



日本自衛隊災害派遣之法制規範

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關鍵詞：自衛隊、災害派遣、複合式災害、東日本大震災、防衛計畫大綱

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摘 要

2011 年 3 月 11 日，日本東北地區太平洋近海發生了芮氏規模 9 級大地震，除引發大規模海嘯外，並伴隨水災、火災及原子力（即核能）電廠事故等重大複合式災害，在此次救援過程中，自衛隊共出動了 10 萬 6 千餘名兵力，其救災過程之應處作為及相關程序，均展現了平日防災演練的成果。日本政府極為重視救災體系的建構與演練，在防災及救災能力等方面可說是相當成熟，並制定與災害防救相關之法令，且各級政府所建置的常設性救災機構更與自衛隊緊密相結合，在防災及救災體制上扮演著重要關鍵角色。另一方面，災後日本政府亦從國土安全、防災政策、災區復興計畫、生活援助措施等不同領域全面性地檢討，復制定專法以作為面對大規模災害之因應對策及推展災後復興工作。本文主要以日本自衛隊災害派遣法制與應處對策等諸問題為探討核心，針對救災體制之類型及法制規範等面向剖析，此將有助於瞭解日本動用自衛隊協助災害派遣之體制，俾供我國未來政策研究與參考。

The Laws and Regulations of Japan Self-Defense Forces For Disaster Relief Dispatching

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Abstract

On March 11, 2011, an earthquake centered in the northeastern offshore of Japan, with a magnitude of 9 on the Richter Scale triggered a massive tsunami. Many secondary hazards such as flood, fire and the nuclear disaster were dealt with by the JSDF. The JSDF dispatched 106 thousand soldiers and showed its outstanding performance in dealing with disasters. This is the result of its comprehensive disaster prevention drills. The Japanese government places a great deal of efforts in the development of the disaster relief system. Japan has a mature system for disaster prevention and relief. There are also Acts established to support the system. Disaster Relief Agencies at all levels of the government also work closely with the JSDF.

In addition, since the earthquake the Japanese government has completely reviewed its policies in terms of homeland security, disaster prevention, disaster rehabilitation plan and life support measures. Specific laws have been enacted for large-scale disaster countermeasures and post-disaster rehabilitation and redevelopment. This paper will review the core issues regarding the regulations in dispatching the JSDF for disaster countermeasures. This paper will analyze the types of rescue systems and regulations. This paper will help understand the JSDF and can support Taiwan in policy research and development.