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How Do Developing States Use the Principle of Common but Differentiated Responsibilities in COP Negotiations?

Rushikesh Bhojraj Pande
Research Scholar Bar. Sheshrao Wankhede Mahavidyalaya At Post: Mohpa, Tehsil Kalmeshwar,District Nagpur, Maharashtra, India

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Abstract

The idea of common but differentiated responsibilities and respective capabilities (CBDR-RC) is a key part of climate talks. The principle is a key part of the United Nations Framework Convention on Climate Change (UNFCCC) and serves as the main way that developing countries can negotiate during the Conference of the Parties (COP) meetings. This article looks at how developing countries use the CBDR-RC concept during the COP talks. It looks at the four main ways that developing countries present the issue of climate change in order to shape the results of the talks. The article then looks at how CBDR-RC has developed from the Kyoto Protocol up to today's discussions on climate finance and loss and damage. It says that even though CBDR-RC is still an important idea in climate talks, how people understand and use it has changed as time has gone on. Today, the principle is more and more seen as a group of ideas that people disagree about, and it needs to be used in a way that matches the goal of having everyone take part. The idea works best when it is clearly stated in the treaty text and when several countries use it to support a shared goal. However, by itself, it cannot fix the many differences that exist between countries regarding how much they contribute to climate change and how well they can deal with its effects.

Keywords: CBDR-RC; climate diplomacy; developing states; UNFCCC; COP negotiations; climate finance; climate justice; Global South

Introduction

Climate change is a worldwide issue that impacts all people around the Earth, but different countries are responsible for causing it in different ways and to different degrees. They also have varying abilities to deal with the problem. Right now, the rich countries around the world are mostly to blame for the large amounts of greenhouse gases in the air, and a lot of these gases were released many years ago. At the same time, many developing countries are still having a hard time fighting poverty, giving their people basic energy services, building the needed infrastructure, and dealing with the effects of climate change. Because of these reasons, the talks about climate change at the United Nations Framework Convention on Climate Change (UNFCCC) since 1992 have always followed the idea that all countries share the same responsibility, but their abilities and situations are different. This idea says that every country has a responsibility to fight climate change, but their efforts should consider how much they contributed to the problem, their economic situation, and their specific needs. Developing countries use the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) in many different ways during COP talks as a tool. In many situations, this principle is used to challenge the emission goals set by developed nations, to ask for financial and technological support, to ensure that developing countries have room to grow, and to shape how the world moves toward a low-carbon future. In some situations, developing countries use this principle to set boundaries on their actions and to outline the terms of their collaboration with other nations. The way developing countries use this principle during COP talks is often very controversial. Developed countries often focus on the emissions from emerging economies and their economic growth to make the case that the responsibility for reducing emissions should be shared equally.

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Address for correspondence:

Rushikesh Bhojraj Pande, Research Scholar Bar. Sheshrao Wankhede Mahavidyalaya At Post: Mohpa, Tehsil Kalmeshwar,District Nagpur, Maharashtra, India
Email: rushikeshpandethe1@gmail.com

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Many developing countries, on the other hand, focus on the past emissions from developed countries, the unfair sharing of resources, and the importance of getting rid of poverty. Countries that are very at risk from climate change effects, like small island nations, stress the importance of quickly reducing emissions and getting financial support for adaptation. The article looks at how developing countries use the CBDR-RC principle during COP talks and the situations in which this principle helps them reach the goals they want from the negotiations. The article talks about four different ways that developing countries present their climate efforts during COP talks and suggests that these methods can be used together in different ways based on each country's unique situation. The article looks at three kinds of developing countries — a big emerging economy, a least developed country, and a small island nation — to show how each uses CBDR-RC differently during the COP talks. This article makes three main contributions. First, it sees CBDR-RC as a tool used for negotiating during COP talks, as well as a principle of international law. Second, it looks at how CBDR-RC is applied in various parts of the climate change system, like reducing emissions, funding, preparing for impacts, and dealing with losses and damages, not just when deciding on emission goals. Third, it looks at the conflict between the usual stance of developing countries in COP talks and the varied interests of different nations in the Global South. The article is written by looking at treaty documents, important decisions from COP meetings, and other related materials, along with existing research on climate diplomacy, international climate laws, and the political aspects of climate coalitions. The article does not try to cover every negotiation that has happened under the UNFCCC, and it also does not claim that CBDR-RC has been the main reason for the results in all cases. The article wants to look at how useful and limited the CBDR-RC principle is as a tool for bargaining. It does this by checking how developing countries have used this principle in various talks and in different situations.

