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In practice a fundamental alteration in the equilibrium of the contract may manifest itself in two different but related ways. The first is characterised by a substantial increase in the cost for one party of performing its obligation. This party will normally be the one who is to perform the non-monetary obligation.

Article 6.2.2 (Definition of hardship) - UNIDROIT

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Preserving the Contractual Equilibrium of International ...
equilibrium may justify the termination of the contract is increasingly accepted on an international level, the Schiedsgericht referred to the provisions on hardship contained in the UNIDROIT Principles.

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be governed by them.

UNIDROIT Principles of International Commercial Contracts

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