

中央警察大學 101 學年度碩士班入學考試試題

所 別：各所

科 目：國文

作答注意事項：

- 1.本試題共 2 大題，每大題各占 50 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。
- 4.請以橫式書寫作答。

壹、解釋下列語句之義：(每小題 10 分，共 50 分)

- 一、盡其心者，知其性也；知其性，則知天矣。存其心，養其性，所以事天也；夭壽不貳，修身以俟之，所以立命也。(《孟子》)
- 二、為天下及國，莫如以德，莫如行義。(《呂氏春秋》)
- 三、從心而動，不違自然所好；順性而遊，不逆萬物所好。(《列子》)
- 四、夫腹飢不得食，膚寒不得衣，雖慈母不能保其子，君安能以有其民哉？(《論貴粟疏》)
- 五、天地有正氣，雜然賦流形。下則為河嶽，上則為日星。於人曰浩然，沛乎塞蒼冥。(《正氣歌》)

貳、論文：50 分

題目：子曰：君子固窮，小人窮斯濫矣。

中央警察大學 101 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：外事組

科 目：外事警察法規與實務

作答注意事項：

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一、案例一：一名 40 歲婦人，認識在台灣拍攝電視廣告的英國男模 Chris，兩人發生性關係，但婦人事後卻憤而控訴男模性侵。

案例二：大陸人士陳紅，參加觀光團來台，前往阿里山旅遊時，被導遊帶至高山青茶行購物，選購一斤 5 萬元的「頭等茶」，離台後請人鑑定，所謂頭等茶只不過為一般茶葉。

請問上述兩案例，各為哪一類型的涉外案件，請細述應該如何處理？這些涉及刑案的外籍人士，管轄權的歸屬，有何法律依據？（25 分）

二、請依現行外事警察相關法規，回答下列問題：

- （一）單純逾期停（居）留或非法工作案件查處流程（10 分）及其法律依據（5 分）。
- （二）涉及假結婚與賣淫案件的外來人口的查處（10 分）。

三、跨國人口販運之意義與成因為何？對於人口販運被害人之保護，應有何重要之措施與法制？請申論之。（25 分）

四、跨國洗錢的過程，有何種特性？對國際洗錢之防制，目前有何重要之方案與措施？請申論之。（25 分）

中央警察大學 101 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境安全與管理

作答注意事項：

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- 一、國境管理上有所謂「國境安全檢查」及「證照查驗」等二項程序，試說明二者之意義並從執行之法律依據、機關、目的、對象、強制之效果比較二者異同。（25分）
- 二、試說明警察、海巡、海關及移民等機關，在國境安全與管理所負有之職責與具有之職權，並分析上述四個機關彼此間的關係。（25分）
- 三、請論述臺灣海峽兩岸跨境犯罪之概況？（15分）兩岸刑事司法互助對於此類犯罪有何防治之機制？（10分）
- 四、試述恐怖主義之類型為何？（15分）又請略述反恐怖攻擊之可行策略為何？（10分）

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所 別：外事警察研究所

組 別：國境組

科 目：國境執法

作答注意事項：

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一、國境執法之理論基礎為何？國境執法會對人民何種基本權利產生干預？在國境執法上，應遵守那些正當法律程序？請申論之。（25 分）

二、台灣地區無戶籍國民之法律地位為何？可否限制或禁止其入國、居留或定居？請從相關理論與規範，分析之。（25分）

三、請說明鑑別人口販運被害人的基本原則以及相關處理程序。（25 分）

四、試論述入出國及移民署得暫予收容外國人的要件、期限及異議程序，並探討外國人收容法制的合憲性。（25分）

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所 別：外事警察研究所

組 別：國境組

科 目：國際公法(同等學力加考)

作答注意事項：

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- 一、何謂「兩人權公約」？其主要規範何種權利？我國為何要制定兩人權公約施行法？試分析之。（25分）
- 二、2011年11月10日，我駐美國堪薩斯州辦事處長劉姍姍因涉嫌虐待菲傭遭美國聯邦調查局逮捕，檢方起訴她並移送出庭。外交部立即表達嚴正抗議，以外交豁免權為由，促美國無條件釋放劉姍姍。但美方認為，外交豁免權以執行公務範疇為主，劉姍姍虐待家中的菲傭，顯然不符合豁免條件，是明顯違反人權，在美國屬於嚴重事件。試問外交豁免的範圍及其限制？美國國務院和司法系統如何看待我國派駐該地的辦事處人員？我國與美國簽訂的《台美特權、免稅暨豁免協定》（Agreement on Privileges, Exemptions and Immunities Between the Coordination Council for North American Affairs and the American Institute in Taiwan）在我國的法律位階為何？（25分）
- 三、毒品販運大部分屬跨國犯罪，為防制應透過組織國際間力量共同努力。試分析國際反毒公約之發展歷史脈絡及其主要內容？（25分）
- 四、「公海捕魚自由」原則因魚業資源過度捕撈後，國際乃採取補救作為。試述聯合國所通過《執行1982年12月10日「聯合國海洋法公約」有關養護和管理跨界魚類種群和高度洄游魚類種群規定的協定》，該公約之主要內容？（25分）

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科 目：國際法與國際關係

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一、國際社會控制人口販運及移民走私問題，係以壓制、預防、保護與救援被害者等三方面著手，試分析近年有關之國際規範如何？（25 分）

二、東南亞國家是全球毒品重要來源地，其毒品販運、網路犯罪、洗錢犯罪及海盜等問題嚴重，透過國際組織合作，期可發揮打擊成效，試問東南亞國家進行跨國犯罪的區域合作情況如何？（25 分）

三、請回答下列問題：（25 分）

（一）在國際法理論之中，有關國際法與國內法之關係，存在哪些理論，試申論之。

（二）承上題，我國針對條約在國內法之適用關係上係採取何種理論？另外，我國立法院於 2009 年批准所謂人權兩公約（即公民與政治權利國際公約與經濟社會文化國際公約），此人權兩公約如何於我國國內法中生效並具體適用？

四、區域統合是戰後國際關係中的重要議題，「東南亞國協（ASEAN）」是亞洲在此方面的具體實踐。近年來，其逐漸擴展成所謂「ASEAN+3」的整合趨勢，甚至有論者提出「東亞共同體」的構想。針對東亞地區未來的區域統合，試論其可行性，以及其可能遭遇之問題點。（25 分）

中央警察大學 101 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：外事組、國境組

科 目：專業英文

作答注意事項：

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一、Vocabulary and Phrase Translation (中翻英、英翻中，20 分)

- | | |
|----------------|-------------------------------|
| (一) 盜用身份 | (六) currency counterfeiting |
| (二) 性騷擾 | (七) Driving While Intoxicated |
| (三) 從事性交易 (賣淫) | (八) persona non grata |
| (四) 管轄權 (司法權) | (九) Visa-Exempt Entry |
| (五) 肇事逃逸 | (十) aggravated assault |

二、Passage translation (中翻英、英翻中，30 分) (Persons' names do not have to be translated)

(一) 英翻中

WASHINGTON—Two individuals have been charged in New York for their alleged participation in a plot directed by the Iranian government to murder the Saudi Ambassador to the United States with explosives while the Ambassador was in the United States.

A criminal complaint filed today in New York charges Manssor Arbabsiar, a 56-year-old naturalized U.S. citizen holding both Iranian and U.S. passports, and Gholam Shakuri. Both defendants are charged with conspiracy to murder a foreign official and conspiracy to commit an act of international terrorism transcending national boundaries. Shakuri remains at large. Arbabsiar was arrested on Sept. 29, 2011, in New York and will make his initial appearance today before in federal court in Manhattan. He faces a maximum potential sentence of life in prison if convicted of all the charges.

“The criminal complaint unsealed today exposes a deadly plot directed by factions of the Iranian government to assassinate a foreign Ambassador on U.S. soil with explosives.” said Attorney General Holder. “The investigation leading to today’s charges illustrates both the challenges and complexities of the international threat environment, and our increased ability today to bring together the intelligence and law enforcement resources necessary to better identify and disrupt those threats, regardless of their origin,” said FBI Director Mueller.

(二) 中翻英

人口販運並非新興的犯罪，而係古今中外存在已久的現象；時至今日，各國普遍重視人權，視該行徑為世紀人類之恥，故從人道觀點，採取諸多立法及保護作為。惟隨著全球化的發展，國際犯罪網絡不斷蔓延，人口販運成為全球成長最快速的組織犯罪，僅次於毒品及槍枝走私之第三大宗不法利益的來源。

三、Reading Comprehension (閱讀測驗，20 分)

(一) Reading I

In 1984, Ronald Cotton was convicted of rape and sentenced to prison. The victim identified Cotton as her attacker and went on to testify against him even after seeing Bobby Pool, the man who boasted of committing the crime. Ten and half years after the conviction, DNA TESTING PROVED THAT Pool was the rapist and that Cotton was innocent. Cotton was one of an estimated 4250 Americans each year who are wrongfully convicted of crimes based on inaccurate eyewitness identification.

How reliable are eyewitnesses? How much importance should juries place on eyewitness testimony? Scientists now know that the human mind does not act like a video camera, recording and replaying everything within its viewfinder. Rather, human memory is a complex process, vulnerable to distortion at every stage. The gathering of information into memory involves a three-step process, and errors are possible at each step.

During the first step, an event is perceived, and “bits” of information are stored in memory. Since the human mind can’t process and retain every possible piece of information, it consciously and unconsciously determines which details are stored in the memory, according to where the viewer’s attention is focused. In the second step, the brain sorts and retains the memories for later retrieval. In the third and final step, it is possible to search our memory “files” and locate information.

The type of event observed is significant in determining the accuracy of details the witness is able to recall. Important event factor include the length of the observation and the complexity of the event. If an observed event is fairly simple, such as two people fighting in the street, it is relatively easy for an eyewitness to recall details accurately. However, if the event involves several people fighting, it becomes much more complex, and eyewitnesses experience much greater trouble in correctly remembering what happened. Additionally, our expectations have an effect on perception. People tend to see and hear what they expect to see and hear.

Experiments have shown that fear, stress, and anxiety can disrupt the normal perception process and distort the memory. Under stress, people focus only on details they feel are more important. “Weapon focus” is an example. If someone is faced with a gun, he or she is much more likely to focus attention on the gun rather than on the person holding it.

Memory can also become distorted while in storage. Since memories

degrade over time and portions of an event can be forgotten, people creatively fill in the gaps created by long-term loss. This is because the human mind prefers a “complete” picture. An individual’s memory can also be altered during the storage step by intervening occurrences. The mind tends to incorporate this after-the-fact information and combine it with the previously stored memory.

1. What does the word “attacker” in Paragraph 1 mostly probably mean?
(A) A shoplifter. (B) An assailant.
(C) A polygraph. (D) A sexist.
2. Why was about 4,250 Americans wrongly convicted each year?
(A) Because of DNA testing. (B) Because of unreliable juries.
(C) Because of racial prejudice. (D) Because of eyewitness mistakes.
3. What happens in the second step of information into memory?
(A) We can search and locate information.
(B) The brain perceives an event.
(C) The mind acts like a video camera.
(D) The brain sorts and stores memories.
4. How does stress affect memory?
(A) It consciously improves and clarifies people’s memories.
(B) It causes people to focus only on the most important details.
(C) It causes us to see and hear what we expect to see and hear.
(D) It enlarges the “viewfinder” we each have inside our brains.
5. According to the passage, which of the following statements is NOT TRUE?
(A) DNA evidence reversed Ronald Cotton’s rape convictions.
(B) Simple events are easier to recall accurately than complex events.
(C) Memories cannot be changed once they are stored in the brain.
(D) “Weapon focus” is an example of memory distortion.

(二) Reading II

How many students drop out of high school in the United States? Nobody seems to know with certainty, but statistics indicate it might be a lot more than most people think. Recent studies have found that only about 75 percent of all high school freshmen receive a high school diploma and that in the fifty largest US cities, the number falls to 52 percent – barely more than half. Previous studies had shown that 85 percent of all high school students graduated. The US now has the highest dropout rate of all industrialized countries. It is estimated that more than 1 million students drop out of high school every year, or 7,000 each school day. According to one study, America is the only industrialized nation in which children are less likely to graduate from high school than their parents.

Several cities have formed programs to help high school dropouts. In Houston, Texas, volunteers – including the mayor – go to dropouts’ homes and try to convince these students to give school another try. More than 5,000 city dropouts have returned to the classroom since the program started in 2004. In Virginia, a private business has donated money to open two non-traditional

schools for high school students who are struggling in conventional schools and are likely to drop out. And in Washington, DC, a private welfare agency has started a program to help dropouts learn job skills.

Now there is a new national campaign to reduce American dropouts. A group called the Promise Alliance is giving money to several states. It wants each state to develop a plan for increasing its graduation rates. Alliance leaders hope that all fifty states will have a plan in place by the year 2010. The campaign is funded by both businesses and philanthropic organizations. It aims to unite government and business leaders with parents and educators. "The key to start working together," said Marguerite Kondracke, president and CEO of Promise Alliance. "We need to organize that by working together, we make enormous strides to ensure that our children succeed."

6. The mayor of which city visits homes of dropouts to persuade them to go back to school?
- (A) Washington, DC. (B) New York.
(C) Houston. (D) Los Angeles.
7. Which of the following was NOT a statistic in the reading passage for the number of high school dropouts recorded in the United States?
- (A) 52 percent. (B) 75 percent.
(C) 80 percent. (D) 85 percent.
8. Which of the following groups was NOT mentioned in the new campaign of working together?
- (A) Educators. (B) Business leaders.
(C) Parents. (D) Journalists.
9. The acronym CEO stands for
- (A) Catholic Education Officer. (B) Challenge English Online.
(C) Chief Executive Officer. (D) Creative Energy Options.
10. According to the passage, which of the following statements is NOT TRUE?
- (A) The US has the highest dropout rate of all industrialized countries.
(B) The new national campaign is funded by the government.
(C) One study indicates that parents are more likely to graduate from high school than their children.
(D) The objective of the new national campaign is to lower American dropout rates.