Research objectives

The main objective of this article is to examine how developing states use the principle of common but differentiated responsibilities and respective capabilities (CBDR-RC) as a negotiating resource in the Conference of the Parties (COP) process under the United Nations Framework Convention on Climate Change (UNFCCC). The study pursues three specific objectives:

1. To identify the principal strategies through which developing states invoke CBDR-RC in negotiations on mitigation, development policy space, climate finance, technology transfer, adaptation, and loss and damage.
2. To explore the role of negotiating coalitions of developing countries (G77+China, BASIC, the least developed countries (LDCs), and small island developing states (SIDS)) in advancing developing countries' positions in the climate negotiations and in reflecting the diversity of the Global South.
3. To explore the conditions under which CBDR-RC can shape the language and policy outcomes of negotiations, and to distinguish between diplomatic influence and the implementation and delivery of commitments.

Research method

The study employs a qualitative, interpretive research design. It relies on the documentary analysis of the UNFCCC, Kyoto Protocol, Paris Agreement, COP decisions and outcome documents as well as of the official statements made by the negotiating groups and governments. The study also draws on the existing scholarship on climate diplomacy, on international climate law and on the politics of climate coalitions. The analysis is organized around four strategies of negotiation: equity framing, protection of development policy space, linkage between ambition and support, and the representation of vulnerability, adaptation and loss and damage. The study compares the use of these strategies by the different negotiating groups as well as across the different stages of the climate regime. The study employs a purposive rather than an exhaustive case selection. It focuses on the Kyoto Protocol, the Paris Agreement and selected COP outcomes, as these represent the most significant shifts in the treatment of differentiation, of the nationally determined action, of the climate finance and of the loss and damage. The study considers the G77+China and the BASIC countries as well as the LDCs and the SIDS, in order to avoid the conceptualization of the developing countries as a single bloc. The evidence is interpreted qualitatively. The study does not aim to measure the independent causal effect of CBDR-RC, nor does it aim to reconstruct the closed-door negotiations. Instead, the study assesses the value and the limitations of CBDR-RC as a bargaining tool, by examining the way in which the principle has been used by the developing countries in different negotiations and under different circumstances.

CBDR-RC: legal foundation and political meaning

Article 3.1 of the UNFCCC outlines the basic principles that guide efforts to address climate change through international cooperation. It says that the climate system should be protected in a fair way, considering the different responsibilities and

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abilities of all countries. It also says that developed countries should take the main role in dealing with climate change. Article 4 of the Convention explains the different responsibilities that developed and developing countries have.It talks about how each country should reduce emissions, report on their actions, and help each other.This help includes sharing technology and giving financial support. The idea of CBDR-RC means that being different is connected to both the duty and ability to deal with climate change. It's important that the word "common" is used in the principle because no country can solve the climate change problem by itself. Every country needs to take part in solving the issue of climate change. The word "differentiated" in the principle acknowledges that countries are not the same when it comes to how much they have contributed to climate change and how well they can take action to solve it. The idea of CBDR-RC was first put into action with the Kyoto Protocol in 1997. The Protocol established specific emission reduction goals that developed countries listed in Annex B of the Convention were required to meet. Developing countries did not receive any specific goals to cut down their emissions. This setup was meant to let richer countries take action first and help poorer countries deal with the issue of climate change. However, as new countries grow economically and the sources of pollution change, the way we classify countries as rich or poor has become more debated. Developed countries now say that big, growing nations with high emissions should take on the job of cutting down their emissions. Meanwhile, developing countries say it's not fair to focus only on the current emissions of these growing nations, because it ignores the fact that developed countries have historically been responsible for a lot of emissions. So, even though CBDR-RC is part of international law, it is also a widely debated political idea. It is often used by developing countries to question the responsibilities of developed nations and to ask for more support in dealing with climate change.

