

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 114—URGING THE GOVERNMENT OF THAILAND TO PROTECT AND UPHOLD DEMOCRACY, HUMAN RIGHTS, THE RULE OF LAW, AND RIGHTS TO FREEDOM OF PEACEFUL ASSEMBLY AND FREEDOM OF EXPRESSION, AND FOR OTHER PURPOSES

Mr. MARKEY (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 114

Whereas the Kingdom of Thailand (once commonly known as the “Kingdom of Siam”) and the United States of America first established relations in 1818, and entered into the Treaty of Amity and Commerce, signed on March 20, 1833, which formalized diplomatic relations between the 2 countries;

Whereas Thailand was the first treaty ally of the United States in the Asia-Pacific region, has a relationship with the United States that is built upon a commitment to universal values, and remains a steadfast friend of the United States;

Whereas through the Southeast Asia Collective Defense Treaty, done at Manila September 8, 1954 (commonly known as the “Manila Pact”), the United States and Thailand expressed a joint desire to “strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law”;

Whereas in 1962, the United States and Thailand signed the Thanat-Rusk communiqué, through which the United States pledged to provide assistance to Thailand if it faced aggression by neighboring nations;

Whereas, through the Treaty of Amity and Economic Relations Between the Kingdom of Thailand and the United States of America, done at Bangkok May 29, 1966, along with a diverse and growing trading relationship, the United States and Thailand have developed strong economic ties;

Whereas the United States recognizes Thailand as a founding member of the Association of Southeast Asian Nations (commonly known as “ASEAN”);

Whereas on November 12, 2022 President Joseph R. Biden and the ASEAN leaders elevated United States-ASEAN relations to a Comprehensive Strategic Partnership to open new areas of cooperation vital to the future prosperity and security of the United States and ASEAN member nations;

Whereas Thailand successfully served as host for the Asia-Pacific Economic Cooperation forum in 2022—

- (1) to revitalize economic recovery;
- (2) to restore connectivity following disruptions from the COVID-19 pandemic; and
- (3) to integrate inclusivity and sustainability objectives in tandem with economic goals;

Whereas Thailand was designated a major non-NATO ally in 2003, and is one of the strongest security partners of the United States, a relationship reaffirmed by the Joint Vision Statement 2020 for the U.S.–Thai Defense Alliance;

Whereas the Government of Thailand and the Government of the United States hold numerous joint military exercises, including Cobra Gold, the largest annual multinational military exercise in the Indo-Pacific region, which is hosted by Thailand;

Whereas the Government of Thailand continues to be a partner on humanitarian and

refugee assistance, including in multinational relief efforts following the 2004 Indian Ocean tsunami and 2015 Nepal earthquake;

Whereas Thailand ended its absolute monarchy and transitioned to a constitutional monarchy in 1932, and has since revised its constitution 19 times, including its 1997 Constitution, which enshrined democratically elected representatives in a bicameral national assembly and the prime minister as head of government;

Whereas on May 22, 2014, the Royal Thai Armed Forces launched a coup d'état through which it repealed the 2007 Constitution, declared martial law, and replaced the civilian government with a military junta, known as the National Council for Peace and Order (referred to in this preamble as the “NCPO”), which was led by Army Commander-in-Chief Prayuth Chan-ocha;

Whereas on March 29, 2016, the NCPO unveiled a draft constitution and on August 7, 2016, the NCPO held a deeply flawed referendum on the new constitution, which was intended to legitimize the document;

Whereas the 2016 referendum was marred by widespread violations of rights to freedom of expression, association, and peaceful assembly;

Whereas the NCPO ignored numerous calls from the United Nations and foreign governments to respect people's rights to freely express their views on the draft constitution, and sharply curtailed freedoms in the lead-up to the constitutional referendum, prosecuting journalists and critics of the draft constitution, censoring the media, and preventing public gatherings of more than five people;

Whereas the new Constitution, which was ratified on April 6, 2017—

- (1) entrenched Thai military power at the expense of civilian political control;
- (2) obligated subsequent governments and members of parliament to adhere to a junta-issued “20-year reform plan”;
- (3) contains provisions weakening the 500-member lower house and reserving 250 seats in the Senate for NCPO-appointed senators and NCPO leaders, including the top leadership of the military and police; and
- (4) gives outsize power to unelected junta-selected senators to choose subsequent prime ministers;

Whereas, in March 2019, Thailand held elections that—

- (1) several independent monitoring groups, citing both procedural and systemic problems, declared to be not fully free and fair and heavily tilted to favor the military junta; and
- (2) resulted in the NCPO's political party, headed by Prayuth Chan-ocha, forming a new government and appointing Prayuth as prime minister;

Whereas, in January 2020, the opposition political party Future Forward was dissolved and banned on order of Thailand's Constitutional Court following a flawed legal process premised on spurious charges;

Whereas the Constitutional Court also ruled that Prime Minister Prayuth Chan-ocha did not violate a constitutional provision limiting him to 8 years in office, despite having remained in power since the August 2014 coup d'état;

Whereas the Government of Thailand has not made progress in its investigation of violent attacks against some democracy activists and the forced disappearances and killings of Thai political dissidents across Asia.

