

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：國境警察學系碩士班

科 目：國境安全與管理

作答注意事項：

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一、在國際性(跨國性)之網路犯罪(International cybercrimes)方面，其對國境安全與管理而論，是一項新興之挑戰，請根據本題所附之英文資料，論述以下之問題：何謂網路犯罪？國際性(跨國性)之網路犯罪有何特色？國際社會上，有何防治作為？（請用中文作答，使用英文回答者，不予計分）

There is no commonly agreed single definition of "cybercrime". It refers to illegal internet-mediated activities that often take place in global electronic networks. Cybercrime is "international" or "transnational" --- there are 'no cyber-borders between countries'. International cybercrimes often challenge the effectiveness of domestic and international law and law enforcement. Because existing laws in many countries are not tailored to deal with cybercrime, criminals increasingly conduct crimes on the Internet in order to take advantages of the less severe punishments or difficulties of being traced.

No matter in developing or developed countries, governments and industries have gradually realized the colossal threats of cybercrime on economic and political security and public interests. However, complexity in types and forms of cybercrime increases the difficulty to fight back. In this sense, fighting cybercrime calls for international cooperation. Various organizations and governments have already made joint efforts in establishing global standards of legislation and law enforcement both on a regional and on an international scale. U.S.-China's cooperation is one of the most striking progress recently because they are the top two source countries of cybercrime.

Information and communication technology (ICT) plays an important role in helping ensure interoperability and security based on global standards. General countermeasures have been adopted in cracking down cybercrime, such as legal measures in perfecting legislation and technical measures in tracking down crimes over the network, Internet content control, using public or private proxy and computer forensics, encryption and plausible deniability, etc. Due to the heterogeneity of law enforcement and technical countermeasures of different countries, this article will mainly focus on legislative and regulatory initiatives of international cooperation.

International legislative responses and cooperation----

(一) G8---

Group of Eight (G8) is made up of the heads of eight industrialized countries: the U.S., the United Kingdom, Russia, France, Italy, Japan, Germany, and Canada. In 1997, G8 released a Ministers' Communiqué that includes an action plan and principles to combat cybercrime and protect data and systems from unauthorized impairment. G8 also mandates that all law enforcement personnel must be trained and equipped to address cybercrime, and designates all member countries to have a point of contact on a 24 hours a day/7 days a week basis.

(二) United Nations----

In 1990 the UN General Assembly adopted a resolution dealing with computer crime legislation. In 2000 the UN GA adopted a resolution on combating the criminal misuse of information technology. In 2002 the UN GA adopted a second resolution on the criminal misuse of information technology.

(三) ITU----

The International Telecommunication Union (ITU), as a specialized agency within the United Nations, plays a leading role in the standardization and development of telecommunications and cybersecurity issues. The ITU was the lead agency of the World Summit on the Information Society (WSIS). In 2003, Geneva Declaration of Principles and the Geneva Plan of Action were released, which highlights the importance of measures in the fight against cybercrime. In 2005, the Tunis Commitment and the Tunis Agenda were adopted for the

Information Society.

(四) Council of Europe---

Council of Europe is an international organisation focusing on the development of human rights and democracy in its 47 European member states. In 2001, the Convention on Cybercrime, the first international convention aimed at Internet criminal behaviors, was co-drafted by the Council of Europe with the addition of USA, Canada, and Japan and signed by its 46 member states. But only 25 countries ratified later. It aims at providing the basis of an effective legal framework for fighting cybercrime, through harmonization of cybercriminal offences qualification, provision for laws empowering law enforcement and enabling international cooperation.

(quoted from : International cybercrime--- Wikipedia, the free encyclopedia)

二、南韓之國力，愈來愈強，就南韓之移民政策（Immigration policy of South Korea）及移民管理（含國境及移民執法）而論，請根據本題所附之英文資料，論述以下之問題：南韓之移民政策、國籍法與全般性之移民計畫（含國境及移民執法），有何特色？（請用中文作答，使用英文回答者，不予計分）

In South Korea, immigration policy is handled by the immigration services of the Ministry of Justice, Ministry of Labor, Ministry of Health and Welfare and the Ministry of Foreign Affairs and Trade. The Nationality Act, Immigration Control Act, Multicultural Families Support Act, and the Framework Act on Treatment of Foreigners are the foundations of immigration policy in Korea. The Korean government initiated a discussion in 2003 on establishing an independent immigration office to accommodate fast-growing immigrant and to prepare inclusive and rational immigration policies; however, there has been little progress. The Foreigner Policy Committee, headed by the Prime Minister, coordinates foreigner-related policies which were handled by many ministries. However, its role is limited because of a shortage of resources and manpower. The establishment of an Immigration Office is expected to solve these problems by concentrating all related resources and manpower under one umbrella.

According to the UN Recommendations on Statistics of International

Migration revised in 1998, long-term international immigration is recorded after an individual enters a country and establishes his place of residence there for one year or more. Therefore, when the Korean government develops new policies immigrant laborers and children of illegal migrants should be counted (to follow this guideline).

Nationality Act ---

Effective June 14, 1998, persons with at least one Korean parent are automatically granted Korean nationality from birth, regardless of their decision on whether to choose the nationality of the foreign parent or country of birth (if born outside Korea).

The requirements for General Naturalization are as follows:

- Must have had domicile address in the Republic of Korea for more than five consecutive years
- Must be a legal adult, according to Korean civil law
- Must have good conduct
- Must have the ability to maintain a living standard on his/her own assets or skills (or is a dependent member of a family capable of that)
- Must have basic knowledge befitting a Korean national (such as an understanding of the Korean language, customs and culture)

National plan----

Its vision is a world-class Korea, where foreigners live in harmony with Koreans.

1.National competitiveness

- Attracting talent
- Attracting foreign workers for balanced national development
- Creating a foreigner-friendly living environment

2.Social integration

- Promoting understanding of a multicultural society
- Helping immigrants through marriage settle
- Creating a sound environment for multicultural children
- Creating a friendly environment for the Korean diaspora

3.Law enforcement

- Enforcing immigration laws
- Managing borders and information on foreigners to protect national security
- Securing solid citizens

4.Human rights

- Preventing discrimination and protecting human rights
- Protecting the human rights of foreigners in detention
- Establishing an effective system for determining refugee status and supporting refugees.