四、Essay (作文, 30 分) Write an essay on the following topic. The length of your essay should be no less than 200 words and no more than 400 words.

How to Avoid Internet Fraud

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- 4.請以橫式書寫作答。

壹、解釋下列語句之義：(每小題 10 分，共 50 分)

- 一、子曰：「三年學，不至於穀，不易得也。」(《論語·泰伯》)
- 二、古者四民異業而同道，其盡心焉，一也。(王陽明〈節菴方公墓表〉)
- 三、昔大禹鑿九山，通九江，用人力極廣，而無怨讟者，物情所欲，而眾所共有故也。(《貞觀政要·論儉約》)
- 四、固知一死生為虛誕，齊彭殤為妄作。(王羲之〈蘭亭集序〉)
- 五、廷尉，天下之平也，一傾而天下用法皆為輕重，民安所措其手足？(《史記·張釋之列傳》)

貳、論文：50 分

《孫子兵法·九變》云：「將有五危：必死，可殺也；必生，可虜也；忿速，可侮也；廉潔，可辱也；愛民，可煩也。凡此五者，將之過也。用兵之災，覆軍殺將，必以五危，不可不察也。」請參酌前引古文思想，以「危機管理中的情緒管理」為題，書寫論文一篇。

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- 一、根據內政部警政署所訂定的「警察機關處理涉外治安案件作業規定」，外國人的加害及被害案件均屬涉外治安案件。請以「問題導向警政」（Problem-Oriented Policing）思維為架構，建構預防外國人加害及被害案件發生的方案。
- 二、近年來，許多危害臺灣社會秩序的治安問題係來自於境外，諸如人口販運、毒品販運、洗錢、詐欺等，這些跨境治安問題經常涉及組織犯罪集團。請先說明組織犯罪的活動類型有何？繼而討論預警性的涉外執法作為應如何規劃？
- 三、外事警察之任務與職掌為何？目前依警察法規定與實務執行狀況，有何差距？請申論之。
- 四、外國人治安與外國人行政，二者應如何區分？設有一居留之外國人經常參加不良組織活動，外事警察應如何處理？請申論之。

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組 別：國境組

科 目：國境安全與管理

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 1 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、請問依「國家安全法」第四條所實施之國境安全檢查應有哪些特色？（10分）而國家應保障人民的基本權利，因此國境安全檢查有其限制，請論述國境安全檢查之權限。（15分）

二、人口販運犯罪為全球第三大獲利的犯罪，跨國犯罪對於國境管制造成極大傷害，請申論何謂人口販運，包含其要件？（10分）又身為國境警察應該如何查緝人口販運案件與發現被害人？（15分）

三、請略述美國國土安全法（Homeland Security Act）與愛國者法（USA PATRIOT Act）之立法過程？（15分）又我國在國土安全相關之法制上有何發展之過程？（10分）

四、請論述何謂國土安全警政（Homeland Security Policing）？（15分）又其核心議題之情資導向警政（Intelligence Led Policing）之主要策略為何？（10分）

中央警察大學 102 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境執法

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 1 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、入出國及移民法第三十八條第一項規定：「外國人有下列情形之一者，入出國及移民署得暫予收容……」。請依相關大法官解釋及規定論述說明下列收容相關議題：

- (一) 收容之意義、目的與性質
- (二) 收容與人身自由之關係
- (三) 收容之救濟

二、在防制與打擊跨國境犯罪，國際間常有刑事司法互助，請說明刑事司法互助的各種形式？

三、禁止外國人入國之法定原因為何？在執行上應注意何種正當法律程序？請申論之。

四、國際機場管制區之法律性質為何？主管機關於此地點為執行相關任務得實施何種職權？請申論之。

中央警察大學 102 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國際公法(同等學力加考)

作答注意事項：

- 1.本試題共 4 題，每題各占 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

- 一、所謂集體安全（collective security）與維和行動（peace-keeping operation, PKO）的定義各為何？（10分）在聯合國憲章及其戰後之國際實踐上，上述兩者在性質上以及機制運作上有何差異？（15分）
- 二、條約法理論中存在所謂保留（reservation）制度，試說明保留制度之定義（5分）與發展變遷（5分）。並從1969年維也納條約法公約之相關規定，詳述保留之提具、對保留之接受與反對，保留之法律效果等。（15分）
- 三、我國透過積極參與中西太平洋漁業管理委員會（WCPFC）合作推動養護管理措施，善盡對鮪類資源養護及保育之責，致力維護漁業資源之永續利用。我國在該委員會的地位如何？執行登檢外國漁船時的程序如何？
- 四、《聯合國憲章》對於國際間武力使用之規範如何？在實踐上何種情形下使用武力可獲得合法地位？

中央警察大學 102 學年度碩士班入學考試試題

所 別：外事警察研究所
組 別：外事組
科 目：國際法與國際關係

作答注意事項：

- 1.本試題共 4 題，每題各占 25 分；共 2 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、試請以自下列《國際法院規約》（STATUTE OF THE INTERNATIONAL COURT OF JUSTICE）第38條的內容，申論傳統上國際法的法源基礎為何？

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:
 - a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
 - b. international custom, as evidence of a general practice accepted as law;
 - c. the general principles of law recognized by civilized nations;
 - d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.
2. This provision shall not prejudice the power of the Court to decide a case ex aequo et bono, if the parties agree thereto.

- 二、「歐盟執行委員會」(European Commission)在歐盟(EU)組織運作中，被喻為「政策提案及執行」的靈魂核心，試請說明並分析其「組成方式」以及「職掌與定位」，並藉此舉例申論其與其他四個主要歐盟機構間的關係。
- 三、兩岸為能有效打擊跨境犯罪，乃於2009年4月舉辦的「江陳會談」中，通過《海峽兩岸共同打擊犯罪與司法互助協議》作為處理，試析該協議之主要內容及應再予以精進之處？
- 四、據報有一外國船舶日前在公海上遭受恐怖分子的船舶攻擊，目前情況不明。現今申請進入我國通商港口，試問依國際法我國港口主管機關應採取何種作為？

中央警察大學 102 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：外事組、國境組

科 目：專業英文

作答注意事項：

- 1.本試題共 3 大題，共 4 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、Definition and Translation (50%)

I. Vocabulary Definition in English (5% each)

- | | |
|---------------|----------------|
| (1) smuggling | (3) confession |
| (2) fraud | (4) migrant |

II. Vocabulary and Phrase Translation into Chinese (2% each)

- (1) INTERPOL
- (2) cross-border brigandage
- (3) Red-handed offender
- (4) match-fixing scandal
- (5) anti-graft

III. Passage Translation into Chinese (20%)

(Persons' names do not have to be translated)

Drug cartels sold narcotics in the United States and routed the cash to Mexico, often using couriers to smuggle it across the border. In one filing, U.S. prosecutors said, Julio Chaparro and others allegedly utilized accounts at HSBC Mexico to deposit “drug dollars and then wire those funds to businesses located in the United States and elsewhere. The funds were then used to purchase consumer goods, which were exported to South America and resold to generate ‘clean’ cash.” Money launderers exploited the laxness of HSBC in policing shadowy money flows. Failures included not conducting due diligence on customers, not adequately monitoring wire transfers or cash shipment and not having enough employees to run anti-money laundering systems. U.S. Assistant Attorney General Lanny Breuer called the lapses “stunning failure of oversight.”

二、Reading Comprehension (20%)

I.

Application for admission to the Graduate School at this university must be made on forms provided by the Director of Admissions. An applicant whose undergraduate work was done at another institution should request that two copies of undergraduate transcripts and degrees be sent directly to the Dean of the Graduate School.

Both the application and the transcripts must be on file at least one month prior to the registration date, and must be accompanied by a nonrefundable ten-dollar check or money order to cover the cost of processing the application.

1. This passage would most likely be found in a
 - (A) university catalogue.
 - (B) travel folder.
 - (C) newspaper.
 - (D) textbook.
2. According to this passage, where would a student secure application forms for admission to the university?
 - (A) From the chairperson of the department.
 - (B) From the Dean of the Graduate School.
 - (C) From the institution where the undergraduate work was done.
 - (D) From the Director of Admissions.
3. Which of the following documents must be on file thirty days before the registration date?
 - (A) Two copies of recommendations from former professors.
 - (B) A written approval of the Dean of the Graduate School.
 - (C) One set of transcripts and an English proficiency score.
 - (D) Two copies of undergraduate courses and grades, an application form, and an application fee.

II.

Participation in the classroom is not only accepted but also expected of the student in many courses. Some professors base part of the final grade on the student's oral participation. Although there are formal lectures during which the student has a passive role (i.e., listening and taking notes), many courses are organized around classroom discussions, student questions, and informal lectures. In graduate seminars the professor has a "managerial" role and the students make presentations and lead discussions. The students do the actual teaching in these seminars.

In the teaching of science and mathematics, the dominant mode of instruction is generally traditional, with teachers presenting formal lectures and students taking notes. However, new educational trends have emerged in the humanities and social sciences in the past two decades. Students in education, sociology, and psychology classes, for example, are often required to solve problems in groups, design projects, make presentations, and examine case studies. Since some college or university courses are "applied" rather than theoretical, they stress "doing" and involvement.

4. The underlined word “emerged” in Paragraph 2 means
 - (A) appeared.
 - (B) become urgent.
 - (C) disappeared.
 - (D) combined.
5. “Participation in the classroom is not only accepted but also expected of the student” in many courses except
 - (A) Seminar courses.
 - (B) Formal lecture courses.
 - (C) Informal lecture courses.
 - (D) Required courses.
6. Since the 1960’s educational methods in the humanities and social sciences have:
 - (A) Not changed at all.
 - (B) Become more theoretical than applied.
 - (C) Changed from theoretical to applied..
 - (D) Become more community-oriented.
7. The underlined word “stress” in Paragraph 2 is closest in meaning to
 - (A) emphasize.
 - (B) pressure.
 - (C) adapt.
 - (D) disregard.

III.

There are many ways of communicating without using speech. Signals, signs, symbols, and gestures may be found in every known culture. The basic function of a signal is to impinge upon the environment in such a way that it attracts attention, as, for example, the dots and dashes of a telegraph circuit. Coded to refer to speech, the potential for communication is very great. While less adaptable to the codification of words, signs contain greater meaning in and of themselves. A stop sign or a barber pole conveys meaning quickly and conveniently. Symbols are more difficult to describe than either signals or signs because of their intricate relationship with the receiver’s cultural perceptions. In some cultures, applauding in a theater provides performers with an auditory symbol of approval. Gestures such as waving and handshaking also communicate certain cultural messages.

8. According to this passage, a signal is
 - (A) more difficult to describe than other forms of communication.
 - (B) an interpretation in the environment.
 - (C) less able to be adapted to refer to speech.
 - (D) a gesture.
9. Applauding was cited as an example of
 - (A) a signal.
 - (B) a sign.
 - (C) a symbol.
 - (D) a gesture.

10. It may be concluded from this passage that
- (A) signals, signs, symbols, and gestures are forms of communication.
 - (B) symbols are very easy to define and interpret.
 - (C) only some cultures have signals, signs, and symbols
 - (D) Waving and handshaking are not related to culture.

三、Essay (30%)

Write an essay on the following topic. The length of your essay should be no less than 200 words and no more than 400 words.

How to Curb Drunk Driving

中央警察大學 103 學年度碩士班入學考試試題

所 別：各所

科 目：國文

作答注意事項：

- 1.本試題共 2 大題，每大題各占 50 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。
- 4.請以橫式書寫作答。

壹、解釋下列詞句之義：(每小題 10 分，共 50 分)

- 一、民不畏死，奈何以死懼之？若使民常畏死，而為奇者，吾得執而殺之，孰敢？（《老子·第七十四章》）
- 二、百戰百勝，非善之善者也；不戰而屈人之兵，善之善者也。（《孫子·謀攻》）
- 三、非我而當者，吾師也；是我而當者，吾友也；諂諛我者，吾賊也。（《荀子·修身》）
- 四、文武不備，良民懼然身修者，官未曾亂也。奉職循理，亦可以為治，何必威嚴哉？（《史記·循吏列傳》）
- 五、天下不可以力勝，神祇不可以親恃。惟當弘儉約，薄賦斂，慎終始，可以永固。（《貞觀政要·納諫》）

貳、論文：50 分

題目：王陽明《傳習錄》：「未有知而不行者；知而不行，只是未知。」
請參酌前引古文思想，以「論知與行」為題，寫作論文一篇。

說明：

- 一、文言、白話不拘。
- 二、須分段，並使用標點符號。
- 三、字跡不可潦草。
- 四、字數不得少於五百字。

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所
組 別：外事組
科 目：外事警察法規與實務

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 1 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

- 一、「聯合國禁止非法販運麻醉藥品及影響精神物質公約」(U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances) 被公認是國際執法合作防制毒品販運的先驅方案，多項重要且具創新的涉外執法措施出現於該項國際法，成為聯合國後續多項犯罪防制公約的重要基礎。請論述該公約的主要內容，以及相對應的涉外執法措施。
- 二、歐洲區域的執法合作公認是極為優質的區域執法合作典範，請說明並比較「歐盟警察組織」(Europol) 與「歐盟司法合作組織」(Eurojust) 兩者的組織架構、功能、情資交換機制與挑戰。
- 三、據報導國內有四十九萬外勞，其中四萬一千多人行蹤不明。近五年來，每百名外勞就至少有三名來台後下落不明，三千名外勞更已「消失」長達六年以上，造成國安隱憂。對此，請問警察機關執行查緝逃逸外勞工作，其執行依據與查緝工作之屬性為何？有無違反任務法定原則？請申論之。
- 四、美國在 911 事件中，紐約雙子星之南北雙塔被恐怖攻擊而崩塌，隨即發出「對恐怖主義宣戰」(War on Terrorism) 之號令。有鑑於此，請從外事警察立場，論述平日應如何執行及採取有效防範恐怖活動發生之作為？

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境安全與管理

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 7 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、人員查核是國境管理之重要部分，試說明美國在「九一一事件」後有哪些新的作為？且相較我國亦有哪些相應的設計？

二、國境管理是國土安全的重要一環，在此脈絡下，請詳述「資訊分享環境—可疑行動報告」（ISE-SAR）之循環流程？

三、請說明非法移民之定義為何？人類進行非法移民之動機為何？全球各國為了防制非法移民之問題，計提出哪些相關對策？請論述之。再者，美國為了解決非法移民問題，近年來，提出「Development, Relief, and Education for Alien Minors Act」（簡稱為 DREAM）法案，請根據本題所附美國參議院夢幻法案（DREAM）之內涵，說明該法案之內容為何？美國夢幻法案有何重要之特色？對臺灣有何啟發？再者，對於在臺境內，尚未取得居留權之泰緬孤軍後裔，可否將美國夢幻法案之精神與原則，應用至上述泰緬孤軍後裔之上？理由為何？請論述之。

參議院夢幻法案

The library of Congress(Thomas),
Bill Summary & Status
112th Congress (2011 - 2012)

Latest Title: Development, Relief, and Education for Alien Minors Act
of 2011

Sponsor: Sen Durbin, Richard [IL] (introduced 5/11/2011)
Cosponsors (35)
Related Bills: H.R.1842, S.1258

Latest Major Action: 6/28/2011 Senate committee/subcommittee actions.
Status: Committee on the Judiciary Subcommittee on Immigration, Refugees and Border Security . Hearings held.

