

# 出席2008國際恐怖主義暨組織犯罪會議報告

## 2008 International Terrorism and Organized Crime Conference Report (ITOCC)

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### 壹、會議源起與目的

「國際恐怖主義暨組織犯罪會議」係由加州亞裔幫派調查專家協會（Asian Gang Investigators' Association of California, AGIAC）發起，於1989年成立，為非營利組織，其成立目的，在促進美國加州地區主管亞裔犯罪及幫派之執法調查單位間良好互動、建立聯繫網絡，並作為交換國際恐怖主義及組織犯罪等新興犯罪趨勢重要資訊的研討會場。

本年舉辦之2008 國際恐怖主義暨組織犯罪研討會議（2008 International Terrorism and Organized Crime Conference, ITOCC）由加州亞裔幫派調查專家協會主辦，會議地點安排於洛杉磯安納罕迪士尼飯店（Disneyland Hotel）舉行，與會者除全美各地（尤以加州為主）相關執法官員外，尚有加拿大、波蘭、香港、奈及利亞、荷蘭等各國或地區代表共計600多人，我國執法機關僅有本署派員參加，大會副主席Edward Yee開幕致詞時，特別代表主辦單位向本署與會代表人員致歡迎之意。此外，本署首次派員出席本會議，藉此機會與各與會國執法單位人員交流聯誼、分享辦案經驗，並增進彼此瞭解、加強工作聯繫及情報資訊交換等，期能發揮跨國合作打擊犯罪之功效。

### 貳、會議過程及分組研討摘要

本次會議議程區分為報到、開幕、專題演講、分

### Part I. Origins

International Terrorism and Organized Crime Conference (ITOCC) was brought up by Asian Gang Investigators' Association of California (AGIAC) and established in 1989 as a non-profit organization to serve as a platform for law enforcement organizations in charge of Asian crimes in California region to interact and network with each other, also a platform for exchanging information on international terrorism, organized crime and newly emerging crime.

The 2008 ITOCC was hosted by California Asian Gang Investigating Expert Association at the Disneyland Hotel in Anaheim, Los Angeles attended by law enforcement authorities not only from California but also all over the U.S. There are other representatives from Canada, Poland, Nigeria, Holland and etc., totaled to over 600 people. Coast guard administration (CGA) being the only representative from Taiwan to attend the conference, was mentioned and welcomed by the vice president Edward Yee during his opening remarks. It's the first time for CGA to send its representatives to join the conference, and by this opportunity to build relationships and to share experiences on related works; moreover, to further understand each other and to enhance informational and intelligence exchange so as to increase effectiveness on transnational investigation.

### Part II. Agenda and Summary of Group Discussions

The conference was divided into Sign-in, Opening session, Individual Speeches, Group



組專題研討及閉幕，會議中，更區分多個場次進行不同議題分組研討，因研討議題甚多且時間有限，致無法逐一參與，謹就與本署業務相關及具參考價值之研討內容概述如下：

一、香港華裔組織犯罪—三合會（主講者：香港警務處「有組織罪案及三合會調查科」偵緝總督察溫俊良先生）課程內容概述如下：

（一）三合會是香港傳統江湖秘密會社的統

稱，亦是著名反清復明組織天地會（或洪門）的異變。在香港，係指一般用來泛指華人黑社會組織，現今當地大有57個三合會組織，大部分屬於小型街頭幫派。大型的三合會，包括新義安、和勝和、14K、和核桃等，人數有幾千人，如同美國、義大利等地的黑手黨一樣，都是歷史久遠的犯罪集團，勢力遍及兩岸三地。近半世紀以來，三合會組織的行為包括販賣毒品、洗錢、非法賭博、經營特種行業、偷搶、敲詐、勒索等，有些三合會組織的主要經濟來源是生產和銷售盜版軟體、光碟等（香港俗稱「賣老翻」），同時他們也從事一些盜賣走私軍火、菸酒的活動。

（二）三合會在香港發展的同時，亦逐漸向美國、加拿大等華人大量聚集的地區擴散，並發展新的活動，這些組織經常涉嫌從事安排非法移民進入美國和英國，同時，三合會組織也與英、美國家當地的一些街頭幫派聯合，控制亞洲人聚集區，進行販賣毒品、性交易等非法行業。

