion hard to define. Given, however, the conceptual work already conducted in the interdisciplinary field of Island Studies, one shall not re-invent the wheel. An islandness-based approach understands islandness as a holistic and neutral concept. First, islandness is a holistic concept which manifests itself as amagalm of sea-boundedness, comparative remoteness, smallness and island identity (Foley et al., 2023). “Islandness goes beyond the geographical category of an ‘island’ and addresses the idea of a topos that is made and remade by people” (Broodbank, 2000: 33). Islandness is not one-dimensional to only encompass the idea of an island “a piece of land surrounded by water”. The scholarly debates on what the condition of an island entails “interface the physical with the social, making choices about culture, politics, human and physical geographies, and philosophies to symbolize, represent, label, and define islands in many different ways” (Kelman, 2023). Second, islandness is a neutral concept which goes beyond the understanding of islands, islanders and island life exclusively as limited or challenging. Islandness, in this sense, dissociates itself from insularity. Insularity comes with a rather negative connotation, to denote islands as places of isolation and limitation and to encompass narrow-minded and conservative understandings of islanders themselves (Baldacchino, 2004; Nimführ and Otto, 2020). Contrary, to insularity, islandness implies a positive connotation in the perception of islands, islanders and island life.

2. The Future of European Islands: an uncertain islandness-based approach

Islands are considered in European policymaking. There is a lot to discuss on the European islands and the EU policy in particular. One can identify legal provisions referring to European islands, policies in which islands are singled-out and propositions for a dedicated to islands EU strategy. The following lines will delve into this rich landscape to inquire whether islandness is in the heart of such a policy (2.1.) and to what extend islandness being in the heart of European policy would indeed better serve the Future of the European Islands (2.2.).

2.1. Unpacking the islandness-based approach in European policy

While this study is not meant to be one focused on the EU legal framework and island territories (Kochenov, 2021), one cannot disregard that the law that governs the functioning of the European Union, even though deprived of a specialised provision focused exclusively on islands, contains a number of provisions where islands are considered. In particular, Article 174 TFEU (ex-Article 158 EC), which regulates the economic, social and territorial cohesion of the EU, explicitly refers to islands. It reads:

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions.

Among the regions concerned, particular attention shall be paid to rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, cross-border and mountain regions.

The islands that are at the same time Outermost Regions are recognized distinctly, by Article 349 TFEU, because of “their remoteness, insularity, small size, difficult topography and climate, economic dependence on a few products, the permanence and combination of which severely restrain their development”. Article 349 TFEU allows the adoption of specific measures regarding a number of indicatively listed areas such as customs and trade policies, fiscal policy, free zones, agriculture and fisheries policies, conditions for supply of raw materials and essential consumer goods, State aids and conditions of access to structural funds and to horizontal Union programmes.

Admittedly, it is Article 174 TFEU which is considered the provision that recognizes the specific characteristics of islands, without, certainly, being explicit about them nor providing a legal definition of the term “island”. The introduction in the EU treaties of a provision explicitly referring to islands would be expected to raised optimism as per the consideration of the special needs of islands:

The references to islands introduced by the Amsterdam Treaty, in particular by Article 158, now provide a sound legal basis for the Community to take particular account of islands in the adoption of EU policy (Murray, 2014).

Since the entry into force of this treaty in 1999, one would have expected this optimism to be materialised in the interest of island territories. However, when in 2022 the Resolution of the European Parliament on EU islands and cohesion policy was adopted, it was made clear therein, already from the outset, that a “concrete application of this Article [Article 174 TFEU] with specific regard to the EU’s insular territories is still lacking” (European Parliament, 2022a: E).

Such an affirmation, clear and determinative as it may be, does not undermine the fact that island territories are specifically envisaged in specific policies. For Eurostat, for example, which qualifies as the statistical office of the EU, Island regions are NUTS (EU Nomenclature of Territorial Units for Statistics) level 3 regions that are

entirely composed of one or more islands. In this context, islands are defined as territories having: a minimum surface of 1km; a minimum distance between the island and the mainland of 1km; a resident population of more than 50 inhabitants; no fixed link (for example, a bridge, a tunnel, or a dyke) between the island(s) and the mainland (Eurostat). This singling-out of island regions coupled with the fact that Eurostat is employing a specific definition of islands could be considered as a promising sign that policies can indeed revolve around islands and provide relevant information for their situation (Formosa, 2009). For Ilan Kelman, the Eurostat's typology differentiating between "island regions" and "island units" is a sign that the "definitional machinations [on conceptualisations of islandness] are not merely intellectual exercises. They can be steeped in practical governance and geographies of governance, especially regarding legislated or otherwise formally designated categories" (Kelman, 2023). Even so, as noted by Haase and Maier in their study on the Islands of the European Union, it is only possible to consult data on islands on Eurostat if they are part of island regions and not as "island units" (Haase and Maier, 2021: 7). Even more importantly, there is shortage of statistical data on the exact population of the islands in European Union (Haase and Maier, 2021: 7).

