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全国高等学校法学专业核心课程教材

# 国际法

International Law

(第三版)

邵 津 主编

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主 编 邵 津

撰稿人 (以撰写章节先后为序)

邵 津	梁淑英	吴 慧
刘楠来	任筱锋	刘伟民
黄惠康	汪 劲	杨国华
李 毅	薛捍勤	商 震
高燕平	徐 杰	朱文奇
王新建		

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## 内 容 简 介

《国际法》是面向 21 世纪高等学校法学专业核心课程教材之一。全书共 17 章,系统地论述现代国际法的原则、规则和制度,分析一些重要理论问题,包括新出现的问题。第一章导论着重论述国际法的概念、发展、主体、渊源、效力根据、与国内法的关系和国际法基本原则。第二、三、四章主要讨论国际法上的国家、居民及领土法律制度。第五、六、七、八章分别介绍、论述国际海洋法、航空法、外层空间法和国际环境法。第九章论述联合国和区域组织。第十章全面论述外交和领事豁免及国际组织的豁免。第十一章介绍和阐述国际经济法律制度,其中重点介绍国际货币基金组织、世界银行集团、世界贸易组织及其法律制度。第十二章论述人权的国际保护。第十三章研究条约法。第十四章阐述国家责任的构成要件,责任的免除和承担责任的方式。第十五章论述国际争端和平解决的方法、制度。第十六章论述集体安全保障制度。第十七章介绍和论述军备控制与裁军问题。第十八章论述武装冲突法,内容包括国际人道主义法、战争罪行、前南国际法庭和卢旺达国际法庭,以及新成立的国际刑事法院。

国际法内容丰富、复杂,本教材提供基本知识,阐明基本理论,篇幅保持在一定范围。每章之后列有参考书目,试图为有志进一步学习者提供方便。本书对外语专业、新闻专业和国际关系专业的师生,外交、外事部门的实际工作者和国际问题研究者,也可能有一定参考价值。



## ABSTRACT

*International Law* is the textbook for one of the 14 Core Subjects of Higher Legal Education in China, and among the Textbook Series for 21st Century sponsored by the Ministry of Education. The book is composed of 18 chapters, presenting a systematic exposition of the rules, principles and institutions of Modern International Law and an analysis of its fundamental theoretical problems. The first chapter, the General Introduction, expounds the conception of international law, its historical development, subjects of the law, sources of the law, theories as to the basis of international law, relation between international and municipal law, and the basic principles of international law. Chapters 2, 3 and 4 deal emphatically with States, population in international law and State territory. Chapters 5, 6, 7 and 8 introduce and discuss international law of the sea, air law, the law of outer space, and international environmental law respectively. Chapter 9 deals with the United Nations and regional organizations. Chapter 10 expounds diplomatic and consular immunities and the immunities of international organizations. Chapter 11 introduces the legal system of the international economic relations, mainly International Monetary Fund, the World Bank Group and the World Trade Organization and their legal institutions. Chapter 12 is on the International Protection of Human Rights. Chapter 13 discusses the conclusion and entry into force of treaties, *pacta sunt servanda*, reservation, application and interpretation of treaties, invalidity of treaties and other rules and institutions of the law of treaties. Chapter 14 is devoted to the institution of State responsibility, including the constituents of State responsibility, circumstances precluding wrongfulness and consequences of State responsibility. Chapter 15, Peaceful Settlement of International Disputes, besides the principle of peaceful settlement of international disputes,

introduces the political and legal methods of settlement, including negotiation, good offices and mediation, arbitration and the ICJ. Chapter 16, Collective Security System, discusses problems of maintenance of international peace and security, with a section on UN peace-keeping operations. Chapter 17, Arms control and disarmament is newly added in the second edition, introduces the historical development, contents and the perspective of China. Chapter 18, The Law of Armed Conflict, deals with international humanitarian law, war crimes, International Tribunals for Former Yugoslavia and Rwanda, and the newly established International Criminal Court.

This book, providing fundamental knowledge and expounding basic theories of international law to law students, may also be of some use to the students of departments or colleges of foreign languages, international relations, journalism and communication, practitioners of foreign and external affairs.