（三）香港政府特成立打擊三合會的執法機關，名為「香港有組織罪案及三合會調查科」（Organized Crime And Triad Bureau，簡稱OCTB），其前身為有組織及嚴重罪案調查科，是香港警務處刑事及保安處刑事部轄下的一個科，主要負責調查及打擊極

discussion and Closing session. Several discussion groups focused on different topics were carried out during the discussion session. Because of time restrain, representatives from CGA attended a few discussions which topics were related and valuable to the future work. Summary of contents are as follow:

I.Triad – Hong Kong's Asian Organized Crime (Speaker: Chief Inspector Mr. Junliang Wen from Organized Crime and Triad Bureau (OCTB)). The summary of content is as follow:

(I.)Triad is the traditional name for secret society in H.K. It is also the decedent of Tian Di Hui (The Hung Society), which is a well-known organization that tended to overthrow the Qing Dynasty. In H.K. today the triad is to describe Asian underground society. Currently, there are approximately 57 triad societies in Hong Kong, including many local crime organizations. Well known triads in H.K. today include the Sun Yee On, Wo Shing Wo and 14K and those involve more than a few thousand people. Like many organized crime in the US or Italy, the historical background of the triad can be traced back and its influence can be covering all the way to Macaw, Taiwan and China. Over the past half century, triad carry out activities such as drug trafficking, money laundry, gambling, prostitution, car theft, extortion, and other forms of racketeering. A major source of triad income comes from the counterfeiting of intellectual property such as computer software, VCDs/DVDs. They also smuggle arms, weapons or bootleg tobacco and alcohol products.

(II.)Triads continue to develop in H.K. and gradually spread to the US, Canada and other places which have large populations of Asian.Their organizations often engage in arranging illegal immigrants to enter US or UK. And they build connections with local underground societies to control Asian dominant regions for selling drugs, sex trade or other illegal activities.

(III.)H.K. government specially established



為複雜的「有組織犯罪」、「集團式犯罪」活動和嚴重的三合會罪行。該科也會與毒品調查科和商業罪案調查科合作，打擊販毒及洗錢等非法活動。

## 二、瑪拉沙瓦主（Mara Salvatrucha）幫派（主講者為薩爾瓦多警察偵查副處長Hector Raimundo Mendoza Cordero）課程內容概述如下：

瑪拉沙瓦主（Mara Salvatrucha）幫派簡稱MS-13，長期與美國及中美洲幫派相互聯繫，其起源於洛杉磯一處Pico-union的社區，成員為薩爾瓦多裔移民，之後主要成員來自薩爾瓦多、瓜地馬拉、宏都拉斯及其他中美洲國家，該幫派有派系及幫眾，目前擴散於美國及拉丁美洲等國。根據國際媒體報導，MS-13成員的範圍目前已擴散至加拿大、哥倫比亞、西班牙、墨西哥、英國、德國等，在美國的成員預計超過1萬人，從事的犯罪活動有走私及販賣毒品、黑市槍枝交易、人口販運、竊盜及對執法人員進行攻擊。

## 三、亞美尼亞（Armenian）犯罪組織暴力活動（主講者為加州Glendale市歐亞任務小組警探Michelle Gonzalez）課程內容概述如下：

（一）近年，以俄羅斯人為主的犯罪組織在美國加州地區逐漸發展，當地執法單位甚表重視，該組織主要源於前蘇聯時代的犯罪集團，遍及加州洛杉磯、舊金山、聖地牙哥等城市，涉及多起恐嚇、毒品、謀殺、竊盜、重利借貸、保險及信用卡詐欺等案件。其中一支以亞美尼亞人為主的犯罪組織—亞美尼亞組織犯罪集團，係以洛杉磯好萊塢及加州Glendale市，為其犯罪活動的主要區域，也是在亞美尼亞共和國以外聚集最多亞美尼亞人的區域。

（二）1994年，亞美尼亞犯罪組織有5名成

the Organized Crime And Triad Bureau (OCTB) to investigate Triads. OCTB's predecessor is Organized and Serious Crime Investigation Section which is under the Crime and Security Department of H.K. Police Force. Its main purpose is to investigate complicated organized crime or serious illegal activities related to triads. OCTB cooperates with Drug Investigation Bureau and Commercial Crime Bureau on drug sale, money laundry and other illegal activities.