Haase and Maier's study allows us to draw cohesive conclusions on the state of islands in EU policy through two, at least, fundamental contributions. First, it offers a birds eye view on the EU policy background on islands. Second, it explains why there no cohesive island strategy in EU. Indeed, apart from the aforementioned treaty provisions and Eurostat policies, there seem to be a number of EU initiatives focused on islands, which are however, thematic-oriented on topics like energy, innovation and tourism (Haase and Maier, 2021: 17-27) with some of them regarding islands as laboratories (Mauger et al, 2024). For the rest, in Cohesion Policy provisions, islands are usually grouped together with mountain regions and sparsely populated areas, rather than have tailor-made provisions. Most often, they belong to the "less developed" regions category. Furthermore, there are several macro-regional strategies addressing islands together with coastal territories in specific sea basins, and there is also a European Strategy for Outermost Regions. Due to the diversity of islands, there is no common EU strategy for them all (Haase and Maier, 2021: 8).

Overall and in light of the aforementioned observations, one would conclude that while European Islands are part of the EU's legal and policy framework, the focus is rarely specialised on them, not to mention that the focus is on their development in a manner that regards them as places of challenge rather than anything else. Islands are not of specialised attention because they cannot be easily defined and singled-out. There is even no systematic list of all EU islands (Haase and Maier, 2021: 7). Islands are hard to define for general legal and policy purposes. Furthermore, islands are the places that face handicaps. No matter the lens, be it geographical, demographical, political or legal, islands are a place of handicap. In that sense, it would not be unfair to assert that islandness as a holistic and neutral concept that pertains to the condition of islands, of islanders and of island life and identity is not encompassed against this policy background.

In this regard, the European Parliament resolution of 7 June 2022 on EU islands and cohesion policy necessitates separate attention (European Parliament, 2022a). The resolution addresses the unique challenges faced by EU islands and proposes strategies to enhance their development through cohesion policy. Recognizing insularity as a permanent structural handicap, the resolution emphasizes the need for tailored integration strategies to overcome obstacles specific to islands (European Parliament, 2022a). These challenges include small size, low population density, demographic pressures, dependence on limited economic sectors, and vulnerability to climate change (European Parliament, 2022a).

Key proposals from the European Parliament resolution include recommendations on Biodiversity and Blue Economy: Climate Adaptation; Water Management, Agriculture and Food Self-Sufficiency, Sustainable Tourism, Infrastructure and Connectivity (European Parliament, 2022a). The resolution also calls for the creation of a European strategy for islands under Article 174 TFEU, proposing the establishment of an “Islands Pact” similar to existing urban and rural pacts (European Parliament, 2022a). Additionally, it suggests setting up a European Institute of Disadvantaged Territories to collect and manage statistical data pertinent to island regions (European Parliament, 2022a). Overall, the European Parliament resolution seeks to integrate the specific needs of EU islands into broader EU policies, ensuring that these regions receive adequate support to overcome their unique challenges.

At first sight, one would say that the text adopted by the Parliament perpetuates the idea of islands as handicapped places. The text explicitly notes that islands:

often suffer from a combination of multiple and permanent natural handicaps such as small size, for most part low population density, demographic challenges such as seasonal demographic pressure, small markets, double insularity (island and archipelago), difficult topography very similar to that of mountainous regions, dependence on maritime and air transport and dependence on a small number of products (European Parliament, 2022a: C)

To this the Parliament adds that:

islands’ physical disconnection and their remoteness from the mainland create additional constraints, including for the labour market, sustainable transport links and mobility, the importing of raw materials and consumer products, access for island products to neighbouring external markets, education, healthcare, business, access to water and sanitation, energy supply and waste management facilities; whereas this geographical disconnection makes the green transition of such territories towards a climate-neutral economy significantly more difficult” (European Parliament, 2022a: C)

Such observations, true as they might be, again relate to the idea of insularity rather than the understanding of islandness. It comes with little surprise that the term islandness is not encountered in the text and it is rather the term “insularity” that is employed (Warrington and Milne, 2018: 179). The focus of the European Parliament resolution is on development and islands’ stereotypical traits such as as small size, remoteness and isolation “are not compatible with the attractiveness principles of the dominating development model” (ESPON and University of the Aegean, 2009: 9). Focusing on the characteristics and specific features of the EU islands, the European Parliament resolution clearly enunciates that it “Recognises insularity as a permanent structural handicap” and “this is why strategies for integration need to be developed to enable islands to confront the challenges and overcome the barriers their insularity causes” (European Parliament, 2022a: para 1).