## 作者简介

**邵津** 北京大学法学院教授、博士生导师,北京国际法研究会会长。其代表性著作有:统编教材《国际法》(合著,法律出版社1981年版及1995年版)、《中国法学四十年》(上海人民出版社1989年版,国际公法学部分)、“国际争端的和平解决”等系列词条(《中国大百科全书》法学卷,中国大百科全书出版社1984年版)。其代表性论文有:《关于外国军舰无害通过领海的一般国际法规则》(《中国国际法年刊》1989年,此文英文本题为《外国军舰无害通过领海问题:第三次联合国海洋法会议以后》)、《中国与人权——纪念世界人权宣言通过四十周年》(《中国建设》1989年第1期)、《日内瓦人道主义四公约的解释和适用:中华人民共和国的实践》[《国际人道主义法论文集》(葡文版),澳门红十字会1997年版]。

**梁淑英** 中国政法大学教授、中国国际法学会理事。其代表性著作有:《国际公法》(主编,中国政法大学出版社1993年版)、《外国人在华待遇》(主编,中国政法大学出版社1997年版)、《国际法律问题研究》(合著,中国政法大学出版社1999年版)。其代表性论文有:《中国领海制度》(《政法论坛》1995年第5期)、《论国家领土主权》(《法律适用》1997年第5期)、《浅析国家豁免与中国的主张》(《政法论坛》1999年第2期)。

**吴慧** 法学博士,国际关系学院法学院院长、教授、博士生导师,中国国际法学会理事,中国海洋法学会理事。其代表性著作有:《当代国际法论》(合著,法律出版社1998年版)、《论国际海洋法法庭》(海洋出版社2001年版)。其代表性论文有:《论国际海洋法法庭法官的任职条件》(《中外法学》1996年第3期)、《论国家以外的实体为国际海洋法法庭的当事方》(《外国法译评》1998年第2期)、《论国际法律责任的承担》(《国际关系学院学报》1999年第4期)。

**刘楠来** 中国社会科学院法学研究所研究员、博士生导师,中国国际法学会常务理事、中国海洋法学会常务理事。其代表性著作有:《国际海洋法》(合著,海洋出版社1986年版)、《发展中国家与人权》(四川人民出版社1994年版)。

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\* 以作者撰写章节先后为序。



其代表性论文有:《关于我国领海法的几个问题》(《当代海洋法的理论与实践》,法律出版社1987年版)、《国际新秩序与人权》(《当代人权》,中国社会科学出版社1992年版)、《论菲律宾侵占我国南沙群岛的非法性》(《法学研究》1992年第1期)。

**任筱锋** 法学博士,研究员,长期从事国际海洋法的理论研究和相关实务工作。代表性成果有:《海上军事行动法》(海潮出版社2000年版)、《圣雷莫海上武装冲突国际法手册》(合译,海潮出版社2003年版)。代表性论文有:《专属经济区军事利用的法律问题:中国的视角》(《海事政策》,英国 Elswier 出版社2004年版)、《海战法的困境及其可能的发展》(《国际人道法文选》,国防大学出版社2002年版)。

**刘伟民** 中国民航管理干部学院法学教授,长期从事民用航空理论和务实工作,主攻航空法与航空运输政策,相关研究宏观经济形势与民用航空发展战略。代表著作有:《航空法教程》(修订版)(主编、中国法制出版社2001年版)、《论国际航空运输的责任制度》(《中国国际法年刊》1983年)、《论国际航空法中的刑事管辖权》(《法学研究》1983年)、《国际航空运输管理体制的发展趋势》(《中国国际法年刊》,1998年)、《WTO 与国际航空运输法的新发展》(《当代国际法研究 21 世纪的中国与国际法》,上海人民出版社2002年版)、《我国民航政府管制体制改革与航空自由化》(《中国:政府管制体制改革》,中国经济出版社2007年版)。

**黄惠康** 法学博士,中国国际法学会理事。其代表性著作有:《国际法教程》(武汉大学出版社1989年版)、《国际法上的集体安全制度》(武汉大学出版社1990年版)、《联合国宪章诠释》(副主编,山西教育出版社1999年版)。其代表性论文有:《论联合国维持和平部队的若干法律问题》(《法学评论》1986年第3期)、《论联合国维持和平部队的法律基础》(《中国社会科学》1987年第4期)、《联合国宪章下的集体安全保障》(《中国国际法年刊》1996年)。

**汪劲** 北京大学法学院教授、博士生导师,兼任中华全国律师协会环境与资源法专业委员会主任委员。其代表性著作有:《日本环境法概论》(武汉大学出版社1994年版)、《环境法律的理念与价值追求——环境立法目的论》(法律出版社2000年版)、《中国环境法原理》(北京大学出版社2000年版)。其代表性论文有:《论全球环境立法的趋同化》(《中外法学》1998年第2期)、《论现代环境法的演变和形成》(《法学评论》1998年第5期)、《论现代西方环境法的若干新理念》(《中外法学》1999年第4期)。

