OUR LIVED REALITY

Heat, storms, floods and a collapsing glacier: 2026 so far

UN NEWS · 31 AUG 2026

Nepal flooding deaths surpass 900 as needs climb

CNN · 31 AUG 2026

Mass burials take place as Nepal-China floods death toll tops 1,000

CNN · 26 JUN 2026

Europe's record-shattering heat wave would have been 'virtually impossible' just a few decades ago

EURONEWS · 26 JUN 2026

'Climate change is running rampant': Europe's heatwave 'virtually impossible' 50 years ago

AL JAZEERA · 9 JUL 2026

Flooding from Tropical Storm Maysak kills 39 in southern China

AL JAZEERA · 27 JUL 2026

Death toll from Pakistan monsoon rains, floods tops 100

THECABLE · 31 AUG 2026

Over 1,000 killed, thousands displaced by floods across the world in three months

Nepal–Tibet, 26 August

Glacier collapse and flash flood; over 1,400 dead, Nepal's worst disaster since 2015

Europe, summer

46.5°C in Sicily on 22 July; heat "virtually impossible" without climate change (WWA)

Typhoon Bavi, July

Category 5 equivalent, 285 km/h winds; at least 23 dead in the Philippines

Floods, June–August

Over 1,000 killed across Africa and Asia in three months

"... making tragedies like this one much more likely, frequent and severe." — Simon Stiell, UNFCCC

Headlines as published by the outlets named, June–August 2026; UN News (31 August 2026); World Weather Attribution (June 2026); casualty figures as reported and subject to revision.

PUBLIC LECTURE · GLOBE CENTRE, UNIVERSITY OF WARWICK

The Road to COP31

Challenges to Multilateral Climate Cooperation in a Changing World

Vicente Paolo B. Yu III

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- Senior Legal Adviser, Third World Network
- Senior Lecturer, University of the Philippines College of Law
- Professor of International Environmental Law and Policy, International Institute in Geneva
- Legal Adviser, Philippine Delegation to the UNFCCC



Opening plenary, COP30, Belém, November 2025

Wednesday 14 October 2026
S0.21, Social Sciences Building

Chair: Professor Celine Tan · Discussants: Dr Anil Yilmaz Vastardis (Essex Law School) and Professor Ben Clift (PAIS, Warwick)

Three propositions for the road to Antalya

I	**The science sets the urgency; it does not settle equity and allocation questions.**	*Evidence · equity · targets*
II	**The climate regime is being reshaped as external conditions change.**	*Law · power · trade · finance*
III	**Antalya is a test of delivery, not of declarations.**	*Belém · Bonn · Antalya*

A multilateralism that cannot deliver the means of implementation will not keep the consent on which it depends.

The multilateral climate regime in one slide

1992

UNFCCC

The framework treaty: 198 Parties (-1 by Feb 2027)

1997

Kyoto Protocol

Binding targets for developed countries

2015

Paris Agreement

Nationally-determined contributions from all Parties

COP = the Conference of the Parties

- Supreme decision body
- Every Party represented
- Meets once a year (SBs 2x/yr)
- Decides by consensus



A UNFCCC plenary session at the UNFCCC seat in Bonn, Germany

COP31 · Antalya, 9–20 November 2026 · Türkiye presides; Australia leads the negotiations

UNFCCC (1992); Kyoto Protocol (1997); Paris Agreement (2015); UNFCCC, COP31 presidency arrangements (2025). Party numbers as of October 2026.

Equality, equity and justice are not synonyms

EQUALITY

Same rule for all

Same target, same base year, same rules, same timetable. Inequitable historical circumstances continued.

EQUITY

Fair shares

By common but differentiated responsibility and respective capability. Developed countries lead (Art. 3.1, 4) – in mitigation and provision of support to developing countries – recognition of historical responsibility.