To be fair though to this initiative by the EU Parliament, one should note that its resolution contains certain acknowledgements of how islands are also places of opportunities “whereas islands have many assets whose potential should be better realised;” “whereas islands have exceptionally rich biodiversity and ecosystems”; “whereas the outermost regions and islands have the potential to help ensure a sustainable future for Europe in strategic sectors such as clean energy, biodiversity and ecotourism” (European Parliament, 2022a: O, P and W).

The idea of islands leveraging their potential in addressing the issues relevant to their Future but also contributing to the Future of the EU in itself seems to be there to a certain extent.

The resolution's most determinative contribution, though, pertains to the recommendations on the need for a tailored EU policy for islands, addressing their unique challenges and disparities. Key proposals include a number of points such as improved data collection on islands, inclusion of islands in the EU's territorial classification system and Additional Budget Allocation on islands. The resolution ultimately recommends the adoption of island-specific strategies and an island-specific pact (European Parliament, 2022a: paras 85-92). Is such a policy approach the one that would potentially accommodate the vision for an islandness-based approach to the Future of European islands?

2.2. An islandness-based approach worth exploring?

The EU Parliament's resolution on islands and cohesion policy is certainly generating an island-based proposition. Irrespective of whether its recommendations can or will be implemented, its vision for a island-specific strategies including an island pact and action plan illustrates why an islandness-based approach in EU is worth exploring in contemplating the future of the European Islands.

The idea of adapting policy tools to address the local needs of islands is not groundbreaking in itself. The Targeted Analysis, carried out as part of the ESPON 2013 Programme and partially funded by the European Regional Development Fund, focused on developing an EU policy framework to support European islands. This framework aimed to address challenges arising from their permanent natural or demographic disadvantages, such as insularity, while also leveraging opportunities provided by their rich natural resources, human-made environment, and cultural heritage (ESPON and University of the Aegean, 2011: 15). Such a policy would encompass the idea of an islands impact assessment too. Such a specialised impact assessment scheme would be launched for every EU policy and programme, would focus attention on aspects of policy impacts which otherwise will not be developed in a more general impact assessment (ESPON and University of the Aegean, 2009: 45) and would encompass a bottom-up approach to policy making strengthening local ownership (ESPON and University of the Aegean, 2011).

Specialised domestic laws have been adopted in a number of European jurisdictions to provide for tools addressing the local needs of islands. The Croatian Law on Islands (Law on Islands, 2018) and the Scottish Islands Act (the Islands (Scotland) Act, 2018) are two representative examples. The Islands (Scotland) Act regulates in particular the "Island Communities Impact Assessment (ICIA)" which is required by any authority in relation to a policy, strategy or service that is likely to have an effect on an island community, "which is significantly different from its effect on other communities (including other island communities)" (the Islands (Scotland) Act, 2018: Section 8).

In a way, the 2022 European Parliament resolution revolves around a similar island focused approach, through its recommendations on a specialised policy framework on islands. Apart from recommending that the EU Commission should establish interdisciplinary analyses covering the demographic, geographical, economic, social and environmental characteristics of island territories, the resolution calls for a European strategy for islands "that is in line with local needs and realities on the ground" and an Islands Pact to be drawn and implemented, "with the participation of the principal stakeholders, namely national, regional and local authorities, economic and social operators, civil society, academia and non-governmental organisations"

(European Parliament, 2022a: paras 90-91). Its concluding call emphasises in particular the “dialogue with and between island communities” and the idea of “building bridges between cultures” in promoting the construction of the European Union itself (European Parliament, 2022a: para 92).

