

3. The consent of an international organization party to the treaty or of a third organization, as provided for in the foregoing paragraphs, shall be governed by the rules of that organization.

Article 38

Rules in a treaty becoming binding on third States or third organizations through international custom.

Nothing in articles 34 to 37 precludes a rule set forth in a treaty from becoming binding upon a third State or a third organization as a customary rule of international law, recognized as such.

Part IV

Amendment and modification of treaties

Article 39

General rule regarding the amendment of treaties

1. A treaty may be amended by agreement between the parties. The rules laid down in Part II apply to such an agreement except in so far as the treaty may otherwise provide.

2. The consent of an international organization to an agreement provided for in paragraph 1 shall be governed by the rules of that organization.

Article 40

Amendment of multilateral treaties

1. Unless the treaty otherwise provides, the amendment of multilateral treaties shall be governed by the following paragraphs.

2. Any proposal to amend a multilateral treaty as between all the parties must be notified to all the contracting States and all the contracting organizations, each one of which shall have the right to take part in:

- (a) the decision as to the action to be taken in regard to such proposal;
- (b) the negotiation and conclusion of any agreement for the amendment of the treaty.

3. Samtykket fra en international organisation, der er deltager i traktaten, eller fra en tredjeorganisation som foreskrevet i de foregående stykker skal reguleres af denne organisations regler.

Artikel 38

Traktatbestemmelser, som bliver bindende for tredjestater eller tredjeorganisationer i henhold til folkeretlig sædvane

Intet i artiklerne 34 til 37 udelukker, at en regel indeholdt i en traktat bliver bindende for en tredjestat eller en tredjeorganisation som en folkeretlig sædvaneregulering, der anerkendes som sådan.

Kapitel IV

Ændring og modifikation af traktater

Artikel 39

Almindelig regel vedrørende ændring af traktater

1. En traktat kan ændres ved overenskomst mellem deltagerne. De i kapitel II fastlagte regler gælder for en sådan overenskomst, medmindre traktaten bestemmer andet.

2. En international organisations samtykke til en overenskomst foreskrevet i stk. 1 reguleres af denne organisations regler.

Artikel 40

Ændring af multilaterale traktater

1. Medmindre vedkommende traktat bestemmer andet, sker ændringen af multilaterale traktater i overensstemmelse med følgende stykker.

2. Ethvert forslag til ændring af en multilateral traktat i forholdet mellem samtlige deltagere skal meddeles til alle de kontraherende stater og alle de kontraherende organisationer, og enhver af disse er berettiget til at tage del i:

- (a) afgørelsen af, hvilke skridt der skal tages med hensyn til et sådant forslag;
- (b) forhandling om og indgåelse af en eventuel overenskomst om ændring af traktaten.