



The Holy See and the United Nations

Briefing paper

The Vatican's latest five-year silence on sexual abuse of children in the Catholic church

In 2014 the United Nations scrutinised the children's rights record of the Holy See, the sovereign State headed by the Pope, and issued a raft of recommendations to improve the State's compliance with international human rights law. Five years on, research shows that Vatican authorities have not only failed to bring into effect the UN's recommendations, but in some cases actively undermined progress for children's rights.

Back in 2014, the UN had primarily questioned the Holy See on the global scale of sexual abuse against children and its cover-up by individuals working under the authority of the Catholic church. The Committee on the Rights of the Child (CRC)¹ and the Committee against Torture (CAT)² each issued a series of recommendations addressing access to justice for the countless victims around the world, as well as calling for reform in the church's internal procedures, which govern abuse prevention and child safeguarding, transparency in reporting, and accountability for abusers.

States have to report back every five years with an update on how they have sought to improve their human rights record, but the Holy See did not submit the required information ahead of time, therefore its five-year review will not take place this year. While being tardy in reporting to the UN is not uncommon, this is not the Holy See's first time, as for its 2014 review the State submitted the relevant documentation 14 years late. In the face of such failure to engage with the UN, this briefing follows up where the Holy See has not.

As part of our research (full details of which are annexed to this briefing), the following are some of the most despicable findings we gathered.

1 UN Committee on the Rights of the Child (February 2014), Concluding observations on the second periodic review of the Holy See, CRC/C/VAT/Co/2, available at: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/VAT/CO/2&Lang=En; and CRC/C/OPSC/VAT/CO/1, available at: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPSC/VAT/CO/1&Lang=En

2 UN Committee against Torture (June 2014), Concluding observations on the initial report of the Holy See, CAT/C/VAT/CO/1, available at: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT/C/VAT/CO/1&Lang=En

Child safeguarding

The Catholic church still does not have a zero tolerance policy on child sexual abuse, despite repeated calls from survivor groups and a UN recommendation to do so. This means that practices, which for many years have put children at risk of abuse, are still not explicitly prohibited. They include not removing known or suspected abusers from roles through which they come into contact with children, or the notorious cover-up practice known as the 'geographical cure' whereby abusive clergy are transferred from one parish to another or abroad where other children will be at risk of abuse. The absent policy also relates to things like mandatory background checks for priests, employees or volunteers of the church, which perhaps unsurprisingly continue to be a very rare exception within the Catholic church.

Transparency

At the heart of the sex abuse scandal is the church's systemic lack of transparency and political will to genuinely and openly tackle the problem. Strict secrecy rules, such as the 'pontifical secret', keep the handling of child sexual abuse allegations firmly within the walls of the Catholic church, and are still very much enforced despite repeated calls for full disclosure. For this reason, the church continues to refuse to report confessions of child sexual abuse to law enforcement authorities. What's more, while the clergy is expected to comply with countries' national law, there is no rule on reporting sex abuse crimes against children to secular authorities. And even if a country has mandatory reporting laws, the church often ignores or explicitly rejects these.

Accountability

To date, no structural reforms have been implemented to ensure the accountability of bishops who conceal crimes. Instead, the Pope has pitifully issued non-binding 'guidelines', which leave implementation to the discretion of national churches. Also worrying is that the Vatican sometimes actively aims to prevent accused clergy from standing trial abroad by recalling them to the Vatican and then refusing requests for extradition, illustrating how the church continues to favour self-preservation over the rights of survivors.

Justice

Adamant on restricting survivors' chances of accessing justice, church officials in some countries have spent millions on lobbying to block proposed law reform that would extend or ease statutes of limitations for childhood sexual abuse crimes. What's more, the Catholic church continues to make it difficult for abuse survivors to access redress, either by cornering them into first signing confidentiality agreements, by limiting the compensation it pays into redress schemes, or by refusing outright to accept liability for compensating victims.

Annex:

Full details of UN recommendations to the Holy See and action taken³



³ This briefing groups the recommendations of the Committee on the Rights of the Child and the Committee against Torture into ten broad categories, under which the recommendations have been paraphrased, with references to the original recommendations found in the endnotes.

