Subject(s):
Customary international law — Vienna Convention on the Law of Treaties — Treaties, fundamental change of circumstances — State practice

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1 Art. 62 (1) Vienna Convention on the Law of Treaties (1969) (‘VCLT’) provides that, as a general rule, a fundamental change of circumstances, even if not foreseen by the parties, ‘may not be invoked as a ground for terminating or withdrawing from the treaty’ (Treaties, Termination; Treaties). Hence, the principle of pacta sunt servanda prevails unless the treaty’s ‘stipulations come to place an undue burden on one of the parties as a result of a fundamental change of circumstances’ (1966 YBILC 258 para. 6). This is the case if the following conditions are...