

美國陸軍戰場手冊(Field Manual)

FM 41-10 第十一章 支援民政治理

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Support to Civil Administration	支援民政治理
<i>Support to civil administration is the most specialized CA¹ supporting mission. CA commands and brigades are organized to support civil administration in support of FNs. Support to civil administration, depending on the activity, is military involvement in areas of civilian government including executive, legislative, or judicial.</i>	支援民政治理，是民事部隊 (CA) 支援任務最專精的支援任務。民事司令部與團部的編組，是為了支援扶助外國的民政治理。對民政治理的支援，視活動而定，包括了行政、立法或司法等平民政府領域的軍事介入。
CONCEPT OF CIVIL ADMINISTRATION	民政治理的概念
Civil administration support is assistance to stabilize a foreign government. There are three mission activities that support civil administration—civil assistance, civil administration in friendly territory, and civil administration in occupied territory (Figure 11-1, page 11-2). It fulfills obligations arising from treaties, agreements, or international law (see FM 27-10). The military role in civil administration varies with the operational continuum and the need or degree of support that the allied government requires or the NCA ²	民政治理之支援任務，可協助穩定外國政府。該任務含三個活動，即民政協助 (civil assistance)、友善領土的民政治理 (civil administration in friendly territory)，以及佔領地的民政治理 (civil administration in occupied territory) (請見原件的第 11-2 頁中表 11-1)。該任務履行條約、協定、國際法的義務 (請參見 FM 27-10)。民政治理中的軍事角色，隨著軍事行動的程度、以及聯盟政府所要求或國家指揮當局所指示的支援需求或程度而異。

directs.

CA units organize for civil administration support missions that conform to the area's political, geographic, social, and economic structure. Their varying sizes and capabilities enable them to support—

- Population centers.
- Specific government subdivisions.
- Economic and industrial complexes and regions.

CA commands and brigades are specifically organized to accomplish a civil administration mission. CA battalions must be augmented by specialty teams from the command or brigade to accomplish some phases of this mission. The mission, conditions, and characteristics of the AO³ determine the CA support structure. CA units organize and employ assets to achieve—

- Flexibility of employment.
- Economy of force of CA personnel and resources.
- Practical ratio of command, administrative, and support personnel to operational personnel.

Recognizing political implications is essential to effective civil

民事部隊的單位隨著民政治理支援任務而編組，以因應當地之政治、地理、社會和經濟結構。其多樣化的規模及性能必須能夠支援---

- 人口中樞
- 特別的政府下屬單位
- 經濟與工業特區或地區

民事司令部與團部經特別編組，以完成民政治理任務。民事部隊應由司令部或團部派遣的專業團隊擴編，以支援某些特殊面向。作戰領域（AO）的任務、條件、特性，決定了民事部隊的支援架構。民事部隊組織並運用各項資源，以達成---

- 運用的彈性
- 節省民事部門之人員與資源力量
- 指揮部、行政、及支援人員，與軍事人員，達成實用的比例

辨識政治意涵，對有效的民政治理是非常重要的。為確保延續性，

<p>administration. To ensure continuity, CA civil administration operations employ centralized direction and decentralized execution. By selecting the right mix of functional specialties, a CA element may be task-organized and deployed to—</p> <ul style="list-style-type: none"> ·Provide the necessary C2. ·Satisfy support requirements under specific military, legal, and environmental conditions. 	<p>民事部隊的民政治理運作，採取集中化的指令與分散化的執行。</p> <p>藉由選擇適當的職務專長組合，民事部隊得以採取任務型導向，並佈署以達成---</p> <ul style="list-style-type: none"> ·提供必要的指揮與管理 ·滿足在特殊的軍事、司法和環境條件下的支援要求。
<p>CIVIL ASSISTANCE</p>	<p>民政協助</p>
<p>CA units support civil assistance in the aftermath natural or man-made calamities or disasters. Based on military necessity, a commander may begin civil assistance within his assigned AOR⁴ to—</p> <ul style="list-style-type: none"> ·Maintain order. ·Provide potential life-sustaining services. ·Control distribution of goods and services. <p>Civil assistance differs from the other two activities of civil administration because it is based on the commander’s decision. It provides short-term military support to an established government or populace and does not incur a long-term U.S. commitment. It also provides support at the subnational level to a U.S.-recognized</p>	<p>民事部隊的單位支援在天然或人為災難後的民政協助。基於軍事必要性，指揮官得開始在其指派的責任區 (AOR) 建立民政協助，以便：</p> <ul style="list-style-type: none"> ·維持秩序 ·提供可能需要的維生服務 ·對物資與服務的分配進行控管 <p>民政協助與其他兩種民政治理不同，因為民政協助是基於指揮官的決策。它提供短期軍事支援給已建立的政府或百姓，並不做長期的美國承諾。它同時對美國所承認的政府，提供次於國家層級的支援。民事部隊單位透過以下方式，支援民政協助：</p>