II. Mara Salvatrucha (Speaker: Mr. Hector Raimundo Mendoza Cordero, Deputy director general of Salvador police investigation). The contents is as follow: Mara Salvatrucha is also called MS-13. It was originated in Pico-union in Los Angeles and has connections with gangs in other places of US and Central America. Majority of its members are immigrant from Salvador and later on are from Salvador, Guatemala, Honduras and other Central America countries. Currently the organization is getting bigger and spreading all over to other parts of US and Latin American countries. According to reports from international media, members of MS-13 are over 100,000 people and are all over Canada, Columbia, Spain, Mexico, UK, Germany and etc. It is estimated that within the US there are over 10,000 members engaging in illegal activities such as gun trades in black market, human trafficking, smuggling and selling of guns, thievery and attacking of law enforcement.

III. Violence activities of Armenian (Speaker: Mr. Michelle Gonzalez, Detective of Asia-Europe Task Force of Glendale, California). The content is as follow:

(I.) In recent years, Russian organized crime was noticed in California region. The organization of Armenian was originated from criminal groups in the previous Soviet Union period, and affected many major cities in California such as Los Angeles, San Francisco and San Diego engaging in threat, drug, murder, usury and fraud of insurance and credit card. One of the organizations among them is dominated



員因恐嚇、綁架及企圖謀殺被判刑，他們以暴力威脅、強押被害人及其家人，並予毆打，要求贖金。多年來，該集團長期恐嚇洛杉磯區的亞美尼亞社區居民，使當地民眾身心恐懼。

#### 四、坦米爾伊拉姆猛虎解放組織活動（Tigers of Tamil Eelam, LTTE）（主講者橘郡高等法院法官Nick Thompson）課程內容概述如下：

坦米爾伊拉姆猛虎解放組織又稱猛虎組織、坦米爾之虎，是斯里蘭卡坦米爾族的反政府武裝組織。為了建立一個在斯里蘭卡東部和北部的獨立坦米爾國家，從上世紀的70年代起，該組織便展開與斯里蘭卡政府間的武裝鬥爭，目前已有32個國家將其列為恐怖組織。坦米爾伊拉姆猛虎解放組織成立於1972年，由Velupillai Prabhakaran建立，吸引從不抱持幻想的坦米爾年青人加入組織。坦米爾伊拉姆猛虎解放組織自70年代成立起，持續進行了多起恐怖活動，主要以攻擊政府官員為目標，包括了警察及地方政治官員。其中比較著名的攻擊事件是刺殺斯里蘭卡Jaffna市市長，美國聯邦調查局更形容該組織為當今世界上最危險及最致命的激進團體。

#### 五、全球恐怖主義演進（主講者為聯邦調查局FBI資深探員Stanley Snock）課程內容概述如下：

（一）1968—1979年為現代恐怖主義的初曉時期，當時亦為殖民年代的後殖民時期，有新興國家的成立及以色列的建國，當時的阿拉伯及伊斯蘭世界中相繼出現反西方運動，並四處發生革命運動及民族主義風潮熾熱，產生發動恐怖主義將可有效達到其政治目的的觀點。此時期最駭人的恐怖主義活動發生於1972年慕尼黑奧運選手村，當時有多名以色列運動員慘遭殺害。著名的恐怖組織為巴勒斯坦人民解放

by the Armenians is based in Hollywood, Los Angeles and Glendale, which are also large populated by Armenians.

(II.) In 1994, 5 members of the Armenian were sentenced for threat, kidnap and attempt to murder. They threatened victims and their family members by violence and asked for ransom. The Armenian has posed a lot of threat for the people living in the Armenian society of Los Angeles for many years and seriously affects their security.

IV. Tigers of Tamil Eelam (LTTE) (Speaker: Judge of Orange County Superior Court. Mr. Nick Thompson). The content is as follow: The Liberation Tigers of Tamil Eelam (LTTE) is an anti government armed organization. Its purpose is to establish an independent country in the northern and eastern part of Sri Lanka. Starting from the 70's, the LTTE involved in armed fight with government of Sri Lanka. 32 countries in the world have listed LTTE as a terrorist organization. LTTE was established in 1972 by Velupillai Prabhakaran to attract realistic youths from Tamil Eelam. Since its establishment, it has carried out many terrorist activities targeting government officials include police and local officials. The assassination of the mayor of Sri Lanka, Jaffna was one of its well known activities. The FBI described the LTTE as the most dangerous and lethal group of activism in the world.

