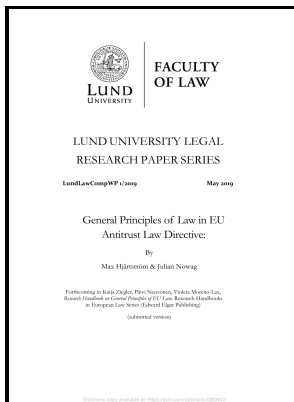


# General principles of law

## Sweet and Maxwell - General Principles of Law and International Investment Arbitration



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### General Principles of Law and International Due Process: Principles and Norms Applicable in Transnational Disputes

But culpable negligence constitutes only one category of fault, namely, default in those obligations which prescribe the observance of a given degree of diligence for the protection of another person from injury. By virtue of the latter principle, the duty to make reparation extends only to those damages which are legally regarded as the consequences of an unlawful act.

### General principles of law — Analytical Guide to the Work of the International Law Commission — International Law Commission

All that an international commission can reasonably require in the way of proof of nationality is prima facie evidence sufficient to satisfy the Commissioners and to raise the presumption of nationality, leaving it open to the respondent State to rebut the presumption by producing evidence to show that the claimant has lost his nationality through his own act or some other cause. The term burden of proof may, however, also be used in a more restricted sense as referring to the proof of individual allegations advanced by the parties in the course of proceedings. While the principle of good faith prohibits the evasion of an obligation as established by the common intention of the parties, it also prohibits a party from exacting from the other party advantages which go beyond their common and reasonable intention at the time of the conclusion of the treaty, as, for example, by invoking the treaty to cover cases which could not reasonably have been in the contemplation of the parties at the time of its conclusion. In this limited sense, the doctrine of *clausula rebus sic stantibus* is founded on the principle of good faith and is recognised by international law.

### General Principles of Law: European and Comparative Perspectives (Studies of the Oxford Institute of European and Comparative Law): Stefan Vogenauer: Hart Publishing

However, they are primarily abstractions and have been accepted for so long and so generally as no longer to be directly connected to state practice. But, on the other hand, every one agrees that, even if the strict principle that direct losses alone give rise to a right to reparation is abandoned, it is none the less necessary to exclude losses unconnected with the initial act, save by an unexpected concatenation of exceptional circumstances which could only have occurred with the help of causes which are independent of the author of the act and which he could in no way have foreseen. In the late 2010s, the topic of general principles of law in public international law appears to have come of age.

### General Principles in Criminal Law

The way power and authority are delegated to lower state institutions has to be controlled and the way in which those institutions use their power has to be accounted for.

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