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General principles of law

Texts and titles of draft conclusions 1, 2 and 4 provisionally adopted by the Drafting Committee

Draft conclusion 1

Scope

The present draft conclusions concern general principles of law as a source of international law.

Draft conclusion 2

Recognition

For a general principle of law to exist, it must be recognized by the community of nations.

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Draft conclusion 4

Identification of general principles of law derived from national legal systems

To determine the existence and content of a general principle of law derived from national legal systems, it is necessary to ascertain:

- (a) the existence of a principle common to the various legal systems of the world; and
 - (b) its transposition to the international legal system.
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