V. The Development of the Global Terrorism (Speaker: FBI Senior Detective Mr. Stanley Snock)

(I.) 1968-1979 is the dawn of the modern terrorism. It is also the post colonial period. Many new countries were founded such as Israel. At that time, anti-western activities were beginning to appear in the Muslim world. They conducted revolutions in many places and nationalism started to become popular and they noticed that terrorist activities could effectively achieve their political goals. The most horrified terrorist activities happened in the period was the Munich Massacre.



組織(PFLP)、巴勒斯坦全體解放陣線(PFLP-GC)，及阿布尼達組織(ANO)。

(二) 1979-1991年係以阿富汗吉哈迪(Jihad)組織及恐怖主義贊助國家為主要恐怖活動角色。1979年是全球恐怖主義轉折時期，當時蘇聯入侵阿富汗(1979至1989年)，刺激恐怖分子團體的擴張；吉哈迪組織成立後，培養訓練精良的游擊隊，其組織成員來自伊斯蘭世界的志願者，在阿富汗境內作戰，並有保守國家沙烏地阿拉伯給予支援。在西方世界，已將恐怖主義的注目焦點放在由阿拉伯國家資助的恐怖主義組織上，如於1983年在黎巴勒貝魯特發生美國陸戰隊遭炸彈攻擊事件，造成241名陸戰隊員死亡，及後續發生多起美國官員與平民遭綁架殺害案件；1988年的泛美航空爆炸案，1名利比亞情報人員與巴勒斯坦全體解放陣線(PFLP-GC)牽涉其中。著名的恐怖組織有：哈斯包拉(Hezbollah)、埃及伊斯蘭吉哈迪(Egyptian Islamic Jihad)、巴勒斯坦伊斯蘭吉哈迪(Palestinian Islamic Jihad)、伊斯蘭反抗運動(Islamic Resistance Movement)及艾格蒙艾伊斯蘭雅(Al-Gamaat Al-Islamiyya)。

(三) 1991年－2001年為全球恐怖主義時期，此時冷戰結束，世界各國傳統武器及技術的資產，資助了全球恐怖主義的擴張，藉由衝突及無政府間的穩定真空區域，進行恐怖分子訓練及招募活動，同時走私及販賣毒品，募集恐怖活動資金。自1994年起，由巴基斯坦扶植的阿富汗塔利班政權，已經承襲許多由他國支助的恐怖主義特色。此時期發生的恐怖活動有1993年美國世貿中心爆炸案及2001年9月11日發

Many Israel athletes were killed. Well known terrorist groups in this period include Popular Front for the Liberation of Palestine (PFLP), Popular Front for the Liberation of Palestine-General Command (PFLP-GC) and Abu Nidal Organization (ANO).

(II.) Between 1979 and 1991 was the period of terrorist activities led by Jihad in Afghanistan and sponsored by many other countries in the world. The year of 1979 was the transition period of the world terrorism. Soviet Union invaded Afghanistan during 1979 to 1989 which stimulated the expansion of the terrorists. After Jihad was founded, it trained many elite guerillas with the majority of its members coming from volunteers in the Muslim world. War blasted out in Afghanistan with the sponsor of some conservative countries such as Saudi Arabia. In the west, attentions were focused on terrorist activities sponsor by Arabic countries. In 1983, the bombing of US Marine corps in Beirut, Lebanon caused 241 deaths and some US officials and civilians were abducted and killed later. In 1988 the bombing of Pan American World Airway, one Libya intelligence and PFLP-GC were involved. Famous terrorist organizations in this period include: Hezbollah Egyptian Islamic Jihad, Palestinian Islamic Jihad, Islamic Resistance Movement and Al-Gamaat Al-Islamiyya.

(III.) 1991-2001 is the period of global terrorism. After the ending of the cold war, traditional weapons and related techniques from all over the world drove the local terrorism to expand. Terrorists utilized conflicts and anarchy to grow, recruit and train more armed terrorists. At the same time they smuggled and sold drugs to gather funds. Starting from 1994, with the support of Pakistan, the Taliban regime in Afghanistan was established. Terrorist activities occurred during this period include the bombing



生於美國的多起劫機攻擊事件，造成幾千餘人的喪生。著名的恐怖組織有：蓋達（Al-Qaeda）、武裝伊斯蘭集團（Armed Islamic Group）等。

六、「違反商標及仿冒調查」（主講者為Philip Morris U.S.A公司西海岸區資深經理 Wayne Pinkstaff）課程內容概述如下：

（一）商標仿冒及盜版已在全美及全球地區形成嚴重問題，依據跡象顯示，從事商標及盜版行為所獲取之資金，有可能資助恐怖活動或犯罪組織、幫派，且商標仿冒及盜版行為不僅限於名牌皮包或衣飾，在全美查獲的案件中已發現仿冒食品、藥品、膠水、調色產品及其他商品等案例。