Such policies illustrate, even though implicitly, the idea of approaching islands “on their own terms”. Studying islands on their own terms is the fundamental premise of Nissology in Island Studies. Island studies/Nissology has been conceived as a “platform for looking at island issues inductively and ex-centrally: privileging commentary from the inside out (rather than from the outside in)” (Baldacchino, 2008: 25). When Grant McCall proposed the concept of “Nissology” as the study of islands on their own terms, he viewed therein “the open and free inquiry into island-ness; and the promotion of international cooperation and networking amongst islands” (McCall, 1994: 105). As Godfrey Baldacchino later on noted, “the concluding phrase—‘on their own terms’—suggests a process of empowerment, a reclaiming of island histories and cultures” (Baldacchino, 2008:14). The idea of seeing islands on their terms through the lens of islandness implies seeing the islands for what they are, places where people live; places with both vulnerabilities and resiliencies; places that go beyond a piece of land to encompass cultures and identities; places that have their own voice; places bound by a sea that does not only isolate but also connects; places of interdisciplinary inquiry.

What one could optimistically see in the EU Parliament’s resolution potentially transcends the boundaries of yet another cohesion policy advancement. One can potentially find therein the roots of a wider vision which places both the islands and the islanders in the heart of European policy in general.

On 30 June 2022, a parliamentary question was lodged for written answer to the European Commission, to inquire whether the Commission will accede to Parliament’s request and start work on an islands pact in the form of a programming document (European Parliament, 2022b). The response of the European Commission was very clear indicating that a separate Islands Pact is unnecessary, as islands are already included in the intergovernmental Territorial Agenda of the EU (European Commission, 2022). Islands is yet another territory with development challenges. The Commission “recognises that Europe has diverse territories and these territories have unique development challenges and potential, though remoteness and the distinct characteristics of outermost regions mean they face particular development challenges” (European Commission, 2022). Islandness is not even seen as an issue and even when the islands come into the fray eventually, they are only seen as places of need. The road is still long to reach the understanding of what islandness is and what the EU policy can do for the Future of European Islands.

If the analysis so far has been focused on the EU, this is justified by the fact that the EU, as a European international organisation, has considered islands one way or the other. The Council of Europe, the international organisation of the wider Europe, with a 46 States membership, has a an even more limited island story to tell. To the writer’s knowledge, the most recent specialised discussions on European islands that have taken place in the Council of Europe (CoE) dates from 2005. Here again, the focus was on the islands’ development and the narrative thus revolving around insularity. The 1441 Resolution (2005) of the CoE Parliamentary Assembly asserted that “[i]t is now increasingly recognised that islands deserve distinctive treatment” and this was only “due to special socio-economic development constraints, such as limited local resources and markets, often precarious and costly transport links with the mainland, higher living costs and a vulnerable natural environment” (Council of Europe, 2005: para 2). Furthermore, the addressees of the Resolution were the EU and the CoE member States. They were respectively invited to “consider the possibility of shaping an integrated

European Community policy for island regions” and “draft national action plans for their implementation” on tourism, fishing and investment (Council of Europe, 2005: para 8). When in 2013, a number of members of the CoE Parliamentary Assembly lodged a motion for resolution on “Development challenges in Europe’s islands: what follow-up on Resolution 1441 (2005)?”, the motion was not discussed in the Assembly, committing, consequently, only those who signed it (Council of Europe, 2013). The motion was again focusing on the “emerging issues of insular development” on the occasion of many States facing economic crises, acknowledging that “it is now increasingly recognized that islands deserve distinctive policies, regarding the economic life, transportation, health services, employment and education” (Council of Europe, 2013). For the CoE, the organisation which is premised on democracy, rule of law and human rights, the lack of attention to islands is in itself noteworthy. What an islandness-based approach in policy eventually generates is not only the comprehensive and neutral consideration of islands and their condition but places the “islander” as a person in the island narrative too. The current European policies do not do so. This explains, after all, the calls for a people-based approach in EU Cohesion Policy (European Commission , 2024: 24).

3. The Future of European Islands: an absent human rights-based approach

The aforementioned analysis indicated that islands are present in European policy frameworks but even so, this occurs through the lens of development, with no cohesive island strategy and with an unfocused consideration of islandness as a holistic and neutral framework. The legal basis of this policy framework are Articles 174, 175, and 349 TFEU, with their focus being on the strengthening of the economic, social and territorial cohesion of the EU and ultimately the promotion of its “overall harmonious development”. There is no doubt that such an aim has its significance. In its pursuit, however, the persons behind the islands are not in the centre of the narrative. The following lines will inquire to what extent human rights law can be considered as a legal framework worth relying on for the Future of European Islands. What is a human rights-based approach for European Islands (3.1.) and what would its added value eventually be (3.2.)?

3.1. Unpacking a human rights-based approach for European islands

The studies already conducted on islands at the European level, even if they are mostly developed through the lens of development are demonstrative of a large number of challenges the European islands face. What one can easily observe is that most—if not all—of the challenges facing islands raise significant human rights concerns. Issues such as depopulation, climate change, welfare, social justice, spatial inequalities, migration, and marginalization fall within the realm of human rights law. Yet, human rights law does not appear to be part of the toolkit currently being used to address these challenges.