Four strategies in COP negotiations

1 Framing climate action as an equity question

Framing climate action as an issue of fairness is one of the first approaches used by developing countries during COP talks. As mentioned above, CBDR-RC does not mean that developing countries have no responsibilities at all. It means, however, that when countries take steps to address climate change, the time they choose to act, the type of actions they take, and the costs involved must match their particular situations and development needs. So, in the discussion about taking action on climate change, it's not just about how much each country needs to cut its emissions overall. It's also important to think about who helped create, gained from, or were affected by high-carbon growth in the past, and who can handle the costs of moving to a cleaner, low-carbon economy. The equity argument has great resonance. At the same time, however, CBDR-RC is a principle that is not clear. For example, a country that is developing and has increasing emissions might focus on the emissions per person in other nations, while a small island nation might highlight the worldwide need to reduce emissions. A country dealing with droughts might focus on getting money to adapt, while another country might worry about protecting its supplies of coal, oil, or gas. CBDR-RC offers a shared way to talk about taking action on climate change. At the same time, however, it allows for many different ways to understand what equity means.

2 Protecting development policy space

Besides seeing climate action as a fairness issue, developing countries in COP talks also argue for the space needed to carry out programs that reduce poverty, provide energy to everyone, and change their economies. This means that climate responsibilities should not stop the availability of electricity, transportation, shelter, and other essential services.Also, they should not force a country to take on transition costs that it cannot afford. This role has been especially important in discussions about how much developing countries should aim to reduce their emissions and how to create their country's climate action plans. Some basic countries have sometimes worked together during COP talks to stop ideas that would reduce the difference between nations and make all countries follow the same rules, no matter their situation. This doesn't mean that developing countries are against taking action on climate change. Instead, they have started many renewable energy projects, made a lot of Nationally Determined Contributions (NDCs), and created many climate policies at home. The size and quickness of these actions depend on how easily cheap money, technology, and the ability to do things are available. So, CBDR-RC can help create a different way to reduce carbon emissions, instead of just avoiding responsibility for climate action.

3 Linking ambition to finance, technology and capacity

Another way is to link the climate actions that developing countries plan to take with the resources they have access to. Finance and technology are not minor topics; they are key factors that decide if governments can carry out plans to reduce climate impacts and adjust to changes, while also dealing with other important

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development goals. Developing countries therefore push for reliable, easy-to-get and sufficient support. This demand is especially important for least developed countries and small island developing states, which have not contributed much to global emissions but are facing high costs to adapt and have little financial room to handle these challenges. They use the principle of CBDR-RC to ask countries that have more historical responsibility and more resources to help build resilience, improve early warning systems, develop climate-resilient infrastructure, and support clean energy efforts. They also want to build their skills and knowledge so that a lack of technical ability doesn't stop them from getting money or taking part fully in the climate efforts. At COP29 in Baku, developed countries agreed on a new plan called the New Collective Quantified Goal on Climate Finance. This plan asks developed nations to lead by raising at least USD 300 billion each year for developing countries by 2035.It also encourages everyone involved to work together to increase financial support from both public and private sources to reach at least USD 1.3 trillion by 2035. The agreement is the result of negotiations, but there is still debate about whether the proposed amount is enough, where the money is coming from, how easy it will be to get hold of it, and how well the mix of grants and loans compares to private funding. Developing countries can use the CBDR-RC principle to check if the total amount given matches the real needs of developing nations and the conditions under which the money is provided. India's action at COP29 gives a clear example of this approach. India, speaking for the group of Like-Minded Developing Countries, said the new climate finance target should be based on fairness and the principle that countries which have contributed less to climate change should have more responsibility to act. India also asked for financial support that matches the needs of developing countries, without imposing conditions that could slow down their growth. The statement connects a legal idea to a particular issue: which party should offer the money, how much should be provided, and under what terms? It also shows how a country can use a group of partners to share its views as something that affects everyone, not just itself. The statement shows where the group is standing in the talks, but it doesn't prove that the final money result met their hopes.

4 Bringing vulnerability and loss and damage into the negotiations

A fourth approach that developing countries use in COP talks is to say that climate justice should deal with more than just cutting future emissions; it should also consider the damage that climate change is already causing. So, the problem of loss and damage should be considered separately from adaptation.This is especially important when the effects of climate change go beyond what can be adapted to, or when disasters lead to losses that can't be undone. At COP27 in 2022, the countries involved agreed to create new ways of providing money, including a special fund, to help countries that are very vulnerable and developing deal with the harm and damage caused by climate change. This agreement came after continued efforts by groups of countries that are especially affected by climate change, and it shows that more and more people are realizing that simply adapting to climate change isn't enough to fix all the problems it causes. CBDR-RC can help present the need for loss and damage as a responsibility and ability issue, rather than just a humanitarian aid problem. However, like finance, CBDR-RC can help make a claim, but the result depends on the detailed discussions about the institutions, the money, and how it is carried out. So, even though this principle can help in pointing out a problem, it doesn't always ensure that enough support will be given, or that the rules for providing that support are fair.

