

國立臺北大學 106 學年度碩士班一般入學考試試題

系（所）組別：法律學系（法律專業組）

科目：英文

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☐可 ☒不可攜帶任何參考資料及電子資訊用具

I. Read Comprehensive (60%).

Please find the best answer from (A),(B),(C), or (D) to each question. (每題 6 分、單選不倒扣)

Part 1

Since the 1970s, the South China Sea has been a nest of competing (1) over the island features and ocean spaces by a number of adjacent countries. Included in this is China's nine-dash line, first officially communicated in notes verbale to the United Nations in 2009. In addition, China has recently engaged in, amongst other things, the physical enhancement of many of the small features of the Spratly Islands and enforcement of a moratorium on fishing in the South China Sea.

The decision of the South China Sea Arbitration by a tribunal established pursuant to the UN Convention on the Law of the Sea (UNCLOS) has landed in this cauldron. UNCLOS provides for compulsory adjudication of disputes concerning the interpretation and application of the Convention, subject to a number of exceptions. In 2013, the Philippines commenced the case against China. Although a long-standing party to the Convention, China declined to participate in the establishment of the Tribunal or to appear before it. In deciding not to appear, China has followed a small number of states that have similarly declined to participate in cases before the International Court of Justice (ICJ), as well as the more recent nonparticipation by the Russian Federation in UNCLOS procedures in the Arctic Sunrise Case brought by the Netherlands.

There were fifteen Philippine Submissions dealt with by the Tribunal. The Submissions that have received the most post-decision attention and that are the focus of this Insight include the legal validity of China's claim of rights within the nine-dash line in light of UNCLOS and what—if any—maritime zones appertain to the insular features in the South China Sea. China viewed the principal subject matters in dispute as political and beyond the jurisdiction and competence of the Tribunal. The Philippines characterized the subject matters in dispute as involving the (2) of UNCLOS and thus within the jurisdiction of the Tribunal. As a result of this difference of views, it was necessary for the Tribunal to assess whether it had jurisdiction to deal with the merits of the Philippine submissions.

The Tribunal held that it had jurisdiction to consider the merits of almost all the Submissions made by the Philippines and, overall, accepted the claims and arguments on the merits asserted by the Philippines. China has further stated that it "(3)" the Award. There is a modest practice of states opting (3), and thus not comply with, decisions of the ICJ, the International Tribunal for the Law of the Sea (ITLOS), and a tribunal established pursuant to UNCLOS. In the immediate aftermath, the reactions indicate little hope that the South China Sea Award will result in a period of peaceful management of the tangled disputes within the South China Sea. China has loudly condemned the Award and a joint statement from ASEAN and China did not even mention it. Somewhat more encouraging are the preparatory talks that have taken place between the Philippines and China.

Of final note, concerns about whether the Award and China's rejection of it have undermined confidence in UNCLOS (4) are perhaps misplaced. Subsequent to the commencement of the South China Sea Arbitration, three parties have brought cases before ITLOS and two have commenced UNCLOS, Annex VII arbitration cases.

1. Please choose the correct answer filled in (1) from the following words.
(A) adequate compensations
(B) sovereignty claims
(C) nationality jurisdictions
(D) litigation and arbitration procedures
2. Which one of the following is the best description fill in (2) ?
(A) mediation and arbitration
(B) ratification and adoption
(C) interpretation and application
(D) implementation and facilitation
3. Please choose the correct answer filled in (3) from the following words.
(A) neither accepts nor recognizes
(B) not only accepts but also recognizes
(C) between accepts and recognizes
(D) rather accepts than recognizes
4. Which one of the following best filled in (4) from the following words.
(A) substantial development goal
(B) peace negotiation process
(C) freedom and justice legitimacy
(D) dispute resolution procedures
5. Which country does not related to South China Sea dispute?
(A) Philippine
(B) China
(C) Vietnam
(D) Myanmar

試題隨卷繳交

接背面

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Part 2

A cold rain fell outside Istanbul's Reina nightclub on Friday afternoon, six days after a gunman burst into the crowded bar and killed at least 39 people celebrating New Years' Eve. Heaped against a police barricade at the club's entrance were tributes laid in mourning: Flowers, portraits of the dead, and Turkish flags. A young woman walked up to lay a handful of red flowers on the pile, and then paused in silent prayer.