JUSTICE

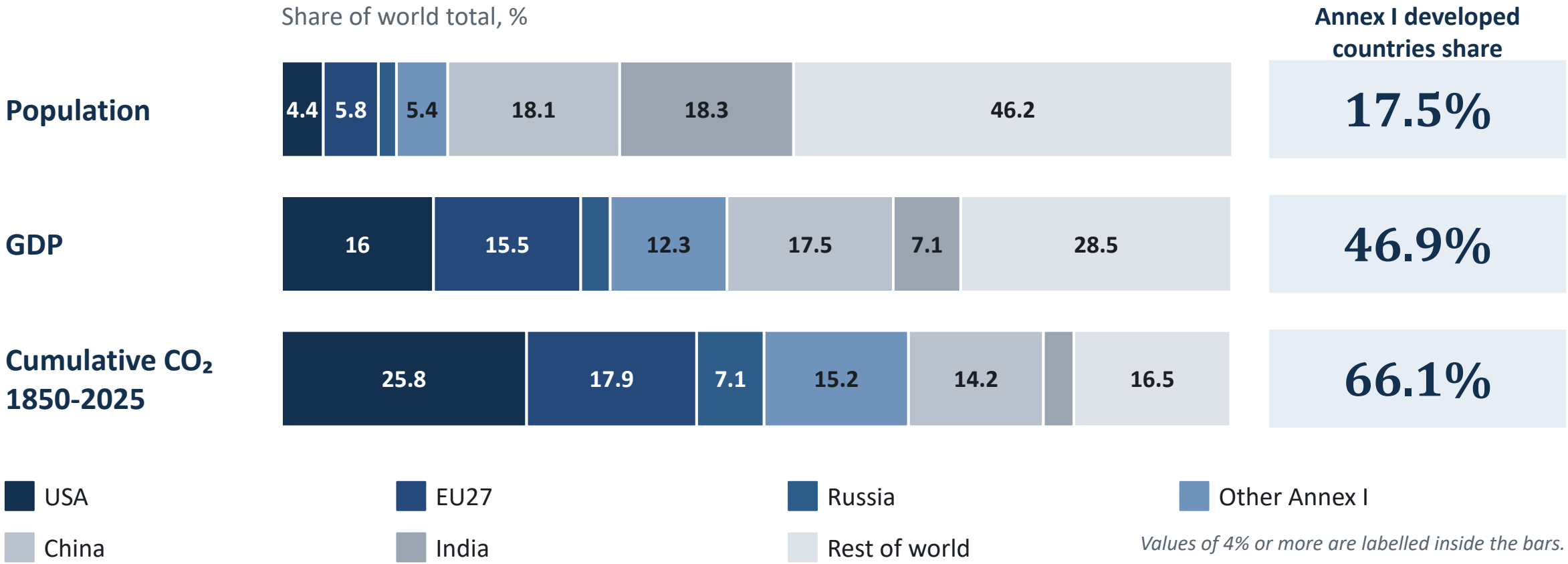
Change the conditions

Finance, technology, trade rules, fiscal space and voice → inclusion, adaptation, LD, just transitions, right to dev't

Equality can be imposed by instruction. Equity and justice need means to be provided.

UNFCCC Arts. 3.1 and 4; Paris Agreement Art. 2.2; UN Declaration on the Right to Development (1986); author's UNITAR lecture (14 September 2026).

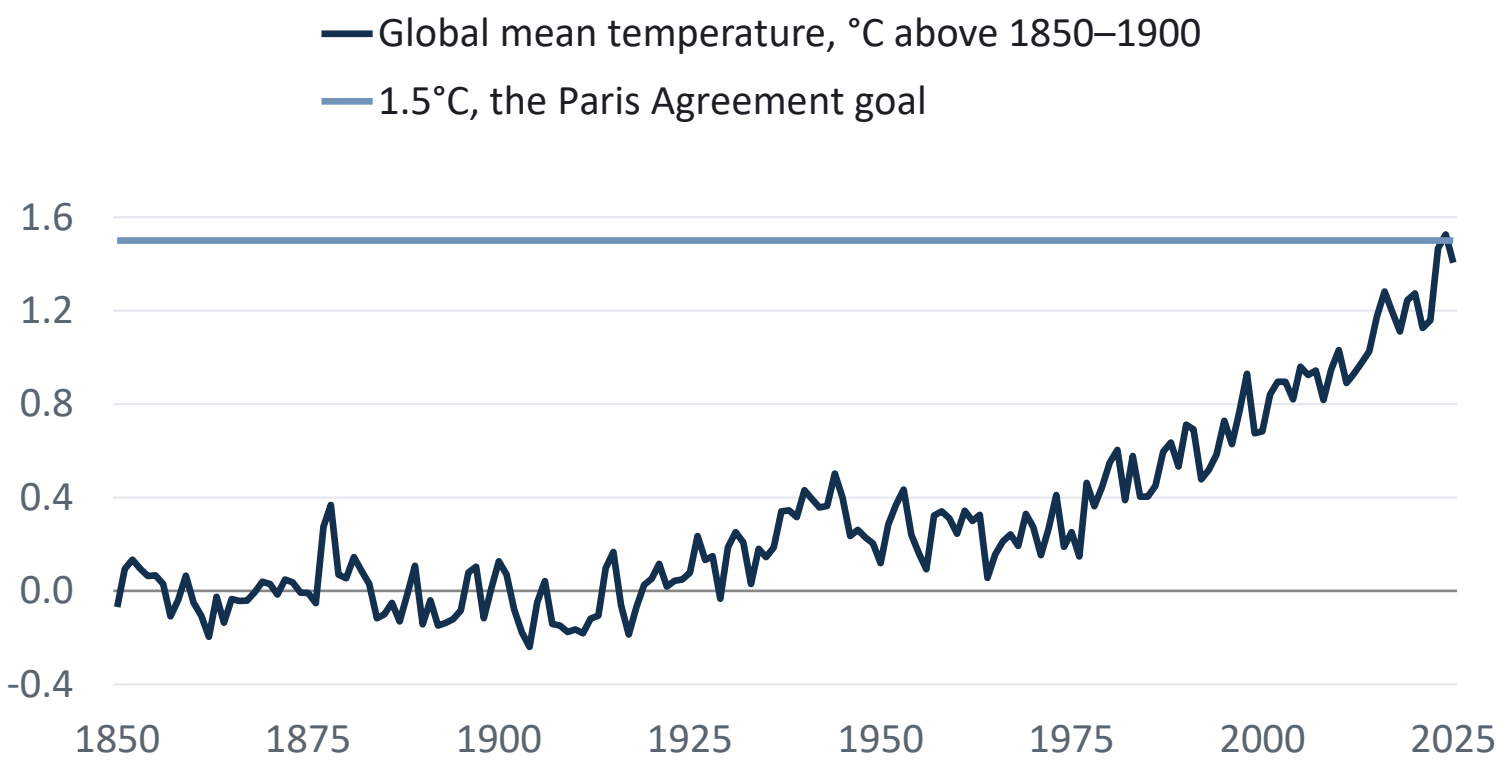
Global collective action in an unequal world



Annex I developed countries: 17.5% of humanity, 46.9% of output, 66.1% of cumulative CO_2.