This comes as little surprise given that island issues are rarely problematised as human rights concerns (Tsampi, 2023). Human rights violations happen on islands, just like anywhere else, as human rights, premised on the principle of universality, apply everywhere. But addressing human rights on islands is something different. It is about understanding how islandness serves or hinders the enjoyment of human rights on island settings. It comes with little surprise that we know little of what these human rights are.

Godfrey Baldacchino's assertion in a recent interview conducted at the University of Groningen is very telling (Marco in 't Veldt, 2023):

Ask the island residents themselves, give them a voice! Then you'll find out that islanders often deal with very different problems than those addressed by academic science. Climate change? Sea level rise? I live on Malta, and these are not the first problems residents think about. They worry about their own things and needs, like a kindergarten or a specialized hospital.

Islanders “worry about their own things” and some of these worries might as well be indicators of rights not be respected, protected or fulfilled. Access to kindergarten or access to a hospital raise issues pertaining to the right to education and health. Climate change and sea-rise level are also, of course, connected to human rights, such as the right to healthy environment. The list is ongoing. If the right to education and the right to health or the right to healthy environment are rights that one can easily connect to islands settings, there are a number of other rights, mainly civil and political ones that one would not automatically connect to islands. When in small islands the victims of domestic violence cannot find a shelter unknown to their perpetrator (Karides, 2017: 34) or when trials on islands might suffer for excessive length because of connectivity issues, no links are usually drawn between islandness and the right to life or the right to a fair trial, respectively.

Human rights are no stranger to the EU. Their respect is grounded in the EU treaties. According to Article 2 of the Treaty on European Union: “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. (...)” (European Union, 2012b). The respect for human rights is fundamental to the EU's internal and external actions. EU action in this area is based on the EU treaties and on the EU Charter of Fundamental Rights (Charter), which has the same legal value as the treaties. The Charter enshrines the fundamental rights people enjoy in the EU and applies to EU institutions, bodies, offices and agencies in all their actions but also to EU Member States when they are implementing EU law. It operates alongside national and international human rights frameworks, including the European Convention on Human Rights (ECHR). The Charter reaffirms rights derived from the constitutional traditions and international commitments shared by EU Member States. Apart from the ECHR, these include, social charters adopted by the EU and the Council of Europe, and the case law of the Court of Justice of the European Union and the European Court of Human Rights. The EU itself is party to a number of human rights treaties, the most prominent examples being the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the CoE Convention on preventing and combating violence against women and domestic violence, also known as “the Istanbul Convention”.

A human rights-based approach for the Future of European islands would imply the consideration of this legal framework in the decisions taken at the EU level. Such a human rights-based approach relies on number of principles, both substantive and procedural. Human rights are based on the principles of universality and inalienability, indivisibility and interdependence and interrelatedness but also on transparency and accountability, rule of law, equality and non-discrimination, and participation and inclusion, including access to information (Patterson, 2024). The following lines will explain why these principles matter in the Future of European Islands.

3.2. A human rights-based approach worth exploring?

At this stage, it would be legitimate for one to ask what would the added value of this human rights based approach be. There are different arguments one could take to answer this question, which is legitimately posed every time a human rights based approach is proposed. Our argumentation here draws inspiration from Paul Gready's paper on "Rights-based approaches to development: what is the value-added?" (Gready, 2008), tailoring the argument, certainly, to islandness. Gready discerns four types of such added value in the case of development: a) the direct, indirect, and strategic uses of the law; b) the re-centring of the state(s), so as to explore its/their role in development; c) State accountability which implies building capacities of rights holders and duty bearers and encouraging ownership of human rights among NGOs; and d) re-politicising development with a view to addressing the root, structural causes of poverty and conflict, rather than the symptoms (Gready, 2008).

In the case of European islands, a human rights based approach would imply a legal shift in island plans, policies and processes, be them cohesion policy and development oriented or any other, anchoring them in a system of rights (for every person on an island) and corresponding obligations (for the States and the EU) established by international and European law. In this sense, island issues are framed as entitlements that add claims and processes in the island agenda. In these claims and processes the islanders are the right-holders and the states the duty-bearers. Their claims cover the entire spectrum of human rights, be them civil and political or social, economic and cultural. They also pertain to the tripartite obligation of duty-bearers to respect, protect and fulfil human rights, making the State (and the EU) accountable against this background. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of human rights.