（二）在美國，有許多品牌公司會僱用私人偵探（Private Investigator，PI）去調查從事仿冒行為的公司，調查其仿冒商品的販賣、生產、輸入及運送過程。執法單位要偵辦仿冒商標及盜版案件時，必須確認下列事項，首先須與商標公司接觸，確認偵查目標；同時也必須確認提供情資的PI是否是商標公司授權執行的人員。其次，俟蒐集足夠證據，並可執行偵緝作為時，應先申請獲得搜索票。第三、應先確認參與偵查活動的相關人員（包括PI及執法單位同事）是否願意赴法庭作證。第四、美國各州法律不同，故必須先明白與仿冒商標相關的法律規定，如規定偵查人員必須證明偵查目標已知道或應該知道其所販賣的商品是仿冒的。第五、申請搜索票時，應將PI納入協助參與搜索，俾便查獲相關物品時，其可於現場協助確認。

（三）執行搜索時，應請PI確認現場否有仿冒商標等物證，且必須全程錄影，防止被搜索的被告以任何執法程序不當等理由控告執法人員，因為仿冒案件

of the twin towers in the US in 1993, and on Sep 11th 2001, the hijack of airplanes that caused more than thousand of deaths. The famous terrorist groups in the period include: Al-Qaeda and Armed Islamic Group.

VI. Investigation of Trademark Counterfeit (Speaker: West coast senior manager of Philip Morris U.S.A Mr. Wayne Pinkstaff). The content is as follow:

(I.) Trademark counterfeit and piracy has become a serious problem in the US and all around the world. Traces have shown that the profit made by counterfeiting and piracy may become funds for terrorist activities, organized crimes and gangs. Trademark counterfeit is not limited on brand named bags or clothes. Other products such as food, drugs, glues, paints can also be counterfeited.

(II.) In the US, many brand name companies hire private investigators (PI) to investigate counterfeit. They investigate in the sales, productions, transportation of the counterfeited products. Before the law enforcement agency starts a case, a few things need to be checked: First, contact the trademark owners to ensure the target of investigation; at the same time, make sure the information provider (PI) is indeed been granted the rights from the company for search for evidence. Next, collect enough evidence. Be sure to obtain a warrant before the actual search take place. Third, make sure people engaging in the investigation (law enforcement agencies and PI) are willing to testify on court. Fourth, many US laws and regulations regarding trademark rights are different; therefore, to have a thorough understanding of they are necessary. Investigators have to make sure that the target of investigation is aware of the products which they are selling are counterfeited. Fifth, obtain the warrant. PI should also be included in the search process to verify the



被查獲之商品為「違禁品」，並不同於毒品案件，因此被告律師並不會在該商品是否為仿冒品進行辯護，而是針對執法人員查緝的過程及方法是否不當，為被告辯護。

七、墨西哥毒梟Cartels暴力犯罪（主講者為美國司法部菸酒武器及爆裂管理局（ATF）資深警官Paul Hagerty及美國緝毒署分析員Lee Charlton）課程內容概述如下：

（一）2005年8月15日，一組墨西哥Nuevo Leon特種警察部隊（SWAT team）突襲當地位於Monterrey的一間餐廳，逮捕20名嫌犯，其中有一位是墨西哥當局的首要通緝要犯，雖然墨西哥政府最終否認這項傳言，但這起行動非常成功。在行動中，警方扣押了藏於儲藏間的軍火，其中在武裝車輛內發現了P90® 5.7X28厘米衝鋒槍（P90® 5.7X28 Submachine Gun），該批槍械被發現為毒梟集團所擁有，對當地警察而言極具震撼，因為在墨西哥，P90® 5.7X28厘米衝鋒槍僅被海軍特種部隊高階領導官員使用，2003年時，也僅只有15支，該次突襲行動發現P90® 5.7X28厘米衝鋒槍，已經反映出墨西哥毒梟的武力勝過墨西哥執法警察。

（二）墨西哥當局為防止墨西哥毒梟Cartels使用P90® 5.7X28厘米衝鋒槍殺害執法人員，自2005年8月份的突擊行動後，即持續展開一連串的搜索行動，及查出許多處所藏有P90® 5.7X28厘米衝鋒槍。



圖一：P90®5.7×28  
厘米衝鋒槍  
pic.1：P90® 5.7×28  
Submachine Gun

target on site.

