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关于习惯国际法的识别的第五次报告

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增编

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## 附件二

## 习惯国际法的识别：订正文献目录

关于习惯国际法的识别这一主题已有大量论著。本文献目录是对特别报告员第四次报告附件二所列文献目录(A/CN.4/695/Add.1)的订正和更新，不求详尽无遗。

A 部分列出了关于习惯国际法及其识别的一般性文章，包括教科书。

B 部分包含关于习惯国际法的识别的特定方面的研究性论著，广泛涉及国际法委员会关于习惯国际法的识别的结论草案所述及的问题。

C 部分专门列出了与不同领域的习惯国际法的识别有关的研究性论著。

## A. 关于习惯国际法的一般性研究

## 1. 文件

国际法委员会。国际法委员会章程第 24 条：特别报告员曼利·哈德孙编写的工作文件(A/CN.4/16)(1950 年)。

国际法协会。关于适用于一般习惯国际法形成的原则的声明，附评注：第 16/2000 号决议(一般习惯国际法的形成)，国际法协会第六十九次会议通过，2000 年 7 月 29 日，伦敦。

国际法委员会。习惯国际法的形成与证据：国际法委员会以前工作中与本专题特别相关的要素，秘书处的备忘录(A/CN.4/659)(2013 年)。

- 关于习惯国际法的形成与证据的第一次报告，特别报告员迈克尔·伍德编写(A/CN.4/663)(2013 年)。
- 关于习惯国际法的识别的第二次报告，特别报告员迈克尔·伍德编写(A/CN.4/672)(2014 年)。
- 关于习惯国际法的识别的第三次报告，特别报告员迈克尔·伍德编写(A/CN.4/682)(2015 年)。
- 关于习惯国际法的识别的第四次报告，特别报告员迈克尔·伍德编写(A/CN.4/695)(2016 年)。
- 就确定习惯国际法而言国家法院的判决在普遍性国际法院和法庭的案例法方面发挥的作用，秘书处的备忘录(A/CN.4/691)(2016 年)。
- 习惯国际法的识别：使习惯国际法的证据更易于查考的方法和手段，秘书处的备忘录(A/CN.4/710)(2018 年)。
- 关于习惯国际法的识别的第五次报告，特别报告员迈克尔·伍德编写(A/CN.4/717)(2018 年)。

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## B. 关于习惯国际法的某些特定方面的研究

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