Such a legal shift does not antagonise existing strategies and initiatives already planned or proposed for the Future of European Islands (Broberg and Sano, 2018). The contrary, it suggests a proposition that complements existing potential providing yet another tool in addressing the challenges islands face but also enhancing the opportunities of the island condition. Human rights is a self-standing legal framework and through its human rights based approach mechanisms it aspires to enrich other fields of policy and action. The strategic use of law that it allows for signifies not only a strategic shift in addressing island issues but also a quest into fighting the structural roots of the problems islanders face. Such a quest pertains to the ideal of island justice in itself (Karides and Rodríguez-Coss, 2022).

As such, a human rights based approach to the Future of European Islands constitutes a major conceptual shift in island matters. As evidenced by the working definition identified in the introduction of this paper, the human rights based approach constitutes an operational device. As such, though, it is not confined in an operational framework but rather encompasses larger narratives on how island matters should be dealt with. The focus is not anymore on islands as legal or geographical territories but on the islanders themselves. Island is not anymore just a scenery, a laboratory or a piece of land. Island is a place that we need to understand and encompass with a view to both address and value. This shift to the person on islands is generated by the very premises of islandness. Finally, a human rights based-approach for islands is yet one more quest in the placement of islandness in the heart of island issues.

Promising as this might seem, one should be cautious not to advocate a human rights based approach as panacea. Apart from the general limitations, inherent in the human rights project, the understanding of islandness in itself is not an accomplished task for the human rights framework. The tensions between the local and the global and the critiques they come with cannot be disregarded in a proposition that pertains to islands. However, in this human rights based proposition, law is not static nor immune to contestation. The aim of the human rights-based approach is to strengthen the capabilities of both duty-bearers and rights-holders towards the realisation of human rights. The human rights project relies on the idea of participation of the local populations in the issues that pertain to them. Islanders have their voice which is focal in the human rights narrative. Such dynamics support the potential of “re-imagining the rights from below” (Gready, 2008). Holistically encompassed, the right to the island—now employed in specific contexts (Armas-Díaz et al., 2020; Sabaté-Bel and Armas-Díaz, 2022)—or the right to islandness are not abstract aspirations but tangible claims.

4. Conclusion

The Future of European Islands relies on a number of policies, including those adopted at the level of international organisations such as the EU. The EU legal framework contains provisions that regard islands and a number of European stakeholders have adopted specific policies that refer to islands or even proposed general policies specialised to islands. Yet, it is ambiguous whether such a framework regards islands in a holistic and neutral fashion capable to encompass all the dynamics inherent in islandness. Islands are more than pieces of land surrounded by sea and not just places of backwardness that necessitate extra attention to become competitive from a development point of view. This paper argued that an islandness-based approach in the Future of European islands and the corresponding EU policies will see islands for what they truly are and in their own terms. What islandness essentially captivates is the idea that islands are also places where island life and identity develops, bringing islanders in the centre of the narrative too. Putting people in the centre of the narrative is inherent in the human rights project and this is where the present paper sees the interconnection between the islandness- and the human rights-based approaches. In this global approach where islandness meets human rights, islanders are not just island inhabitants but actual human rights-holders. The proposed human rights-based approach to the Future of European Islands does not antagonise the EU policies adopted or planned on the areas of development, including the EU cohesion policy. It nonetheless holds that human rights can assist in the empowerment of island communities and the achievement of island justice, conditions that are significant in guaranteeing not just any Future for the European Islands, but more importantly, an equitable one.

References

- Armas-Díaz, A., Sabaté-Bel, F., Murray, I., Blázquez-Salom, M., 2020. Beyond the right to the island: Exploring protests against the neoliberalization of nature in Tenerife (Canary Islands, Spain). *Erdkunde*. Available at <https://doi.org/10.3112/erdkunde.2020.04.02>. Last accessed on 15 February 2025.
- Baldacchino, G., 2004. The coming age of island studies. *Tijdschr. Econ. Soc. Geogr.* 95(3), 272–283. Available at <https://doi.org/10.1111/j.1467-9663.2004.00307.x>. Last accessed on 15 February 2025.

Baldacchino, G., 2008. Studying islands: on whose terms? some epistemological and methodological challenges to the pursuit of Island Studies. *Isl. Stud. J.* 3(1), 37–56. Available at <https://doi.org/10.24043/001c.81189>. Last accessed on 15 February 2025.

Broberg, M., Sano, H.-O., 2018. Strengths and weaknesses in a human rights-based approach to international development: An analysis of a rights-based approach to development assistance based on practical experiences. *Int. J. Hum. Rights* 22(5), 664–680.