Adapted from Tejal Kanitkar (Indira Gandhi Institute of Development Research, Mumbai), "The Science–Equity (Dis)Connect", APMDD Science–Equity webinar, 24 August 2026.
Population and GDP 2019; cumulative CO_2 from fossil fuels and industry, as in the original chart data

A hotter world is already here



1.44°C
2025, above pre-industrial (WMO)

91%
chance a year tops 1.5°C by 2030

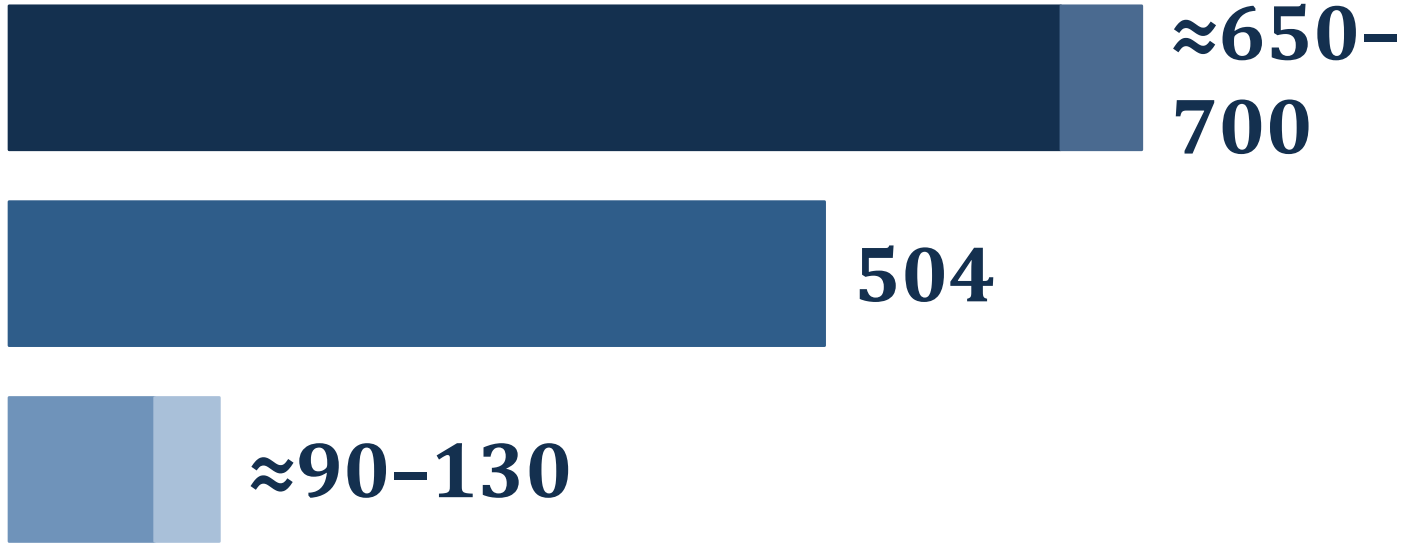
1.8°C - 2.8°C
Peak on UNEP's most optimistic scenario; by 2100 on current policies (UNEP)

The physics sets the urgency. It does not decide who acts, or who pays.

NOAA GlobalTemp (one of the datasets consolidated by WMO), rebased to 1850–1900; WMO, State of the Global Climate 2025; WMO, Global Annual to Decadal Climate Update 2026–2035; UNEP, Emissions Gap Report 2025.

Overshoot is a “we” problem? Who are “we”?

The ledger, in billion tonnes of CO_2



Even if fair shares counted only from 1990-2021 emissions: Annex I should have reached net zero by 2020.

The overshoot is not a residual: it is larger than the budget that was meant to remain.

Author’s analysis after Kanitkar (2026). ≈0.45°C per 1,000 $GtCO_2$ (IPCC AR6 WGI central estimate); 1.8°C peak from UNEP, Limiting Overshoot (2026). Orders of magnitude, not third digits.

From differentiated duties to one global number

1992	1997	2012	2015	2023
UNFCCC Arts. 2, 3.1, 4.2	Kyoto Protocol Art. 3.1	Doha Amendment	Paris Agreement Arts. 3, 4	Decision 1/CMA.5, para. 27
Developed countries take the lead; 1990 levels by 2000	**At least 5% below 1990, between 2008–12**	**At least 18% below 1990, between 2013–20**	**NDCs from all, "on the basis of equity" – domestic mitigation required but no targets**	**43% by 2030, 60% by 2035, from 2019 levels, by 2050**
Annex I	Annex I	Annex I	All Parties	Global, unallocated

A global percentage target answers "how much". It does not answer "who does the emission reduction".

