

General Principles of Law as Applied by International Courts and Tribunals

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as Applied by International
Courts and Tribunals**

Bin Cheng

CAMBRIDGE

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The municipal codes of well over a dozen countries expressly provide for the application of the general principles of law in the absence of specific legal provisions or of custom, and the Statute of the International Court of Justice stipulates that 'the general principles of law recognised by civilised nations' constitute one of the sources of international law to be applied by the Court; but the exact meaning and scope of this section of the Statute have always been a subject of controversy amongst international lawyers. In this printing of his classic 1953 work, Professor Bin Cheng inquires into the practical application of these principles by international courts and tribunals since the beginning of modern international arbitration with the Jay Treaty of 1794, and presents them as a coherent body of fundamental principles that in fact furnish the international legal system with its juridical basis. Citations from nearly 600 international arbitral and judicial decisions amply testify to the role of these principles in the international legal system and illustrate their application in practically every important field of international law.

作者介绍:

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