(quoted from: Wikipedia, the free encyclopedia)

三、近年來我國政府積極推動兩岸觀光交流，致使陸客來臺人數大幅上升，若以國境人流之「源頭安全管理」角度，檢視大陸地區人民來臺的安全管理機制，我國在國境人流管理上，仍面臨許多挑戰。請先從法令面及實務面，說明現行大陸地區人民來臺之管理機制後，再依此論述現行管理機制面臨之挑戰，並提出建議。

四、根據國際移民組織（IMO）的統計，從 2000 年至 2014 年，至少已經有 2 萬 2,000 名移民喪失性命在前往歐洲的海路上。對於大批非法移民與難民的湧入，歐盟各國國境安全面臨挑戰。請先敘述此波難民潮發生之背景，再分析歐盟為此採取的幾項措施，繼而論述歐盟邊境安全面臨之困境。

中央警察大學 105 學年度碩士班入學考試試題

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科 目：國境執法

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一、國境警察在國境線上得對入出境之人員與物品安全檢查，國境安全檢查之法令依據為何？入出境人民不接受或拒絕安全檢查之法律效果為何？請與海關稅務之檢查及刑事訴訟法之搜索比較說明。

二、2011 年 8 月臺美簽署《恐怖主義過濾資訊交換協定》，根據報導，美方曾經提供 52 名恐怖分子名單供我方防範，在入出國境人流管理上，如何依據《入出國及移民法》防制這 52 名外籍人士入境從事恐怖活動？倘恐怖分子已入境我國，依據《入出國及移民法》相關規定，該當如何處置？

三、我國《入出國及移民法》對本國人與外國人在入出國境之人流管理規定如何？有無不同？試從人民的基本權利--遷徙自由與平等權等論述說明之。

四、跨國（境）犯罪被認為是國際間重要的安全問題之一，請敘述國際間有哪些重要的刑事司法組織在處理此類之問題？國際刑事司法互助有哪些重要原則？

中央警察大學 105 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：專業英文

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一、Vocabulary and Phrase Translation (20 分)

- | | |
|------------|-----------|
| (一) 國境事務大隊 | (六) 人口販運 |
| (二) 移民署署長 | (七) 人流管理 |
| (三) 面部辨識系統 | (八) 監視錄影器 |
| (四) 恐攻行動 | (九) 刑事司法 |
| (五) 性剝削 | (十) 難民 |

二、Passage Translation (30 分)

- (一) Integrated Border Management is the organization and supervision of border agency activities to meet the common challenge of facilitating the movement of legitimate people and goods while maintaining border security and meeting national legal requirements.
- (二) Homeland security in the US leverages resources within federal, state, and local governments, coordinating the transition of multiple agencies and programs into a single, integrated agency focused on protecting the American people and their homeland.
- (三) Joe Pistone was an FBI agent who went undercover to infiltrate the drug trade of the Mafia families in New York City. He was picked for the job because he knew the code of conduct of the Mafia. The operation was extremely successful, and Pistone's information led to the conviction of 100 people.

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

(一)

The U.S. may so far have enjoyed good luck in escaping a direct EVD (Ebola virus disease) hit, but officials aren't leaving anything to chance. The best hope for averting an EVD epidemic at home will be to keep EVD out at the nation's borders.

Federal immigration laws authorize immigration authorities to exclude non-citizens who are determined to have a "communicable disease of public health significance". Immigration law also authorizes the President by proclamation to suspend the entry of any group of aliens whose entry he deems to be detrimental to the interests of the United States. This little-used power could be deployed to exclude all aliens from affected areas, a policy Taiwan has recently implemented.

Under the Public Health Service Act, any individual (citizens included) may be quarantined at an international port of entry if they are reasonably believed to be carrying a designated communicable disease. As of a November 17 Executive Order by President Obama, EVD is now a designated disease.

Thus, in tandem with airline screening, federal health authorities are carefully monitoring travelers from affected areas in Africa for EVD symptoms. With an estimated 55,000 individuals entering the country legally from all over the world on a daily basis, that is a tall order. A single EVD- infected person getting through the net could bring down the border strategy.

The U.S. government might also frontend the border strategy through restrictions on travel by American citizens to affected areas. In a series of Cold War era decisions, the Supreme Court upheld international travel restrictions for national security reasons, and one can imagine the same rationale applying to a public health emergency. How practical it would be to prohibit — and police — a travel ban to countries such as Guinea, Liberia and Nigeria is another question.

The initial EVD defense, then, hinges on effective border control. But U.S. borders are far from under control. There are an estimated 8-9 million undocumented aliens now in the United States, a figure growing by as many as 500,000 per year. Asia is the largest contributor to undocumented immigration outside the western hemisphere,

funneling illegal aliens into the United States through elaborate smuggling networks. Any severe and fatal epidemic could just as easily make serious inroads into the U.S. through this backdoor rather than the front.