UNFCCC (1992) Arts. 2, 3.1, and 4.2(a)–(b); Kyoto Protocol (1997) Art. 3.1; Doha Amendment (2012; in force 31 December 2020) Art. 3.1 bis; Paris Agreement (2015) Arts. 4.1–4.4; Decision 1/CMA.5 (2023), para. 27.

What the “43 per cent” assumes

2,425 mitigation scenarios (IAMs) submitted for AR6

1,202 assessed by the IPCC WG3 AR6

97 in the 1.5°C category

1 median pathway

43% → **the figure in para. 27**

Food for thought:

“IAM research is conducted by a small and highly homogeneous group of mostly male researchers residing in Western institutions [in Western Europe and US]” - E Gusheva et al

Two thirds

of 2050 carbon removals to take place in developing regions

535 million

people still at risk of hunger in 2050

27 → 22 GJ

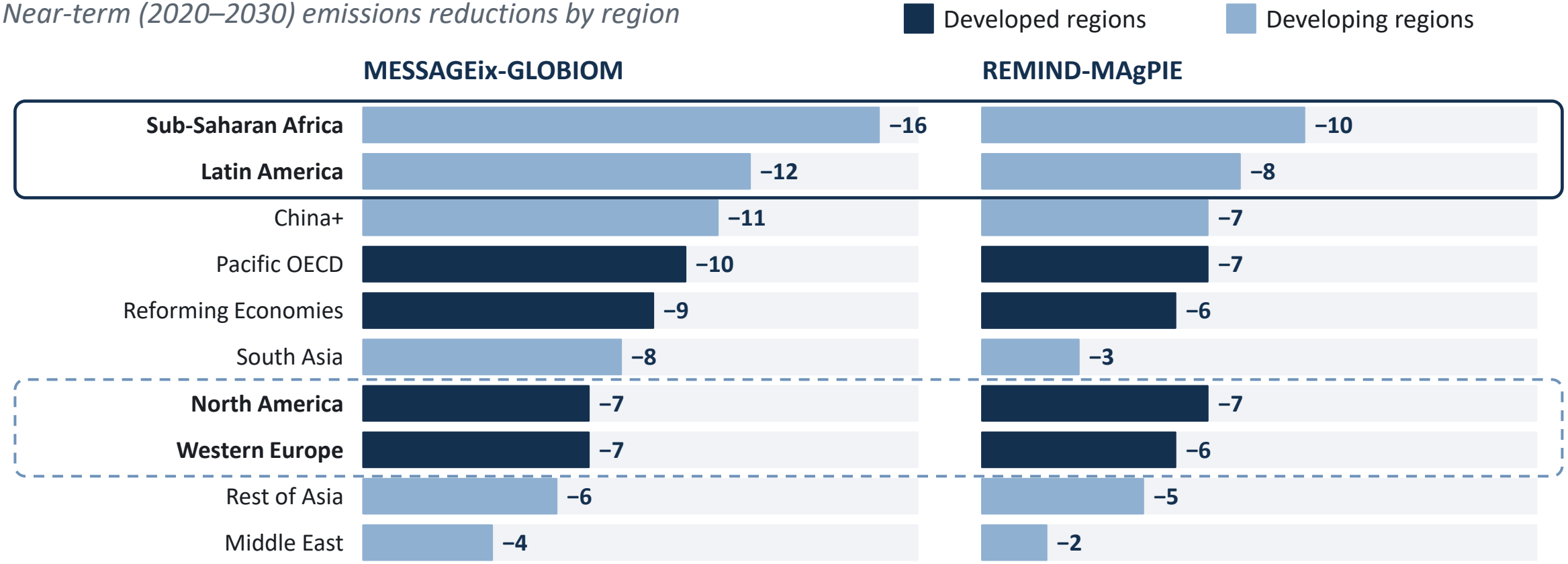
energy per person in sub-Saharan Africa, 2020 → 2050

“Most do not make explicit assumptions about global equity …” — IPCC AR6, Box SPM.1

Decision 1/CMA.5, para. 27; IPCC AR6 Synthesis Report, Box SPM.1. Adapted from Tejal Kanitkar (IGIDR, Mumbai), “The Science–Equity (Dis)Connect”, APMDD webinar, 24 August 2026: REMIND median pathway, IPCC AR6 scenario database. E Gusheva et al, *Past peak prominence: The changing role of integrated assessment modeling in the IPCC* (2024), at https://pmc.ncbi.nlm.nih.gov/articles/PMC11568358/

In the IPCC 43% pathway scenario, who will mitigate the most to compensate for historical inaction?