Development, Relief, and Education for Alien Minors Act of 2011 or DREAM Act of 2011 ----

1. Authorizes the Secretary of Homeland Security (DHS) to cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who: (1) entered the United States on or before his or her 15th birthday and has been present in the United States for five years preceding this Act's enactment; (2) is a person of good moral character; (3) is not inadmissible under specified grounds of the Immigration and Nationality Act; (4) has not participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; (5) has not been convicted of certain offenses under federal or state law; (6) has been admitted to an institution of higher education (IHE) in the United States or has earned a high school diploma or general education development certificate in the United States; and (7) was age 35 or younger on the date of this Act's enactment.
2. Authorizes the Secretary to waive specified grounds of inadmissibility for humanitarian, family unity, or public interest purposes.
3. Requires an alien to apply for cancellation of removal and conditional permanent resident status within one year after the later of: (1) earning a high school diploma or general education development certificate in the United States, or (2) the effective date of related final regulations.
4. Requires prior to the granting of conditional permanent resident status that: (1) an alien submit biometric and biographic data, and (2) the Secretary has completed security and law enforcement background checks.
5. Requires an alien applying for conditional permanent resident status to: (1) register under the Military Selective Service Act if so required, and (2) undergo a medical examination.
6. Prohibits the Secretary or the Attorney General (DOJ) from removing an alien with a pending application who establishes prima

facie eligibility for cancellation of removal and conditional permanent resident status.

7. Directs the Attorney General to stay the removal proceedings of an alien who: (1) meets the requirements (other than that pertaining to secondary school diploma or post-secondary school) for cancellation of removal and conditional adjustment, and (2) is at least five years of age and enrolled full-time in a primary or secondary school.
8. Establishes a six-year period of conditional permanent resident status. Terminates such status if the alien: (1) ceases to be a person of good moral character or becomes inadmissible under specified grounds, or (2) did not receive an honorable military discharge.
9. Authorizes the Secretary to remove the conditional basis of an alien's permanent resident status if the alien: (1) has demonstrated good moral character; (2) is not inadmissible under specified grounds; (3) has not abandoned U.S. residency; (4) has earned an IHE degree (or has completed at least two years in a bachelor's or higher degree program) in the United States, or has served in the Armed Forces for at least two years (and if discharged, was honorably discharged); and (5) has provided a list of each secondary school attended in the United States.
10. Authorizes, and sets forth the criteria for, a hardship exception to such requirements.
11. Requires an alien prior to having his or her conditional status removed to have: (1) satisfied citizenship requirements, (2) submitted biometric and biographic data, and (3) have had security and law enforcement background checks completed.
12. Requires an alien seeking to have such conditional status removed to file an application during the period beginning six months prior to, and ending on, the date that is later of: (1) six years after the date the alien was initially granted conditional permanent resident status, or (2) any extended expiration date of the alien's conditional permanent resident status.
13. Prohibits an alien from applying for naturalization while he or she is in conditional permanent resident status.
14. Sets forth provisions regarding: (1) confidentiality of information, (2) required disclosure, (3) application fraud, and (4) penalties for false application statements or misuse of information.
15. Makes an alien in conditional permanent resident status eligible only for the following programs with respect to assistance under title IV of the Higher Education Assistance Act of 1965: (1) Ford or Perkins loans, (2) work-study programs, and (3) educational services.

16. Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to repeal the denial of an unlawful alien's eligibility for higher education benefits based on state residence unless a U.S. national is similarly eligible without regard to such state residence.

四、請根據本題所附美國安全飛航計畫（Secure Flight）之內容，說明該計畫之實際內涵、運作機制與目的為何？有哪些特色？法源依據為何？另外，並請說明美國「安全飛航隱私權保障計畫」（Secure Flight Privacy Program）之實際內容為何？對臺灣有何重大之啟示？

Secure Flight Overview

Secure Flight is a behind-the-scenes program that enhances the security of domestic and international commercial air travel through the use of improved watch list matching. Collecting additional passenger data improves the travel experience for all airline passengers, including those who have been misidentified in the past. When passengers travel, they are required to provide the following Secure Flight Passenger Data (SFPD)(.pdf, 192kb) to the airline:

1. Name (as it appears on government-issued ID the passenger plans to use when traveling)
2. Date of Birth
3. Gender
4. Redress Number (if applicable)

The airline submits this information to Secure Flight, which uses it to perform watch list matching. This serves to prevent individuals on the No Fly List from boarding an aircraft and to identify individuals on the Selectee List for enhanced screening. After matching passenger information against government watch lists, Secure Flight transmits the matching results back to airlines so they can issue passenger boarding passes.

Secure Flight Program Background

Prior to the implementation of Secure Flight, airlines were responsible for matching passenger information against the watch lists. Secure Flight is a program developed by the Department of Homeland Security (DHS) in response to a key 9/11 Commission recommendation: uniform watch list matching by the Transportation Security Administration

(TSA).

The mission of the Secure Flight program is to strengthen the security of commercial air travel into, out of, within, and over the United States through the use of improved and expanded watch list matching using risk-based security measures. By transferring these watch list matching responsibilities from the airlines to TSA, Secure Flight:

1. Decreases the chance for compromised watch list data by limiting its distribution
2. Provides earlier identification of potential matches, allowing for expedited notification of law enforcement and threat management
3. Provides a fair, equitable, and consistent matching process across all airlines
4. Offers consistent application of an integrated redress process for misidentified individuals through the Department of Homeland Security's Travel Redress Inquiry Program (DHS TRIP)

As of November 2010, Secure Flight conducts uniform prescreening of passenger information against federal government watch lists for all covered U.S. and foreign flights into, out of, and within the United States – fulfilling a key 9/11 Commission recommendation a month ahead of schedule. This also includes point-to-point international flights operated by U.S. airlines. Secure Flight also performs watch list matching for flights that overfly, but do not land in, the continental United States (i.e., lower 48 contiguous states, excluding Alaska and Hawaii).

The program's goals are to:

1. Support TSA's Risk-Based Security (RBS) mission by identifying high-risk passengers for appropriate security measures/actions and identifying low-risk passengers for expedited screening
2. Prevent individuals on the No Fly List from boarding an aircraft
3. Identify individuals on the Selectee List for enhanced screening
4. Minimize misidentification of individuals as potential threats to aviation security
5. Incorporate additional risk-based security capabilities to streamline processes and accommodate additional aviation populations
6. Protect passengers' personal information from unauthorized use and disclosure

How It Works---

Under the Secure Flight program, passengers making a reservation are required to provide their full name (as it appears on the government-issued identification they plan to use when traveling), date of birth, and gender.

TSA matches this information against government watch lists. After matching passenger information against government watch lists, Secure Flight transmits the matching results back to airlines so they may issue passenger boarding passes.

Privacy----

Ensuring the privacy of individuals is a cornerstone of Secure Flight. TSA developed a comprehensive privacy plan to incorporate privacy laws and practices into all areas of Secure Flight. The program worked extensively to maximize individual privacy.

In addition to assuring compliance and reinforcing its commitment to protecting privacy, Secure Flight created an environment dedicated to guaranteeing its privacy mission that is front and center every day.

The Secure Flight Privacy Program includes:

1. Foundational Privacy Principles: Tenets that underpin and guide all Secure Flight behaviors, requirements, systems, and processes
2. Privacy Organization: Dedicated Privacy Officer and privacy staff, processes, and procedures responsible for privacy compliance, for assessing Secure Flight privacy risks, and for developing and implementing plans to effectively manage those risks
3. Privacy Policy: Secure Flight privacy policies, procedures, standards, and rules of behavior as well as ways to adhere to them
4. Systems Development and Security: Administrative, physical, and technical safeguards that manage privacy risks throughout the lifecycle of the Secure Flight system
5. Awareness and Training: Programs to make the Secure Flight organization and its stakeholders, including the traveling public and the airlines, aware of Secure Flight's privacy posture and practices
6. Monitoring and Compliance: Programs to monitor adherence to statutory and regulatory privacy requirements and Secure Flight's privacy principles, policies, procedures, standards and rules of behavior
7. Redress and Response: Systems and processes to respond, if needed, to privacy inquiries, issues, and incidents

8. Privacy Risk Management: Tools and techniques to support Secure Flight privacy risk management

What Laws Mandate Secure Flight?

The 9/11 Commission Report recommended that TSA take over watch list matching from aircraft operators. The Intelligence Reform and Terrorism Prevention Act (IRPTA) of 2004 codified this recommendation into law, and requires DHS and TSA to assume from aircraft operators the function of conducting pre-flight comparisons of passenger information to federal government watch lists. TSA implemented the Secure Flight program to meet this Congressional mandate. The Secure Flight Final Rule provides the regulatory authority for the implementation of the Secure Flight program.

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境執法

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 1 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

- 一、外國人有無進入我國之自由？依入出國及移民法規定，對於具何種原因之外國人，主管機關得予禁止其入國？請申論之。
- 二、依臺灣地區與大陸地區人民關係條例規定，大陸地區人民違反何事由規定，治安機關得逕行強制出境？另大法官會議釋字第710號解釋，對目前執行強制出境程序，有何意見？請申論之。
- 三、國家安全法第4條規定：「警察或海岸巡防機關於必要時，對……，得依其職權實施檢查……。 (第一項) 對前項之檢查，執行機關於必要時，得報請……協助執行之。 (第二項)」因此，請依法說明入出境安全檢查之受檢查客體、檢查應注意事項及檢查機關？又請進一步說明前述第一項與第二項「必要時」之意義與適用有何不同？
- 四、我國「管制物品管制品項及管制方式」如何規定？依據懲治走私條例有「私運」及「運送」管制物品罪，兩者如何認定？如何處罰？自大陸地區走私物品進入臺灣地區係以「私運」或「運送」論處之？

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國際公法(同等學力加考)

作答注意事項：

- 1.本試題共 4 題，每題各占 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

- 一、試論述國際習慣法(International Customary Law)的規則形成與其法律效力。
- 二、請依據聯合國《公民與政治權利國際公約》之相關規範內容，說明外國人與本國人享有之諸多權利種類，兩者之差異性為何？
- 三、試從戰後以來難民條約的發展，論述「難民」在定義上的各要件與其相關問題點。
- 四、一般而言，政府間國際組織在內部架構上由哪些主要機關組成，試論述之？（10分）在國際組織內部的表決方式上，有所謂「共識決（consensus）」，試論述「共識決」的內涵與其特徵。（15分）

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所
組 別：外事組
科 目：國際法與國際關係

作答注意事項：

- 1.本試題共 4 題，每題各占 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

- 一、哈佛大學名教授奈伊（Joseph S. Nye）在國際關係研究領域中所提出的「硬實力」（Hard Power）、「軟實力」（Soft Power）及巧實力（Smart Power）觀念，儼然已經成為當代衡量國力和發展策略的新指標，請解釋上述三個概念的內涵與應用，並以兩岸關係為例進行分析。
- 二、2011年3月，聯合國安全理事會針對利比亞內戰問題通過第1973號決議，企圖保護平民和設立禁航區。稍後，以美國為首的北約組織，也展開空襲行動，但基於「人道主義」的國際干涉，卻引發侵犯內政的爭議。稍後，敘利亞內戰問題同樣產生類似的爭議。請以利比亞或敘利亞情況為例，分析「不干涉原則」（Principle of Nonintervention）與「人道主義干涉」（Humanitarian Intervention）之間的關係。
- 三、試從定義、形成背景、主要內涵與發展限制等層面，論述國際關係理論中「全球治理（global governance）」的概念？
- 四、何謂「外交保護（diplomatic protection）」？（5分）其行使的要件為何？（10分）並論述「外交保護」中有關「卡爾伏條款（Calvo Clause）」的相關問題。（10分）

中央警察大學 103 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：外事組、國境組

科 目：專業英文

作答注意事項：

- 1.本試題共 4 大題，共 4 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、Vocabulary and Phrase into English (20 分)

- (一) 收容事務大隊
- (二) 擄人勒索
- (三) 內線交易
- (四) 限制住居
- (五) 監聽
- (六) 行政院
- (七) 黑手黨
- (八) 情報導向警政
- (九) 多邊國條約
- (十) 海峽兩岸服務貿易協議

二、Translation (30 分)

- (一) Please translate the following passage into correct Chinese (15 分)

David Benjamin Creamer (大衛·班哲民·克萊馬)--charged with distribution of child pornography, transportation of obscene materials, firearms violations, money laundering and income tax evasion -- has been added to the United States Marshals Service "15 Most Wanted" fugitive list.