1. From the first three paragraphs, we learn that _____.
 - (A) American officials don't see any chance of escaping an immediate EVD hit
 - (B) non-citizens with a disease will be quarantined at the international airport
 - (C) foreigners with a communicable disease may legally be denied entry into the U.S.
 - (D) immigration officers are empowered to keep aliens out of the U.S.
2. Which of the following statements is true according to the text?
 - (A) The President rarely declares a rejection of non-citizens from infected areas.
 - (B) The U.S. is the only lucky country to have kept safe from an EVD attack.
 - (C) The interests of the U.S. are given more legal protection than public health.
 - (D) The Public Health Service Act has been brought into effect since November 17.
3. The phrase "a tall order" most probably means _____.
 - (A) an ambitious plan
 - (B) a difficult task
 - (C) a careful arrangement
 - (D) an illegal decision
4. The author would probably agree that _____.
 - (A) an EVD hit could be escaped by means of strict monitoring of international travel
 - (B) undocumented immigrants pose a serious threat to national security of U.S.
 - (C) all of the illegal aliens coming into the U.S. with the help of complicated smuggling networks
 - (D) American border strategy may fail to attain its goal of avoiding an EVD epidemic
5. The passage is primarily concerned with _____.
 - (A) the threat of EVD to the national security of U.S.
 - (B) the U.S. border strategy against EVD
 - (C) the problems in U.S. national security
 - (D) the crisis of a public health emergency

(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 topic:

The Most Rewarding Aspect of Being a Border Police

中央警察大學 105 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：國際公法(同等學力加考)

作答注意事項：

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- 一、國際法上，外交使節團與外交官享有「外交特權（diplomatic privileges）」，試問認可「外交特權」存在的理由為何？以特權享有的內容而言，「外交官」與「領事官」存在哪些差異？
- 二、恐怖主義犯罪係嚴重影響國際安全的重要因素，試從聯合國安全理事會的組織與任務之角度，論述安全理事會在打擊恐怖主義犯罪方面的成就與困境。
- 三、試論述國際法中自然人「國籍衝突」的發生原因及解決原則。
- 四、試論述國際難民的法律地位及保護制度。

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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、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：國境警察學系碩士班

科 目：國境安全與管理

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- 一、請申論國境安全檢查之法理性質為何？我國國境安全檢查之相關法令規範又為何？
- 二、請論述臺灣海峽兩岸跨境犯罪之概況？兩岸刑事司法互助對於此類犯罪有何防治之機制？
- 三、試論我國國境人流管理的三道防線及其作法為何？再者，請論釋我國國境人流管理之困境，與可行之對策分別為何？
- 四、國境安全如何結合相關之科技管理應用，試就法律面及其實務面（含國內外作法）申論之。

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- 一、面對跨國犯罪，國際間有哪些原則以認定該犯罪之司法管轄權？若司法管轄權有競合時又如何處理？
- 二、國境線上，對於入出國者之證照查驗之法源為何？入出國未經證照查驗者之處罰為何？證照查驗時若發現持偽造證件者應如何處理？
- 三、禁止外國人出國之法律性質為何？外國人有何種情形，移民署應禁止其出國？外國人因其他案件在依法查證中，經有關機關請求限制出國，移民署之執行處理程序為何？
- 四、據報導有一屏風黨，其成員來自大陸地區，他們抱著或是用扁擔扛著屏風，在老街景點或是市場出入口，有民眾說如果碰倒屏風，會被索賠7萬元。警方獲報在某一市場出入口，果然看到一名男子也在賣屏風，而且就擺在路邊，警方蒐證後上前盤查，這名中國大陸籍男子用觀光簽證來臺，自稱屏風要賣4千元。請問警察及移民署對本案之調查及處理程序為何？

中央警察大學 106 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：專業英文

作答注意事項：

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3. 禁用鉛筆作答，違者不予計分。

一、 Vocabulary and Phrases into Chinese (20 分)

- | | |
|--------------------|------------------------------|
| 1. Kidnapping | 6. corruption |
| 2. bail | 7. endangering public safety |
| 3. arson | 8. drug trafficking |
| 4. attempted crime | 9. life sentence |
| 5. criminal fine | 10. jailbird |

二、 Translation (30 分)

(一) My answer is clear. I want this United Kingdom to emerge from this period of change stronger, fairer, more united and more outward-looking than ever before. I want us to be a secure, prosperous, tolerant country – a magnet for international talent and a home to the pioneers and innovators who will shape the world ahead. I want us to be a truly Global Britain – the best friend and neighbour to our European partners, but a country that reaches beyond the borders of Europe too. A country that goes out into the world to build relationships with old friends and new allies alike.

(二) To protect our citizens, I have directed the Department of Justice to form a Task Force on Reducing Violent Crime. I have further ordered the Departments of Homeland Security and Justice, along with the Department of State and the Director of National Intelligence, to coordinate an aggressive strategy to dismantle the criminal cartels that have spread across our Nation. We will stop the drugs from pouring into our country and poisoning our youth -- and we will expand treatment for those who have become so badly addicted.

三、 Cloze and Reading Comprehension (20 分)

(一) 1 is concerned with individual choices about right and wrong actions in a variety of contexts. Not all areas of our everyday conduct necessarily raise ethical questions but many do. In our personal lives we might face choices between being honest with our friends and not unduly upsetting them. Our professional lives may throw up a range of different moral 2. Business people face conflicts between the goal of maximizing profits and satisfying customers. Doctors sometimes have to choose between maximizing the chances of a patient's recovery and enabling them to make decisions about their treatment for themselves. The ethics of border security applies principles to questions about entry to national and supranational territory. Some of the principles are to do with the fair 3 of citizenship and legitimate differences between decent treatment of citizens and non-citizens; other principles are to do with the special 4 of non-citizens if not granted entry; other principles again are to do with the treatment of illegal immigrants and the identification of traffickers and their victims. The ethics of border security should be contrasted with the law of border security, because ethics and law are distinct. Although laws are often consistent with ethical principles, there is no contradiction in the notion of an unjust or immoral law. Ethical standards can, for example, be used to criticize law. In a democracy, the law operates as a series of rules amended over time by 5. Enforcement of the law resides with the government and its officials, but it

is subject to the interpretation of legislation by an independent judicial system. Although law prohibits many actions which would clearly be immoral to perform, much immoral action is outside the scope of the law.