Accountability

Recommendation

Immediately remove all known and suspected perpetrators of child sexual abuse from assignment and refer the matter to the relevant law enforcement authorities for investigation and prosecution.¹

Action

To date, no structural reforms have been implemented to ensure the accountability of bishops who conceal crimes, and, moreover, recent infighting between factions inside the Vatican has hampered the implementation of reforms.² Plans for accountability tribunals to assess cases where bishops concealed or neglected the seriousness of abuse allegations have been rejected by the Congregation for the Doctrine of the Faith (CDF),³ the body tasked with promoting and protecting Catholic doctrines, including by investigating acts considered to represent grave violations of the doctrines, such as sexual abuse against children.

Instead, the Pope has resorted to issuing non-binding ‘guidelines’ on how the church should address “negligent” bishops, including who can investigate them and allowing for them to be removed from their post.⁴ Setting up regional tribunals around the world is also being explored to overcome the complications of dealing with abuse complaints across jurisdictions and to ease the backlog of sexual abuse cases at the CDF. While these regional tribunals would be the result of decentralisation of the CDF, which is based in the Vatican, they would not diminish its authority.⁵

In practice, however, the Holy See has consistently failed to remove known and suspected abusers from assignments, and even when clergy have been found guilty of serious sexual crimes they continue to evade justice. For instance, a 2018 report on sexual abuse by Catholic clergy in Germany found that 60 percent of abusive priests eluded any sort of accountability, with many being systematically transferred to other parishes — a notorious cover-up practice known as the ‘geographical cure’ whereby abusive priests are assigned to other parishes, where they often abused again, in an attempt to conceal their crimes.⁶ A 2015 investigation also found that Catholic priests found guilty of abuse in the US and Europe evade accountability by being relocated to remote parishes across Latin America.⁷

Though Catholic clergy are mandated to comply with the national law of countries they are sent to, they are not mandated to report abuse to civil authorities if it has not been reported first by the victim or if jurisdictions have no mandatory reporting laws.⁸ Furthermore, bishops conferences (an official assembly of the bishops of the Catholic church in a given territory) continue to reject recommendations made to them by national authorities that they ensure confessions of child sexual abuse made in the confessional be reported to law enforcement authorities.⁹

Transparency

Recommendation

Ensure the transparent sharing of all archives, information and data which can be used to hold abusers to account, as well as all those who conceal their crimes.¹⁰ Additionally, develop comprehensive mechanisms for sharing information with States where offences are committed, and fully and immediately disclose all information on cases of sexual exploitation of children gathered by the church since 2001 to national judicial authorities for follow-up.¹¹

Action

Though bishops are required to send all substantiated allegations of child sex abuse to church authorities at the Vatican,¹² the archive of substantiated allegations has not been made available to secular law enforcement authorities and remains secret. There are numerous examples of Church authorities withholding information on abusers from civil authorities including recent cases in Germany and Latin America.¹³ One example is the case of prominent Chilean Priest Óscar Muñoz, who in January 2018 admitted to abusing seven children and was removed as the chancellor for Santiago. The church had not disclosed any information to civil authorities, which eventually raided church premises and confiscated documents in order to investigate the case.

Furthermore, in many parts of the world where the church's presence is growing rapidly, such as in Asia and sub-Saharan Africa, there is almost absolute secrecy about child sexual abuse allegations. It remains hidden and rarely reported in the media, leading many to believe the true scale of the issue is being heavily underreported.¹⁴

The Holy See has still not revealed its plans for clergy members who ignored or concealed child sexual abuse, and the Pope has acknowledged that the implementation of a zero tolerance policy has been “delayed”.¹⁵ Meanwhile, there are cases where clergy who concealed abuse have even been promoted, for instance Cardinal Pell who admitted “enormous mistakes” in how he handled abuse cases and yet was awarded with one most senior positions in the Vatican.¹⁶ This case led to senior figures in the Holy See accusing the Pope of concealing abuse and calling on him to resign.¹⁷

Pontifical Commission for the Protection of Minors

Recommendation

Ensure that the Pontifical Commission for the Protection of Minors (hereafter the Commission) independently investigates all cases of child sexual abuse involving the Catholic hierarchy, and invites representatives of civil society, victims organisations, and international human rights mechanisms to join and support its work.¹⁸

Action

Considered a breakthrough when it was established in 2013, the Commission was created after victims' groups questioned Pope Francis' understanding of the scale of the problem of child sexual abuse in the Catholic church, and was tasked with proposing initiatives that could protect children from abuse.¹⁹

Among the Commission's members, Peter Saunders and Marie Collins, both survivors of abuse who represented civil society, both eventually stood down, citing concerns around a lack of resources, the the slow pace of reforms and a cultural resistance to reform from within the Holy See, and the appointment of a cardinal to the Commission who had been accused of concealing abuse. The Commission has since acquired new membership,²⁰ including two other survivors of abuse. However critics say that ongoing problems undermine the Commission's legitimacy, including a lack of independence from the church.²¹

Since 2014, the Commission has failed to produce any new and meaningful approaches to preventing the sexual abuse of children within the church, and there is little evidence of international human rights mechanisms supporting its work.