In September 1995, a search warrant executed by the U.S. Customs Service at an office and two airplane hangars leased by Creamer turned up

many valuable items including 70 firearms, 80,000 rounds of ammunition and \$120,000 in U.S. currency.

In June 1997, a federal grand jury in Arizona indicted Creamer on 23 counts of criminal activity. He was arrested, arraigned and released on bond that same month. A trial date was set for March 1998, but he failed to report. He has been at large since then.

(二) Please translate the following passage into correct English (15 分)

(注意：括號中的字是說明題意，不必翻譯)

犯罪預防反映了一種自我防衛的哲學，即在犯罪發生以前警察和社區採取行動。它是種企圖去減少被害及嚇阻犯罪和罪犯。它特別是運用在政府的努力去減少犯罪，執法及維護刑事司法。它包括政府和社區為基礎的計劃去減少和犯罪參與(罪犯如何從事犯罪)有關的危險因素之事件以及被害率。

三、Reading Comprehension (20 分)

(一)

Arthur Ignatius Conan Doyle was born on May 22, 1859, in Edinburgh, Scotland. He is better known as the writer of the Sherlock Holmes novel.

The Doyles were a wealthy Irish-Catholic family, with many of its members __ (1) __ great success in the world of art. Charles Altamont Doyle, Arthur's father, was an alcoholic. He was also the only member of his family who never accomplished __ (2) __ of note.

After Arthur's ninth birthday, the wealthy members of the Doyle family offered to pay for his studies. They had recognized that he was a __ (3) __ student and they realized that with a proper education, he would go far in life, unlike his father. For the next seven years he __ (4) __ a Jesuit boarding school. It was during this time __ (5) __ Arthur discovered his talent for storytelling. In the evenings he would entertain the younger students by telling them amazing stories that he __ (6) __ off the top of his head. His creative mind and his love for literature __ (7) __ him to eventually create one of the most memorable characters in literature – Sherlock Holmes.

- | | | | |
|-------------------|----------------|---------------|----------------|
| 1 、 (A) achieved | (B) to achieve | (C) achieve | (D) achieving |
| 2 、 (A) anything | (B) something | (C) nothing | (D) everything |
| 3 、 (A) gift | (B) gifted | (C) present | (D) presented |
| 4 、 (A) attended | (B) took | (C) studied | (D) learned |
| 5 、 (A) which | (B) when | (C) that | (D) what |
| 6 、 (A) turned up | (B) made up | (C) showed up | (D) went up |
| 7 、 (A) let | (B) made | (C) led | (D) brought |

(二)

The European Union, or the EU, is set to become the newest global force in international politics and economics. Starting in the 1990s, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxemburg, the Netherlands, Portugal, Spain, Sweden and the UK decided to bring Europe closer together and formed the EU.

First, the border regulations between countries were removed. Then, eleven of the fifteen countries changed their currency into one combined “Euro” dollar, making traveling throughout Europe easier than ever. With a combined population of over 350 million, these smaller, unified countries can finally contend with heavyweights such as China and the US. The changes have come quickly, but have already proven beneficial to the economies and societies of the member nations. Though some question the future of the different individual cultures, the ideals behind the unification point to a promising future for Europe as a whole.

8 、 Who would be most interested in the narration ?

- (A) An elementary student in Singapore.
- (B) A professional athlete in China.
- (C) A housewife in the US.
- (D) A politician in Scotland.

9 、 What is the total population of the EU ?

- (A) Less than 350 million.
- (B) Between 300 and 350 million.
- (C) About 400 million.
- (D) Not mentioned.

10、What is one benefit of the EU that the author mentioned ?

- (A) Increased international influence.
- (B) Better education for Europeans.
- (C) More government control of borders.
- (D) Prettier coins with the new currency.

四、Essay (30 分)

Please write an essay (no less than 150 words) describing the proper procedures to handle the following case :

A foreign diplomat in Taiwan was drunk driving and also injured a pedestrian. Now the diplomat is at the accident scene.

中央警察大學 104 學年度碩士班入學考試試題

所 別：各所

科 目：國文

作答注意事項：

- 1.本試題共 2 大題，每大題各 50 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。
- 4.請以橫式書寫作答。

壹、解釋下列詞句之義：(每小題 10 分，共 50 分)

- 一、呦呦鹿鳴，食野之蒿。我有嘉賓，德音孔昭。視民不忒，君子是則是傲。我有旨酒，嘉賓式燕以敖。(《詩經·小雅·鹿鳴》)
- 二、初，鄭武公娶于申，曰武姜，生莊公及共叔段。莊公寤生，驚姜氏，故名曰寤生，遂惡之。愛共叔段，欲立之。亟請於武公，公弗許。(《左傳》隱公元年)
- 三、往者貞觀之初，率土霜儉，一匹絹才得粟一斗，而天下帖然。百姓知陛下甚憂憐之，故人人自安，曾無謗讟。(《貞觀政要·論儉約》)
- 四、發慮憲，求善良，足以諛聞，不足以動眾；就賢體遠，足以動眾，未足以化民。君子如欲化民成俗，其必由學乎！(《禮記·學記》)
- 五、子曰：「君子之於天下也，無適也，無莫也，義之與比。」(《論語·里仁》)

貳、論文：50 分

〔宋〕蘇軾〈刑賞忠厚之至論〉云：「先王知天下之善不勝賞，而爵祿不足以勸也；知天下之惡不勝刑，而刀鋸不足以裁也。是故疑則舉而歸之於仁，以君子長者之道待天下，使天下相率而歸於君子長者之道。」請參酌前引古文之思想，以「忠厚乃待人之道」為題，寫作論文一篇。

中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所
組 別：外事組
科 目：外事警察法規與實務

作答注意事項：

- 1.本試題共 4 題，每題各 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、亞坤是來自泰國的合法勞工，受僱在淡水某海產加工廠，工作不到三個月，卻因老闆財務周轉不靈而宣布關廠歇業。試問依規定：

- (一) 外勞在哪些情況下，可轉換雇主？(15 分)
- (二) 雇主在哪些情況下，可申請遞補外勞？(10 分)

二、林小姐要到某國家度假，但旅行社告訴她，事先必須備齊有效護照及簽證，方能快樂成行。試問：

- (一) 護照及簽證之定義。(10 分)
- (二) 護照及簽證之功能。(15 分)

三、臺灣與中國大陸所簽署的「海峽兩岸共同打擊犯罪及司法互助協議」，已成為現今兩岸執法人員合作防處跨境犯罪的重要依據，請說明影響該協議執行成效的因素。

四、情資交換是國際執法合作的重要環節，請說明國際執法合作領域中主要的情資交換機制為何？其運作模式為何？

中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境安全與管理

作答注意事項：

1. 本試題共 4 題，每題各 25 分；共 3 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、請說明歐盟整合性國境管理(integrated border management, IBM)之機制、運作現況與重要特徵，分別各為何？針對上述之歐盟整合性國境管理之機制，請繪製圖形說明之。（茲附上歐盟整合性國境管理之英文說明內容）

IBM as it has emerged as a joint concept from the PHARE, TACIS and CARDS assistance programmes came to comprise the following basic elements:

- comprehensive tackling of the interrelated problems of trade, transport, insecurity, criminal smuggling and, where necessary, the development problems of the border regions themselves;
- strict requirements for the numerous authorities and agencies (especially border control and customs, but also transport, health, veterinary services etc.) to cooperate on common problems, rather than working separately and often at cross purposes; and
- strong encouragement for neighbouring countries to cooperate in managing shared borders (European Commission, 2002a).

These basic principles further include the understanding that the various administrative branches upgrade their internal organisations by establishing smooth cooperation between their central and local levels, between border crossings and the green/blue border, and by setting-up an efficient equipment, communication and database infrastructure. Another feature is the professionalism of services provided: the countries concerned are strongly advised to release the military from any functions in border control, all the more where this is done with the involvement of poorly-trained

conscript soldiers. Border controls should be ‘Schengen-compatible’ in the sense that they conform to the Schengen Catalogue on external borders control.

This four-fold concept of IBM – in the sense of (i) a comprehensive approach to border problems across (ii) administrative and (iii) national dividing lines under the management of (iv) dedicated professional skills – today serves as an uncontested international standard.

(quoted from: Dr Peter Hobbing, Integrated Border Management at the EU Level. CEPS Working Documents No. 227, 1 August 2005, <http://aei.pitt.edu/6672/>)

二、請從國境管理之整全理論與基於風險評估之途徑，檢討機場人流與物流管理之應有改善作為。

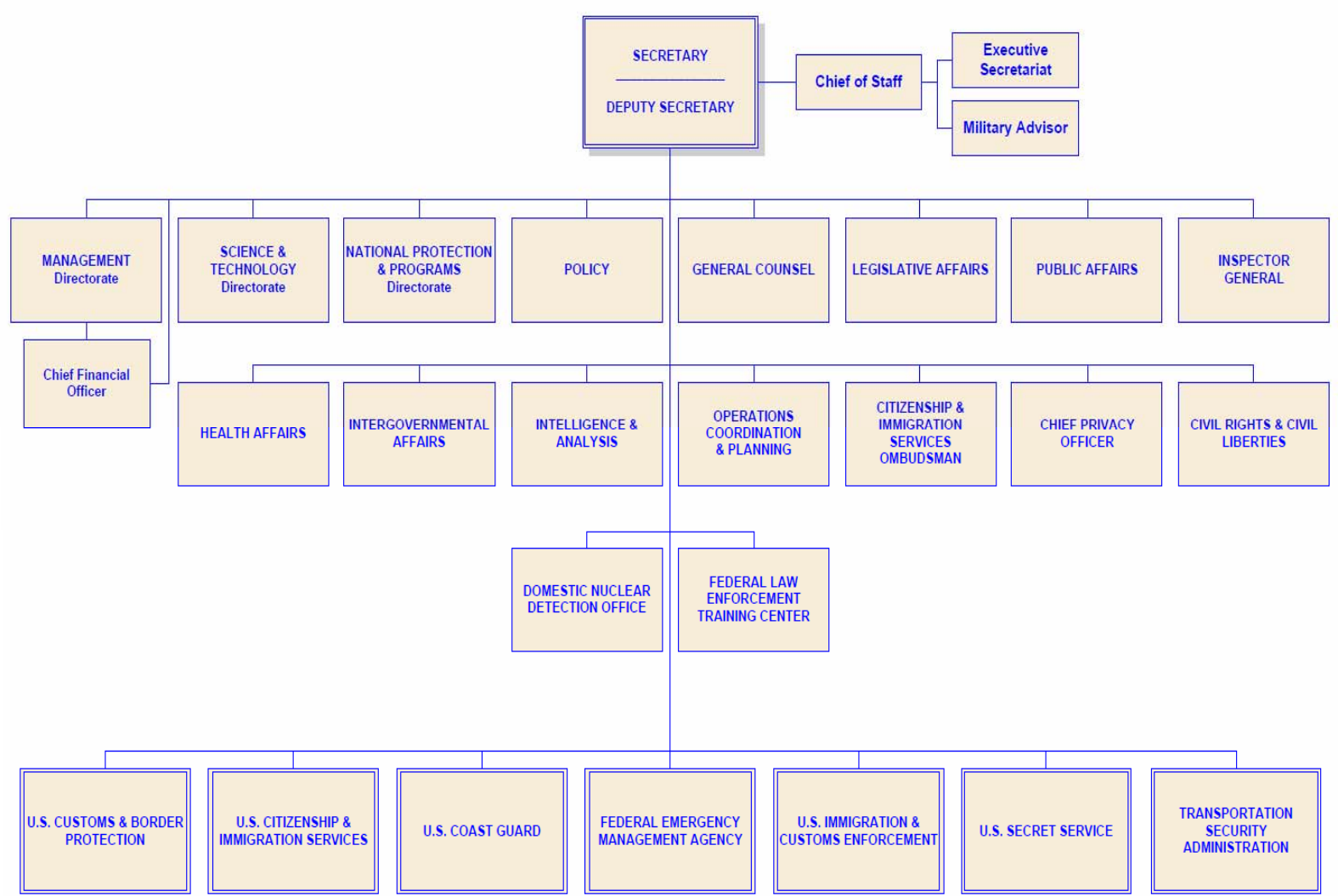
三、請列舉目前與貨櫃安檢有關之各項相關法律與條文重點，且請針對美國已在臺灣高雄港等實施「貨櫃安全倡議」(CSI)之內涵及對於現有執法之衝擊進行評述。

四、請說明美國國土安全部之組織架構、功能與任務分別各為何？並請繪製美國國土安全部之組織架構圖。（茲附上美國國土安全部之英文任務說明、組織架構圖）

The Department of Homeland Security has a vital mission: to secure the nation from the many threats we face. This requires the dedication of more than 240,000 employees in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspector. Our duties are wide-ranging, but our goal is clear - keeping America safe.