Near-term (2020–2030) emissions reductions by region

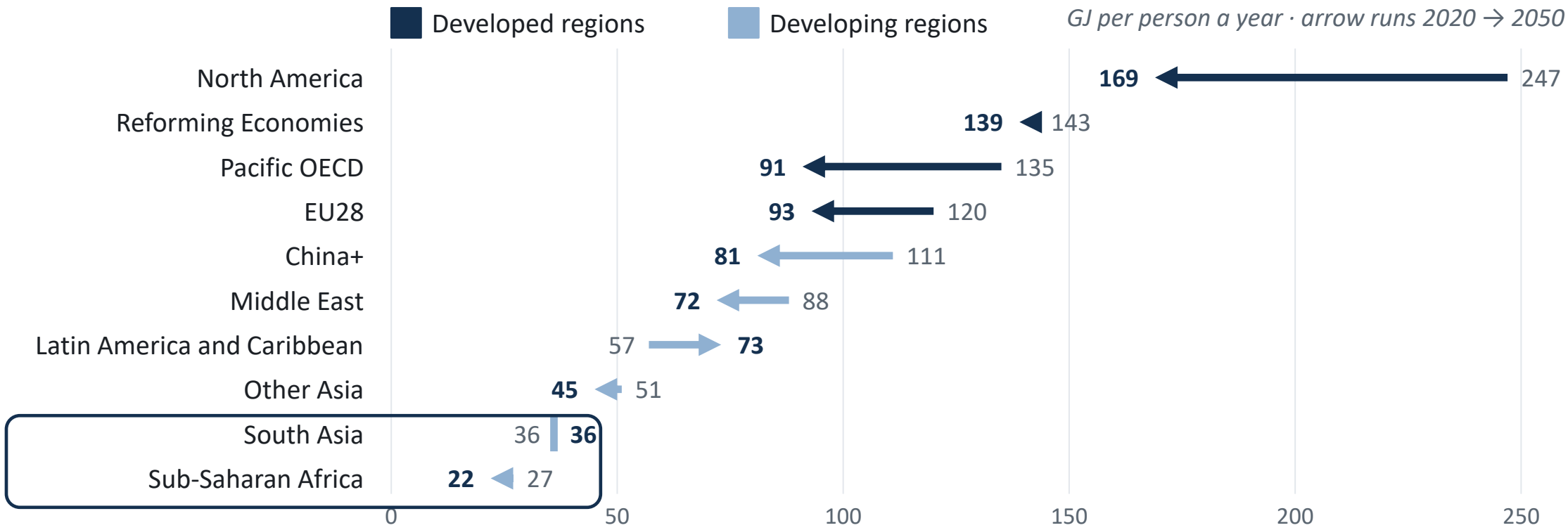


Highest mitigation burden on the poorest … says the "best available science"? Is this equity?

Adapted from Tejal Kanitkar (Indira Gandhi Institute of Development Research, Mumbai), "The Science–Equity (Dis)Connect", APMDD Science–Equity webinar, 24 August 2026. Near-term (2020–2030) emissions reductions by region in two IAMs, MESSAGEix-GLOBIOM and REMIND-MAgPIE; values as shown in the original chart

Energy per person, 2020 to 2050, in the same pathway

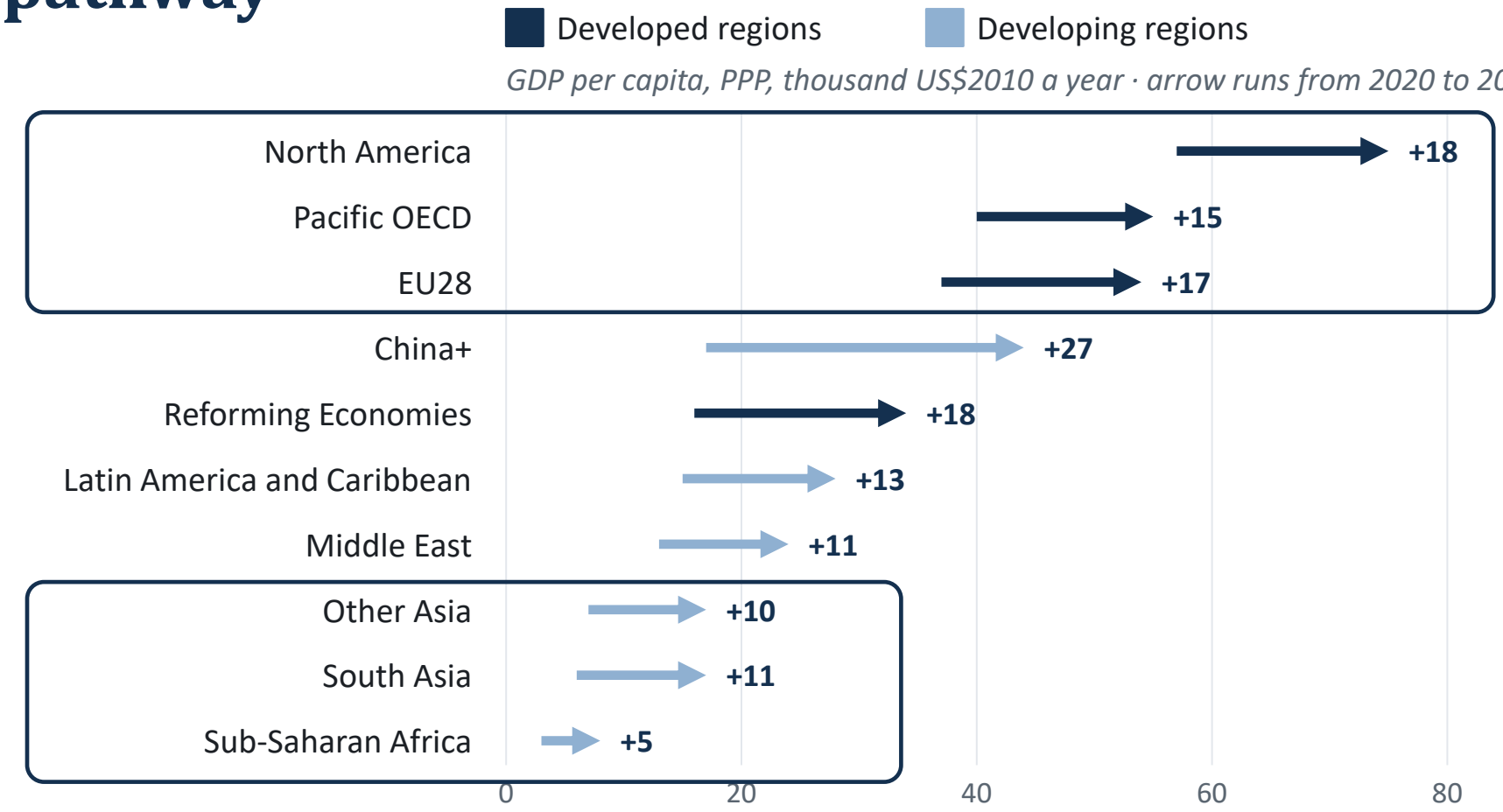
*"… limiting global warming to 1.5 °C … **requires** deep, rapid and sustained **reductions in global greenhouse gas emissions of 43 per cent by 2030 and 60 per cent by 2035 relative to the 2019 level** …" — Decision 1/CMA.5, para. 27*