**杨国华** 法学博士,北京国际法研究会副会长。澳大利亚 Bond University “全球贸易与金融中心”(Tim Fischer Centre for Global Trade & Finance)高级研究员,中国国际经济贸易仲裁委员会仲裁员。代表性著作有:《美国贸易法 301 条款研究》(法律出版社 1998 年版);《中美经贸关系中的法律问题》(经济科学出版社 1998 年版);《国际环境保护公约概述》(人民法院出版社 2000 年版);《中国加入 WTO 法律问题专论》(法律出版社 2002 年版);《WTO 争端解决程序详解》(中国方正出版社 2004 年版);《WTO 美国钢铁保障措施案研究》(中信出版社 2004 年版);*WTO Dispute Settlement Understanding: A Detailed Interpretation*, Kluwer Law International(2005 年版),《中国与 WTO 争端解决机制专题研究》(中国商务出版社 2005 年版)。

**李毅** 法学博士,北京师范大学政治学与国际关系学院国际事务系教授、北京国际法研究会理事。

**薛捍勤** 法学博士,北京大学法学院兼职副教授、中国国际法学会副会长。其代表性著作有:《国际法》(合著,法律出版社 1995 年版)、《联合国宪章诠释》(副主编,山西教育出版社 1999 年版)。其代表性论文有:《“共同资源”的法律制度比较研究》(《中国国际法年刊》1986 年)、《国际水道法的相对性》(《中国国际法年刊》1992 年)。

**商震** 外交学院国际公法硕士,北京第二外国语学院英语语言文学硕士,现任中国驻联合国代表团官员。论文见于《中国社科院学报》等。

**高燕平** 法学博士,中国国际法学会理事。其代表性著作有:《国际刑事法院》(世界知识出版社 1999 年版)、《联合国宪章诠释》(合著,山西教育出版社 1999 年版)。其代表性论文有:《国际贸易中的普遍优惠制》(《中国国际法年刊》1986 年)、《国际赔偿的最新理论与实践》(《中国国际法年刊》1992 年)、《多边条约中的争端解决程序》(《中国国际法年刊》1994 年)。

**徐杰** 法学博士,现任外交部条法司处长。在《法学评论》、《外交学院学报》、《法商研究》等学术刊物上发表论文数篇,并参与《世界外交大辞典》(世界知识出版社 2005 年版)、《外层空间法》(青岛出版社 2000 年版)、《中国外交》(世界知识出版社 2003—2005 年版)等著作的撰写。

**朱文奇** 国际法博士,中国人民大学法学院教授、博士生导师。其近期代表著作有:《国际刑法》(独著,中国人民大学出版社 2007 年版);《国际人道法》(独著,中国人民大学出版社 2007 年版);《国际法原理与案例》(主编,中国人民

大学出版社 2008 年版);《国际条约法》(合著,中国人民大学出版社 2008 年版);《国际人道法文选,2005 年》(主编,法律出版社 2007 年版);《国际人道法文选,2006 年》(主编,法律出版社 2008 年版);《中国法学》(英文)(主编,高教出版社、德国 Springer 出版社)等。

**王新建** 法学博士,中国国际法学会常务理事,中国空间法学会理事。其代表性著作有:《中华人民共和国香港特别行政区驻军法释义》(合著,解放军出版社 1997 年版)、《中华人民共和国澳门特别行政区驻军法释义》(合著,解放军出版社 1999 年版)。其代表性论文有:《战争罪及其管辖》(《国际法学论丛》当代世界出版社 1999 年版)、《中国主权与澳门驻军》(《法学杂志》2000 年第 1 期)、《国际不法行为的国家责任》(《中国军法》2001 年第 5 期)。

## About the Authors\*

**Shao Jin** Professor of International Law, Peking University Law School; President, Beijing Society of International Law. Representative works: *International Law*, Law Publishing House, 1981 and 1995, Coauthor; *Forty Years of Legal Science in China*, Shanghai People's Press, 1989, the part concerning public international law. Peaceful Settlement of International Disputes and other serial entries Chinese Encyclopedia, Volume of Legal Science, China Encyclopedia Publishing House, 1984. Representative articles: The Question of Innocent Passage of Warships: After UNCLOS III, Marine Policy, January 1989; China and Human Rights—On the 40th Anniversary of the Universal Declaration of Human Rights, *China Reconstructs*, vol. XXXVIII, NO. 1, January 1989; Interpretation and Application of the Geneva Humanitarian Convention: Practice of P. R. C., *Articles on International Humanitarian Law* (in Portuguese), Red Cross, Macau, 1997.

