

Whereas, according to the DOS Human Rights Report, “[t]here continued to be credible reports that authorities pressured defense lawyers not to take as clients any religious or democracy activists facing trial. Human rights lawyers were restricted, harassed, arrested, disbarred, and in some cases detained for representing political activists,” while “given their previous convictions, lawyers Le Tran Luat, Le Thi Cong Nhan, and Le Quoc Quan were not permitted to practice law”;

Whereas, on April 4, 2011, the Hanoi People's Court sentenced attorney Cu Huy Ha Vu to seven years in prison for defending victims of land confiscation and abuse of power, including the Catholic villagers of Con Dau who refused to sell or vacate land, including a 135-year-old religious burial site, and in August and November 2011, Vu's appeals were unsuccessful;

Whereas, although the constitution of Vietnam provides for freedom of religion, Vietnamese law requires official recognition or registration for religious groups, which has been used to monitor and restrict the operations of religious organizations;

Whereas the 2012 Annual Report of the United States Commission on International Religious Freedom (USCIRF) lists Vietnam as one of the “world's worst religious freedom violators,” recommending that the Secretary of State name Vietnam a “country of particular concern” with respect to religious freedom, noting that “the Government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority” and that “individuals continue to be imprisoned or detained for reasons relating to their religious activity or religious freedom advocacy” while “independent religious activity remains illegal”;

Whereas, according to the USCIRF report, between April 2011 and February 2012, “as many as 27 individuals were arrested or disappeared in Vietnam for their religious affiliations, religious activities, or peaceful protest of religious freedom restrictions, among them Hoa Hao Buddhists, Catholics, Protestants, and Falun Gong practitioners”;

Whereas hundreds of Montagnard Protestants arrested after 2001 and 2004 demonstrations for religious freedom and land rights remain in detention in Vietnam's Central Highlands, while, according to Human Rights Watch, in 2010, as many as 70 additional people were detained in the Central Highlands for conducting “illegal” religious services;

Whereas the Unified Buddhist Church of Vietnam is the country's largest religious organization, yet according to the USCIRF, it “has faced decades of harassment and repression for seeking independent status and for appealing to the government to respect religious freedom and related human rights”;

Whereas, in July 2011, Father Nguyen Van Ly, who has been imprisoned numerous times for his religious freedom and human rights advocacy, but had been granted medical parole in March 2010 after suffering several strokes in prison that left him partially paralyzed, was returned to prison to serve the remainder of his eight-year sentence;

Whereas on January 6, 2011, Christian Marchant, a United States diplomat at the United States Embassy in Hanoi, was beaten by Vietnamese police when he went to visit Father Ly, who was then under house arrest;

Whereas, according to the USCIRF report, over a dozen religious leaders are being held under long-term house arrest orders, including Unified Buddhist Church of Vietnam (UBCV) leader Thich Quang Do and other UBCV leaders, Catholic Father Phan Van Loi, Hoa Hao leader Le Quang Liem, Protes-

tants Nguyen Van Dai and Le Thi Cong Nhan, and Mennonite Leader Nguyen Thi Hong;

Whereas Reporters Without Borders' 2011-2012 Press Freedom Index ranks Vietnam last in Southeast Asia with regard to freedom of the press, and 172 out of 179 countries overall;

Whereas, in September 2007, Vietnamese bloggers established the Club of Free Journalists to promote freedom of expression and independent journalism and were quickly faced with harassment, intimidation, and detention by authorities in Vietnam, beginning with the arrest of Nguyen Van Hai in April 2008;

Whereas, on October 30, 2010, while in Hanoi, Vietnam, Secretary of State Hillary Clinton said, “[T]he United States remains concerned about the arrest and conviction of people for peaceful dissent, the attacks on religious groups, the curbs on Internet freedom, including of bloggers. Vietnam has so much potential, and we believe that political reform and respect for human rights are an essential part of realizing that potential.”;

Whereas, on November 10, 2011, Secretary of State Clinton stated, “We support not only open economies but open societies . . . we have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights”; and

Whereas, on February 2, 2012, Assistant Secretary of State Kurt M. Campbell stated that “for the United States and Vietnam to go to the next level it will require some significant steps on the part of Vietnam to address . . . human rights concerns . . . but also more systematic challenges associated with freedom of expression, freedom of organization,” explaining that “progress in these areas will be essential to have the appropriate level of support in the United States that will sustain a deeper engagement between our two countries”: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of religion, and freedom of association;

(2) strongly condemns the ongoing and egregious human rights violations committed by the Government of Vietnam against the Vietnamese people;

(3) urges the President, Secretary of State, and all other appropriate United States Government officials to ensure that relations between the United States and Vietnam continue to include robust discussion on the troubling human rights record of the Government of Vietnam;

(4) encourages the Secretary of State to place Vietnam on the list of “Countries of Particular Concern” with regard to religious freedom pursuant to section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)) in order to highlight abuses of religious freedom in Vietnam and encourage improvement in the respect for human rights in Vietnam; and

(5) urges the President, Secretary of State, and other world leaders to publicly support the human rights of the people of Vietnam and to call on the President of Vietnam to—

(A) release all political and religious prisoners, including all those imprisoned or detained on account of their advocacy for democracy, religious freedom, and other human rights;

(B) revise or repeal ordinances and decrees that limit freedom of expression, assembly, association, or religion; and

(C) implement all necessary legal and political reforms to protect these rights.