- | | | | |
|----------------------|-------------------|-------------------|---------------------|
| 1.(A) Justice | (B) Ethics | (C) Righteousness | (D) Appropriateness |
| 2.(A) hazards | (B) obstacles | (C) challenges | (D) compass |
| 3.(A) privileges | (B) treatments | (C) status | (D) opportunities |
| 4.(A) weaknesses | (B) disadvantages | (C) treatments | (D) vulnerabilities |
| 5.(A) citizens | | (B) stakeholders | |
| (C) parliamentarians | | (D) police | |

(二) Moving 6 to fulfill his campaign promise to get the nation's illegal immigration problem under control, President Donald Trump signed two executive orders on Jan. 25 that constitute an almost complete 7 of the Obama administration's non-enforcement and open borders policy. From improving the physical barrier at our southern border to finally moving against sanctuary cities, these two executive orders put into effect a comprehensive program designed to secure our borders, implement interior enforcement, and reintegrate the assistance of state and local governments into federal efforts to enforce our immigration laws.

It has been a long time coming, but it seems to be finally happening: The federal government is actually enforcing our immigration laws. As the first order, "Border Security and Immigration Enforcement Improvements," correctly sets out in its preamble, "border security is critically important to the national security of the United States" and "aliens who illegally enter without inspection or admission present a significant 8 to national security and public safety."

The president orders the Department of Homeland Security to immediately take the following steps:

- Plan, design, and construct a physical wall, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

- End the “catch and release” policy of the Obama administration, which Border Patrol agents sarcastically referred to as “catch and run” that flooded the country with illegal aliens, as well as dramatically increase the capacity of 9 facilities to handle this change and the number of immigration judges needed to handle alien cases.
- Return illegal aliens “to the territory from which they came pending a formal removal proceeding,” expedite determinations of apprehended aliens’ claims of eligibility to remain in the U.S., and make federal prosecutions of immigration offenses “with a nexus to the southern border” a priority.
- Hire an additional 5,000 Border Patrol agents.
- Bring state and local law enforcement agencies back into immigration enforcement to get their assistance in the “investigation, apprehension, or detention of aliens,” including through the 287(g) program, something the Obama administration did everything it could to end.
- Stop the “abuse of parole and asylum provisions currently used to prevent the lawful removal of removable aliens” by doing what the Obama administration refused to do: Apply the plain language of the provisions in immigration law that set out strict standards for 10 and parole.
- Authorize immigration agents and even state officials who are helping federal authorities to enter all federal lands in pursuit of illegal aliens—again something that the Obama Interior Department refused to allow in areas where national parks and other lands were along our borders.

- | | | | |
|--------------------|---------------|----------------------|------------------|
| 6. (A) swiftly | (B) slowly | (C) unexpectedly | (D) expectedly |
| 7. (A) different | (B) parallel | (C) up-side-down | (D) reversal |
| 8. (A) strength | (B) risk | (C) threat | (D) opportunity |
| 9. (A) control | (B) detention | (C) prison | (D) apprehension |
| 10. (A) protection | (B) asylum | (C) anti-trafficking | (D) probation |

四、 Essay (30 分)

Write an essay on the topic:

How Smart Border facilities help Border Police to maximize border security around the world.

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、國境警察學系碩士班、公共安全研究所

科 目：國際公法(同等學力加考)

作答注意事項：

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3. 禁用鉛筆作答，違者不予計分。

一、何謂引渡？請列舉四種引渡的原則，並加以說明。

二、請說明「無害通過權」(Right of Innocent Passage)和「過境通行權」(Right of Transit Passage)的意義，並比較其差異。

三、在國際社會，一個國家的行為與不行為有可能致使其他國家受到損害。欲使受害國家有要求侵害國家負起國家責任。請分析國家責任構成之要件。

四、領土主權指國家對於領土所享有之主權，其取得之方式種類有幾種？針對釣魚台我國與日本之主張係基於何者？請分述主張理由。

中央警察大學 107 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：國境安全與管理

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- 一、內政部移民署國境事務大隊同仁於機場港口執行入出國查驗時，試問執行職務人員在哪些合法條件下，可以將受查驗旅客暫時留置進行調查？
- 二、聯合國安全理事會第 1373 號決議案決定：「為了制止恐怖主義行為，各國應該在刑事事項方面進行合作」，並建議各國應有完整懲處恐怖分子的法律框架，試問，國際間對抗資恐防制(Terrorism Financing)在法制與策略上有何演進與發展？我國在此方面法制上之發展為何？
- 三、請說明何謂「國境安全」及「國境管理」？中國大陸之中國銀行，於 2018 年，推出「大陸台生專項計畫」之徵才方案，向在中國大陸攻讀學位之台灣應屆畢業生招攬人才，請說明台灣應屆畢業生倘若進入中國大陸之中國銀行任職，是否違法？對我國之「國境安全」及「國境管理」，會造成何種之影響？
- 四、在 2018 年 3 月 25 日至同年 3 月 28 日期間，北韓領導人金正恩曾訪問中國大陸，中國外交部高度評價指稱，「中朝傳統友誼是雙方共同的寶貴財富」。北韓領導人金正恩與中國國家主席習近平於舉行會談時，金正恩並表示將致力於實現「朝鮮半島非核化」，請說明上述會談之結果，對我國之「國境安全」及「國境管理」，會造成何種之影響？

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：國境執法

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3. 禁用鉛筆作答，違者不予計分。

- 一、跨境走私行為不僅侵害國境安全，違反國境管理規定，有時更與國際犯罪息息相關，對一個國家影響甚鉅，不僅影響一個國家經濟、安全、健康，更影響社會治安。我國海關緝私條例與懲治走私條例等二法係我國緝私之主要法規，請問二者在緝私上有何不同？二者之關係又如何？
- 二、跨國（境）犯罪被認為是全球所面臨的重要安全問題之一，面對跨國犯罪，國際間有哪些國際司法互助模式？有哪些重要的刑事司法組織，在處理此類之問題？
- 三、試論國際刑警之組織（INTERPOL）與其主要功能為何？（15 分）又我國在國際刑警組織方面之發展過程為何？（10 分）
- 四、我國在國境執法的科技運用與國際合作上有何新的發展？試概要舉例說明之。

中央警察大學 107 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：專業英文

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一、Vocabulary and Phrase Translation (20 分)