<p>government. CA units support civil assistance by—</p> <ul style="list-style-type: none"> ·Determining the capabilities of the existing civil administration. ·Developing plans to reinforce or restore civil administration. ·Coordinating civil assistance plans with HN⁵, U.S., and allied agencies. ·Arranging for transfer of authority. 	<ul style="list-style-type: none"> ·斷定民政治理既有的能力 ·發展計劃，以加強或重建民政治理 ·與當地國、美國、聯合機構協調民政協助計劃 ·安排政權之移轉
<p>CIVIL ADMINISTRATION IN FRIENDLY TERRITORY</p>	<p>友善領土下的民政治理</p>
<p>U.S. CINCs⁶ support governments of friendly territories. Local authorities may request the U.S. military to perform basic government functions during disasters or war. As situations stabilize, the functions performed by the armed forces return to civilian agencies. The transition normally is gradual and require detailed, long-range planning. CA staff officers review civil administration guidance provided by higher authority to identify the military implications of support to civil administration. The NCA⁷ must direct that CMO⁸ conducted in conjunction with this mission support the CINC's regional security strategy.</p> <p>The damage or disruption to a nation's government, economy, infrastructure, or social institutions may exceed its ability to effectively</p>	<p>美國最高指揮官，支援友善領土的政府。在地當局得在災難或戰爭時，要求美軍扮演基本的政府功能。當情勢穩定後，由軍事部門所執行的功能要回歸民政機構。此項移轉通常是漸進的，且需要詳細的長期規劃。民事部隊幕僚應檢視由更高當局所制訂之民政治理導引，以便確認支援民政治理的軍事面向。國家指揮當局必須指示，配合此任務的軍民行動（CMO）應支援最高指揮官的區域安全戰略。</p> <p>某一國家的政府、經濟、基礎建設、或社會制度所遭受之損害或崩解狀況，有可能超乎其有效處理的能力。此時，該政府可能透過美</p>

deal with the situation. In these cases, the government may request help through diplomatic channels from the United States.

If a military commander receives such a request, he forwards it to the COM.⁹

The COM communicates the FN's¹⁰ request for civil administration support through appropriate DOS and DOD channels. The theater CINC tasks the TA commander to provide the CA personnel for the mission. If CA assets are not available in theater, the theater CINC requests support from the JCS¹¹.

Based on directions received from the President through the DOS¹², the COM negotiates a civil administration support agreement with the nation's government. This agreement outlines the nature and extent of the support needed. It defines the limits of authority and liability of U.S. military personnel. It also defines the CA relationships that will exist. The CINC's legal staff coordinates, approves, and reviews this process.

國的外交管道要求援助。

若軍事指揮官收到上述要求，應轉交任務指揮官。

任務指揮官則應透過國務院或國防部的適當管道，告知外國民政治理支援的要求。戰區的最高指揮官則指派任務給戰場指揮官，以提供此任務所需之民事部隊人員。若民事部隊資源無法在戰區中調度取得，戰區的最高指揮官則應向幕僚長聯席會（JCS）尋求協助。

根據美國總統透過國務院所下的指令，任務指揮官與該國政府達成民政支援的協議。此協議應列出所需協助之性質與範圍的綱要，定義美國軍事人員的權威與責任之範圍，同時也定義未來民事部隊的關係。最高指揮官的法律幕僚應協調、批准、檢視此等程序。

A formal agreement is desirable before committing U.S. personnel. However, if the COM and the theater commander believe it is necessary and in the best interests of the United States, civil administration support missions can begin before a formal agreement.

However, as soon as possible, there must be some form of agreement between the FN and the United States. This agreement establishes the extent, goals, and expected duration of the support mission. The CINC allocates resources based on the—

- Requirements the COM identifies.
- Damage and disruption suffered by the economy and institutions of the area.
- General welfare of the people.
- CA assets available.

The level of support rendered is tailored to meet the needs of the existing situation. In no case will it exceed—

- The FN's request for help.
- Applicable international treaties and agreements.
- Limitations imposed by the law of land warfare.

