



QK2255142



中国社会科学院法学研究所 主办

环球法律评论

GLOBAL
LAW REVIEW



二〇二三年 / 第2期



环球法律评论 双月刊

总第四十五卷·2023 年第 2 期(总第 244 期)

马克思主义法学专栏

论建设全过程人民民主制度体系

江必新 5

主题研讨：国际投资法专题研究

安全视域下投资条约根本安全利益条款的中国范式

梁咏 18

国际投资协定对数据规制措施的可适用性：

以适格投资为中心

宋俊荣 39

投资规制权视野下东道国国家责任的构成与判定

董静然 55

理论前沿

论“一般违法性”的法理定位与教义学功能

——以部门法判断协调问题为中心

张峰铭 71

GLOBAL LAW REVIEW is a bimonthly academic journal of law published by the Institute of Law, Chinese Academy of Social Sciences and distributed in China and abroad. Scholars and practitioners from all countries are cordially invited to contribute articles for the journal. Articles submitted may be in foreign languages or in Chinese. Any translations must be accompanied by author's authorization. Two copies of the journal will be sent to the writer or translator as soon as the article is published. All rights reserved.

立法权转授的合法性控制	陈明辉	91
土地增值收益权属的耦合共生论	赵 谦	108
银行风险处置的公共选择考量与制度建构	苏洁澈	128
论企业数据流通制度的体系构建	李依怡	146
中国碳排放交易所的本土异化与规制纠偏	张 阳	160
正当防卫证明责任分配规则的体系性分析	刘孝敏	178
认罪认罚从宽案件中以抗诉应对量刑上诉之质疑	谢小剑	193
超越“合规”:合规不起诉制度功能的多元定位	杨 林	210

GLOBAL LAW REVIEW

Published by Institute of Law, Chinese Academy of Social Sciences(CASS)

15 Shatan Beijie, Beijing 100720, China

Tel: 010-64022194

Email: glawreview@cass.org.cn

Website: <http://www.globallawreview.org>

版权为本刊所有。如欲转载、翻译或收录本刊内容,须先获得本刊书面许可。

GLOBAL LAW REVIEW

(Bimonthly)

Volume 45

March 2023

Number 2

CONTENTS

SPECIAL COLUMN ON MARXIST LAW SCIENCE

Constructing the Institutional System of Whole-process People's Democracy Jiang Bixin 5

THEME DISCUSSION: Studies on International Investment Law

The Chinese Paradigm of the Essential Security Interests Clause in Investment Treaties

from the Perspective of Security Liang Yong 18

Applicability of International Investment Agreements to Data Regulatory Measures:

An Analysis Centered on Qualified Investment Song Junrong 39

The Constitution and Determination of the State Responsibility of Host State

from the Perspective of the Right to Regulate Foreign Investment Dong Jingran 55

THEORETICAL FRONTS

The Jurisprudential Position and Doctrinal Application of "General Illegality"

- Focusing on the Coordination of Illegality Judgments in Different Branches of Law Zhang Fengming 71

The Legality Control of Sub-delegated Legislation Chen Minghui 91

Integration and Symbiosis of Ownerships of Land Value Increment Zhao Qian 108

The Public Choice Consideration and Institution Building in Bank Resolution Su Jieche 128

The Construction of the Enterprise Data Mobilization System Li Yiyi 146

The Dissimilation of Carbon Emissions Exchanges in China and Its Regulatory Correction Zhang Yang 160

Systematic Analysis of the Rules of Allocating Burden of Proof of Self-defense Liu Xiaomin 178

Questioning the Appropriateness of Responding to Appeal against Sentence by Protest

in Cases of Pleading Guilty and Accepting Punishment for Leniency Xie Xiaojian 193

Transcending "Prevention": the Pluralistic Positioning of the Functions

of Compliance Non-prosecution Yang Lin 210

中国社会科学院优秀期刊
中国人文社会科学核心期刊
CSSCI 来源期刊
全国中文核心期刊

邮发代号: 2-529

国内统一连续出版物号: CN 11-4560/D

国际标准连续出版物号: 1009-6728

国内定价: 50.00 元

ISSN 1009-6728



万方数据