In 2050, North America still uses over seven times the energy per person of sub-Saharan Africa. Is this equity?

Adapted from Tejal Kanitkar (Indira Gandhi Institute of Development Research, Mumbai), "The Science–Equity (Dis)Connect", APMDD Science–Equity webinar, 24 August 2026.
Median scenario for the 43% reduction (REMIND); IPCC AR6 scenario database

Income per person, 2020 to 2050, in the median 1.5°C / 43% pathway



40 of 44

least developed countries are in the three boxed regions (the other four: one in the Caribbean, three in the Pacific).

In the pathway behind the "43 per cent", the income gap widens.

Adapted from Tejal Kanitkar (Indira Gandhi Institute of Development Research, Mumbai), "The Science–Equity (Dis)Connect", APMDD Science–Equity webinar, 24 August 2026.
Median scenario for the 43% reduction (REMIND model, Potsdam); IPCC AR6 scenario database (data.ene.iiasa.ac.at/ar6); positions redrawn from the original chart

Equity already has a legal home in the regime

UNFCCC Art. 3.1	*"… on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead …"*
UNFCCC Art. 4.7	*"The extent to which developing country Parties will effectively implement their commitments … will depend on the effective implementation by developed country Parties of their commitments … related to financial resources and transfer of technology …"*
Paris Art. 2.2	*"This Agreement will be implemented to reflect equity and the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances."*
Paris Arts. 4.1 and 14.1	Peaking and balance "on the basis of equity"; the global stocktake conducted "in the light of equity and the best available science".
ICJ Advisory Opinion, 2025	CBDR-RC applies, with responsibility assessed against both historical and current emissions.

Article 4.7 is a conditionality clause that runs the other way: implementation depends on support.

UNFCCC (1992) Arts. 3.1 and 4.7; Paris Agreement (2015) Arts. 2.2, 4.1 and 14.1; ICJ, Obligations of States in respect of Climate Change, Advisory Opinion (23 July 2025).

International climate law clarified as the politics fragments

THE LAW: CLARIFIED

1.5°C
the primary goal (ICJ, July 2025)

History counts
judged on past and current emissions

141 – 8
UN General Assembly vote, May 2026

THE POLITICS: FRAGMENTING

US exit; Annex I burden-shifting attempts

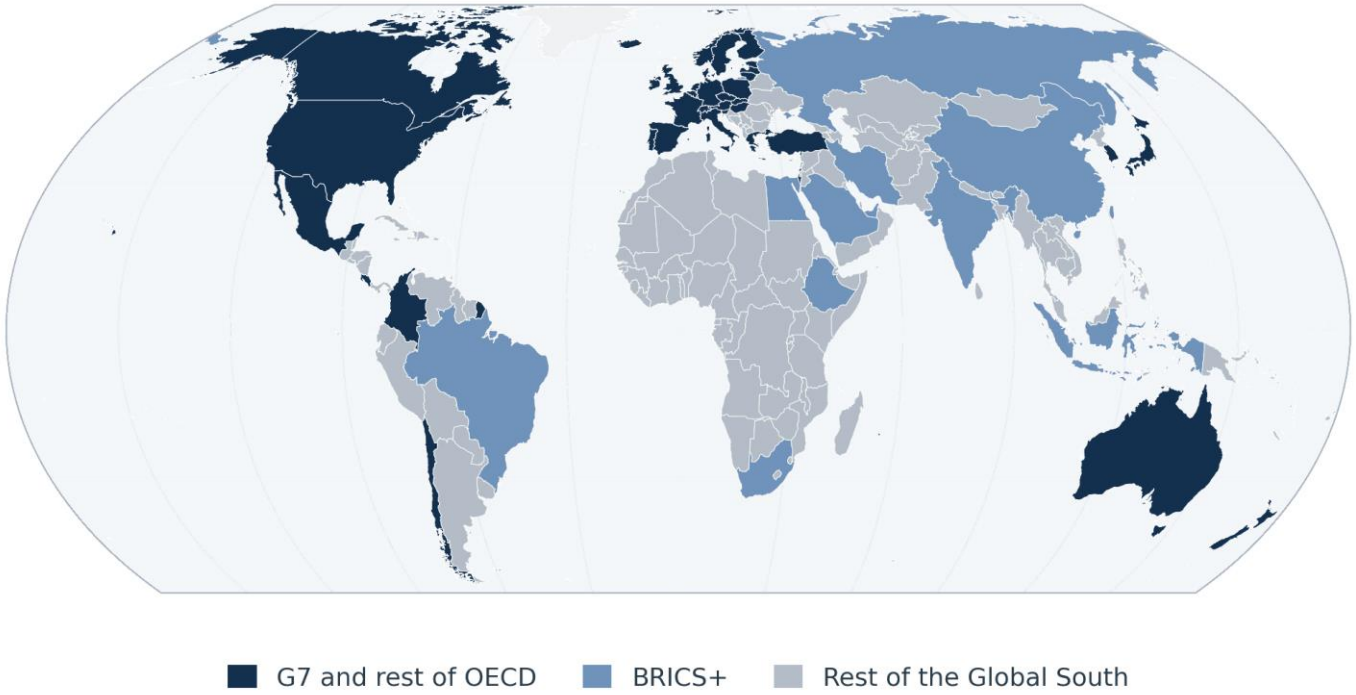
–23%
official development aid in 2025 (OECD), also affecting climate finance flows