(quotes from USA. The Department of Homeland Security. 2015, <http://www.dhs.gov/about-dhs>)

U.S. DEPARTMENT OF HOMELAND SECURITY



中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國境執法

作答注意事項：

- 1.本試題共 4 題，每題各 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、「臺灣地區民航機場安全檢查作業規定」其法律性質為何？航空警察局員警執行旅客出國（境）安全檢查之程序與職權為何？請申論之。

二、依規定大陸地區人民申請在臺灣地區定居，有下列情形之一者，得不予許可：「有事實足認其無正當理由未與依親對象共同居住，或有關婚姻真實性之說詞、證據不符。」請評述本規定之意涵及其認定方法？

三、面對世界孤狼恐怖活動漸多，在入出國境人流管理上，如何防制孤狼入出境以防止其從事恐怖活動？

四、請說明下列內政部移民署對外國人行使暫予收容問題：

- （一）得暫予收容情形？
- （二）得暫予收容期間多久？
- （三）不服收容處分如何救濟？
- （四）不暫予收容有何替代收容處分？

中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：國境組

科 目：國際公法（同等學力加考）

作答注意事項：

- 1.本試題共 4 題，每題各 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、試論領海「無害通航（innocent passage）」的定義與法律性質，並舉例具體說明哪些行為屬於「非無害」的通航。

二、為了確保締約國確實履行國際人權條約的相關規定，現代國際人權條約的內容規範上大多會設計相關的監督機制，試詳述此類人權條約監督機制的內容與問題。

三、請說明並解釋國際爭端和平解決之原則及各項途徑。

四、請說明何謂「引渡」？並分析國際法中關於引渡的原則。

中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所
組 別：外事組
科 目：國際法與國際關係

作答注意事項：

- 1.本試題共 4 題，每題各 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、何謂「條約的保留（reservation）」？試從《條約法公約》之規定，說明條約保留的法律效果為何？

二、1992 年聯合國成立「全球治理委員會（Commission on Global Governance）」，試說明此一「全球治理」概念的意涵與其發展背景，並舉例說明與「全球治理」概念有關之重要事件。

三、2015 年 1 月，法國《查理週刊》（Charlie Hebdo）槍擊事件，震驚全球，不僅再度點燃西方世界的「伊斯蘭恐懼症」（Islamophobia），也加深各國對於新興「本土型恐怖主義」（Homegrown Terrorism/Domestic Terrorism）的恐懼。請試以近期一連串爆發於歐美各國的「本土型恐怖主義」為例，說明並評估傳統安全思維和國際合作架構，能否充分因應此種新形態的恐怖威脅？

四、烏克蘭危機持續延燒，牽動世界強權敏感神經，也引爆克里米亞（Crimean）獨立問題。請簡述烏克蘭危機發生的背景和成因，並從國際法觀點出發，申論俄羅斯派軍隊進入烏克蘭，是否違反國際法？以及克里米亞獨立公投在國際法上的效力問題。

中央警察大學 104 學年度碩士班入學考試試題

所 別：外事警察研究所

組 別：外事組、國境組

科 目：專業英文

作答注意事項：

- 1.本試題共 4 大題，總分 100 分；共 3 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、Vocabulary and Phrase Translation（中翻英、英翻中，20 分）

- | | |
|---------|----------------------------|
| （一）司法互助 | （六）deportation |
| （二）引渡 | （七）embezzlement |
| （三）緘默權 | （八）jurisdictional frontier |
| （四）瀆職 | （九）negligent manslaughter |
| （五）共犯 | （十）aggravated assault |

二、Passage translation（中翻英、英翻中，30 分）

（一）中翻英：

隨著科技的快速發展與資訊的快速流通，國際社會已縮小成一個「地球村」；也因全球大多數國家均已納入世界體系，任何國家對於犯罪問題，皆無法置身事外。不論「跨區」犯罪、「跨域」犯罪或「跨境」犯罪，包含運輸販毒、恐怖活動、國際詐欺、人口販運、武器走私、駭客入侵、網路洗錢等，犯罪組織擴大到全世界，「打擊跨國犯罪」已是全球警政的核心。

(二) 英翻中：

In ancient times, wealth was measured and exchanged tangibly in things that could be touched—food, tools, and precious metals and stones. Today electronic monetary systems are gradually being introduced that will transform money into even less tangible forms, reducing it to arrays of “bits and bytes,” or units of computerized information, whizzing between machines at the speed of light. Already, electronic fund transfer allows money to be instantly sent and received by different banks and companies, and instantly sent and received by different banks, companies, and countries through computers and telecommunications devices.

三、Reading Comprehension (20 分)

A 1972 law passed by the federal government makes it illegal to tamper with a car's odometer. Nothing can be done that would change the mileage shown on the car. Anyone who sells a car must sign a statement that lists the mileage on that car. If the mileage is incorrect because the odometer is not working, the seller must sign a statement saying that the mileage is unknown. No one except a repairman is allowed to do anything that would alter the mileage shown on the odometer. This is an important safeguard for the buyer of a used car, for an automobile may look in much better shape than its true mileage would indicate. A buyer should examine a used car carefully, ask to be shown the mileage statement, and contact previous owners. You can sue any seller who misrepresents the mileage on a car, but the best protection against this sort of fraud is a close inspection of the car before buying.

1. The main idea of this paragraph is that:

- (A) Auto dealers make a habit of misrepresenting the mileage of cars.
- (B) The auto industry can not be trusted to treat the public fairly.
- (C) The federal government now protects consumers against the unfair practice of altering odometers.
- (D) Auto dealers can now be sued for unfair practices.

2. A prospective car buyer should :
- (A) Examine a used car carefully.
 - (B) Ask to be shown the mileage statement.
 - (C) Contact the previous owner.
 - (D) Do all of the above.
3. We can conclude from the paragraph that:
- (A) High mileage cars are better buys than low mileage cars.
 - (B) Changing the mileage on used cars had become common practice among dealers.
 - (C) Fraud is a common practice among new auto dealers.
 - (D) The federal government has made it impossible to alter odometers.
4. The paragraph suggests that:
- (A) The average buyer is gullible.
 - (B) Consumer advocates were not pleased with the 1972 law.
 - (C) Suing a dealer for altering an odometer won't do any good.
 - (D) The buyer will be better off buying a new car because all used cars are worn out.
5. As used in this paragraph, the word *tamper* means:
- (A) Move forward
 - (B) Replace
 - (C) Repair
 - (D) Alter

四、Essay (at least 200 words) (30 分)

Please write an essay on “The balance between how to enforce the law and uphold human rights for the police.”

中央警察大學 105 學年度碩士班入學考試試題

所 別：各所

科 目：國文

作答注意事項：

- 1.本試題共 2 大題，每大題各占 50 分。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。
- 4.請以橫式書寫作答。

壹、解釋下列詞句之義：(每小題 10 分，共 50 分)

- 一、吾所以有大患者，為吾有身；及吾無身，有何患？(《老子·第十三章》)
- 二、為天下及國，莫如以德，莫如行義。以德以義，不賞而民勸，不罰而邪止，此神農、黃帝之政也。(《呂氏春秋·上德》)
- 三、事在四方，要在中央。聖人執要，四方來效。(《韓非子·揚權》)
- 四、凡戰者，以正合，以奇勝。故善出奇者，無窮如天地，不竭如江海。(《孫子兵法·勢篇》)
- 五、群臣陳其言，君以其言授其事，事以責其功。功當其事，事當其言則賞；功不當其事，事不當其言則誅。(《韓非子·二柄》)

貳、論文：50 分

顧炎武〈與友人論學書〉：「愚所謂聖人之道者如之何？曰：『博學於文』，曰：『行己有恥』。自一身以至於天下國家，皆學之事也；自子臣、弟友，以至出入、往來、辭受、取與之間，皆有恥之事也。恥之於人大矣。」請參酌前引古文之思想，以「現代警察的知識涵養與道德操守」為題，書寫論文一篇。

中央警察大學 105 學年度碩士班入學考試試題

所 別：外事警察研究所

科 目：外事警察法規與實務

作答注意事項：

1. 本試題共 4 題，每題各占 25 分；共 1 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、「聯合國打擊跨國組織犯罪公約」(United Nations Convention against Transnational Organized Crime) 影響我國涉外執法政策甚鉅，試從人口販運防制層面說明該公約對於涉外執法工作的影響。

二、何謂「情境犯罪預防」(Situational Crime Prevention)？請根據情境犯罪預防的思維，論述防制涉外治安案件的實務策略。

三、去(104)年 5-6 月間，因韓國金屬工會 Hydis 支會資深幹部裴宰炯於同年 5 月 12 日在韓國上吊自殺，控訴永豐餘集團在韓國惡性關廠。由其遺孀李美羅等 Hydis 工會成員穿喪服、頒遺像至永豐餘集團總公司及總裁何壽川宅抗議，並持續滯留該處設置靈堂、掛布條。警方依法逕行通知韓籍人士鄭○田等 8 人接受警方偵詢，再依警察職權行使法管制現場，及社會秩序維護法強制帶離韓籍陳抗人員鄭○田等 8 人，將渠等帶往位於新北市三峽之臺北收容所偵詢，並交由移民署專勤隊裁處逕予驅逐出國。請問警方將渠等帶至臺北收容所偵詢之作為的執法依據為何？(10 分) 有無違反人權或法律規定？請分別就警方與移民署論述。(15 分)

四、加強外勞治安管理計畫亟待釐訂整合性解決方法，請從(一)加強外勞治安管理、(二)強化偵辦案件技能、(三)預防保護，橫向聯繫、(四)尊重包容，和諧共處等四個面向，研擬外勞治安管理的具體方案。

中央警察大學 105 學年度碩士班入學考試試題

所 別：外事警察研究所

科 目：國際法與國際關係

作答注意事項：

- 1.本試題共 4 題，每題各占 25 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。

一、新創立的「亞洲基礎設施投資銀行」（簡稱「亞投行」）（AIIB），激起中國與世界其他強權之間的角力。請試從政治、經濟或貨幣的角度，分析中國主導「亞投行」背後的區域經貿布局，歐、美、日及東南亞各國反應不一的主因，以及臺灣可行之因應對策。

二、2015年迄今，受到中東敘利亞內戰牽連，歐洲大陸見證二戰之後最嚴峻的「難民潮」，並激起各國「極右派」政治勢力崛起。請從國際法觀點分析「難民」的地位與保障，並說明當前歐盟相關倡議處理措施所可能涉及之國際法爭議。

三、試述「外交保護權」的定義與內涵。有關其行使，有何限制？

四、近年來，「全球治理(global governance)」的概念廣泛應用於國際關係與國際事務，試簡要說明此一概念的基本內涵，並以《聯合國氣候變遷綱要公約》所架構的環保治理機制為例，論述國際行為主體在全球治理概念下所可能扮演的角色。

中央警察大學 105 學年度碩士班入學考試試題

所 別：外事警察研究所

科 目：專業英文

作答注意事項：

1. 本試題共 4 大題，總分 100 分。共 5 頁。
2. 不用抄題，可不按題目次序作答，但應書寫題號。
3. 禁用鉛筆作答，違者不予計分。

一、Vocabulary、Phrases and Cloze Test (30 分)

(一) Vocabulary and Phrases：(20 分)

- | | |
|-----------|----------|
| 1. 軍火走私 | 6. 示威遊行 |
| 2. 人蛇販子 | 7. 監聽 |
| 3. 跨國犯罪集團 | 8. 勞工剝削 |
| 4. 境外帳號 | 9. 恐嚇勒索 |
| 5. 通緝犯 | 10. 劫機事件 |

(二) Cloze Test: Choose the answer that best fits the given text. (10 分)

A common belief is that drinking alcohol kills brain cells. But you might want to look further into this topic. Research has shown that it isn't that simple. Beer, wine, or whisky itself doesn't actually kill any brain cells. 1 damaging brain cells themselves, alcohol creates neuron damage, which causes the brain to have trouble working. Data indicates that most of this harm can be healed. If you're an alcoholic, however, you had better 2 if you want to save your brain. Heavy drinking can 3 memory issues, confusion, and problems with muscle coordination. But instead of the alcohol itself 4 the problem, the damage actually comes from 5 certain B vitamin caused by drinking alcohol.

- | | | | |
|-------------------|------------------|---------------|---------------------|
| 1.(A) Instead | (B) While | (C) Likewise | (D) Rather than |
| 2.(A) to cut back | (B) cutting back | (C) cut back | (D) to cutting back |
| 3.(A) result from | (B) result in | (C) lead on | (D) lead in |
| 4.(A) is | (B) being | (C) in | (D) to |
| 5.(A) lack of | (B) lacking of | (C) a lack of | (D) lack for |

二、Passage translation. (20 分)

(一) 中翻英 (10 分)

在全球化趨勢下，犯罪國際化日益嚴重。因此，「打擊跨國犯罪」已是全球警政的核心。我國亦積極與各國執法機關建立情報合作管道，蒐集運輸販毒、國際詐欺、恐怖活動、人口販運、武器走私、駭客入侵及網路洗錢等犯罪情資，期能掃蕩不法，使跨國犯罪無所遁形，民眾免於被害。

(二) 英翻中 (10 分)

A country may wish to obtain the extradition of a fugitive whose whereabouts is located abroad. Based on a bilateral or multilateral treaty, convention, agreement, reciprocity, comity, or national legislation, extradition is the official surrender of an alleged criminal by one state or nation to another having jurisdiction over the crime charged.

三、Reading Comprehension: Read the following two texts and answer the questions below each text(20 分)

(一)

Sweden's Freedom of the Press Act is part of its Constitution. The Cabinet and Parliament have few and limited opportunities to interfere with the press. On several occasions, legislation has been proposed to provide better protection to individuals and to restrict crime reporting, for example, but these have not won a political majority. In Sweden, it has been regarded as in the public interest not to surround the activities of the media with excessively restrictive laws. Other interests have been subordinated to this principle.