**Liang Shuying** Professor, China University of Politics and Law; Councillor, Chinese Society of International Law. Representative works: *Public International Law*, Press of China University of Politics and Law, 1993, Editor in chief. *Treatment of Aliens in China*, Press of China University of Politics and Law, 1997; *Studies in International Legal Problems*, Press of China University of Politics and Law, 1999. Representative articles: The Territorial Sea Regime of China, *Forum of Law and Politics*, No. 5, 1995; On Territorial Sovereignty of States, *The Application of Law*, No. 5, 1997; An Analysis of State Immunity and China's Position, *Forum of Law and Politics*, No. 2, 1999,

**Wu Hui** Doctor of Law; Professor and Dean, College of International Relations Law School; Councillor, Chinese Society of International Law; Councillor, Chinese Society of the Law of the Sea. Representative works: *Contemporary International Law*, Law Press of China, 1998, Coauthor; *On the International Tribunal for the Sea*, Marine Press of China, 2001. Representative articles: On the

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\* In the order of number of the chapter he or she contributes.

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**Liu Nanlai** Researcher, Law Institute of Chinese Academy of Social Sciences. Member of Standing Committee, Chinese Society of International Law; Member of Standing Committee, Chinese Society of the Law of the Sea. Representative works: *International Law of the Sea*, Marine Press, 1986, Coauthor; *Developing Countries and Human Rights*, People's Press of Sichuan, 1994. Representative articles: Some Problems in Chinese Territorial Sea Law, in *Theory and Practice of Contemporary Law of the Sea*, Law Publishing House, 1987; New International Order and Human Rights, in *Contemporary Human Rights*, Press of Chinese Social Sciences, 1992; The Illegality of the Philippine Invasion of Nansha Islands, *Studies in the Science of Law*, No. 1, 1992.

**Ren Xiaofeng** Doctor of Law, Senior Research fellow. Representative works include: *Law Applicable to Maritime Military Operations*, Haichao Press, 2000; *San Remo Manual on International Law Applicable to Armed Conflicts at sea*, Chief Translator, Haichao Press, 2003. Representative articles: "International Law of Naval War: application difficulties and the way to overcome", *Collective Works On International Humanitarian Law*, National Defense University, 2002; "The Legal Issues of Military Uses Of EEZ: A Chinese Perspective", *Marine Policy*, Elsevier Publishing House, 2004.

**Liu Weimin** Professor of Law, at the Civil Aviation Management Institute of China, Beijing, PRC, His research interest focuses on aviation law and air transport policy as well as macro economic trend and civil aviation development strategy. Representative book: *A Course in Air Law* (2nd Edition), Legal Press of China, 2001. Representative articles include: Liability System of the International Air Transport, *Chinese Yearbook of International Law*, 1983; Criminal jurisdiction on International Air Law, *Studies in the Science of Law*, 1983; Trends in the Developmental of the International Air Transport System, *Economics and Technology in Civil Aviation*, No. 6—7; WTO and New Development of the International Air Transport Law, *Studies on Modern International Law: International Law and China in*

*the 21st Century*, Shanghai People's Press, 2002.

**Huang Huikang** Doctor of Law, Councillor, Chinese Society of International Law. Representative works: *A Course in International Law*, Wuhan University Press, 1989; *The Collective Security System in International Law*, Wuhan University Press, 1990; *Commentary on Charter of the United Nations*, Shanxi Press of Education, 1999, Associate Editor in Chief. Representative articles: Some legal Problems of UN Peacekeeping Forces, *Law Review*, No. 3, 1986; The Legal Basis of UN Peacekeeping Forces, *Chinese Social Sciences*, No. 4, 1967; Collective Security Safeguard under the UN Charter, *Chinese Yearbook of International Law*, 1996.

**Wang Jin** Doctor of Law, Professor, Peking University Law School; Member of the Standing Committee, Chinese Society of Environment and Resources Law. Representative works: *An Introduction to Japanese Environmental Law*, Wuhan University Press, 1994; *The Conception of Environmental Law and the Pursuit of Value—the Purpose of Environmental Legislation*, Law Publishing House, 2000; *Principles of Chinese Environmental Law*, Peking University Press, 2000. Representative articles: The Convergence of Global Environmental Legislation, *Peking University Law Journal*, No. 2, 1998; The Evolution and Formation of Modern Environmental Law, *Law Review*, No. 5, 1998; Some New Ideas in Modern Western Environmental Law, *Peking University Law Journal*, No. 24, 1999.