Whereas in February 2023, the Government of Thailand again delayed key anti-torture legislation, which, although flawed, would help to both clarify the criminalization of torture and to prevent torture;

Whereas, since February 2020, tens of thousands of protesters across Thailand, composed primarily of students and youth, have peacefully called for democratically elected government, constitutional reform, and respect for human rights;

Whereas the Government of Thailand responded to these largely peaceful protests with repressive measures, including intimidation tactics, excessive use of force during protests, surveillance, harassment, arrests, violence, and imprisonment;

Whereas between 2020 and 2023, authorities of the Government of Thailand have filed criminal proceedings against more than 1,800 activists for participating in mass demonstrations and expressing their opinions, including more than 280 children, 41 of whom were younger than 15 years of age;

Whereas reports published in July 2022 by nongovernmental organizations found that Thai authorities used Pegasus spyware against at least 30 pro-democracy activists and individuals who called for reforms to the monarchy and against academics and human rights defenders who have publicly criticized the Government of Thailand; and

Whereas the Government of Thailand continues to consider the Draft Act on the Operation of Not-for-Profit Organizations, which, if enacted—

- (1) will represent one of the most restrictive laws against nonprofit organizations in Asia; and
- (2) will have an irreversible effect on civil society in Thailand and across the Southeast Asia region generally; Now, therefore, be it

Resolved, That the Senate—

- (1) reaffirms the strong relationship between the United States and Thailand, a relationship based on shared democratic values and strategic interests;
- (2) is in solidarity with the people of Thailand in their quest for a democratically elected government, political reforms, long-term peace, and respect for established international human rights standards;

- (3) urges the Government of Thailand to protect and uphold democracy, human rights, the rule of law, and rights to freedom of peaceful assembly, freedom of expression, and privacy;
- (4) urges the Government of Thailand to create conditions for credible and fair elections in May 2023, including by—

- (A) enabling opposition parties and political leaders to carry out their activities without undue interference from state authorities;
- (B) enabling media, journalists, and members of civil society to exercise freedoms of expression, peaceful assembly, and association, without repercussion and fear of prosecution; and
- (C) ensuring that the tallying of votes is fair and transparent;

- (5) urges the Government of Thailand to immediately and unconditionally release and drop charges against political activists and refrain from harassing, intimidating, or persecuting those engaged in peaceful protests and civic activity more broadly, with particular care for the rights and well-being of children and students;
- (6) calls on the Government of Thailand to drop consideration of the Draft Act on the Operation of Not-for-Profit Organizations and reform other laws and regulations undermining free expression and access to information;
- (7) urges the Government of Thailand to investigate and end spyware attacks that have targeted academics, human rights defenders, and key members of various pro-democracy groups;
- (8) calls on the Government of Thailand to repeal and cease the promulgation of laws and decrees that are used to censor online

content and speech related to the electoral process, including Thailand's—

(A) overbroad and vague *lèse majesté* law; (B) Computer-Related Crime Act; and (C) overbroad sedition laws; (9) communicates to the Government of Thailand that continuing violations of the rights of the people of Thailand to peacefully and democratically determine their future will make it impossible for the United States to recognize the next general election as free and fair, regardless of outcome; and (10) unequivocally states that direct or indirect military or royal intervention before, during, or after the general election would—

(A) profoundly undermine bilateral relations between the United States and Thailand; and (B) endanger economic and security assistance to Thailand and regional and economic cooperation.

SENATE RESOLUTION 115—SUPPORTING THE GOALS AND IDEALS OF “COUNTERING INTERNATIONAL PARENTAL CHILD ABDUCTION MONTH” AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD RAISE AWARENESS OF THE HARM CAUSED BY INTERNATIONAL PARENTAL CHILD ABDUCTION

Mr. TILLIS (for himself, Mrs. FEINSTEIN, Mr. CORNYN, Mr. BLUMENTHAL, Mr. CRAPO, Mr. BOOKER, Mr. GRASSLEY, Mr. KAINE, Mr. RUBIO, Ms. KLOBUCHAR, Mr. TUBERVILLE, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 115

Whereas thousands of children have been abducted from the United States by parents, separating those children from their parents who remain in the United States;

Whereas it is illegal under section 1204 of title 18, United States Code, to remove, or attempt to remove, a child from the United States or to retain a child (who has been in the United States) outside of the United States with the intent to obstruct the lawful exercise of parental rights;

Whereas 9,816 children were reported abducted from the United States between 2010 and 2020;

Whereas, during 2021, 1 or more cases of international parental child abduction involving children who are citizens of the United States were identified in 102 countries around the world;

Whereas the United States is a party to the Convention on the Civil Aspects of International Child Abduction, done at The Hague, October 25, 1980 (T.I.A.S. 11670) (referred to in this preamble as the “Hague Convention on Abduction”), which—