Coalitions and the politics of the Global South

Most of the time, developing countries do not act together as one group during the COP talks. G77+China is the largest and most diverse group that helps developing countries work together on their positions, but there are many other groups of developing countries that focus on more specific issues. These groups include the BASIC nations, the African Group of Negotiators, the Least Developed Countries, the Alliance of Small Island States, and the Like-Minded Developing Countries. Groups of developing countries work together by sharing their diplomatic efforts, creating unified suggestions, and helping ensure that no single country is left alone or ignored during talks. The G77+China has always been the main place where developing countries work together to share their views on financial matters, sharing technology, and the right to develop. Its size gives it a lot of political attention, but its wide range of members also makes it hard to reach a common agreement on many issues.The interests of a large emerging economy and a small island country can be very different, even if both support the idea of having different approaches. As mentioned earlier, CBDR-RC is a principle that can help developing countries work together during the COP talks. For the principle to work properly, the groups need to turn the general idea of justice into a specific and clear stance on the important issues involved. So, even though everyone in the coalition might agree on the need for justice, it's harder to reach a consensus on how

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much money is needed, where it will come from, and what conditions it should meet to help developing countries tackle climate change. Coalition leadership also brings up the issue of who gets to represent whom. When bigger developing countries talk with major powers on behalf of the group, they might get more power, but this could also limit the chances for smaller countries in the group to focus on their own main goals. So, real teamwork needs both talking things through inside the group and having outside influences push for change. Coalition politics can also influence the language that is used in the final decisions made at the COP. Negotiators might agree to language that keeps a principle safe but leaves it up to a later time to decide how that principle should be used. This can help a group stay united, but it might also put off solving the main problem. So the important question for researchers is not just about whether a group seems to be working together in public, but rather what is written in their submissions, their comments, the text they suggest, and how they respond to the final decision made at the COP. These records help tell the difference between real negotiations and statements made for show, and they show which parts of a group's overall position were kept after the talks.

From Kyoto to Paris and beyond: changing forms of differentiation

How developing countries have used CBDR-RC in COP talks has changed over time. Under the Kyoto Protocol, the difference between countries was shown by clearly separating those that had specific targets to meet and those that didn't have such targets. This setup provided developing nations a clear reason to ask industrialized countries to take action first, but it became more difficult to keep supporting politically as the emissions and economic strengths of different countries changed over time. The 2009 Copenhagen talks showed how hard it was to agree on the future of differences between countries. At the same time, the BASIC countries became more noticeable in the talks, while the larger group of developing countries had to deal with the worries of different types of developing countries, such as the rising powers and the less stable nations. The episode shows that having a coalition can help set the conditions of an agreement, but it doesn't ensure that everyone agrees or that the result is the same for everyone. The Paris Agreement, which was signed in 2015, still follows the idea that countries should take responsibility based on their different situations, but it also asks every country to keep making and sharing updated plans for how much they will cut their greenhouse gas emissions. This setup includes everyone taking part, but also allows for differences based on each country's situation, goals, and level of support. For developing countries, this setup allows them to include their country's main goals in their climate plans.However, it also brings a risk: if the money and support needed to carry out these plans don't meet what these countries expect, then the idea of treating different countries differently based on their situation might lose its importance. At COP29 in Baku in 2024, money became the main topic of disagreement. The new target of at least $300 billion each year by 2035, mainly driven by developed countries, along with the broader plan to increase total funding to $1.3 trillion by 2035, provided negotiators with a clear result to evaluate. For developing countries, this decision is a step forward, but the amount, quality, and ease of access to the money provided still don't meet their actual needs. At COP30 in Belém in 2025, the gap between the agreements made and putting them into action remained a big issue. The Mutirão decision asked for increasing financial support for developing countries and for efforts to at least triple the money used for adaptation by 2035. The conference also agreed to use the Belém Adaptation Indicators to help evaluate how much progress has been made on adaptation. These results are making the discussion focus more on how things are delivered and how they are measured.However, the indicators do not actually support adapting to changes.Also, even though there is a request to get more money, it doesn't answer who will give the money and under what conditions. CBDR-RC is still a tool that helps developing countries ask for clear, open, and easy-to-get support when they talk about how the responsibilities of different countries should change. The bigger change is that the difference is no longer just about which states are supposed to take action and which ones are not required to meet a certain type of goal. It is becoming more important to think about how ambitious the goals are, what kind of national efforts are being made, how much help is given, how vulnerable groups are treated, and whether the way things are done is fair. Developing countries need to protect the idea of difference when discussing what that idea means during negotiations. This change also affects how we should measure success. In a system based on clear groups, negotiators could check the differences by figuring out which groups got specific goals. When looking at Paris, the analysis needs to take into account what's in the NDCs, how the level of ambition is growing over time, the need for transparency, and whether the support given helps make it possible to carry out the NDCs. The way Paris is organized can help more people get involved, but it doesn't mean everyone shares the