**Yang Guohua** PhD. of Peking University, Vice Chairman of Beijing International Law Society; Senior Fellow of the Tim Fischer Centre for Global Trade & Finance, Bond University, Australia; Arbitrator at China International Economic and Trade Arbitration Commission; Representative works: *A Study on Section 301 of the United States Trade Act*, Law Press of China, 1998; *Legal Problems of the Sino-US Economic Relations*, Economic Science Press, 1998; *Introduction to International Environmental Conventions*, People's Court Press, 2000; *Legal Problems on China's Accession to the WTO*, Law Press of China, 2002; *WTO Dispute Settlement Understanding: A Detailed Interpretation*, China Fangzheng Press, 2004; *A Study on the WTO Case of US-Safeguard Measures on Steel*, Citic Publishing House, 2004; *China and WTO Dispute Settlement*, China Commerce and Trade Press, 2005; *WTO Dispute Settlement Understanding: A Detailed Interpretation*, Kluwer Law International, 2005.



**Li Yi** Doctor of Law, International Affairs Department; Professor, School of Political Science and International Studies, Beijing Normal University; Councillor, Beijing International Law Society.

**Xue Hanqin** Doctor of Law, Professor, Peking University Law School. Vice-President, Chinese Society of International Law. Representative works: *International Law*, Law Publishing House, 1995, Coauthor; *Commentary on Charter of the United Nations*, Shanxi Press of Education, 1999, Associate Editor in Chief. Representative articles: A Comparative Study on the Legal Regime of "Common Resources", *Chinese Yearbook of International Law*, 1986; The Relativity of the Law of International Waterways, *Chinese Yearbook of International Law*, 1992.

**Shang Zhen** Master of Public International Law in China Foreign Affairs University, Master of English Literature in Beijing International Studies University. Officer of the Permanent Mission of the P. R. China to the UN. Articles published in *Chinese Academy of Social Science*, etc.

**Gao Yanping** Doctor of Law, Councillor, Chinese Society of International Law. Representative works: *International Criminal Court*, World Affairs Press, 1999. Representative articles: The Generalized System of Preferences in International Trade, *Chinese Yearbook of International Law*, 1986; Latest Theory and Practice concerning International Compensation, *Chinese Yearbook of International Law*, 1992; Procedure for the Settlement of Disputes in Multilateral Treaties, *Chinese Yearbook of International Law*, 1994.

**Xu Jie** LL. M, PH. D, Law School of Wuhan University. Director of Treaty and Law Department, Ministry of Foreign Affairs of the People's Republic of China. Articles published in the core Chinese Journals, such as *Law Review*, *Wuhan University, China*; *Journal of China Foreign Affairs University and Studies in Law and Business*, etc. Also as a coauthor of several books, namely, *Dictionary on World's Diplomacy*, World Affairs Press, 2005; *Law of the Outer Space*, Qingdao Press, 2000; *China's Foreign Affairs*, World Affairs Press, 2003—2005, etc.

**Zhu Wenqi** Doctor of International Law, Professor and Director of the Ph. D Candidates in the Law School of Renmin University of China. His recent representatives works are as follows: *International Criminal Law*, by Press of Renmin University of China, Beijing, China, February 2007; *International Humanitarian*

Law, by Press of Renmin University of China, Beijing, China, December 2007; and *Doctrines and Cases of International Law*, by Press of Renmin University of China, Beijing, China, September 2006; International Treaty Law, by Press of Renmin University of China, Beijing, China, April 2008. Also the Chief-Editor of several publications in international law, such as: *Selected Articles of International Review of the Red Cross for 2004*, Law Press, Beijing, China, August 2006; *Selected Articles of International Review of the Red Cross for 2005*, Law Press, Beijing, China, September 2007; and *Selected Articles of International Review of the Red Cross for 2006*, Law Press, Beijing, China, April 2008. Moreover, one of the two Co-chief-Editors of the periodical Review: *Law in China* (English version) which has been quarterly published since January 2006 by the Higher Education Press and Springer in the world for the purpose of introducing the development of legal education in China.

**Wang Xinjian** Doctor of Law, Councillor, Chinese Society of International Law; Councillor, Chinese Society of International Space Law. Representative works: *Commentary on Law of the People's Republic of China on the Garrisoning of the Hong Kong Special Administrative Region*, Liberation Army Press, 1997, Coauthor; *Commentary on Law of the People's Republic of China on the Garrisoning of the Macau Special Administrative Region*, Liberation Army Press, 1999, Coauthor. Representative articles: War Crimes and Jurisdiction, *Articles on International Law*, *Contemporary World Press*, 1999; Chinese Sovereignty and Macau Garrisoning, *Law Science Magazine*, No. 1, 2000; State Responsibility of the Internationally Wrongful Acts, *The China Military law Journal*, No. 5, 2001.

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