(一) Global Entry Program

(二) Trusted Traveler Program

(三) illicit drug trafficking

(四) aircraft hijacking

(五) money laundering

(六) EUROPOL

(七) Federal Emergency Management Agency, FEMA

(八) Deferred Action for Childhood Arrivals, DACA

(九) extradition

(十) refugee

二、Translation (30 分)

President Trump makes no secret of his distaste for immigrants, nor of his support for measures to slash both legal and illegal immigration. Even as his crusade to close borders intensifies, however, American employers in an array of industries — manufacturing, agriculture, trucking, home building, energy, food service, retail and others — are warning that a long-brewing labor shortage is reaching crisis proportions. The causes of America's worker shortfall include an aging population and a birthrate that recently hit a historic low. With the jobless rate bumping along at just above 4 percent, companies desperate to fill orders and meet demand are pumping up their recruiting budgets and in some cases turning to ex-convicts to fill jobs. If the employee deficit seems bad now, signs indicate it will get worse — even as Mr. Trump orders stepped-up deportation efforts and pushes legislation to slash annual legal immigration, currently about 1 million, by half.

三、Reading Comprehension (20 分)

Undocumented immigrants aren't technically 1 for federal means-tested benefits like Medicaid and food stamps, and under the current version of the Senate's comprehensive immigration reform bill, previously undocumented immigrants with 2 legal status wouldn't be eligible to receive those benefits either. Data from the 2010 American Community Survey does indicate that foreign-born individuals in the U.S. — meaning naturalized citizens as well as legal and undocumented residents — are more likely than natural-born Americans to lack a high school diploma or live below the poverty line, both indicators of dependency upon federal benefits. But while immigrants are more likely to be low-income and thus eligible for benefits, some studies dispute that immigrants actually access those benefits at a higher rate than their 3 in the native-born population. The government will also work to boost Britain's economic competitiveness so it can continue to succeed in the world. The government's 4 welfare reforms, affecting state help for the disabled and unemployed, have already been controversial in Britain, which is struggling with a large budget 5.

- | | | | |
|-------------------|------------------|-------------------|---------------|
| 1. (A) eligible | (B) titan | (C) cling | (D) scrutiny |
| 2. (A) contradict | (B) stagnant | (C) probationary | (D) alienate |
| 3. (A) amnesty | (B) counterparts | (C) sanction | (D) hostile |
| 4. (A) sweeping | (B) clawing | (C) encapsulating | (D) swelling |
| 5. (A) proponent | (B) deficit | (C) verge | (D) sentiment |

The UK government has put immigration reform and the economy at the heart ____6____ its plans for the new parliamentary session. ____7____ the center of the government's legislative agenda is a new bill with tough new measures to continue immigration reform and prevent illegal immigrants accessing services they're not entitled to. The legislation will also contain measures to make it harder for people to prevent their removal with ____8____ appeals, reduce the complexity of immigration law and make clear that foreign national offenders should ____9____, except in extraordinary circumstances. Measures to make deportation easier may also reflect the Home Office's long-running, and so far unsuccessful, efforts to deport radical Islamist cleric Abu Qatada. A series of legal appeals have ____10____ the Jordanian national in the country.

- | | | | |
|---------------|--------------------|-----------------|------------------------|
| 6. (A) at | (B) of | (C) with | (D) on |
| 7. (A) At | (B) Of | (C) With | (D) On |
| 8. (A) derail | (B) petition | (C) overhaul | (D) spurious |
| 9. (A) deport | (B) being deported | (C) be deported | (D) have been deported |
| 10.(A) keep | (B) being kept | (C) kept | (D) been kept |

四、Essay (30 分)

Write an essay on the topic:

The relationship between border security and immigration right.

中央警察大學 107 學年度碩士班入學考試試題

所 別：外事警察研究所、國境警察學系碩士班、
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科 目：國際公法(同等學力加考)

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- 一、為加強洗錢防制與國際司法互助，以因應今年底第三輪的亞太防制洗錢組織（APG）評鑑，立法院院會於四月十日三讀通過「國際刑事司法互助法」，並將中國、港澳地區納入刑事司法互助範圍。請說明此法之重要內容及標準作業程序。
- 二、今年 3 月發生日本公務船追逐台灣漁船事件，外交部針對該事件發布聲明表示外交部護漁態度將會強硬且不被動搖，這次事件也將列入第 7 次「台日漁業委員會」議程，針對雙方於 2013 年簽訂之台日漁業協議適用海域作業規則進行討論。請先說明台日締結之漁業協議重要內容及其意涵，再以海洋法公約說明若一群島國的群島水域與鄰國重疊之處理原則。
- 三、在論述「國際法與國內法之關係」方面，存在哪些理論？試說明之。依據我國政府機關之實務見解，我國政府係採取何種理論？並說明理由。
- 四、國際裁判程序係國際爭端和平解決的途徑之一，一般又可區分為「國際仲裁裁判」與「國際司法裁判」，試針對兩者在法院的組成、裁判依據與裁判效力等方面所存在之差異，進行論述說明。

中央警察大學 108 學年度碩士班入學考試試題

所 別：國境警察學系碩士班

科 目：國境安全與管理

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- 3.禁用鉛筆作答，違者不予計分。

- 一、《入出國及移民法》之條文中，有關移民收容之種類、期限、救濟程序各為何？另外，上述移民收容之救濟程序，可否適用訴願機制？或可否適用撤銷訴訟？或可否適用確認訴訟？或可否適用課予義務訴訟？或可否適用提審之機制？理由為何？請說明之。就上述移民收容救濟程序而論，有哪些部分，仍有精進空間，俾利外來人口之人身自由權，能受到更佳之保障，請論述之。
- 二、「禁止出國」之處分，常用於國境人流管理機制上，請說明「禁止出國」、「限制出境」、「限制住居」、「限制出境」等4種處分之定義為何？實務上，如何運用之？遇到何種困難（境）？如何解決之？
- 三、請以我國國境管理法規條文說明外國人遇有哪些情形，內政部移民署得禁止其入國；再說明我國國境線上得禁止外國人入國所秉持之原則。
- 四、請以任一項由我國所舉辦之國際賽事為例，論述我國在國境安全管制或國土安全相關維護工作上執行之措施。

