

國際恐怖主義行為和自衛權之適用

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關鍵字：恐怖行為、國際恐怖主義行為、國際犯罪、自衛權、武力攻擊。

Keywords： terrorism, international terrorism, international crime, self-defense, force attack

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摘要

防止及處罰恐怖行為，容或需要藉由武力的行使，而這種武力的行使，在現行集體安全保障體制下，是否應藉以聯合國的強制措施方式實施，或是必須再建構其他新的法基礎、制度來因應，顯然有再進一步檢討之必要。本論文即從這樣的視點重新檢視，國家援以自衛權對抗國際恐怖主義行為的作為與國際法體制下「禁止武力行使」及「集體安全保障體制」間的關係。

International terrorism and the Application of Self-Defense

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Abstract

To prevent and punish the act of terrorism will depend on the enforcement of military force in which is implemented under the current collective security system by the United Nations. It is also required that specific new laws should be set as well as some old laws should be amended and essential defending measure should be taken, etc. In light of the present system to fight against terrorism leaving much to be desired, this thesis will be looked on self-criticism and started by reviewing the aid of the country with self-defense against the international terrorism with the relation of international law including forbidding the use of military force and the collective security system.