Unilateral measures as climate policy responses
EU since Jan 2026; UK from Jan 2027

Can a consensus-based regime absorb what international law already requires?

ICJ Advisory Opinion (23 July 2025); UNGA vote (20 May 2026); UN depositary notification C.N.102.2026; OECD, preliminary 2025 ODA data (April 2026); EU CBAM Regulation; UK CBAM (from 1 January 2027).

Emerging patterns of multipolarity



Equal Earth equal-area projection

	People	Output (PPP)
G7 and rest of OECD	17%	46%
BRICS+	54.6%	42.2%
Rest of the Global South	28.4%	11.8%

Multipolarity at the top of the system coexists with continued marginalisation at the bottom of it.

Adapted from the author's SIT Geneva lecture, "Global Power Shifts and Emerging Multipolarity" (9 September 2026). Shares as presented in V. P. Yu, Global Power Shifts (2025); GDP at purchasing-power parity; Equal Earth projection.

Competitive managed globalization

Neither free trade nor autarky: four tendencies at once



Unilateral trade-climate measures

CBAM, deforestation rules, tariffs, export controls



Industrial protectionism

Subsidies and local content tied to climate goals



Club rule-making

Climate clubs, critical minerals deals, extraterritorial application of standards



Selective multilateralism

Multilateral legitimacy sought for select plurilateral initiatives; power redistribution resisted

Cooperation among the powerful · competition against rivals · compliance pressure on the South

Author's analysis; V. P. Yu, "Global Justice in Today's World", ISMUN (31 August 2026).

Article 3.5: from a dialogue to a test

> *"Measures taken to combat climate change, including unilateral ones, should not constitute … a disguised restriction on international trade."*
> **— UNFCCC Art. 3.5**

Six tests for any trade-related climate measure

1. Equity and development first
2. Prior good-faith consultation
3. No disguised protectionism
4. Cooperation tried first
5. Finance, technology built in
6. A real climate benefit

The CBAM as test case

$5.9bn
developing-country income loss at $44/t

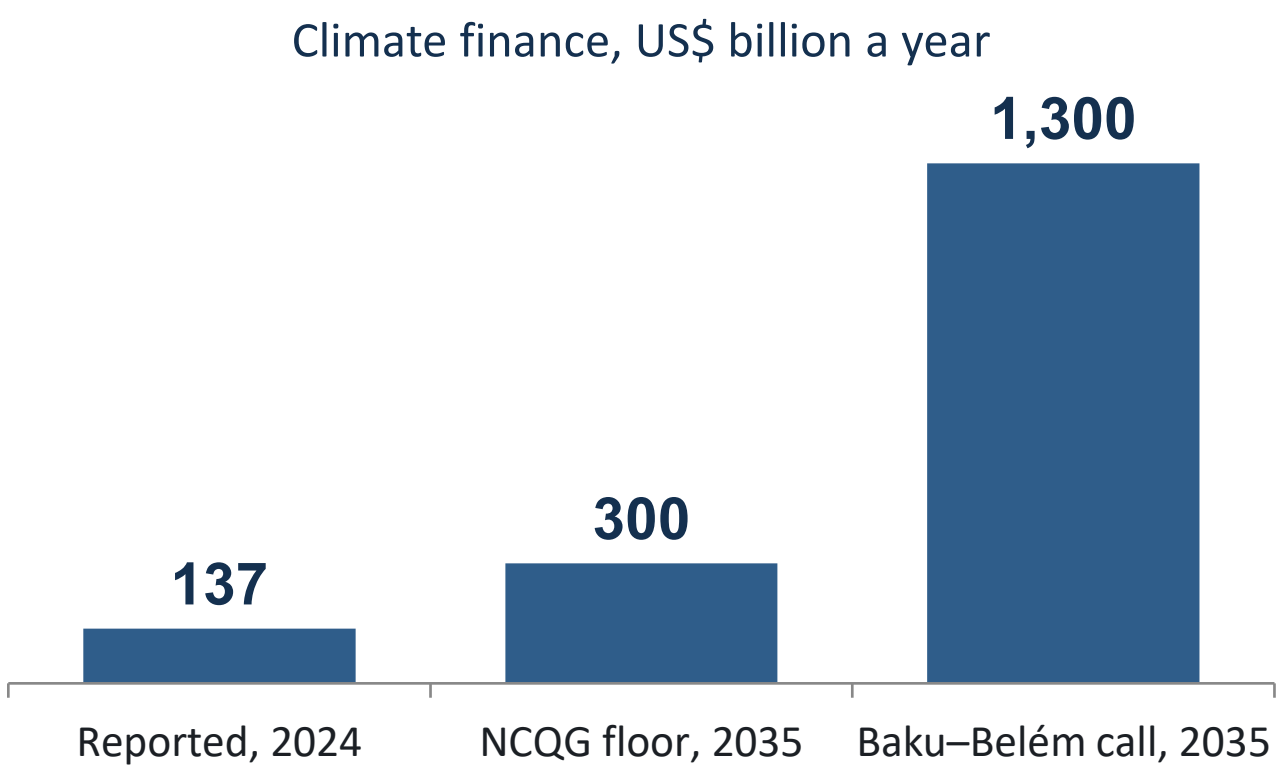
2.4%
developing-country export fall at $88/t