Broodbank, C., 2000. *An Island Archaeology of the Early Cyclades*. Cambridge University Press, Cambridge.

Council of Europe (CoE), 2005. Parliamentary Assembly Resolution 1441, Development challenges in Europe's islands. 6 June 2005. Accessible at <https://pace.coe.int/pdf/77830d5e7dff48fc690463ba122a12ce9554784bcfca9b9a12a42a3c759dc4a6?title=Res.%201441.pdf>. Last accessed on 15 February 2025.

Council of Europe, 2013. Motion for a resolution, Doc. 13199, 26 April 2013. Development challenges in Europe's islands: what follow-up on Resolution 1441 (2005)? Available at <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=19725&lang=en>. Last accessed on 15 February 2025.

Depraetere, C., 1990. Le phénomène insulaire à l'échelle du globe : tailles, hiérarchies et formes des îles océanes. *Espace géographique*. Available at <https://doi.org/10.3406/spgeo.1990.2962>. Last accessed on 15 February 2025.

ESPON, University of the Aegean, 2009. *The Development of the Islands – European Islands and Cohesion Policy (EUROISLANDS). Inception report*. Available at https://archive.espon.eu/sites/default/files/attachments/inception_report_full_version.pdf. Last accessed on 15 February 2025.

ESPON, University of the Aegean, 2011. *The Development of the Islands – European Islands and Cohesion Policy (EUROISLANDS). Final report*. Available at: https://archive.espon.eu/sites/default/files/attachments/FinalReport_foreword_CU-16-11-2011.pdf. Last accessed on 15 February 2025.

European Commission, 2021. *Applying the human rights-based approach to international partnerships: An updated toolbox for placing rights-holders at the centre of EU's actions (SWD(2021) 179 final)*. Brussels. Available at <https://eur-lex.europa.eu>. Last accessed on 15 February 2025.

European Commission, 2022. Answer given by Ms Ferreira on behalf of the European Commission (9 August 2022). Accessible at https://www.europarl.europa.eu/doceo/document/E-9-2022-002379-ASW_EN.html. Last accessed on 15 February 2025.

European Commission: Directorate-General for Regional and Urban Policy, 2024. *Forging a sustainable future together – Cohesion for a competitive and inclusive Europe – Report of the High-Level Group on the Future of Cohesion Policy*, February 2024. Publications Office of the European Union. Available at <https://data.europa.eu/doi/10.2776/974536>. Last accessed on 15 February 2025.

European Parliament, 2022a. European Parliament resolution of 7 June 2022 on EU islands and cohesion policy: current situation and future challenges (2021/2079(INI)). Accessible at https://www.europarl.europa.eu/doceo/document/TA-9-2022-0225_EN.html. Last accessed on 15 February 2025.

European Parliament, 2022b. Parliamentary question - E-002379/2022, Islands Pact, 30 June 2022. Question for written answer E-002379/2022 to the Commission, Rule 138, Krzysztof Jurgiel (ECR). Available at https://www.europarl.europa.eu/doceo/document/E-9-2022-002379_EN.html. Last accessed on 15 February 2025.

European Union, 2012a. Consolidated version of the Treaty on the Functioning of the European Union. Off. J. Eur. Union C 326, 26 October 2012, pp. 47–390. Available at <https://eur-lex.europa.eu>. Last accessed on 15 February 2025.

European Union, 2012b. Consolidated version of the Treaty on European Union. Official Journal of the European Union, C 326, 26 October 2012, pp. 13–46.

Eurostat, Territorial typologies manual - island regions. Available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Territorial_typologies_manual_-_island_regions. Last accessed on 15 February 2025.

Foley, A., Brinklow, L., Corbett, J., Kelman, I., Klöck, C., Moncada, S., Mycoo, M., Nunn, P., Pugh, J., Robinson, S., Tandrayen-Ragoobur, V., Walshe, R., 2023. Understanding “islandness”. *Ann. Am. Assoc. Geogr.* 113(8), 1800–1817. Available at <https://doi.org/10.1080/24694452.2023.2193249>. Last accessed on 15 February 2025.

Formosa, S., Moncada, S., Galea, R., Camilleri, M., 2009. Islands at the periphery: integrating the challenges of island sustainability into European policy, in: Xuereb, P.G. (Ed.), *Malta in the European Union: Five Years On and Looking to the Future*. University of Malta, European Documentation Centre, Msida, pp. 55–74.