Instead, Sweden has had an efficient self-policing system. The Swedish Broadcasting Corporation has accepted the ethical rules adopted by representatives of the print media. These rules are very specific in a number of areas, for example, respect for individual privacy.

Compared with other countries, for example, Swedish crime reporting is very restrained. Media organizations have established definite rules about when the name of an accused person may be disclosed. This may be done only after conviction for a

serious offence. An ordinary citizen can thus count on anonymity in cases where he has not been convicted of a very serious crime.

The situation is different when people in the public eye are involved. A senior civil servant, business owner or politician can expect to have his name revealed even if he is only a suspect in a crime. The same applies to such television celebrities as actors and personalities. The reason why the media make exceptions from the otherwise strict rules in these cases is that they regard it as in the public interest that the activities of these people be made known.

In recent years, there have been a number of cases where the need to disclose names has been challenged, and where it has been apparent that such disclosure has done far more damage to the person in question than any legal punishment.

In Sweden, as in other countries, there has been debate about violence and pornography in the visual media. But this has been more closely associated with the video compact disk business than with radio or television. One reason is that television has been relatively restrained about showing programs or movies containing violence or pornography. Among members of the public, there is a high level of tolerance for erotic films, but the limits are far stricter when it comes to violence. Typically, the groups that have criticized television and video have focused almost exclusively on violence, especially in video compact disks.

1. This passage is mainly about

- | | |
|------------------------------------|--|
| (A) the progress of Swedish media. | (B) crime reporting in Sweden. |
| (C) a media-free nation. | (D) the ethical concerns of Swedish media. |

2. We can learn from the text that in Sweden the media would

- (A) never hesitate to help a citizen to cover up crimes committed.
- (B) hardly show sympathy for actors and personalities.
- (C) disclose the name of a person who committed any crimes.
- (D) reveal the name of an ordinary citizen only if the offence is serious.

3. Towards the practices of Swedish media organizations, the author's overall attitude seems to be that of

- | | |
|-----------------|----------------|
| (A) approval. | (B) suspicion. |
| (C) opposition. | (D) prejudice. |

4. In Sweden, people show more concerns over the video compact disk business than on radio or television because
- (A) the government exerts more restrictions on the issue of compact disks.
 - (B) the former invariably earn the contempt from entertainment-oriented viewers.
 - (C) the public are becoming more and more tolerant of violence scenes on the screen.
 - (D) the video compact disk business is comparatively free to show programs involving violence or pornography.
5. It can be inferred from the passage that in dealing with crime reporting, Swedish television is
- (A) rather bold.
 - (B) very cautious.
 - (C) quite irresponsible.
 - (D) very careless.

(二)

In recent years, issues of public and personal safety have become a major concern to many people around the world. Violent incidents in fast food restaurants, parking lots, hospitals, schools and colleges, and shopping malls have led many to seek greater security inside their homes and in many public buildings and areas as well. Sales of burglar alarms, motion detectors, and closed circuit television systems (CCTV) have skyrocketed since 2000. Convenience stores, gas stations, jewelry stores, and even the postal service have barricaded their staffs behind safety glass enclosures and focus cameras on many work stations that involve handling money. Communities employ private security forces and encourage homeowners to install alarm systems and other security devices. While some people sympathize with the reasons behind these efforts, others have voiced concern that these measures are helping to create a siege mentality. There is fear that such a mentality will lead to a general distrust of others among people that could foster a dangerous isolation within neighborhoods and among neighbors.

6. The passage suggests which of the following about community security?
- (A) Communities are more dangerous today than they were before the year 2000.
 - (B) Too much concern for security could destroy trust among neighbors.
 - (C) Poor security has led to an increase in public violence.
 - (D) Isolated neighborhoods are unsafe neighborhoods.

7. The word *foster* in the last sentence most nearly means
- (A) adopt (B) encourage
(C) prevent (D) secure
8. The author believes that
- (A) more security is needed to make neighborhoods safer.
(B) people should spend more on home security.
(C) people should not ignore the problems created by excessively safety concerns.
(D) security devices are the best protection against violent crime.
9. According to the author, security devices have skyrocketed since 2000. What does it mean?
- (A) People like to live a life full of variety of security devices.
(B) The need of security devices has dramatically increased among people.
(C) The prices of security devices are on the increase.
(D) Security devices have changed a lot since 2000.
10. In the second last sentence, the phrase *siege mentality* means
- (A) hostility (B) defensiveness
(C) fear (D) corruption

四、Essay：（30分）

Write an essay on the following topic. The length of your essay should be no less than 100 words and no more than 250 words.

Preventive Measures to Curb Drug Trafficking

中央警察大學 106 學年度碩士班入學考試試題

所 別：各所

科 目：國文

作答注意事項：

- 1.本試題共 2 大題，每大題 50 分；共 1 頁。
- 2.不用抄題，可不按題目次序作答，但應書寫題號。
- 3.禁用鉛筆作答，違者不予計分。
- 4.請以橫式書寫作答。

壹、解釋下列語句之義：(每小題 10 分，共 50 分)

- 一、天子之所是未必是，天子之所非未必非，天子亦遂不敢自為非是，而公其非是於學校。(黃宗羲《明夷待訪錄·學校》)
- 二、聞誅一夫紂矣，未聞弑君也。(《孟子·梁惠王下》)
- 三、不違農時，穀不可勝食也；數罟不入洿池，魚鼈不可勝食也；斧斤以時入山林，材木不可勝用也。(《孟子·梁惠王上》)
- 四、子游曰：「事君數，斯辱矣；朋友數，斯疏矣。」(《論語·里仁》)
- 五、士方其佔畢咿唔，則期報於科第祿仕。或少讀古書，窺著作之林則責報於遐邇之譽，後世之名。(曾國藩〈聖哲畫像記〉)

貳、論文：50 分

《荀子·勸學》：「騏驥一躍，不能十步；駑馬十駕，功在不舍。」請參酌前引古文之思想，以「學習與實踐」為題，書寫作文一篇。

中央警察大學 106 學年度碩士班入學考試試題

所 別：外事警察研究所

科 目：外事警察法規與實務

作答注意事項：

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3. 禁用鉛筆作答，違者不予計分。

- 一、請就遣送與引渡的相關規定，評析肯亞去年將臺灣犯罪嫌疑人解送中國大陸的法律問題以及未來我國國際刑事司法互助有待努力深耕之道。
- 二、有關 2017 世大運期間反恐情蒐重點，試以「恐怖攻擊情資掌控」、「重點人士入境過濾」、「危險物品異常狀況」及「世大運選手安全」等面向申論之。
- 三、毒品犯罪問題是我國當前的重要治安議題，惟國內所查獲的毒品大部分來自境外。試論述打擊毒品販運國際公約的發展脈絡，以及該等公約對我國執法機關掃毒策略的啟示。
- 四、在全球化效應的影響下，近年臺灣發生多起跨國企業犯罪事件，諸如頂新集團黑心食用油及兆豐金控涉及洗錢等。顯見，涉外治安案件的性質正在轉變，不再只是傳統街頭犯罪。請討論我國涉外執法的思維和策略應如何調整，始能符合解決問題的需求。

中央警察大學 106 學年度碩士班入學考試試題

所 別：外事警察研究所

科 目：國際法與國際關係

作答注意事項：

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- 一、試述何謂「主權豁免（Sovereign Immunity）」？（5分）有關「主權豁免」，在國際法上存在哪些理論？試申論之。（20分）
- 二、有關國籍問題，包括國籍賦予的條件或國籍喪失的程序等，一般認為係屬於各國得以自由裁量之國內管轄事項。但從人權保障的觀點來看，已有不少國際條約在其條文內容上規範了有關國籍的事項，試說明此類國際條約有哪些？（10分）這些條約在有關國籍的內容規範上具有哪些特徵？（15分）
- 三、在川普今年就任為美國總統，共和黨掌握國會，若再加上由總統任命的司法最高法院大法官，美國國內政局短期內將由共和黨主導。在川普明顯的個人特質之下，美國國內社會、外交政策與國際情勢勢必隨之改變。請就川普競選時期提出與經貿、外交政策有關的重要政見及其可能對亞太國家造成之影響進行分析。
- 四、博弈理論（Game Theory）為科學行為主義學派相當推崇的理論框架，它能用來研究合理行為的策略與方法，也是遊戲規則和策略選擇的統一。請解釋何謂「囚犯困境」（Prisoners' Dilemma）、「懦夫遊戲」（Chicken）？

中央警察大學 106 學年度碩士班入學考試試題

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一、 Vocabulary and Phrases. (20 分)

(一) Qs 1-5: Read each sentence carefully and select the answer that is closest in meaning to the underlined word.

1. During the proceeding in front of the judge, Tommy pleaded not guilty to driving under the influence of alcohol.

(A) appealed (B) claimed
(C) argued (D) concluded

2. The judge exonerated Sylvia of all charges as her alibi was accepted by the court.

(A) cleared (B) executed (C) tried (D) convicted

3. The city's first responders must follow protocol when handling calls for cases of domestic violence.

(A) guidelines (B) internist (C) requests (D) evidence

4. The criminals wore gloves, so they wouldn't leave behind any latent fingerprints.

(A) hidden (B) painted (C) vinyl (D) visible

5. Under the agency's arrest policy, police officers have more discretion with infractions and some misdemeanors than with more serious offenses.

(A) choice (B) limits (C) responsibility (D) aptitude

(二) Qs 6-10: Fill in each of the blanks with a proper law enforcement-related term.

6. H_____ occurs when a person annoys or alarms another person, but does not intend or cause physical injury.

7. A_____ is a person to assist another person in the commission of a crime with knowledge that it will promote or facilitate the commission of the crime.

8. J_____ is a power or right of a legal or political agency to exercise its authority over a person, subject matter, or territory.

9. C_____ in general refers to forbidden goods such as narcotics, arms and ammunitions, weapons, pirated goods, etc.

10. E_____ is the fraudulent conversion of another's property by a person who is in a position of trust, such as an agent or employee.

二、 Translation: Translate the following short passages from Chinese to English or the other way around. (30 分)

(一) 保障人權及依法行政是外事警察處理涉外案件的重要原則，為了扮演好外交尖兵的這個角色，外事警察充分的涉外執法專業能力及精良的外語溝通能力亦不可或缺。

(二) Organized crime networks exploit new technology, differences among national regulatory regimes and links between the global economic, finance and transportation systems for their own gain.

(三) Countering illicit trade and counterfeiting requires a comprehensive approach which includes identifying and using a whole range of international legal instruments in a coordinated and creative manner.

三、 Cloze and Reading Comprehension : (20 分)

(一) Cloze: Choose the MOST appropriate answer.

The police caught a ___1___ criminal early this morning. The criminal, known to the police as Ah San, was ___2___ for many crimes. The police were given some vital ___3___ from an unknown source. They then laid a trap for Ah San which involved two detectives. The detectives ___4___ to be two wealthy businessmen. When Ah San found out about them, he decided to stage a kidnap. When he had kidnapped the two detectives, he called and asked for a huge ___5___. The police then ambushed him at the meeting place and apprehended him.

- | | | | |
|--------------------|---------------|-----------------|---------------|
| 1. (A) notorious | (B) conscious | (C) effortless | (D) dull |
| 2. (A) unknown | (B) famous | (C) wanted | (D) searching |
| 3. (A) information | (B) guilt | (C) suspicion | (D) hiding |
| 4. (A) acted | (B) pretended | (C) called | (D) trapped |
| 5. (A) source | (B) selection | (C) cooperation | (D) ransom |

(二) Reading Comprehension: Read the following text and choose the MOST appropriate answer to each question.

Most people think about policing in a very narrow way. They may think of traffic stops or criminal arrests. While it is true that law enforcement officers do both of these things, there is so much more to the job. In fact, policing is a diverse role. Officers must have a wide range of job skills if they are to be successful.

In addition to making arrests and traffic stops, officers often mediate disputes, domestic and otherwise. Mediation requires skill in listening, persuasion, conflict management, and the ability to subdue a belligerent person if needed. When responding to an incident, there is often far more involved than an arrest. Officers must first investigate and decide which, if any, crime was committed, and by whom. This requires problem solving, analytical ability, and knowledge of investigative techniques, as well as a good memory and observational skills.

Another core job duty is documenting investigations and incidents. The documentation is required to create a record and may be used in criminal or court proceedings. As a result, officers must attend to detail, have strong writing skills, and be able to use word processing software. There are other skills that may not come to mind as quickly. Yet, these skills are helpful, or may even be essential. For example, law enforcement officers are often the first to arrive at the scene of an accident. Thus, knowledge of CPR and first-aid are essential. Or, consider the ability to speak a second language, which can be very helpful in interviewing victims and witnesses.

6. What is the term belligerent used to mean in the passage?
- (A) Large or strong (B) Criminal
(C) Physically violent (D) Illegal
7. Which of the following statements best summarizes the passage?
- (A) The public's opinion of law enforcement is unfavorable.
(B) Police officers take on many roles, and use many different skills and abilities.
(C) The police officers who are the most successful are the ones with the most skills.
(D) The police officers are often the first to arrive at the scene of an accident.
8. For police officers, first-aid skills can best be described as
- (A) a job requirement. (B) a definitive characteristic.
(C) helpful, but not necessary. (D) the best living proof.
9. Writing ability is
- (A) far less important than most other job-related skills and abilities.
(B) necessary to successfully complete an important and common job duty.
(C) outdated as a job requirement due to the use of word processing software.
(D) the only one job-related skill to use at the scene of an incident.

10. According to the passage, which of the following statements about disputes is true?

- (A) Domestic disputes are by far the most common.
- (B) The parties involved in a dispute are generally hostile and aggressive.
- (C) The dispute may be resolved through communication and reason.
- (D) The disputes are often to be easily resolved by the police officers.