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- 一、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），造成國境執法實務上許多挑戰。請說明跨國犯罪的定義與特徵，並列舉3種類型的跨國犯罪說明之。
- 二、國際刑警組織（INTERPOL）、聯合國毒品和犯罪問題辦公室（UNODC）及國際警察首長協會（IACP），均是與國境執法關係密切的國際組織。請針對前述3個組織的成立背景及功能進行說明和比較。
- 三、請問國際慣例對於跨境犯罪之國際刑事司法互助原則為何？國際刑事司法互助主要有哪些模式？試申論之。
- 四、依《臺灣地區與大陸地區人民關係條例》規定，哪些具特定身分之臺灣地區人民申請進入大陸地區，需經內政部許可後始得為之？其中哪些又需經由內政部召開審查會許可後始得為之？而該審查會的成員包含哪些機關？上述具特定身分者若未經許可即進入大陸地區，裁罰內容為何？

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一、Vocabulary and Phrases into Chinese(20 分)

- (一) Advanced Passenger Processing system
- (二) Biometrics Verification System for Foreign Visitors
- (三) Suspicious Passport Comparison System
- (四) Foreign Spouse Care and Assistance Fund
- (五) Alien Permanent Resident Certificate
- (六) Overstaying a tourist visa
- (七) Forged and altered passports
- (八) Nationals without registered household
- (九) Diaspora
- (十) Migration stocks and flows

二、Translation(30 分)

(一)英翻中：

The ASEAN Plan of Action in Combating Transnational Crime (2016-2025) is established to follow up the mandate of the 2015 Kuala

Lumpur Declaration in Combating Transnational Crime and contribute to the realisation of the ASEAN Political-Security Community Blueprint 2025.

(二)英翻中：

Human trafficking, for labor and for sex, is one of the fastest-growing transnational organized crime markets. Twenty-one million men, women, and children around the world are currently thought to be victims of human trafficking, which the International Labor Organization estimates generates US\$150.2 billion in profits each year. The Asia-Pacific region is responsible for US\$51.8 billion of this market, with around 11.7 million victims.

(三)中翻英：

人口販運是一種有組織犯罪，社會問題研究人員和執法機構均特別難以察覺。之所以難以察覺，原因在於人口販運受害者高度分散，各國針對此種犯罪的法律存在巨大差異，以及包括客戶、證人和受害者在內的販運涉案人員有著揮之不去的恥辱感和恐懼。因此，用於偵測和衡量其他犯罪形式的常規工具對於販運人口可能無效。

三、Cloze and Reading Comprehension(20 分)

(一) Transnational organized crime __1__ to those self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary and/or __2__, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/ or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms. There is no __3__ structure under which transnational organized criminals operate; they vary from hierarchies to clans, networks, and cells, and may evolve to other structures. The crimes they commit also vary. Transnational organized criminals act conspiratorially in their criminal activities and

possess certain characteristics which may include, but are __4__:

In at least part of their activities they commit violence or other acts which are likely to intimidate, or make actual or implicit threats to do so;

They __5__ differences between countries to further their objectives, enriching their organization, expanding its power, and/or avoiding detection/apprehension;

They attempt to gain influence in government, politics, and commerce through corrupt as well as legitimate means;

They have economic gain as their primary goal, not only from patently illegal activities but also from investment in legitimate businesses; and

They attempt to insulate both their leadership and membership from detection, sanction, and/ or prosecution through their organizational structure.

1. (A) refers (B) subjects (C) applies (D) attaches
2. (A) weapons (B) commercial gains
(C) tools (D) instruments
3. (A) many (B) plural (C) single (D) several
4. (A) as many as the following (B) not limited to
(C) not as the following (D) not covering
5. (A) compare (B) adjust (C) ignore (D) exploit

(二) Intelligence-led policing (ILP) is a modern approach to law enforcement. First introduced in the United Kingdom in the 1990s, ILP has primarily been used in __1__ serious and organized crime. Promising results in recent years have prompted law enforcement authorities to expand the intelligence-led proactive methodology to all areas of police management as a comprehensive business model. ILP

focuses on systematic gathering and evaluation of data and information, through a defined analysis process, turning it into strategic and operational analysis __2__, which serve as basis for improved, informed and evidence-based decision-making.

Two of the main challenges of today's law enforcement are the ever-increasing complexities and transnational nature of crime as well as enhanced public demand for financial efficiency, i.e. 'to do more for less'. The ILP model __3__ these challenges by emphasizing and providing for intelligence-based prioritization followed by tasking and allocation of available resources in line with defined priorities.

By outlining clear and defined criminal intelligence mechanisms, __4__ procedures and organizational structures at the local, regional and national levels, this guidebook not only presents the conceptual ILP model, but also offers pragmatic tools to implement it. These include day-to-day policing practice, proactive strategic planning and operational action plans as well as instruments to address serious and organized crime. Furthermore, this guidebook explains how ILP can considerably complement community policing while proving an effective tool in countering terrorism, violent extremism and radicalization that can lead to terrorism (VERLT).

Criminal intelligence analysis is given more significance in ILP than other contemporary policing models. This calls for enhanced and sometimes new analytical skills and competencies within the law enforcement. The __5__, forward-looking focus of ILP also relies on law enforcement managers to know how to work with analysts and make use of analytical products in their decision-making and planning. Thus, in adopting and implementing ILP, there must be specific focus on preparing and training high- and middle-level leadership and management within the law enforcement.

1. (A) tackling (B) dealing (C) introducing (D) countering

2. (A) results (B) products (C) games (D) scenarios
3. (A) explores (B) tells (C) addresses (D) meets
4. (A) decision-making (B) emergency-responding
(C) intelligence-collecting (D) story-telling
5. (A) passive (B) responding (C) reacting (D) proactive

四、Essay(30 分)

Illegal immigration has become a controversial issue in the recent years. As a law enforcement official, please write a short essay of about 250 words to illustrate your conception of "the methods of dealing illegal immigration."

