

<<国际贸易法>>

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前言

本书的编著遵循“方便使用者”(user-friendly)的指导思想,从体例安排到语言风格均旨在满足使用者(包括教授者与学习者)的实际需求。

为帮助使用者快速了解本书,现将其主要特点简要介绍如下: 一、在体例设计上,本书兼采中外同类著作的优点,从方便教学,方便学习者使用的角度设计。

全书正文共设十章:国际贸易的法律环境、国际货物买卖法(I)、国际货物买卖法(II)、国际货物运输法律制度、国际贸易支付法律制度、国际技术转让法律制度、国际电子商务法律制度、世界贸易组织法律制度、各国管理贸易的法律制度、国际商事争议解决法律制度。

每章包括“内容大纲”、“热身问题”、“正文”、“小结”和“练习”五个组成部分。

“内容大纲”(Chapter

outline)可帮助使用者宏观了解本章的内容结构和主要问题,课前对“热身问题”(Warm-up questions)的讨论则可以帮助学习者积累必要的背景知识,激发其学习本章内容的兴趣和探索的热情。

“小结”(Chapter summary)是对本章所讨论的主要理论、规则、观点的简要归纳,以帮助学习者回顾本章的主要内容。

“练习”(Chapter questions)部分安排了“正误辨析”、“问答题”、“案例题”,个别章节还安排有“选择题”和“开放式讨论题”等多种练习形式,使用者可根据个人情况选择逐一完成或只选做其中部分题目。

除上述内容外,全书还包括“前言”、“目录”、“附录”、“法律术语表”、“参考书目”其他五个组成部分。

二、在内容安排上,本书紧扣国际贸易法的法律渊源,既注重对重要国际条约(公约)或示范法的阐释,也看重当今世界主要贸易国家国内法的影响,尤其是相应中国法律的立法状况与立法内容的介绍。

从而使学习者认识到国际贸易法不仅是国际法更是国内法,在学习国际贸易法的过程中,既要有国际视野,也要关注本土法律资源。

针对中国学习者的整体水平,在具体的内容论述中本书对不同问题所费笔墨有所区别。

对分歧较大的观点,着重阐述通说,对其他观点只做一般性提及,以免对学习者造成不必要的观点混乱性困扰。

而对重要内容,本书采用黑体字予以突出,以提醒使用者重点掌握和理解这些内容。

同时借鉴英美国家案例教学的优点,在对重要内容进行阐述时,穿插了一些中外经典案例以帮助学习者更好地理解和应用相关的法律规则。

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内容概要

本书的编著遵循“方便使用者”的指导思想，从体例安排到语言风格均旨在满足使用者（包括教授者与学习者）的实际需求。

为帮助使用者快速了解本书，现将其主要特点简要介绍如下： 一、在体例设计上，本书兼采中外同类著作的优点，从方便教学，方便学习者使用的角度设计。

二、在内容安排上，本书紧扣国际贸易法的法律渊源，既注重对重要国际条约（公约）或示范法的阐释，也看重当今世界主要贸易国家国内法的影响，尤其相应中国法律的立法状况与立法内容的介绍。

三、在写作语言上，编著者努力使语言既严谨、流畅同时又不失活泼。

本书正文共设十章：国际贸易的法律环境、国际货物买卖法（ ）、国际货物买卖法（ ）、国际货物运输法律制度、国际贸易支付法律制度、国际技术转让法律制度、国际电子商务法律制度、世界贸易组织法律制度、各国管理贸易的法律制度、国际商事争议解决法律制度。

每章包括“内容大纲”、“热身问题”、“正文”、“小结”和“练习”五个组成部分。

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章节摘录

Warm-up Questions 1)How do you understand the importance of international trade? 2)What are the differences between international trade and domestic trade? 3)In your opinion,where can you find the rules and norms governing international trade? 4)Do you know some theories the economists have created to justify and explain international trade? 5)Can you name some international organizations,which play a role in regulating international trade?

1.1 Globalization and International Trade Trade consists of the import and export of goods, services and technologies. It is as old as the oldest civilization. Throughout the history of mankind, countries traded to obtain needed items ranging from textiles to spices that were not readily available in their own countries. Asia, Middle East, Africa and Europe have been the major marketplaces of trade for hundreds of years. There were famous " silk road ", which linked the market of ancient China with Middle East and Europe, and the first international sea trade route established by the Europeans in the sixteenth century. With the advent of great naval power, Portugal and Spain opened the Americas, India, and the Pacific to trade. For more than three hundreds of years, trade in cotton, corn, horses, weapons and even slaves thrived among Europe, America and Africa

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