最好能在指派美國人員之前有正式的協議。但若任務指揮官和戰區指揮官認為有必要且符合美國最大利益，則民政支援任務得在正式的協議之前就開始進行。

然而還是必須盡快在該國和美國之間達成某種形式的協議。此協議應載明支援任務的範圍、目標、以及預訂的期間。最高指揮官基於以下條件，配置資源：

- 任務指揮官所要求的條件
- 當地經濟與體制所遭受的損害與崩解
- 人民的總體福祉
- 可運用的民事部隊資源

支援的層級是為實際情況而特別設計的，但不得超過以下範圍：

- 外國所要求的協助
- 適用的國際條約與協議
- 陸戰法所加諸的限制

Regardless of the circumstances under which U.S. forces are employed, international law obligates the commander concerning civilian populations, governments, and economies. Requirements are usually specified in agreements or the law of land warfare.

Treaty obligations are set forth in the Hague Conventions of 1907, the four Geneva Conventions of 1949, and other documents. FM 27-10, DA Pam 27-1, and other service publications explain the commander's legal obligations.

The nation's people and government must be willing to accept the support. It must complement the experience and expectations of the supported agencies. This support should be temporary. It ends as soon as the government can resume normal activity.

Many PVOs¹³ and national and international agencies can provide aid to a devastated nation. The CA staff or USG agencies should contact and encourage these agencies to participate. The CA staff is well-suited to provide coordination and liaison in these situations.

不論美國軍隊是在何種狀況下部署，國際法在平民、政府、經濟方面都賦予指揮官義務。通常在協議或陸戰法中有具體規定。

條約義務列於 1907 年海牙公約、1949 年日內瓦第四公約、以及其他文件。FM 27-10, DA PAM 27-1，以及其他服務出版品，詳細說明了指揮官的法律義務。

此支援必須得到該國人民與政府的接受。並盡快配合被支援機構的經驗和期待。此項支援是暫時性的，必須在政府恢復其正常活動時立即停止。

許多民間自願組織 (PVO)、國家機構、國際機構可提供援助給受創的國家。民事部隊幕僚或美國政府機構應接觸並鼓勵上述機構介入。在此情況下，民事部隊幕僚相當適合提供協調與聯繫。

The U.S. commander cannot compromise a government's sovereignty. If disputes develop between government authorities and CA personnel, CA personnel will submit the problem through the chain of command for resolution.

The senior U.S. commander maintains liaison with U.S. diplomatic representatives to ensure maximum efficiency and unification of policy. An executive order will cover the scope of authority and provide procedural guidance.

Civilian unrest associated with disasters or combat can hinder effective employment of U.S. forces. Under such conditions, CA tasks include any or all of the functional tasks.

Equally important are civil-military relationships in peace when commanders have neither authority nor jurisdiction over civilians. At times the commanders may even share authority over their own installations and personnel with local civil authorities. Trained CA staff officers and personnel can accomplish efficient liaison and

美國的指揮官不得承諾政府的主權。若政府當局與民事部隊人員之間出現爭議，民事部隊人員應透過指揮體系解決問題。

美國高級指揮官應與美國外交代表保持聯繫，以確保最大的效率及政策的一致性。行政命令應涵蓋整個當局，並提供程序性的指引。

災難或戰鬥引起的民間動亂，可能阻礙美軍的有效部署。在此狀況下，民事部隊任務得包括所有一切功能性的任務。

同樣重要的是和平時期的軍民關係，此時指揮官對平民並無權力或管轄權。有時候，指揮官甚至還必須與當地平民政府共享對其設施與人員的權威。訓練有素的民事部隊幕僚幹部及人員能夠達成有效率的聯繫和協調。

negotiation.	
CIVIL ADMINISTRATION IN OCCUPIED TERRITORY	佔領地的民政治理
<p>Situations occur when military necessity or legitimate directives require the Army to establish a temporary government in an occupied territory. The NCA must direct establishment of civil administration to exercise temporary executive, legislative, and judicial authority in occupied territory. The U.S. forces will only assume control prescribed in directives to the U.S. commander. Within its capabilities, the occupying power must maintain an orderly government in the occupied territory.</p> <p>This type of operation differs from the other two activities of civil administration in that it is imposed by force. The administered territory is under effective U.S. military control. The U.S. military's goal is to establish a government that supports U.S. objectives and to transfer control to a duly recognized government as quickly as possible. The U.S. military will identify, screen, and train reliable civilians to ease this transfer.</p> <p>Even with the use of local civilians, the occupying forces still retain</p>	<p>有時軍事的必要性或合法的指令，會要求軍方在佔領地建立臨時政府。國家指揮當局（NCA）必須指揮民政治理的建置，以執行佔領區內臨時性的行政、立法與司法權威。美國軍方則僅執行美國指揮官所接到的命令中所規定的控制任務。佔領者必須在其能力之內於佔領地維持有秩序的治理。</p> <p>與其他兩種民政治理不同的是，此類行動以武力強加施行。受治理的領土處於美國軍方有效的控制之下。美國軍方的目標是建立一個支持美國目標的政府，並盡快移轉控制權給受到充分認可的政府組織。美國軍事政府確認、過濾、及訓練可靠的平民，使此移轉順利進行。</p> <p>即便借重當地平民，佔領國軍隊仍保有權力以實行其最高當局的權</p>

