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S. RES. 542

Expressing the sense of the Senate that the United States Government should continue to support democracy and human rights in Taiwan following the January 2012 presidential and legislative elections in Taiwan.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate that the United States Government should continue to support democracy and human rights in Taiwan following the January 2012 presidential and legislative elections in Taiwan.

Whereas, for many years, Taiwan has been a strong and cooperative partner of the United States;

Whereas the 1979 Taiwan Relations Act (22 U.S.C. 3301 et seq.), the cornerstone of United States-Taiwan relations, declares that “the preservation and enhancement of the human rights of all the people of Taiwan are hereby reaffirmed as objectives of the United States”;

Whereas, since the lifting of martial law in 1987, the people of Taiwan have amply demonstrated their desire for

democratic governance, as well as their commitment to human rights, civil liberties, and the rule of law;

Whereas, since their first democratic presidential election in 1996, the people of Taiwan have conducted four more presidential elections, as well as successive elections for members of their national legislature, numerous local elections, and two national referendums;

Whereas Taiwan conducted its latest presidential and legislative elections on January 14, 2012;

Whereas, on January 14, 2012, Mr. Ma Ying-jeou, the incumbent and the nominee of the Chinese Nationalist Party (KMT), was re-elected as the President of Taiwan with 51.6 percent of the vote, while in the 113-member legislature the KMT won 64 seats, the Democratic Progressive Party (DPP) won 40 seats, and the People's First Party (PFP), the Taiwan Solidarity Union (TSU), and other non-partisan independent candidates each won 3 seats;

Whereas an international election observation mission made up of 19 observers from 8 countries, invited by the International Committee for Fair Elections in Taiwan (ICFET), observed the January 14, 2012, elections in Taiwan;

Whereas the final report of the mission, made up of observers from Australia, Canada, Denmark, France, Japan, Sweden, the Netherlands, and the United States, was recently presented in Taiwan;

Whereas the final report of the mission included—

- (1) a finding that the elections were mostly free but only partly fair;

(2) a finding that the date selected for the election made it more convenient for Taiwan businessmen in China to return for the vote, but made it more difficult for students to return to their home towns to vote, and a recommendation that the household registration system should be changed to allow people to vote where they actually work or study in Taiwan, ending the need to travel long distances to vote;

(3) a finding that vote buying and vote betting remains an issue of concern, and recommendations that stiffer penalties be put in place for candidates who buy votes, such as disqualification from running in future elections, and that the political parties do more to prevent individual candidates from engaging in vote buying;

(4) a finding that major violations of principles of administrative neutrality during the elections by government officials occurred, and a recommendation that civil service and non-elected offices need to be further de-politicized;

(5) a finding that verified data does not exist on campaign financial resources and expenditures and it seemed likely that campaign spending exceeded campaign finance limits, and recommendations that enforcement and public promotion of campaign spending laws be strengthened and loopholes closed and that the long-standing issue of KMT party assets, including their source, use, and investments be resolved;

(6) a finding that the Government of the People's Republic of China attempted to influence the elections by sending agricultural purchasing missions to southern Taiwan as a sign of support for the sitting President, reducing the number of tourist groups allowed to travel to Taiwan to signal the ability to reduce tourism if the "wrong

candidate” won, and by discounting flights from China to Taiwan to make it easier for Taiwanese businessmen living in China to return to Taiwan to vote;

(7) a finding that actions and statements by the United States Government and its officials might have influenced the elections, noting that in the three months preceding the election, there were more visits by high-level United States officials to Taipei than during any calendar year in recent history; less than one month before the elections, the Department of State announced Taiwan’s candidacy for participation in the visa waiver program; and a senior United States official stated anonymously through the Financial Times that the DPP’s presidential candidate Tsai “left us with distinct doubts about whether she is both willing and able to continue the stability in cross-Strait relations the region has enjoyed in recent years”; and

(8) a finding that media outlets gave preferential treatment to a particular party or candidate based on the outlet’s political affiliation;

Whereas Taiwan’s native-grown democratic experience serves as a model for countries in the region and around the world aspiring to establish democratic rule;

Whereas Taiwan’s free and open society plays a stabilizing role in the Asia Pacific region and is thus conducive to the interests of states of the region, including the United States, in furthering peace, prosperity and stability; and

Whereas the United States remains committed to the continued strengthening and development of democratic institutions in Taiwan, and to ensuring the ability of the people of Taiwan to determine their own future free from outside interference or coercion: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) applauds the progress made by the people
3 of Taiwan toward the consolidation of democracy
4 over the past two decades, and commends their en-
5 during commitment to the values of democracy, rule
6 of law, and the protection of human rights;

7 (2) encourages the people and the Government
8 of Taiwan to take steps to continue to strengthen
9 the protection of democratic values and human
10 rights in their country, including freedom of speech,
11 freedom of assembly, and freedom of the press;

12 (3) encourages the people and the Government
13 of Taiwan to take into consideration the conclusions
14 and recommendations of international election moni-
15 toring missions, including the final International
16 Election Observation Mission (IEOM) report, as
17 they seek to strengthen their democratic practices
18 and human rights protections;

19 (4) urges the President and Government of the
20 United States to continue to support democracy and
21 human rights in Taiwan;

22 (5) encourages all outside parties to remain
23 neutral in Taiwan's elections; and

24 (6) affirms that the future of Taiwan should be
25 resolved peacefully, in accordance with democratic

- 1 principles, and with the assent of the people of Tai-
- 2 wan.