(1) supports the prompt return of wrongly removed or retained children; and

(2) calls for all participating parties to respect parental custody rights;

Whereas the majority of children who were abducted from the United States have yet to be reunited with their custodial parents;

Whereas, between 2015 and 2022, Argentina, Austria, the Bahamas, Belize, Brazil, China, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Guatemala, Honduras, India, Japan, Jordan, Lebanon, Morocco, Nicaragua, Oman, Pakistan, Panama, Peru, Poland, the Republic of Korea, Romania, Saudi Arabia, Slovakia, Trinidad and Tobago, Tunisia, and the United Arab Emirates were identified pursuant to the Sean and

David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) as engaging in a pattern of noncompliance (as defined in section 3 of such Act (22 U.S.C. 9101));

Whereas the Supreme Court of the United States has recognized that family abduction—

(1) is a form of child abuse with potentially “devastating consequences for a child”, which may include negative impacts on the physical and mental well-being of the child; and

(2) may cause a child to “experience a loss of community and stability, leading to loneliness, anger, and fear of abandonment”;

Whereas, according to the 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction by the Department of State, an abducted child is at risk of significant short- and long-term problems, including “anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior”;

Whereas international parental child abduction has devastating emotional consequences for the child and for the parent from whom the child is separated;

Whereas the United States has a history of promoting child welfare through institutions including—

(1) the Children’s Bureau of the Administration for Children and Families of the Department of Health and Human Services; and (2) the Office of Children’s Issues of the Bureau of Consular Affairs of the Department of State;

Whereas the Coalition to End International Parental Child Abduction, through dedicated advocacy and regular testimony, has highlighted the importance of this issue to Congress and called on successive administrations to take concerted action to stop international parental child abduction and repatriate kidnapped United States children;

Whereas Congress has signaled a commitment to ending international parental child abduction by enacting—

(1) the International Child Abduction Remedies Act (22 U.S.C. 9001 et seq.);

(2) the International Parental Kidnapping Crime Act of 1993 (Public Law 103-173), which enacted section 1204 of title 18, United States Code; and

(3) the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.);

Whereas the Senate adopted Senate Resolution 543, 112th Congress, agreed to on December 4, 2012, condemning the international abduction of children;

Whereas the Senate adopted Senate Resolution 431, 115th Congress, agreed to on April 19, 2018, to raise awareness of, and opposition to, international parental child abduction;

Whereas the Senate adopted Senate Resolution 23, 116th Congress, agreed to on April 11, 2019, to raise awareness of the harm caused by international parental child abduction;

Whereas the Senate adopted Senate Resolution 568, 117th Congress, agreed to on July 21, 2022, to raise awareness of the harm caused by international parental child abduction;

Whereas Congress calls upon the Department of State to fully utilize the tools available under the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) to negotiate, and make publicly available, bilateral agreements or memorandums of understanding—

(1) with countries not parties to the Hague Convention on Abduction to resolve abduction and access cases; and

(2) regarding open abduction and access cases predating the Hague Convention on Ab-

duction with countries that have thereafter become parties to the Hague Convention on Abduction;

Whereas all 50 States and the District of Columbia have enacted laws criminalizing parental kidnapping;

Whereas, in 2021, the Prevention Branch of the Office of Children’s Issues of the Department of State—

(1) fielded more than 4,800 inquiries from the general public relating to preventing a child from being removed from the United States; and

(2) enrolled more than 3,900 children in the Children’s Passport Issuance Alert Program, which—

(A) is one of the most important tools of the Department of State for preventing international parental child abduction; and

(B) allows the Office of Children’s Issues to contact the enrolling parent or legal guardian to verify whether the parental consent requirement has been met when a passport application has been submitted for an enrolled child;

Whereas the Department of State cannot track the ultimate destination of a child through the use of the passport issued by the Department of State if the child is transported to a third country after departing from the United States;

Whereas a child who is a citizen of the United States may have another nationality and may travel using a passport issued by another country, which—

(1) increases the difficulty of determining the whereabouts of the child; and

(2) makes efforts to prevent abduction more critical;

Whereas, during 2021, 147 children were returned to the United States, and an additional 126 abduction cases, involving 163 children, were resolved without the children being returned to the United States; and

Whereas, in 2021, the Department of Homeland Security, in coordination with the Prevention Branch of the Office of Children’s Issues of the Department of State, enrolled 261 children in the Prevent Abduction Program, which is aimed at preventing international parental child abduction through coordination with the U.S. Customs and Border Patrol officers at the airport, seaport, or land border ports of entry by intercepting the child before departure: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and observes “Countering International Parental Child Abduction Month” during the period beginning on April 1, 2023, and ending on April 30, 2023, to raise awareness of, and opposition to, international parental child abduction; and

(2) urges the United States to continue playing a leadership role in raising awareness about the devastating impacts of international parental child abduction by educating the public about the negative emotional, psychological, and physical consequences to children and parents victimized by international parental child abduction.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force