Gready, P., 2008. Rights-based approaches to development: what is the value-added?. *Development in Practice* 18(6), 735–747. Available at <https://doi.org/10.1080/09614520802386454>. Last accessed on 15 February 2025.

Haase, D., Maier, A., 2021. Research for REGI Committee – Islands of the European Union: State of play and future challenges. European Parliament, Policy Department for Structural and Cohesion Policies, Brussels. Accessible at [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/652239/IPOL_STU\(2021\)652239_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/652239/IPOL_STU(2021)652239_EN.pdf). Last accessed on 15 February 2025.

in 't Veldt, M., 2023. Limited resources but infinite possibilities: Interview with Prof. Godfrey Baldacchino on the importance of Island Studies. *Sustainability Science in Progress*, 19 December 2023.

Island (Scotland) Act, 2018. Available at: <https://www.legislation.gov.uk/asp/2018/12>. Last accessed on 15 February 2025.

Jenkins, A., Horwitz, P., Arabena, K., 2018. My island home: place-based integration of conservation and public health in Oceania. *Environ. Conserv.* 45(2), 125–136. Available at <https://doi.org/10.1017/S0376892918000061>. Last accessed on 15 February 2025.

Karides, M., 2017. Why island feminism? *Shima* 11(1), 30–39. Available at <https://doi.org/10.21463/shima.11.1.06>. Last accessed on 15 February 2025.

- Karides, M., Rodríguez-Coss, N., 2022. Island Feminisms in/on Island Studies: place, justice, movement. *Shima* 16(1), 137–142. Available at <https://doi.org/10.21463/shima.153>. Last accessed on 15 February 2025.
- Kelman, I., 2023. The island as a political interstice. *Political Geogr.* 107, Available at <https://doi.org/10.1016/j.polgeo.2023.102977>. Last accessed on 15 February 2025.
- Kochenov, D., 2012. The application of EU law in the EU's overseas regions, countries, and territories after the entry into force of the Treaty of Lisbon. *Mich. St. Int. Law Rev.* 20(3), 669–743.
- Law on Islands, 2018. Available at http://www.globalislands.net/greenislands/docs/croatia_080306-islands-act.pdf. Last accessed on 15 February 2025.
- Malatesta, S., 2018. International actors as policymakers? Discussing the influence of international actors on the environmental policies of small island states. *Small States & Territories* 1(1), 95–110.
- Mauger, R., Diestelmeier, L., Nieuwenhout, C., 2024. Harnessing EU legal concepts for the energy transition on islands. *J. World Energy Law Bus.* 17(3), 167–183. Available at <https://doi.org/10.1093/jwelb/jwae002>. Last accessed on 15 February 2025.
- McCall, G., 1994. Nissology: The study of islands. *J. of the Pac. Soc.* 17(2-3) 1–14.
- McKinnon, K., Carnegie, M., Gibson, K., Rowland, C., 2016. Gender equality and economic empowerment in the Solomon Islands and Fiji: a place-based approach. *Gender Place Cult.* 23(10), 1376–1391. Available at <https://doi.org/10.1080/0966369X.2016.1160036>. Last accessed on 15 February 2025.
- Murray, F., 2014. The EU and Member State island territories. Available at <https://www.islandstudies.com/files/2014/04/THE-EU-AND-MEMBER-STATE-ISLAND-TERRITORIES.pdf>. Last accessed on 15 February 2025.
- Nimführ, S., Otto, L., 2020. Doing research on, with and about the island: reflections on islandscape. *Isl. Stud. J.* 15(1), 185–204. Available at <https://doi.org/10.24043/isj.107>. Last accessed on 15 February 2025.
- Patterson, D., 2024. Human rights-based approaches and the right to health: A systematic literature review. *J. Hum. Rights Pract.* 16(2), 603–623. Available at <https://doi.org/10.1093/jhuman/huad063>. Last accessed on 15 February 2025.
- Sabaté-Bel, F., Armas-Díaz, A., 2022. Commodification or the right to the island: the struggle against the construction of a hotel in La Tejita (Tenerife). *Isl. Stud. J.* 17(2), 214–234. Available at <https://doi.org/10.24043/isj.386>. Last accessed on 15 February 2025.
- Tsampi, A. (2023). Islandness in human rights, human rights in islandness: missing voices. *Isl. Stud. J.*, 18(1), 248–263. Available at <https://doi.org/10.24043/isj.397>. Last accessed on 15 February 2025.
- Warrington, E., Milne, D., 2018. Island governance, in: Baldacchino, G. (Ed.), *Routledge International Handbook of Island Studies*. Routledge, pp. 173–201.