

<<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。

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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).

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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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