四、Essay：（30 分）

Write an essay on the following topic. The length of the essay should be no less than 100 words and no more than 250 words.

Measures Against Transnational Telecom Fraud

中央警察大學 107 學年度碩士班入學考試試題

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科 目：外事警察法規與實務

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一、請申述「孤狼恐怖主義」、「本土恐怖主義」之內涵？並從「防堵，阻絕境外」、「防制資恐及洗錢」、「加強查處行蹤不明」及其他四大面向申論具體防治方案。

二、涉外治安案件之定義為何？涉外治安案件之類型有哪些？請分別就管轄權之依據與處理程序說明涉外案件標準作業流程？

三、請將下列兩項國際公約的英文名稱翻譯成中文，並討論這兩項國際公約對於涉外執法領域的影響。

(一) U.N. Convention against Transnational Organized Crime.

(二) U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

四、根據內政部警政署所訂定有關外事警察處理涉外案件及為民服務的作業規定，外事警察應瞭解並掌握轄內外來人口動態，推展犯罪預防工作，強化為民服務品質。請以「社區及問題導向警政」(Community and Problem-oriented Policing)的思維為核心，說明外事警察應如何規劃犯罪預防及為民服務的工作？

中央警察大學 107 學年度碩士班入學考試試題

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- 3.禁用鉛筆作答，違者不予計分。

一、何謂「預防戰爭（preventive war）」與「先發制人戰爭（preemptive war）」？並進一步論述兩者之差異。

二、聯合國為現代國際社會中最具普遍性與代表性的國際組織。有關聯合國之組織架構，試回答下列問題。

- （一）聯合國的組織架構係由六大機構所組成，除了聯合國秘書處之外，尚有其他哪五大機構？（10 分）
- （二）聯合國秘書長如何選出？（5 分）
- （三）聯合國秘書長在國際爭端和平解決方面扮演怎樣的機能角色？（10 分）

三、1994 年聯合國開發計劃署（The United Nations Development Programme, UNDP）的《人類發展世界報告》（Human Development Report）提出「人類安全」（Human Security）概念之後，非傳統安全研究的重要性便逐漸受到重視。請試說明「人類安全」概念的主要內涵，並據此分析此一概念如何重塑傳統國際關係理論中的安全思維。

四、2017 年 4 月 6 日，由於宣稱敘利亞（Syria）出現化學武器攻擊事件，違反《禁止化學武器公約》，在未獲聯合國授權之下，美國總統川普（Donald J. Trump）依然下令空襲敘利亞，此舉也引發許多國際法的爭議。請試從國際法理論和觀點，評析此次空襲事件是否符合國際法規範。

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一、Vocabulary and Phrases：（20 分）

- (一)器官摘取
- (二)行蹤不明(逃逸)外勞
- (三)平等互惠原則
- (四)政治庇護
- (五)警察聯絡官
- (六)驅逐出境
- (七)提審法
- (八)屬地管轄
- (九)外交及領事豁免
- (十)過失殺人

二、Translation：（30 分）

DIRECTIONS: Translate the following short passages from Chinese to English or the other way around.

- (一) 隨著科技發展的日新月異以及交通運輸的快速便捷，國與國之間的距離大幅縮短，人與人之間的接觸交往也日益頻繁，但也因此促成犯罪的全球化與無國界化。因此，臺灣持續與各國執法機關透過各種方式，深化彼此合作關係及交流執法經驗，為打擊跨國犯罪努力。

(二)The use of a police canine is a significant use of force requiring proper legal justification. In general, officers may use only that degree of force that is objectively reasonable to apprehend or secure a suspect as governed by the standards in *Graham v. Connor*. According to *Graham*, the following factors should be used to determine the reasonableness of using force:

- the severity of the crime;
- whether the suspect poses an immediate threat to the safety of the officers or others; and
- whether the suspect is actively resisting arrest or attempting to evade arrest at the time.

(三)The widespread addiction to prescription opiates has spurred massive increases in the trafficking and consumption of illegal narcotics. We have also witnessed an increase in the use of fentanyl, which is highly attractive to drug traffickers. The attraction to fentanyl is that it is about 40 times more potent than heroin, which means a trafficker needs to put less of it into a bag for a customer. However, the potency of fentanyl also significantly increases the risk of a user's overdose and death. The potency of fentanyl poses a substantial risk not only to drug users but also to officers and community members who may inadvertently come into contact with the drug.

三、Reading Comprehension: (20%)

Qs 1-5: Answer questions 1-5 on the basis of the information given in each of the statements.

1. When a defendant claims that the presence of blood sprinkles on his clothing is due to the fact that he has touched such clothing with bloody hands, one can immediately conclude that he is lying.

The fact upon which this conclusion is based is *most nearly* that

- (A) nothing absorbs blood.
- (B) blood does not sprinkle.
- (C) fingerprints would have been left by the defendant if he had touched the clothing.
- (D) bloody hands will not leave the described mark.

2. The large number of fatal motor-vehicle accidents renders necessary the organization of special units in the police department to cope with the technical problems encountered in such investigations.

The generalization which can be inferred *most directly* from this statement is that

- (A) large problems require specialists.
- (B) technical problems require specialists.
- (C) many police problems require special handling.
- (D) many policemen are specialists.

3. In examining the scene of a homicide one should not only look for the usual, standard traces – fingerprints, footprints, etc. – but should also have eyes open for details which at first glance may not seem to have any connection with the crime.

The *most* logical inference to be drawn from this statement is that

- (A) in general, standard traces are not important.
- (B) sometimes one should not look for footprints.
- (C) usually only the usual, standard traces are important.
- (D) one cannot tell in advance what will be important.

4. Officer Chang didn't eat anything but small pieces of bread and butter.

The sentence that is *closest in meaning* to the one given above is that

- (A) He ate small pieces of bread and butter but didn't like them.
- (B) He only ate some small pieces of bread and butter.
- (C) He didn't eat anything, not even the bread and butter.
- (D) He didn't touch the bread and butter, but he ate other things.

5. After failing a doping test at the Beijing Olympics, John Peterson was stripped of his gold medal.

The sentence that is *closest in meaning* to the one given above is that

- (A) At the Beijing Olympics, John Peterson and many others were disqualified after failing a doping test.
- (B) If John Peterson hadn't been tested positive for doping at the Beijing Olympics, he wouldn't have lost his gold medal.
- (C) Since John Peterson confessed having used doping, his gold medal was taken back.
- (D) Although John Peterson failed the doping test, he wasn't disqualified from the Beijing Olympics.

Qs 6-10: Based on the passage below, answer the questions that follow it.

There is a relationship formed when law enforcement officers are partnered with canines. The use of police service dogs in a variety of capacities –from explosives and drug detection to *cadaver* and missing person searches – has gained much visibility over the years. The limited research that has been conducted on officer-service dog relationships has found ambivalence about officer attitudes. Sometimes they give their dogs a human-like identity, even while the dog is still generally considered less than human. However, a canine partner brings to the working relationship abilities such as smell and speed that surpass those of a human. The police service dog possesses skills that are superior to those of a human, and it is the dog that enables the partners to perform at a level that is otherwise unattainable for traditional police teams comprised of two humans. A second dimension of the officer-dog relationship stems from the officer being partnered with someone considered different. Based largely on gender differences, there is a body of research examining status differences among law enforcement. Since traditionally masculine traits (e.g., aggressiveness, competitiveness) are valued in policing, females are generally thought to be less able than males to achieve success in law enforcement. But this line of thinking cannot be applied to officer-canine partners because of the contradictory status of the dog – both less than human, but also in possession of skills that are valued in policing. When a canine partner is portrayed as a brave and loyal hero, how does the human partner feel?

6. According to the passage,

- (A) there is a bias against law enforcement officers who are partnered with canines.
- (B) there is limited research on the relationship formed when law enforcement officers are partnered with canines.
- (C) the general public supports law enforcement officers being partnered with canines.
- (D) more research need to be done because no one is sure why law enforcement officers are being partnered with canines.

7. The relationship between a law enforcement officer and a canine partner
- (A) has been thoroughly studied.
 - (B) need not be studied.
 - (C) is just like the relationship between two human law enforcement officers.
 - (D) is complex or multi-dimensional.
8. Which of the following statements would the author of this passage be most likely to agree with?
- (A) Canines should be used in law enforcement because they have a better sense of smell and can run faster than humans.
 - (B) Canines cannot be trusted to work in law enforcement due to a lack of research.
 - (C) Human law enforcement officers partnered with canines are at a disadvantage when at a crime scene.
 - (D) Being partnered with a canine is just like when a male law enforcement officer is partnered with a female law enforcement officer.
9. The author of this passage is curious about
- (A) how fellow law enforcement officers regard a fellow human officer who is partnered with a canine.
 - (B) the complexities of the relationship formed when a human law enforcement officer is partnered with a canine.
 - (C) how the human who is partnered with a canine feels when her dog saves the day or solves a crime.
 - (D) all of the above.
10. The word *cadaver* in line 3 of the passage most nearly means
- (A) safe-guarding
 - (B) careful screening
 - (C) the deceased
 - (D) hunting and retrieving

四、Essay: (30%)

Write an essay on the following topic. The length of the essay should be no less than 100 words and no more than 250 words.

The Impact of Unaccounted-for Foreign Workers on Public Order and Security

中央警察大學 108 學年度碩士班入學考試試題

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科 目：外事警察法規與實務

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一、依據《人口販運防制法》第 2 條第 1 款之規定，何謂人口販運？何謂不當債務約束？另依據同法第 28 條之規定，人口販運被害人之專案許可停留、居留及永久居留與申請工作許可等方面，其規定如何？

二、2015 年迄 2018 年間，韓國 Hydix 關廠工人跨海來臺陳抗，爭取勞動權益，該事件主要涉及《公民與政治權利國際公約》遷徙自由權、外國人不受非法驅逐及集會自由權之保障，試論述該 3 項權利之內涵，並檢討我國相關行政或司法機關於該事件中之作為或決定，是否違反上開權利之保障。

三、駐華外國機構得享受之特權暨豁免為何？

四、《外國護照簽證條例》之主管機關為何？實務上我國核發外國護照之簽證有哪些種類？

中央警察大學 108 學年度碩士班入學考試試題

所 別：外事警察研究所

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- 一、刑事司法互助係歐盟體系內重要的合作事項，試論述何謂「歐盟逮捕令（European Arrest Warrant）」，並說明歐盟逮捕令與傳統引渡制度的差異。
- 二、「全球治理（global governance）」的概念可說是現代國際關係中受到矚目的課題。試說明「全球治理」概念的內涵，以及該概念之發展與國際司法互助之間的連結關係。
- 三、為因應日益嚴峻的跨境犯罪問題，並彌補《外國法院委託事件協助法》之缺漏和各別刑事司法互助協定之不足，2018年立法院正式三讀通過《國際刑事司法互助法》，提供更為完備之規範準據。請試以此新法之重要內容為例，說明過去我國在國際刑事司法互助實務上遭遇的困境，以及在此法通過後的改變。
- 四、2018年中，美國政府陸續針對多項中國商品課徵關稅、限制中國採購部分美國商品，並計畫限制美國在華投資，正式揭開美中「貿易戰」序幕，不僅衝擊全球經濟秩序和金融市場，也將美中關係和全球戰略生態，引入一個全新的階段。究竟，美國發動「貿易戰」的主要目標為何？存在於背後的國內與國際因素又是什麼？未來，美中「貿易戰」的可能走向和發展又是如何？將會對於後冷戰時代的全球化發展趨勢產生何種影響？請試從國際關係的視野，針對上述問題提出分析。

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一、Vocabulary and Phrases (20%)

1. Incapacitation
2. Incident-driven Policing
3. Crime Displacement
4. White Collar Crime
5. Criminal Justice
6. Restorative Justice
7. Precursor Chemical
8. Financial Action Task Force
9. Treaty on Mutual Legal Assistance in Criminal Matters
10. U.N. Convention against Transnational Organized Crime

二、Translation (30%)

1. By 2030, the criminal landscape will change U.S. and European society as the more virulent and diversified transnational crime rapidly takes the place of the more familiar street crimes. Transnational crime's structure and form is adapted to maximize

exploitation of the new world order of global trade, finance, travel, and communication. Transnational crime's explosive growth destabilizes emerging states, while corrupting institutions and infrastructure worldwide. Modern-day transnational crime is neither a logical extension of traditional organized crime nor street crime; rather, it is the product of two historical tipping points: the collapse of the Soviet Union and 9/11.

2. Today's illicit global economy involves trading in anything from hazardous waste to human body parts and the Internet has multiplied opportunities for fraud. Faced with the task of controlling organized crime in a world where opportunities are proliferating, governments might do better to limit the field of battle by replacing international drug prohibition policies with more pragmatic regulatory policies, aimed at taking the profit out of trafficking.
3. 外交及領事豁免分別是在 1961 的維也納外交關係公約及 1963 的維也納領事關係公約規範，這兩項公約所給予的豁免分成四類：人身不可侵犯、刑事豁免、民事豁免、以及豁免被要求在刑事或民事訴訟中作證。

三、Reading Comprehension (20%)

The global recording industry has launched its largest wave of legal __1__ against people suspected of sharing music files on the internet. The latest move by the International Federation of the Phonographic Industry (IFPI) __2__ 2,100 alleged uploaders using peer-to-peer (P2P) networks in 16 nations __3__ the UK, France, Germany and Italy. Thousands of people have agreed to pay __4__ since the campaign began. In the US, civil lawsuits have been brought against more than 15,597 people __5__ September 2003 and there have been 3,590 settlements. "This is a significant escalation of our enforcement actions against people who are uploading and distributing __6__ music on P2P networks," said IFPI chief John Kennedy. "Thousands of people - mostly

internet-savvy men in their 20s or 30s - have learnt to their __7__ the legal and financial risks involved in file-sharing copyrighted music in large quantities.” Individual cases are generally brought by the national associations __8__ the recording industry, and in some cases by the labels, as civil complaints. The UK record industry has so far brought 97 cases, with a __9__ 65 covered by the latest action. More than 140,000 in compensation has been paid to the British Phonographic Industry by 71 individuals. Those who __10__ to resolve cases face civil court action.