You can give examples, or explicate points. Please make sure that you will give a clear idea about the way you want to do.

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、國境警察學系碩士班、公共安全研究所

科 目：國際公法(同等學力加考)

作答注意事項：

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- 一、針對國際法與國內法的關係，國際法上存在哪些理論，試論述之。
- 二、國際爭端和平解決乃是現代國際法的基本原則。在國際爭端和平解決的途徑當中有所謂「調停」、「仲裁裁判」與「司法裁判」，試論述此 3 種途徑的特徵與其相異點。
- 三、維基解密（WikiLeaks）創辦人亞桑傑（Julian Assange）於 2010 年被控在網站上公布美國國務院和國防部大量機密資料，亦被瑞典指控涉及某些犯罪，由於擔心被引渡到瑞典接受調查和審判，自 2012 年以來始終躲藏在厄瓜多駐倫敦大使館；英國警方最後於今（2019）年 4 月 11 日於厄瓜多大使館逮捕他，美國隨後對其提出引渡要求。請先解釋何謂「外交庇護」（diplomatic asylum），再說明可以尋求外交庇護之情形。
- 四、成為國家的要素之一為「領土」，領土主權（territorial sovereignty）之行使範圍包含陸地領土、環繞陸地的領海、專屬經濟海域（exclusive economic zone）及大陸礁層（continental shelf）等屬於國家管轄之海域和領空等。請說明國家領土主權取得之方式有哪些？

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所 別：國境警察學系碩士班

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- 一、試述我國國境安全檢查之法律性質與法律依據各為何？（15分）又在新冠肺炎（COVID-19）疫情延燒期間，請略述我國災害防救之組織與處理機制如何？（5分）然在國境安全檢查方面，宜如何配合此災防之機制（請略述之）？（5分）
- 二、何謂全球入境計畫（Global Entry Program）？（15 分）我國正式加入美國「全球入境計畫」之現況與其未來之發展為何？（10 分）
- 三、「防制洗錢金融行動工作組織」（Financial Action Task Force, FATF）與「艾格蒙聯盟」（Egmont Group）是國際社會防制洗錢的重要組織，請說明這兩個組織的性質與功能。
- 四、我國執法機關進行國際執法合作的管道，目前主要是以派駐在外國或境外地區的聯絡官為主，請說明聯絡官包括哪些類型？並針對不同類型聯絡官進行比較。

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一、外國人有「何種情形」之一者，移民署「得」強制驅逐出國，或限令其於十日內出國？外國人如果逾限令出國期限，仍未出國，移民署「得」強制驅逐出國？再者，請論述限令出國、強制驅逐出國的法律性質分別各為何？當事人如何提起法律上之救濟？可否提起訴願、行政訴訟？假若可以提起行政訴訟，應提起何種類之行政訴訟？可否一併提起國家賠償訴訟？

二、請說明歐盟執法合作署的組織架構為何？功能為何？

三、「2019 年臺灣友邦國際保護及加強倡議法」(Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019)，又名「台北法案」，是一部自 2020 年 3 月 26 日生效的美國法律。該法旨在透過美國對於臺灣擁有外交關係的世界各國採取實質行動，以支持並確立臺灣在國際之地位。試以《台北法案》內容論述我國在國際安全角色邊緣化之困境？美國政府是否可依此法案支持我國參與國際刑警組織 (INTERPOL)？如何突破？請提出可行之策略申論之。

四、針對入出國境之安全檢查，與移民行政對於外來人口之住居處所查察，在執行程序上有何差別？另為防止國內犯罪嫌疑人潛逃出境，在出國安檢執行與設施上應如何強化？請申論之。

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一、Vocabulary and Phrases into Chinese (20 分)

1. expedited removal
2. U.S. Customs and Border Protection
3. Sanctuary cities
4. Executive Order
5. U.S. Immigration and Customs Enforcement
6. Enforcement and Removal Operations
7. Deferred Action for Childhood Arrivals
8. Deferred Action for Parental Accountability
9. Catch and Release
10. NEXUS Card

二、Translation (30 分)

President Trump has used emergency powers during the coronavirus pandemic to implement the kind of strict enforcement regime at the U.S. southern border he has long wanted, suspending laws that protect minors and asylum seekers so that the U.S. government can immediately deport them or turn them away. Citing the threat of “mass, uncontrolled cross-border movement,” the president has shelved safeguards intended to protect trafficking victims and persecuted groups, implementing an expulsion order that sends migrants of all ages back to Mexico in an average of 96 minutes. U.S. Border Patrol agents do not perform medical checks when they encounter people crossing into the country. Homeland Security officials say the measures are necessary to protect U.S. agents, health-care workers and the general public from the coronavirus. Tightening controls at the border and preventing potentially infected populations from streaming into the United States minimizes the number of detainees in U.S. immigration jails and border holding cells.

三、Reading Comprehension (20 分)

More than 6,000 migrants have been __1__ at the US-Mexico border since new coronavirus border restrictions took effect. President Donald Trump has previously __2__ closing down the US-Mexico border. Late last month, the administration __3__ Centers for Disease Control and Protection authorities that allowed the US to immediately __4__ migrants encountered at the border. CBP is expelling 80% of everyone encountered in less than two hours. __5__, the number of people in its custody has __6__ dropped. Morgan said Thursday there are currently fewer than 100 people in custody. That's down from around 20,000 last May at the height of the southern border crisis. Migrants __7__ at the border are being put through a new, __8__ process --__9__ are taken, medical assessments are completed and then migrants may be returned to Mexico or their origin

country. The majority of migrants encountered by the agency are single adults from Mexico and people from the Northern Triangle countries of Guatemala, El Salvador and Honduras. Migrants from other countries have ____10__ to a "handful," which is "very different than it was just a few short weeks ago."