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responsibility fairly. A country might put forward a climate plan but still not have enough money or the right tools to make it work. CBDR-RC is still important for both creating the promises and the situations that make keeping those promises possible.

When does CBDR-RC help developing states influence outcomes?

The cases and talks mentioned earlier show that there are three things needed for this idea to work in real situations. The first condition is that the group of developing countries must work together as a united front. Shared positions let developing countries have more influence than they could on their own. Coalitions become less effective when the members can't agree on what the coalition should focus on, or when the leaders act in their own personal interests instead of what's best for the group. The best coalitions work well when they stick to a general idea but also agree on clear plans, backup options, and how to approach the talks. The second requirement is that CBDR-RC has to be connected to real institutional needs. While talking about fairness can make a claim seem fair and reasonable, negotiators also need clear ideas about the money involved, how to get access, what reports are needed, how to share technology, and when things should be done. The gap between a principle and a rule is where a lot of the negotiating happens. A decision that acknowledges fairness but does not have clear plans for how to put it into action might show political support but won't actually improve the situations that developing countries face. The third condition is that material power still plays an important role. Even though developing countries have more numbers in a nearly worldwide group, richer nations and big economic powers still have a lot of influence because of their money, technology, access to markets, and diplomatic tools. Consensus-based decision-making can give smaller states more influence, but it can also lead to unclear or uncertain agreements. Making a decision doesn't mean the real need has been fully met. Another important condition is the ability of developing countries to link climate diplomacy with actual actions and plans. A government might get good words at a COP, but might not have the necessary systems, people, information, or money to carry out its national plan. On the other hand, having strong domestic investment and the ability to create and follow policies can make a country more trustworthy during negotiations. CBDR-RC is most helpful when it helps with a mutual agreement. Developing countries take steps that are possible to do for the climate, and the promises of support are clear so they can move faster and do more. These conditions can explain why CBDR-RC has stayed at the center and hasn't been able to settle disagreements about how to share the burden. The principle offers a widely accepted way to talk about fairness and helps group together the countries that are still developing.However, how effective it is depends on the ideas that the countries put forward, the resources they have, and the rules they agree to follow. A further question is credibility. Developing countries make their cases stronger when they link their talk about past responsibility and ability to real proof, clear goals at home, and useful ideas for action. This doesn't mean that countries with fewer resources should have to do the same amount of reporting as richer countries, but sharing common evidence can help show why a certain type of support is needed and how it would be used. In return, the trust of developed countries relies on them being clear about the public money they give and how much private money is brought in. The quality of the information from both sides can help reduce arguments about what was promised and what was actually given.

Conclusion

Developing countries use the CBDR-RC principle in COP talks as a legal idea, a way to talk about fairness, and a real tool to help in negotiations. They use it to stop everyone from sharing the responsibility equally, protect their own decisions, link their goals for reducing climate change with money and tech, and get acknowledged for being vulnerable and suffering losses. Forming groups in the Global South helps the principle become more powerful, even though these groups have different goals. Its use has changed as the climate conditions have changed. The Kyoto Protocol made a clear distinction between rich and poorer countries, but the Paris Agreement states that all countries should help reduce climate change, considering their own situations. COP29 and COP30 show that money is still a key challenge in proving how useful the principle really is. Fixed targets and indicators can help create a structure for holding people responsible, but their usefulness depends on how well they are implemented, how easy they are to reach, and the support available. CBDR-RC does not make the developing world act as a single group or ensure fair results for all. It works best when governments turn broad promises into clear plans and keep groups working together to discuss and agree on the fine points. The main idea should not be evaluated based on how often it is mentioned, but by how well it can lead to real cuts in emissions, ensure fair access to help, and create a more fair way of sharing the costs. In this way, it still plays an important role in climate talks, not

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because it fixes every problem, but because it helps bring countries together to discuss how to share the responsibility for global action.

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