the power to exercise supreme authority. Granting authority to civilian government officials does not of itself terminate the Army's responsibility in the occupied territory.

The goal of U.S. civil administration of an occupied territory is to create an effective civil government. This government should not pose a threat to future peace and stability. CMO support to civil administration of an occupied territory should emphasize that—

- The populace receives responsive and effective government services.
- The populace is able to obtain essential goods and services.
- The measures taken enhance the social and economic well-being of the occupied territory.
- The system of control furthers U.S. political objectives.
- Law and order prevail.
- Restoration, rehabilitation, and development take place in the occupied territory's social institutions and economic system.
- An orderly and efficient transition occurs from civil administration to civil government.
- The country and people are as well off at the end of civil administration as at the onset of occupation.

威。將權威授予平民政府公務員，並不表示終止美軍在佔領區的責任。

美國於佔領地的民政治理目標，是創造一個有效的平民政府。此政府不可對未來的和平與穩定產生威脅。軍民行動支援佔領區的民政治理，應著重以下事項：

- 人民接受反應迅速而有效的政府服務
- 百姓能取得必要的用品與服務
- 所採取的措施能增進佔領區的社會與經濟福祉
- 控管體系能促進美國的政治目標**
- 法律與秩序才能佔優勢
- 佔領區中的社會建制與經濟體系應復原、復興、及發展
- 從民政治理到平民政府的移轉，應有秩序及效率**
- 民政治理結束時，國家與人民的狀況應與佔領開始時一樣好
- 履行國際法及條約的義務**
- 必須禁止對通敵者、弱勢團體、受歧視之社會階層或個人的虐待

- The obligations of international law and treaties are met.
- Human rights abuses against collaborators, minority groups, discriminated social classes, or individuals must be prevented.

The commander of an occupying force has the right, within the limits set by international law, U.S. laws, treaties, and the UCMJ, to demand and enforce law and order in an occupied area to accomplish his mission and properly manage the area.

In return for such obedience, the inhabitants have a right to freedom from unnecessary interference with their individual liberty and property rights. Subject to the requirements of the military situation, commanders must observe the principle of governing for the benefit of the governed.

Occupied hostile territory is an area the United States has taken possession of (through force of arms) with the intent to keep it from enemy control. Possession does not require the presence of troops in all areas of the occupied country. The occupying force must, however, be able to quickly deploy to any area within the territory to enforce its

在國際法、美國律法、條約、和美國軍法典的規範下，佔領軍的指揮官有權利在佔領區中要求並實施法律與命令，以完成其任務並適當管理此區域。

住民只要遵從法令，有權使其個人自由與財產權益免於不必要之干擾。受軍事要求的制約下，指揮官必須遵守統治者照顧被統治者利益的原則。

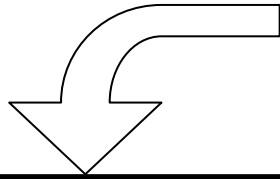
敵意佔領區，是美國已經（透過軍事力）佔有並企圖使其不受敵方控制的領域。佔有，並不必然需要軍隊在所有佔領地駐紮。但佔領軍應快速在各佔領區域內部署以施行其權威。佔領領土所需之軍隊數量端賴以下事項：