(III.)The entire search process should be video recorded to prevent from being sued by the defendant in the future of malpractice of the law. Some contraband products are not considered as counterfeited products and the defendant lawyers can question the investigation process.

VII.Violence Crime of Cartels (Speaker: Senior officer Mr. Paul Hagerty from US Bureau of Alcohol, Tobacco and Firearms and Mr. Lee Charlton, Analyst of U.S. Drug Enforcement Administration). The content is as follow:

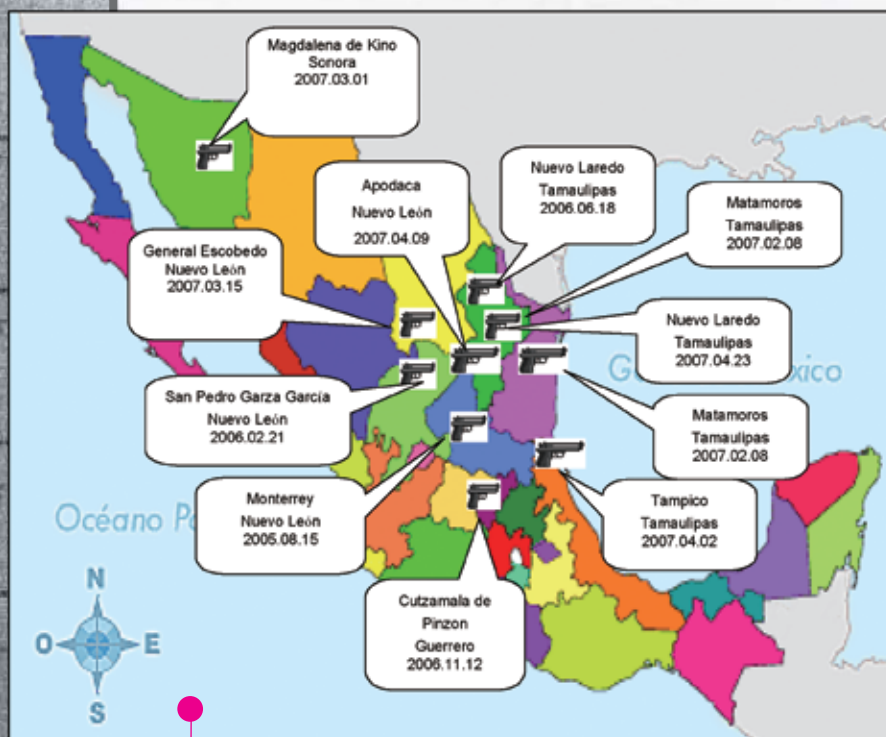
(I.) On Aug.15th, 2005, the SWAT team of Nuevo Leon of Mexico busted a restaurant in Monterrey and arrested 20 suspects; one of them was the most wanted criminals of Mexican government. Though the government later on denied the validity of this report; however, the action was successful. The police confiscated weapons during the action and discovered P90®5.7X28 submachine guns in armed vehicles. Later on, guns were verified to belong to a group of drug dealers and caught lots of attention from public. In Mexico, the P90®5.7X28 was only supposed to be carried by the high ranking officials of special force of navy. And in 2003, Mexican police only possessed 15 of these guns which showed the insufficiency of the police force compared to drug dealers.

(II.) In order to prevent Cartels from using P90®5.7X28 to kill law enforcement officials, after Aug., 2005, the police carried out a serious of actions trying to halt the illegal carrying of weapons of the P90®5.7X28.

VIII.Human Trafficking (Speaker: Ms. Jessica Ginsburg from Human Trafficking Prosecution Unit (HTP), Civil Rights Division, US Department of Justice) the content is as follow:

(I.)Definition of Human Trafficking: Human trafficking is to control OR to force others to perform labor works or services. In the 13th amendment of US





圖二：墨西哥警方近年(2006~2007年)突襲查獲P90® 5.7X28厘米衝鋒槍的地點及時間

Pic.2. In 2006~2007, the time and places of discovering P90® 5.7X28 Submachine Gun

