**Understanding Peaceful U.S. Military Occupation:**

***A Legal Pathway for Taiwan’s Future*****認識和平的美國軍事佔領：為台灣未來開啟的法律途徑**

Many people in Taiwan may feel uncomfortable when they hear the term “military occupation.” In today’s news, military occupations often appear as violent, oppressive, and tragic situations—bombings, suffering civilians, and lawless destruction. But not all occupations are like this. In international law, “military occupation” simply refers to a legal condition that arises when a territory is under the authority of a foreign military power without a change in sovereignty. It does not mean war is happening; rather, it reflects a transitional status governed by strict humanitarian and legal obligations.

許多台灣人一聽到「軍事佔領」這個詞可能會感到不安。因為在當今新聞中，軍事佔領常常與暴力、壓迫、甚至悲劇畫上等號──轟炸、平民苦難、法治崩潰。但並非所有佔領情況皆如此。在國際法中，「軍事佔領」僅僅是一種法律狀態，意指一個地區處於外國軍事權力的管轄之下，而尚未完成主權的合法轉移。它並不代表戰爭正在發生，而是一種過渡性地位，並受到嚴格的人道與法律規範所約束。

When the United States governed postwar Germany and Japan, or administered the Ryukyu Islands and Cuba, these were peaceful military occupations conducted under law. They rebuilt economies, improved education and health systems, and created political pathways for either independence or integration. Taiwan, too, can follow such a path—with U.S. military troops in Taiwan to maintain regional security, and then clarifying Taiwan’s true status under existing international law and reaffirming U.S. responsibility as the principal occupying power after World War II.

美國在戰後治理德國與日本、管理琉球群島與古巴的時期，都是在法律架構下進行的和平軍事佔領。這些經驗不僅重建了經濟、改善教育與醫療制度，還為當地建立了通往獨立或融合的政治道路。台灣同樣可以走上這樣的道路──美軍在台灣進駐將有助於維護區域安全，而且是釐清自身在現行國際法下的真實地位，並重申美國作為二戰後主要佔領權國的責任。

Self-determination is not only possible under military occupation—it is often preserved and protected by it. In East Timor, Namibia, and Kosovo, military occupation was used to prepare the ground for eventual independence through internationally supervised referenda or transitions. When military government operates according to law, it serves as a temporary trustee, without the harsh overtones of a conqueror from the Middle Ages. It safeguards the rights of the people and creates space for long-term solutions based on local consent.

在軍事佔領之下，不但有可能實現自決權，往往還能在此框架中獲得保障。東帝汶、納米比亞與科索沃等地的經驗證明，軍事佔領有時反而是為最終的獨立鋪路──透過國際監督的公投或政治轉型來達成。當軍事政府依據法律運作時，它是暫時的「受託人」，沒有中世紀征服者的嚴酷色彩。它的任務是保護人民的權利，並為未來以民意為基礎的長期解決方案創造空間。

The current reality is that Taiwan is already under an unresolved form of military occupation. The Republic of China (ROC) arrived in 1945 to accept Japan’s surrender, but no treaty ever transferred sovereignty to the ROC or to the People’s Republic of China. Under the San Francisco Peace Treaty, the United States was designated the principal occupying power. Therefore, the proper legal framework for Taiwan is to have a form of U.S. military government, with the territory held in trust, pending final settlement.

事實上，台灣目前已處於一種未解決的軍事佔領狀態。中華民國於1945年10月底接受日本投降後進入台灣，但並無任何條約將主權合法地轉移給中華民國或中華人民共和國。根據《舊金山和平條約》，美國被明確指定為主要佔領權國。因此，台灣的正確法律框架應是一種由美國進行的軍事政府下給予 ”類托管”，直至最終地位確定為止。

This arrangement does not mean loss of freedom. On the contrary, it restores legal clarity and opens a pathway toward greater civil rights and international standing. Under lawful military government, the people of Taiwan could assert their right to participate in decisions about their future—whether toward a high level of autonomy, free association, or another form of self-governance. Moreover, human rights protections under the Geneva Conventions and U.S. constitutional jurisprudence would apply.

這種安排並不意味著自由的喪失。相反地，它能恢復法律上的清晰，並開啟通往更高公民權與國際地位的道路。在合法的軍事政府之下，台灣人民將有機會主張自身未來的決定權──無論是邁向高度自治、自由結盟，或其他形式的自治。此外，《日內瓦公約》與美國憲法體系中的人權保障，也將適用於此狀態。

Taiwan is not Gaza, and U.S. military occupation is not the same as some new destructive foreign conquest. The goal is not domination, but lawful protection and orderly transition. When explained clearly and placed in historical and legal context, this path offers a peaceful, responsible, and internationally supported way forward—one that affirms the dignity, agency, and rights of the Taiwanese people.

台灣不是加薩，而美國的軍事佔領也不等於某種新的破壞性外國征服。是外國的征服。其目的並非支配，而是合法的保護與有序的轉型。當這一構想被正確說明、置於歷史與法律的脈絡之中，它實際上提供了一條和平、負責並獲得國際支持的前進之路──一條肯定台灣人民尊嚴、主體性與權利的道路。

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