<p>authority. The number of troops required to occupy a territory depends on the—</p> <ul style="list-style-type: none"> ·Degree of resistance to the occupation. ·Size of the area and the nature of the terrain. ·Population density and distribution. ·Level of development in the area. <p>The head of an established civil administration system is the civil administrator, often called the military governor. The administrator is a military commander or other designated person who exercises authority over the occupied territory. The civil administration's structure may develop in one of the ways described below.</p> <p>The occupying power may allow the existing government structure to continue under its control and supervision. This arrangement does not mean the occupying power approves of the existing regime or condones its past actions. It represents the easiest basis for developing a functioning government on short notice, since it is already in place. The occupying power may elect to retain all public officials or, for political or security reasons, may replace all or selected personnel with</p>	<ul style="list-style-type: none"> ·抵抗佔領的程度 ·佔領區大小與地理特質 ·人口密度與分佈 ·區域發展程度 <p>已建立的民政治理體系首長為民政長官，常被稱為軍事總督。此長官是軍事指揮官或其他指派來執行對佔領地權威的人員。得依據下述方法之一發展民政治理之架構。</p> <p>佔領國得在其控制與監督下，允許原有政府的架構持續運作。此種安排並非表示佔領國認可原有政權或寬恕其過去的所作所為。這只是以最簡易的基礎在短時間內發展具有功能的政府，因為它已然存在。佔領國得選擇保留所有公務員，或者為了政治或安全的理由，撤換全部或以合格者汰換部份人員。若有必要，可執行特別方案，以進行政治改革、強化政府機構與制度、及發展自治政府。在某些狀況下，佔領國可能覺得有必要重組、更換、或廢除原有政府的某</p>
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<p>other qualified people. Programs directed toward effecting political reform, strengthening government agencies and institutions, and developing self-government are carried out as necessary. In some cases, the occupying power may find it necessary to reorganize, replace, or abolish selected agencies or institutions of the existing government.</p> <p>Replacing the existing government and building a new structure is the most drastic COA. The occupying power should adopt this COA¹⁴ only if the old regime has completely collapsed or is so hostile or poses such a threat to peace and stability that its continued existence cannot be tolerated.</p> <p>The occupying power must obey the existing laws, but in many cases, it may have to change the existing laws. International law is quite specific about requirements. It must meet these requirements when changing civil law in an occupied territory. Consult with an international law specialist and review FM 27-10 and other texts on the law of land warfare for further information.</p>	<p>些機構或制度。</p> <p>建立一個全新的政府架構，以取代原有政府，是最極端的行動進程 (COA)。只有在原政權完全崩潰，或敵意太深、對和平穩定的威脅太大，不容繼續存在，佔領國才能採用此行動進程。</p> <p>佔領國應遵守既存法令，但在很多情況下可以變更既存法令。國際法對於變更法令的必要條件，有相當詳細具體的規定。必須符合這些條件，才能變更佔領地區的民事法律。因此必須先與國際法專家諮商，並檢視 FM 27-10 與其他陸戰法規內容以尋求進一步的資訊。</p>
1993	1993 年版

<http://globalsecurity.org/military/library/policy/army/fm/41-10/ch11.pdf>

以三個任務行動來支援民政治理



支援民政治理

Support Civil Administration

- 民政協助
(Civil Assistance)
- 友善領土之民政治理
(Civil Administration in Friendly Territory)
- 佔領區之民政治理
(Civil Administration in Occupied Territory)

管理軍民行動

Conduct Civil-Military Operations

- 百姓與資源管制 (Populace and Resources Control)
- 外國支援 (Foreign Nation Support)
- 人道協助 (Humanitarian Assistance)
- 軍事民政行動 (Military Civic Action)
- 民間抵抗 (Civil Defense)

FM41-10 表 11-1 支援民政治理的三個任務行動

¹ CA：民事（Civil Affairs），即指派行動與儲備軍隊與各種組織、訓練和特別配備為民政行動且支援軍民行動的單位。（JP 3-57 under revision）

² NCA：國家指揮當局（National Command Authorities）即美國總統與國防部長或其正式指定的代理人或其繼承者

³ AO：作戰領域（Area of Operations）

⁴ AOR：責任區（Area of Responsibility）

⁵ HN：當地國（Host Nation）

⁶ CINC：最高指揮官（Commander in Chief）

⁷ NCA：國家指揮當局（National Command Authority）

⁸ CMO：軍民行動（Civil-Military Operations），即指揮官在部隊、政府與非政府民間組織與當局，以及行動所影響的友善、中立甚至敵方領域的百姓之間，為促進軍事行動與合併與達成美國目標，所建立、維持、影響或開發的行動。軍民行動得包括軍隊執行地方、地區或國家政府所應履行的職權與功能。此等行動得在其他軍事行動前、中、後實施；若受到指令，也得在無其他軍事行動時實施。軍民行動得由指派的民政部隊、或其他部隊、或由民政部隊與其他部隊的組合部隊來執行。請見(JP 3-57 under revision)

⁹ COM：任務指揮官（Chief of Mission）。

¹⁰ FN：外國（Foreign Nation）

¹¹ JCS：聯合幕僚長（Joint Chiefs of Staff）

¹² DOD：國務院（Department of States）

¹³ PVO：民間自願組織（Private Voluntary Organization）

¹⁴ COA：行動進程（Course of Action）