八、人口販運（主講者為美國司法部公民權力部門人口販運起訴科主管Jessica Ginsburg）  
課程內容概述如下：

- （一）人口販運定義：依主講者詮釋的定義，人口販運係指握有或管有人，並採強迫方式逼其從事勞役或服務的工作。在美國，憲法第13條修正案禁止該行為，並視其為侵害公民權的犯罪。人口販運的兩種模式，其一為性交易，其二為勞工販賣。根據統計，每年預估有十五萬人至十八萬人被販賣到美國從事非法工作，在美國已有48州發現人口販運的案例。全球約有二仟七佰萬人口是被販賣奴役，且全球從事人口販運獲利者，金額已達90億美金，獲利價值吸引人口販運集團不斷從事販運活動。以加州為例，該州法律規定下列作法遏止該項行為：1. 對於以強迫方式逼人從事工作並獲取

Constitution clearly list human trafficking should be banned and listed as a crime of invading human rights. There are two main types of human trafficking: sex trade and labor trade. According to the statistics, there are estimated 15,000 to 18,000 of people being sold to the US to perform illegal works every year. So far, in 48 states of US have cases of human trafficking. There are about 27million of people in the world were sold for forced labor and the profit generated from it amounted to US\$ 9 billion. The high profit attracted human traffickers continuing for their activities. Take California for an example, the state law shows that the following behavior should be banned: 1. People who force others to labor and obtain profits from the process should be sentenced guilty. 2. Increase the duration of the sentence for human traffickers. 3. Incorporate laws on increasing compensation for victims and confiscating properties of those who commits crime. For human traffickers of sex trade, the maximum penalty can be up to life sentence in jail. If coerce or force a victim under the age of 14 for sex trade, the minimum penalty is 15 years of sentence in jail or above, If the victim is between the age of 14 to 18, the minimum penalty will be 10 years of sentence in jail or above.

- (II.) Illegal immigrants from mainland china enter the US via air, land or sea mainly by using faked visa, or directly hide in cargos that are transferred into the US later on by vehicles or ships. After they enter the US, most of them engaging in gambling, sex trade or underground societies. Some even committed crimes as robbery or extortion. In order to deal with this, Organized crime and Serious Cases Investigation of California police force already established a comprehensive data base including files of members from crime groups and organization chart of crime groups. It will continue to strengthen the international law



利益者，將被宣告有罪。2.增加人口販運者的刑期。3.增修賠償被害人及沒收加害人財產的規定。對於從事販賣人口進行性交易的犯罪者，最高刑罰將可處以終身監禁，如果強迫、誘拐14歲以下的被害人從事賣淫等性交易行為，將被處以最低15年以上刑期，如為強迫、誘拐14歲至18歲被害人從事上揭相同行為，將處最低10年以上刑期。

(二) 大陸偷渡犯偷渡至美國所採模式主要為使用假護照(簽證)經由陸、海、空運進入美國，或是直接藏於貨櫃內再利用車、船載運入美。而中國大陸人民偷渡至美後，多從事賭博、賣淫及幫派等活動，甚至轉而犯下搶劫、勒索等不法罪行，加州警局組織犯罪調查處及重大案件組有鑑於此，已完成全面性追蹤資料庫、犯罪集團成員檔案和犯罪集團組織圖之建立，未來除將持續加強國際執法合作外，亦將致力於追蹤及分析蛇頭的活動，並尋求修正美國司法系統中有關過於輕易給予「政治庇護」之漏洞。

#### 參、心得與建議

一、在加州洛杉磯安納罕的5天會議議程中，承辦大會提供了25項議題，近50場分組研討，除討論如何加強合作以對付世界各地及衍生進入美國當地的跨國性亞裔組織犯罪外，更著眼於隨世界情勢演變而變化的犯罪狀況。另外主辦單位也重視探討斷絕恐怖分子或組織金脈來源，邀請美國聯邦稅務局官員(IRS)主講恐怖主義組織如何建立及尋求其資金來源，並透過洗錢犯罪手法資助其恐怖主義犯行，輔以相關案例說明及現場學員研討綜合分析等，使各執法單位瞭解如何共享情報資源，以提高辦案效能，機先遏止恐怖活動於境外。相較之下，我國雖極少發生恐怖主義活動，惟近年金錢暴力介入選舉、販毒、綁架、暴力討債、幫派滋事、土製爆裂物、千面人勒索、

enforcement cooperation and devoted to trace and analyze the activities of human traffickers. Moreover, to revise the law in the US legal system concern about the leakage of too easy for applying political asylum.

