

<<国际法>>

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### 内容概要

《国际法（英文版）（第2版）》编选的案例具有很强的多样性。首先案件的裁决机构十分广泛：本书收集了多个国际性司法机构的案例，诸如国际法院、国际常设仲裁法院、欧洲人权法院、海洋法法庭、审判前南斯拉夫战犯刑事法庭和临时仲裁庭裁决的案例。编者希望在向读者介绍案例的同时，也让读者有机会了解这些解决纠纷的国际机构，了解这些机构为和平解决国际争端、维护国际法和正义所作的贡献。

<<国际法>>

书籍目录

第一章 国际法上的国家

案例1 Accordance of International Law of the Unilateral Declaration of Independence of Kosovo

第二章 国家主权豁免

案例2 Russell Jackson, et al. V. The People's Republic of China

第三章 国际法上的个人

一、外交保护

案例3 Nottebohm Case

二、庇护

案例4 Asylum Case

第四章 国际人权法

一、国家的侵权行为

案例5 Dolly M.E. Filartiga and Joel Filartiga Americo Norberto Pena-Irala

二、安乐死

案例6 Pretty V. the United Kingdom

第五章 国家领土

案例7 Case Concerning the Temple of Preah Vihear

第六章 海洋法

一、海上划界

案例8 Eritrea-Yemen Maritime Delimitation

二、用于国际通行的海峡

案例9 Corfu Channel Case

三、海洋生物资源的保护

案例10 Southern Bluefin Tuna Cases

第七章 空间法

案例11 Case Concerning Questions of Interpretation and Application of the 1971 Montreal Convention arising from the Aerial Incident at Lockerbie

第八章 外交和领事关系法

一、使馆的不可侵犯

案例12 The United States of America and The Federal Reserve Bank of New York V. The Islamic Republic of Iran and Bank Markazi Iran

二、领事通知权

案例13 LaGrand Case

第九章 国际环境法

一、国家管辖和控制下的行为不得对另一国家或国家管辖范围以外地区的环境造成严重损害

案例14 Trail Smelter Case

二、界水的利用

案例15 Case Concerning Pulp Mills on the River Uruguay

第十章 条约法

案例16 Case Concerning the Gabcikovo-Nagymaros Project

第十一章 国际法院

一、管辖权

<<国际法>>

案例17 Case Concerning Legality of Use of Force

二、请求法院指示临时措施

案例18 LaGrand Case

三、判决的解释

案例19 Request for Interpretation of the Judgment of 11 June 1 998 in  
the Case Concerning the Land

.....

第十二章 使用武力

第十三章 国际刑法

资料主要来源

## 章节摘录

版权页： In *Venezolana* the district court had relied, as plaintiffs do, upon the language of the Act's preamble in 1602, which states that "henceforth" cases should be decided in accordance with the principles of the FSIA. The circuit court rejected this, reading the language to mean only that decisions made henceforth should be governed by the substantive principles of immunity law adopted in the Act, and holding that the preamble did not purport to say anything about the retroactive application of the subject matter jurisdiction provisions in 1330. Moreover, the court specifically recognized a "Congressional mandate to leave intact the status quo ante January 24, 1977 as respects rights of the parties." 629 E2d at 790. See also *Martropico Compania Naviera S.A. v. Perusahaan [etc.]*, 428 ESupp. 1035, 1037 (S.D.N.Y. 1977): "It seems clear that regardless of the effect of the Immunities Act on the removal of pending state actions, the original jurisdiction of the federal courts is prospective only." In *Venezolana* the Second Circuit distinguished *Yessenin-Volpin v. Novosti Press Agency*, 443 ESupp. 849 (S.D.N.Y. 1978) on the ground that it had applied substantive principles of immunity embodied in 1605 to a case filed before the effective date of the FSIA and had not addressed the jurisdiction-conferring aspects of the Act. It distinguished other cases that have addressed the 1330 jurisdiction-creating section in the context of removal statutes, which are construed strictly and involve the necessity of giving weight to the extent to which the action has progressed in the court where it was initially brought, *Martropico*, *supra*, or in the context in which the presence of a grant of interim relief, such as attachment in rem, brought into play the congressional mandate to not interfere with the rights of parties pre-January 24, 1977, e.g., *Amoco Overseas Oil Co. v. Com. Nat. Algerienne de Navigation*, 459 F.Supp. 1242 (S.D.N.Y. 1978), *aff'd* 605 F.2d 648 (2d Cir. 1979).

编辑推荐

《国际法(第2版)》是为了促进国际法的英文教学而编选的。  
国际法最早起源于欧洲，英文和法文一直是学习国际法的重要甚至不可缺少的工具。  
阅读英文案例，对于理解国际法和在实践中适用国际法都有很大帮助。

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