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Article 61. Supervening impossibility of performance ...

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Abstract. This chapter deals about a party that may invoke the impossibility of performing a treaty as a ground for terminating or withdrawing from it if the impossibility results from the permanent disappearance or destruction of an object indispensable for the execution of the treaty. If the impossibility is temporary, it may be invoked only as a ground for suspending the operation of the treaty.

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Articles 61 and 62 of the Vienna Convention on the Law of Treaties (VCLT) respectively allow for treaty termination or suspen- sion in cases of supervening impossibility of performance and funda- mental change of circumstances. Recent developments added new dimensions to the debate on stability. andchange.

Summary - The Limits of Pacta Sunt Servanda in ...

(1) Article 61 – Supervening impossibility of performance 6. Article 61 VCLT provides: Supervening impossibility of performance 1. A party may invoke the impossibility of performing a treaty as a ground for terminating or withdrawing from it if the impossibility results from the permanent disappearance or

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Article 61

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in my article "Temporary Supervening Impossibility of Performance" (1977) 94 XjWaaw law 162 in Chapter 7 Of this dissertation, For a full analysis and evaluation of M vttba v Rh&dm&a W 1947 (2) SA 1075 (SR) that chapter needs to be reed tn conjunction with the article mentioned, I should also like to express my gratitude to the Attorneys ...

SUPERVENING IMPOSSIBILITY OF PERFORMANCE

Supervening impossibility of performance refers to the situation where performance was possible at the conclusion of the contract but subsequently becomes objectively and permanently impossible through no fault of the parties. The impossibility must be beyond the control of the parties and must be caused by vis major or casus fortuitus.