1. (A) action (B) activity (C) acting (D) acts
2. (A) aimed (B) targeted (C) directed (D) pointed
3. (A) such (B) with (C) including (D) throughout
4. (A) fine (B) penalty (C) ticket (D) compensation
5. (A) during (B) throughout (C) since (D) in
6. (A) illegal (B) registered (C) trademark (D) copyrighted
7. (A) benefit (B) charge (C) cost (D) fortune
8. (A) for (B) working (C) inside (D) representing
9. (A) newly (B) addition (C) further (D) another
10. (A) intend (B) wish (C) don't (D) fail

四、Essay (30%)

Write an essay on the topic: Combatting Drug Crime

The connection between drug use and crime has received a great deal of attention. A simple inspection of data reveals a strong correlation between drugs and crime. Please describe your opinion about the strategy against drug crime.

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- 一、目前警察機關使用通譯之主要規範為何？（5 分）辦理通譯講習應包括哪些課程？（10 分）使用通譯時，應遵守哪些通譯倫理事項？（10 分）
- 二、依據「駐華外國機構及其人員特權暨豁免條例」第 5 條之規定，駐華外國機構得享受之特權暨豁免事項有哪些？
- 三、一般外國人如欲歸化我國國籍，依據我國現行國籍法之規定，應符合哪些要件？另外，為提升國家競爭力，爭取外國優秀專業人才來台，在歸化要件方面，針對此類外國優秀專業人才的歸化，我國國籍法有哪些特別規定？
- 四、目前在我國境內工作的外籍移工已經突破 70 萬人，而外籍移工犯罪的問題近年來亦日益嚴重，根據我國政府的統計資料顯示，涉案的外籍移工主要是集中在哪些犯罪類別？若以國籍統計，以哪個國家的移工犯罪人數最多？此種犯罪統計資料，對於我國防制外籍移工的犯罪有何幫助？

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- 一、2018年，「陳同佳案」（港人涉嫌在台殺害女友）在港台掀起「反送中」事件（反對「逃犯條例草案」修正運動）。請問，在港台尚未締結司法互助協議（或引渡協議）之前，港府若主動將陳嫌送回，台灣能否接受並進行司法訴追？請論述之。
- 二、2020年，正當全球被新冠肺炎陰影籠罩之際，沙烏地阿拉伯與俄羅斯二國，突如其來地展開「油價戰爭」，不僅重創國際金融市場，也加深各方對於經濟蕭條的恐慌。請嘗試從個人觀點解釋爆發此次「油價戰爭」的可能原因，並簡述衍生的國際影響。
- 三、受全球化（Globalization）效應的影響，犯罪者為降低風險及擴大不法利益，常將違法活動的範圍延伸至境外，形成所謂的「跨國犯罪」（Transnational Crime）。請說明跨國犯罪的定義與特徵，並列舉三種類型的跨國犯罪說明之。
- 四、在國際執法合作的領域中，「國際刑警組織」（International Criminal Police Organization, Interpol）及「聯合國毒品和犯罪問題辦公室」（United Nations Office on Drugs and Crime, UNODC）均扮演重要角色，對於跨國犯罪的防制貢獻良多，請針對這兩個組織的成立背景、功能等相關項目，進行說明及比較。

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3. 禁用鉛筆作答，違者不予計分。

一、Vocabulary and Phrases：（20 分）

1. 隔離檢疫
2. 緩刑
3. 外交豁免
4. 電子監控
5. 旅行禁令
6. modus operandi
7. unaccounted-for migrant worker
8. contraband
9. power of attorney
10. phishing scam

二、Translation：（30 分）

（一）英翻中（15 分）

With the deregulation of telecommunications and the Internet services and a great diversity of global financial activities, fraud rings are becoming more sophisticated in evading detection within their countries by converting to transnational, multi-continent heists.

（二）中翻英（15 分）

警政署除於多國派駐警察聯絡官，亦與美國、亞太、非洲、拉丁美洲及加勒比海等地區國家簽訂共同打擊犯罪及司法互助協定，以強化跨境情資交流與執法合作效能。

三、Reading Comprehension（20 分）

Every culture prescribes certain occasions and ceremonies for giving gifts, whether for personal or professional reasons. Japanese gift-giving rituals show how tremendously important these acts are in that culture, where the wrapping of a gift is as important (if not more so) than the gift itself. The economic value of a gift is ____1____ to its symbolic meaning. To the Japanese, gifts are viewed as an important aspect of one's duty to others in one's social group. Giving is a moral ____2 ____ (known as giri). Highly ritualized gift-giving occurs during the giving of both household/personal gifts and company/professional gifts. Each Japanese has a well-defined set of relatives and friends with which he or she shares ____3____ gift-giving obligations (kosai). Personal gifts are given on social occasions, such as at funerals, to people who are hospitalized, to mark ____4____ from one life stage to another (e.g., weddings, birthdays), and as greetings (e.g., when one meets a visitor). Company gifts are given to commemorate the anniversary of a corporation's founding, the opening of a new building,

or when new products are announced. In keeping with the Japanese emphasis on ____5____, presents are not opened in front of the giver so that it will not be necessary to hide one's possible disappointment with the present.

1. (A) legendary (B) primary (C) secondary (D) satisfactory
2. (A) victory (B) dilemma
(C) imperative (D) encouragement
3. (A) intentional (B) financial (C) overwhelming (D) reciprocal
4. (A) movements (B) assignments
(C) compliments (D) establishments
5. (A) earning money (B) keeping time
(C) saving face (D) showing pride
6. PETA (People for the Ethical Treatment of Animals) believes that animals deserve the most basic rights— consideration of their own best interests regardless of whether they are useful to humans.
(A) To PETA, animals' right is based on how much they can contribute to humans.
(B) To PETA, animals have their basic rights since humans need them.
(C) To PETA, animals should have their basic rights without regard to their contribution to humans.
(D) To PETA, animals should not have their basic rights since they are of no use to humans.

7. In North America, the first year of resident hospital training has been known as an internship, but it is no longer distinguished in most hospitals from the total postgraduate period, called residency.
- (A) In North America, internship refers to the first year of resident hospital training. However, in most hospitals, internship is not considered part of the total postgraduate period, called residency.
 - (B) In North America, the medical student is required to spend one year in the hospital to get on-site training as an intern, but in most hospitals this internship is not as important as the total postgraduate period, called residency.
 - (C) In North America, one year of resident hospital work is required of all medical students, which is also known as internship, but in most hospitals this internship is usually included in the total postgraduate period, called residency.
 - (D) In North America, during the postgraduate period, called residency, a medical student gets on-site medical training in the hospital for one year. This period is also known as internship.
8. His intention has not been so much to paint pictures that charm the eye as to suggest great thoughts that will appeal to the imagination.
- (A) He intends to paint pictures that charm the eye better than to suggest great thoughts that will appeal to the imagination.
 - (B) He intends to suggest great thoughts that will appeal to the imagination than to paint pictures that charm the eye.
 - (C) He intends neither to paint pictures that charm the eye nor to suggest great thoughts that will appeal to the imagination.
 - (D) He does not intend to paint pictures so much.

9. We cannot thank him too much for what he has done for us.
- (A) We don't need to thank him too much for what he has done for us.
 - (B) We have already thanked him too much for what he has done for us.
 - (C) No matter how much we thank him is not enough for what he has done for us.
 - (D) We cannot thank him anyway for what he has done for us.
10. The really top fashion houses are few and far between unless you go abroad.
- (A) The really top fashion houses lie at the far place abroad.
 - (B) The really top fashion houses are between a few houses when you go abroad.
 - (C) There are not a few really top fashion houses here unless you go abroad.
 - (D) The really top fashion houses are rare here unless you go abroad.

四、Essay (30 分)

請依下列情境，寫一篇英文講稿。文長約 300 字。

You are invited to give a talk (speech) to a group of American high school students, and the topic of your talk is--The Police Community Relation. Write out the speech here by using approximately 300 words.

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一、跨國人口販運的成因為何？對於人口販運被害者之保護，我國國內法上有何重要措施規定？試申論之。

二、針對來臺工作外國人之管理與許可，因身分不同而有不同之規定。試問針對駐華使領館聘僱外國人工作，以及外籍留學生在臺工作，我國國內法上有哪些重要規定？

三、《聯合國禁止非法販運麻醉藥品及影響精神物質公約》（U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances）公認是國際社會防制毒品販運的重要法源，多項創新的涉外執法措施出現於該國際法。請論述該公約對於涉外執法工作的影響。

四、「警察聯絡官」（Police Liaison Officer）的設置與派遣，是進行國際警務合作時較常採用的一種途徑，請說明警察聯絡官的類型、主要職責及其所面臨的挑戰。

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一、中國與美國之間的爭霸角力日趨激烈。近期，中國積極推動《中歐全面投資協定》（Comprehensive Agreement on Investment, CAI），企圖藉此落實「一帶一路」（Belt and Road Initiative, B&R）的區域經濟合作戰略；美國也強力主導「印太戰略」（Indo-Pacific Strategy），重新塑造美國及其盟友國家在太平洋和印度洋的戰略佈局。請試從個人觀點出發，分析此一發展對於兩岸關係的可能影響。

二、國際刑事司法互助之範圍，可分為以下三個層次：

- （一）犯罪人引渡；
- （二）偵查程序中之司法互助；
- （三）外國刑事判決之執行。

請分就以上三個層次說明其中重要內涵。

三、近年國際刑事司法互助走向以「國際建制」規範跨國司法合作模式，如《聯合國打擊跨國組織犯罪公約》、《聯合國反貪腐公約》等國際公約，對於國際刑事司法互助程序均列有詳細規範，具有政策參照價值，請說明當前國際刑事司法互助的主要發展趨勢，並就上述兩公約規範內容擇一說明。

四、國際關係理論學派之社會建構主義認為，無政府狀態是國家間建構起來的一種「觀念」，試說明社會建構主義認為國際體系的主要構成要件為何？它們如何影響結構與能動者（國家單元）間的關係？（15分）近年，孟加拉收留了近70萬名羅興亞人，他們是在母國緬甸遭受迫害的穆斯林少數民族，近期孟加拉啟用具爭議性的難民移置無人島計畫，試以社會建構主義理論觀點，分析此種國際難民衍生的人道主義問題及可能解決方式。（10分）

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一、Vocabulary and Phrases (20 分)

- | | |
|------------|------------|
| 1.歸化 | 6.假結婚 |
| 2.戶籍謄本 | 7.互惠原則 |
| 3.外僑永久居留證 | 8.受刑人移交 |
| 4.屬地管轄 | 9.政治庇護 |
| 5.警察刑事紀錄證明 | 10.外交及領事豁免 |

二、Translation (30 分)

1. Major theft crimes caused by transnational, national, and regionally based criminal enterprises have a devastating impact on the U.S. economy, not only contributing to the rise of consumer prices, but also to the loss of tax revenues to states and communities.
- 2.對國際習慣法公認的海盜、販賣人口、滅絕種族、戰爭罪、破壞和平等罪行，各國皆有司法管轄權。隨著國際犯罪的增多，各國透過締結國際公約來打擊這些犯罪行為。

三、Reading Comprehension (20 分)

Since the early 1990s, transnational organized crime has been used as a(n) ___1___ for international gangsterism in general. In this sense, it has become a term that is now a(n) ___2___ part of the vocabulary of criminal justice police-makers across the world. Many governments are in a continuous process of devising new ways to ___3___ what for most is a newly discovered problem. ___4___ treaties, United Nations conventions and transnational law enforcement institutions are ___5___ and intelligence agencies once fully employed in Cold War activities now take on such presumed entities as the Mafia, the Yakusa or any others that may be given a Mafia label as identification.

1. (A) acronym (B) antonym (C) similarity (D) synonym
2. (A) indifferent (B) separable (C) integral (D) indigenous
3. (A) increase (B) bondage (C) forbidden (D) combat
4. (A) Equilateral (B) Multilateral (C) Lateral (D) Collateral
5. (A) proliferating (B) prolix (C) prosecuting (D) pragmatic

No one signs up to become a slave. Traffickers frequently recruit victims through ___6___ advertisements promising legitimate jobs as hostesses, domestics, or work in the agricultural industry. Trafficking victims of all kinds come from rural, suburban, and urban ___7___. There are tell-tale signs when commercial establishments are holding people against their ___8___. Visible indicators may include ___9___ security at the commercial establishment including barred windows, locked doors, isolated location, electronic surveillance. ___10___ foot traffic especially for brothels where there may be trafficked women indicated often by a stream of men arriving and leaving the premises.

6. (A) fraudulent (B) indentured (C) sensational (D) blasphemous
7. (A) institutions (B) quarters (C) settings (D) shelters
8. (A) property (B) will (C) belongings (D) identity
9. (A) subversive (B) concrete (C) minimum (D) heavy
10. (A) Mediocre (B) Low (C) High (D) Grassroots

四、Essay (30 分)

Write an essay on the following topic. The length of the essay should be no less than 100 words and no more than 350 words.

A Letter of Congratulations

Directions:

Suppose you are Wang Ming and your friend Chen Hua has just won the **Outstanding Officer Award** because of the work in the field of **foreign affairs police**. Write a letter of congratulations to her, and the letter should include the following information:

1. express your congratulations on the award-winning.
2. express your opinion that she deserves the award.
3. express your hope for greater success in her field.