#### Part III. Reflections and suggestions

I. During this 5 days conference in Anaheim, Los Angeles, the host arranged 25 different topics and more than 50 different group discussions. Besides the topic on how to strengthen cooperation from stopping transnational Asian organized crime from spreading into the US, the organized crime activities all over the world were also examined. The host emphasized on how to cut down the resources and funds for terrorist's organizations and invited Officials from US-IRS to talk about the establishment of terrorist organizations, where the fund came from and money laundry with terrorists. Case studies were discussed. Each law enforcement agencies gained understanding on how to share information and intelligence to improve effectiveness on investigation to stop terrorist activists at the border. On the contrary, there were very few terrorist activities in Taiwan; however, in recent years, bribery and violence in elections, selling of drugs, abductions, gangster activities, bombing, financial fraud and other crime related situations have gone worse. US's experiences are worth to take into consideration on how to establish a comprehensive crime intelligence investigation system and adjust current organization's structure.

II. Besides law enforcement authorities attend the conference, Microsoft, Phillip Morris, MyClyns, IDEA and other intelligence equipment company and legal organization also sent representatives to join the event. Some of them were speakers of many discussion groups and shared their experiences on how to prevent crime related activities from a society's point of view.

III. In the world of globalization, when it comes to crime, there is no border. To attack



金融詐騙及黑心商品詐欺等組織犯罪情勢均有升高趨勢，如何建立國內犯罪情報資訊整合系統，以及調整組織架構與分工，美國經驗值得借鏡。

二、本次會議除執法人員參與研討外，尚有微軟（Microsoft）公司、菲利浦煙草（Phillip Morris）公司、麥可林斯（MyClyns）公司及IDEA情報偵蒐器材公司等企業或法人機構贊助經費並派員參加，且有部分擔任分組議題主講人，就與其業務相關之犯罪活動提出防制經驗報告，此種結合民間力量共同打擊犯罪之作法，值得效法。

三、全球化趨勢下，犯罪已無國界之分，打擊犯罪為各國執法單位共同職責，也是國內各執法機關致力推動之重要措施；派員出席國際會議，不僅能增廣見聞、經驗交流，更可促進與他國執法單位之相互瞭解，有利日後協調聯繫。建請鼓勵我國執法人員積極參與國際會議組織，加入成為會員，此舉有利培育國際合作人才，政府如能給予公假自費方式前往，並列入公務人員陞任計分標準之加分項目，應能提高參與意願。

四、經參與本次會議發現，會議所討論之議題、內容及參與機關人員與「亞裔有組織犯罪暨恐怖活動會議」近乎相同，但其會議規模較「亞裔有組織犯罪暨恐怖活動會議」為小，考量上開因素，避免重複參與性質相同之會議，及節省公務出國經費資源，建議未來暫停派員出席本項會議，並以派員出席「亞裔有組織犯罪暨恐怖活動會議」為主要任務，以吸取較廣之相關知識。

五、本次會議研討課程資料，經大會告知皆屬公開（Unclassified）但具敏感性（Sensitive），非經授課教官允許，不能拷貝或攜出會場，故呈現於本報告之資料屬可公開性，為使參與會議報告內容得以分享並實際運用，另將具敏感性資料提供本署情報實務訓練有關國際情報課程講授參考，亦可做案例介紹使同仁汲取經驗。

（本文作者任職於海岸巡防署情報處）

crimes is the common responsibility of the law enforcement from all around the world, and it is also the important issue which needs to be tackle by domestically agencies. To attend international conferences can not only broaden the view, but also exchange experiences and gain better understanding of other countries counter parts which can be benefit in the future. To encourage the domestic agencies to actively engage in the international activities and become one of the members can be useful on training domestic talents. Government can encourage people to attend those conferences by providing leave for statutory reasons or take promotions into considerations.

IV.The topic, contents and participants of this conference are similar with International Conference on Asian Organized Crime and Terrorism (ICA OCT), only with a smaller scale. For the purpose of saving, it's suggested in the future that representatives can be sent to ICA OCT conference to absorb related information in broad range.

V.The conference has announced that contents in this conference are unclassified but sensitive. Copying or taking away any of the materials is not allowed unless permitted. The information in this report is unclassified and can be shared and practiced. Other sensitive material is incorporated into Coast Guard Administration Intelligence Practical Training Courses in the section of International Intelligence Course and case studies can be shared by related personnel.

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