SENATE RESOLUTION 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

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

S. RES. 542

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 longstanding 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

*Resolved*, That the Senate—

(1) applauds the progress made by the people of Taiwan toward the consolidation of democracy over the past two decades, and commends their enduring commitment to the values of democracy, rule of law, and the protection of human rights;

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

(3) encourages the people and the Government of Taiwan to take into consideration the conclusions and recommendations of international election monitoring missions, including the final International Election

Observation Mission (IEOM) report, as they seek to strengthen their democratic practices and human rights protections;

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

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

(6) affirms that the future of Taiwan should be resolved peacefully, in accordance with democratic principles, and with the assent of the people of Taiwan.

Ms. MURKOWSKI. Mr. President, I rise to submit a resolution relating to the January 2012, presidential and legislative elections held in Taiwan. On January 14, 2012, Mr. Ma Ying-jeou, the nominee of the Chinese Nationalist Party, KMT, was re-elected as President of Taiwan with 51.6 percent of the vote. The KMT also won 64 seats of the 113-member Legislative Yuan, while the Democratic Progressive Party, DPP, won 40 seats.

Former United States Senator Frank Murkowski participated in an international election observation mission made up of 19 observers from 8 countries. Recently, the mission submitted its final report on the elections, concluding that they were mostly free but only partly fair.

The resolution I am submitting takes note of the mission's final report, and urges the people and government of Taiwan to take the report's findings and recommendations into consideration as they continue their commitment to the values of democracy, the rule of law, and human rights.

#### SENATE RESOLUTION 543—TO EXPRESS THE SENSE OF THE SENATE ON INTERNATIONAL PARENTAL CHILD ABDUCTION

Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. CARDIN, Ms. MIKULSKI, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MERKLEY, Mrs. MURRAY, Mr. RUBIO, Mr. LEAHY, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 543

Whereas international parental child abduction is a tragic and common occurrence;

Whereas the abduction of a child by one parent is a heartbreaking loss for the left-behind parent and deprives the child of a relationship with 2 loving parents;

Whereas, according to the Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction of the United States Department of State from April 2010, research shows that abducted children are at risk of significant short- and long-term problems, including "anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior";

Whereas, according to that report, left-behind parents may also experience substantial psychological and emotional issues, including feelings of "betrayal, sadness over the loss of their children or the end of their marriage, anger toward the other parent, anxiety, sleeplessness, and severe depression", as well as financial strain while fighting for the return of a child;

Whereas, since 1988, the United States, which has a treaty relationship under the Convention on the Civil Aspects of International Child Abduction, done at The Hague October 25, 1980 (TIAS 11670) (referred to in this preamble as the "Hague Abduction Convention") with 69 other countries, has agreed with its treaty partners to follow the terms of the Hague Abduction Convention;

Whereas the Hague Abduction Convention provides a legal framework for securing the prompt return of wrongfully removed or retained children to the countries of their habitual residence where competent courts can make decisions on issues of custody and the best interests of the children;

Whereas, according to the United States Department of State, the number of new cases of international child abduction from the United States increased from 579 in 2006 to 941 in 2011;

Whereas, in 2011, those 941 cases involved 1,367 children who were reported abducted from the United States by a parent and taken to a foreign country;

Whereas, in 2011, more than 660 children who were abducted from the United States and taken to a foreign country were returned to the United States;

Whereas 7 of the top 10 countries to which children from the United States were most frequently abducted in 2011 are parties to the Hague Abduction Convention, including Mexico, Canada, the United Kingdom, Germany, Ecuador, Brazil, and Colombia;

Whereas Japan, India, and Egypt are not parties to the Hague Abduction Convention and were also among the top 10 countries to which children in the United States were most frequently abducted in 2011;

Whereas, in many countries, such as Japan and India, international parental child abduction is not considered a crime, and custody rulings made by courts in the United States are not typically recognized by courts in those countries; and

Whereas Japan is the only member of the Group of 7 major industrialized countries that has not ratified the Hague Abduction Convention: Now, therefore, be it

*Resolved*, That—

(1) the Senate—

(A) condemns the unlawful international abduction of all children;

(B) urges countries identified by the United States Department of State as non-compliant or demonstrating patterns of non-compliance with the Convention on the Civil Aspects of International Child Abduction, done at The Hague October 25, 1980 (TIAS 11670) (referred to in this resolution as the "Hague Abduction Convention") to fulfill their commitment under international law to expeditiously implement the provisions of the Hague Abduction Convention;

(C) calls on all countries to accede to or ratify the Hague Abduction Convention and to promptly institute measures to equitably and transparently address cases of international parental child abduction; and

(D) calls on all countries that have not acceded to or ratified the Hague Abduction Convention to develop a mechanism for the resolution of current and future cases of international parental child abduction that occur before those countries accede to or ratify the Hague Abduction Convention in order to facilitate the prompt return of children abducted to those countries to the children's countries of habitual residence; and

(2) it is the sense of the Senate that the United States should—

(A) aggressively pursue the return of each child abducted by a parent from the United