1. (A) proclaimed (B) embraced (C) turned away (D) opened up
2. (A) floated (B) vigorous (C) quintessential (D) flirty
3. (A) alleviated (B) condemned (C) decapitated (D) invoked
4. (A) expel (B) demolish (C) discard (D) digress
5. (A) Nevertheless (B) Besides (C) As a result (D) As well as
6. (A) drastically (B) compulsorily
(C) alternatively (D) consequently
7. (A) accepted (B) apprehended (C) abolished (D) appealed
8. (A) expedited (B) dissipated
(C) excreted (D) demotivated
9. (A) sediment (B) prognose (C) ailment (D) biometrics
10. (A) demotivated (B) dwindled (C) convergent (D) Skeptical

四、Essay (30 分)

Do you agree or disagree with the following idea? “**people have to give up part of the freedom at the crisis time**” Please write a short and well-organized essay in about 250 words to support your answer with reasons and specific examples.

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- 一、有關引渡之基本原則有雙重犯罪、罪刑特定、國民不引渡、政治犯或軍事犯不引渡、一事不再理等原則，請擇定其中 3 個原則，詳細說明其意義。
- 二、何謂條例？請分別就 1969 年維也納條約法公約、我國大法官釋字第 329 號解釋及我國條約締結法第 3 條第 2 項之規定說明之。
- 三、數世紀以來，源自各國實踐的國際習慣法向來是國際法中重要法源。雖在現今的發展中，逐漸被明文的條約等所替代，但在影響的層面仍非條約法可全面取代。請分析國際習慣法形成之客觀與主觀要件的內容。
- 四、依據 1982 年聯合國海洋法公約所規定，沿海國有權利立法實施管理外國船舶非無害通過領海的行為。試分析該公約所規定，沿海國對外國船舶通過領海時，沿海國所得採取之管制措施。

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一、請根據美國反恐局 2019 年發布的恐怖主義國家報告（Country Reports on Terrorism 2019）說明：

- （一）美國政府對於支持恐怖主義國家(State Sponsors of Terrorism)的制裁有哪些？
- （二）說明當前被列入支持恐怖主義國家共有哪四個，並說明其原因。

二、請根據美國國務院所發布的 2020 年國家人權實踐報告（Country Reports on Human Rights Practices）說明：

- （一）我國有關移工人權保障有哪些？（10 分）
- （二）當前的移工人權挑戰有什麼？（15 分）

三、為解決大批難民湧入歐盟之問題，歐盟計畫提供資金於希臘建立難民營，卻引發當地民眾反對，同時遭受人權組織批評。試論述此波歐盟難民潮爆發之原因，以及歐盟為此曾做出之計畫與措施。

四、請說明國境安全檢查之意義與概念，以及其所具有之特性。

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一、試說明國際間處理人口販運之問題有何基本之規範或原則？（10 分）又請論述我國對於此類之犯罪在法制上有哪些因應之立法措施與發展？（15分）

二、國際間之刑事司法互助，可歸納成為幾種型態？臺灣海峽兩岸在此種執法合作方面有何發展，請略述之？

三、請分別說明外配、陸配取得身分證的相關流程，及其法源依據各為何？

四、國境物流安全檢查係為入出國管理的重要一環，請說明國境物流安全檢查的法理基石為何？

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一、Vocabulary/Phrases English to Chinese Translation (20 分)

1. Optional Practical Training
2. Registered Permanent Residence
3. Transnational Human Trafficking
4. Ministry of Foreign Affairs
5. Critical Infrastructure Protection
6. Human Smuggling
7. National Immigration Agency
8. Visa-exempt Entry
9. Stakeholder
10. Burden of Proof

二、Translation (30 分)

Evidence indicates that states around the world have toughened their immigration policies by increasing criminalization of irregular migration, intensifying border controls, and externalizing migration control policies. As a consequence, breaches of migration law are increasingly treated as criminal rather than administrative offences causing a depreciation of migrants' enjoyment of essential legal safeguards and human rights protections. Contrary to acting as a deterrent for migration flows, harsh policies of interception and detention often further push migrants to take unsafe and irregular routes in the hands of smugglers or traffickers.

三、Reading Comprehension (每題 10 分，共 20 分)

Police departments have placed a great emphasis on reducing response time in the belief that it would increase the probability of arrest. However, several studies found that rapid response had little effect on clearance rates. Only about 3 percent of crimes are reported while in progress; thus rapid response to most calls does not increase the probability of arrest. The problem is that police departments have no control over two key elements between the time a crime is committed and the time a police officer arrives on the scene: the interval between the commission of a crime and the time it is discovered; and the interval between discovery and the time the citizen calls the police. Most crimes are discovered after the fact, and even in the most “involvement” crimes – i.e., where the victim is present (e.g., assault) – there is some delay between victimization and the subsequent call to the police.

Question 1: According the above article, reducing response time can make the police increase arrest rates or not? Describe the reason in English.

Question 2: According the above article, what is the meaning of “Most crimes are discovered after the fact”? Describe your opinion in English.

四、Essay (30 分)

“Public security is more important than human rights.” Do you agree or disagree with this statement? Please write a short and well-organized essay in about 250 words to support your answer with reasons.

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一、今年四月初，中國「遼寧號」航母編隊通過沖繩與宮古島海域後，南下航入西太平洋，美軍航空母艦「羅斯福號」打擊群隨即於隔日由麻六甲海峽進入南海。美中兩國航母於臺灣周遭海域之動態，引發印太地區國家關注。南海問題向來複雜，請先說明南海主權爭議之處，再說明我國對於南海主權之主張及依據。

二、國際法下的「庇護」（Asylum）意指「一國在其境域內或在其控制下的處所，對於前來尋求保護的外國人所給予的保護」。請說明國際法下的「庇護」所包涵的兩項要素，再解釋國家領域內的庇護、國家治外法權範圍內和其他域外的庇護。

三、試問國際法的法源為何？請就《國際法院規約》第 38 條說明之。

四、甲在 A 國因批評時政被認為是異議分子且以內亂罪起訴，從而逃往 B 國，A 國因此擬引渡甲回國受審。試問依據國際法有關引渡的規定，A 國的引渡請求是否有理由？