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(第二版)

邵 津 主 编

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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。第十七章为修订版新增加的内容,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.

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