≈$25bn
Africa's yearly GDP loss (0.91%) at €87/t

"Climate action cannot be implemented by closing markets." — G77 and China, Bonn, June 2026

UNFCCC Art. 3.5; TWN policy brief on Article 3.5 and Mutirão para. 56; TWN Bonn Climate News Update No. 8 (16 June 2026). CBAM estimates: UNCTAD, A European Union Carbon Border Adjustment Mechanism (2021); African Climate Foundation and LSE Firoz Lalji Institute for Africa (2023).

Finance: the hinge of implementation



>⅔	of climate finance arrives as loans
23%	drop in ODA in 2025, as budgets shift towards military defence expenditures
$487bn	Developing country external public debt service, 2023
$26bn	adaptation finance in 2023, against $310–365bn a year needed

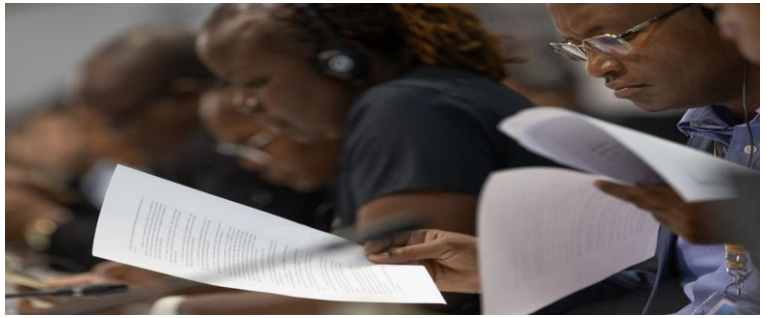
Article 9.1 is an obligation to provide, not a target met by counting every flow.

Author's UNESCWA–LAS briefing (September 2026); Decision 1/CMA.6 (NCQG); OECD, preliminary 2025 ODA data (April 2026); UNCTAD, A World of Debt 2025; UNEP, Adaptation Gap Report 2025; TWN Info Service on Climate Change (24 July 2026).

Belém wrote mandates; Antalya must deliver



COP30 closing plenary, Belém



Reading the text, COP30



A contact group at work, COP30

BELÉM · NOV 2025

Mandates written

- Art. 9.1 finance work programme
- Just transition mechanism
- Adaptation indicators; tripling

BONN · JUNE 2026

Mandates deferred

- Finance, adaptation, mitigation: all bracketed
- What moved came with a text

ANTALYA · 9–20 NOV 2026

Delivery due

- Deferred items + CMA8 package
- GST2 launched
- First fight: the agenda

Sequence matters: agenda → modalities → substance → package.

Global Mutirão decision and CMA7 decisions (Belém, November 2025); TWN Bonn Climate News Updates (June–July 2026); UNFCCC, COP31 presidency arrangements; author's UNESCWA–LAS briefing (September 2026).

What a credible Antalya outcome looks like – for equity

Finance

An Article 9.1 action plan on public finance

Adaptation

Tripling adaptation financing, from a defined baseline

Loss and damage

A resource strategy for the Fund and Santiago network – means to meet needs

Just transition

A mechanism with support, guided by CBDR-RC and RTD

Stocktake

GST2 initiated with equity assessed throughout

Trade

The Article 3.5 test applied; unilateral measures disciplined

The measure: obligations to provide, not obligations to report.

Author's analysis; UNESCWA–LAS briefing (September 2026); Paris Agreement Arts. 9.1 and 14.1; UNFCCC Art. 3.5. Benchmarks, not predictions.

Defend multilateralism, but not status quo multilateralism

Indispensable, but it must allocate obligations and deliver means.



The negotiating family on loss and damage, Belém, 21 November 2025

Responsibility

measured by history

Capability

built at home, not rented

Voice

where rules are written

From burden-shifting to responsibility-sharing.

Thank you

Vicente Paolo B. Yu III · yuvice@hotmail.com