The public mood in Turkey is turning darker as the rate of internal (6) increases. Days after the club shooting, a car bombing killed at least two people in the coastal city of Izmir, in an attack attributed to Kurdish militants. In December, a deadly car bombing killed more than 40 people at a major Istanbul soccer stadium, and a police officer shot dead Russia's ambassador in Ankara. The bloodshed has become endemic over the past year and a half, as Kurdish separatist militants and Islamic State jihadists have slaughtered hundreds, and an abortive military coup attempt left more than 200 people dead and sparked a wave of repression by President Recep Tayyip Erdogan.

Yet rather than unite the country in mourning and solidarity, the recent wave of attacks appears to have deepened internal divisions between secular and more (7) conservative citizens, as well as between minority Kurds and Turkish nationalists. The acceleration of violence deals a blow to an already reeling economy, and hands the government more ammunition to pursue its clampdown on critics. "Both on ISIS' part and on PKK's part, they're trying to force Turkey to snap, snap between multiple things here, so it could be the populace snapping against Ankara. It could be Ankara snapping," says Selim Sazak, a researcher with The Century Foundation think tank. "I just think they want to force the system to fail, turn the heat up."

The parallel series of (8) by ISIS and by the Kurdistan Workers Party (known by the acronym PKK) have unfolded according to separate patterns and strike different targets. Kurdish militants have primarily targeted the security forces and state institutions, although civilians have also died in their attacks. ISIS' campaign of terror is indiscriminate, hitting tourist sites, a peace rally, and Istanbul's main airport. But both groups share the goal of undermining the country's stability.

ISIS claimed responsibility for the Jan. 1 attack on the nightclub, marking the first time the group acknowledged its operations inside Turkey, a country it has taken advantage of in years past to transport fighters into Syria and for elaborate smuggling operations. In August 2016, Turkey sent its armed forces across the border into Syria, expelling the ISIS fighters from a swath of the border they previously controlled, severing the group's most important artery to the world outside its self-proclaimed caliphate. As its territory shrinks under pressure from Turkey as well as operations by Syrian and Iraqi forces, ISIS continues a long established pattern of striking (9) targets far from the battlefields of Syria and Iraq. In December, an ISIS propaganda chief called specifically for attacks on Turkey.

Down the street from the Reina nightclub on Friday afternoon, a few dozen men assembled in a somber march of defiance. Riot police lined up in the road running parallel to the Strait of the Bosphorus, the waterway that runs through Istanbul and divides Europe from Asia. The demonstrators chanted "Allahu Akbar!"—God is great! They paused near the police to sing the Turkish national anthem. They carried a black banner reading, "May our blood run dry if we forget."

6. Please choose the correct answer filled in (6) from the following words.
(A) violin
(B) violence
(C) vacation
(D) volcano
7. Please choose the correct answer filled in (7) from the following words.
(A) religious
(B) regulations
(C) reliable
(D) regular
8. Which one of the following best fill in (8) ?
(A) cold wars
(B) armed conflicts
(C) terror attacks
(D) civil wars
9. Which one of the following best fill in (9) in this article?
(A) combat
(B) military
(C) explicit
(D) civilian
10. What is the best topic for this short article?
(A) Brussels Terror Attacks Bring Guerrilla War to the Heart of Europe
(B) Paris terrorist attacks spread fear from Stade de France
(C) A Relentless Cycle of Terror Threatens to Tear Turkey Apart
(D) Truck Terror Attack in Jerusalem Follows Mounting International Pressure on Israel

II. English Writing (40%) Please answer in English

Please use no more than 500 words discuss the following topic:

What is "Brexit"? How is the Brexit bringing the changes for the UK, the European Union, and the rest of the world?

試題隨卷繳交