Reform canon law

Recommendation

Amend canon law in order for child sexual abuse to be considered as crimes and not as “delicts against the moral”, repeal provisions which impose obligations of silence, and ensure that the same laws apply to the Vatican City State and to all individuals and institutions under its authority.²² Additionally, repeal canon law provisions which favour the impunity of perpetrators, and ensure there is transparent and effective cooperation with law enforcement authorities.²³

Action

The Holy See has not reformed canon law covering sexual abuse of children as recommended by the UN. The ‘pontifical secret’, introduced in 1974 and currently still in force, imposes strict secrecy on the investigation and handling of child abuse allegations within the Catholic church and continues to prevent bishops from disclosing allegations to civil authorities in many jurisdictions.²⁴ Additionally, there are no provisions in canon law that specify what should happen to bishops who fail to act in cases of suspected or actual child sex abuse.²⁵

In practice, impunity for child sexual abuse in the church is still rampant, cooperation with national law enforcement is rare, and internal investigations remain shrouded in secrecy. Furthermore, the Holy See continues to argue that its human rights obligation under the UN Convention on the Rights of the Child, which it has ratified, apply only to the territory of Vatican City State and not to church officials operating under its jurisdiction around the world.²⁶

Reporting obligations

Recommendation

Establish mandatory reporting of all suspected cases of child sexual abuse and exploitation to secular law enforcement authorities and ensure all personnel working under the Catholic church are aware of their reporting obligations and that these obligations prevail over canon law provisions.²⁷

Action

Bishops are currently still not required to report all cases of sexual abuse to civil authorities.²⁸ The Catholic church has argued that only victims and their families should report abuse to the police, and that the duty of bishops is to address the allegations internally. Furthermore, there is a lack of clarity around how allegations of abuse should be reported, with the Holy See allowing its policies to vary country-by-country, with this inconsistency allowing bishops in some countries' to refuse to report abuse to secular authorities and withhold information from them.²⁹

Where mandatory reporting laws do exist they are often ignored, and many national churches have rejected attempts by civil authorities to enforce mandatory reporting obligations. For example, in rejecting a change in State law that would require confessions of child sexual abuse to be reported to civil authorities, Bishop Greg O'Kelly of Australia said: "Politicians can change the law, but we can't change the nature of the confessional... It doesn't affect us."³⁰

Protection and prevention

Recommendation

Develop programmes and policies for the prevention, recovery and social reintegration of child victims and increase children's awareness of sexual abuse.³¹ Allocate sufficient resources for the prevention, protection, and rehabilitation of victims and development of guidelines on child protection, including translating materials to local languages and child-friendly formats.³²

Action

The Vatican has introduced lessons, seminars and courses on sexual abuse for priests-in-training and the Pontifical Commission for the Protection of Minors (PCPM) has also published guidelines to assist churches in developing policies and procedures for protecting children from sexual abuse.³³ In another positive example, the Archdiocese of Montreal announced it will soon require background checks for all priests, employees and volunteers.³⁴ However, the implementation of child protection measures varies drastically in practice.³⁵ While the church in some countries has developed prevention measures,³⁶ in others it lags behind and is only just starting to address the issue.³⁷

Part of the problem is linked to insufficient resources allocated by the Holy See to developing and implementing effective prevention measures across its churches around the world, with former PCPM member, Marie Collins, saying the current amount of resources is not “in line with the enormity of the problem,”³⁸ a realisation made all the more jarring when considering how church authorities choose to spend or invest its funds and estate.³⁹

Though the PCPM, with its current composition of members, delivers educational training to new bishops, officials and child protection personnel,⁴⁰ there is no mandatory requirement for churches to carry out awareness-raising programmes on sexual abuse with children. In addition, the Holy See has not signed or ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse,⁴¹ as was recommended by the UN, which sets out measures for preventing sexual violence against children, including training and educating of children and screening and training of people who, in their professional capacity, come into contact with children.

For the most part, church authorities continue to act reactively, rather than proactively, and often defensively. For instance, in some countries bishops are continuing to blame the crisis of child sexual abuse on “enemies of the church” and an “aggressive media with an anti-church agenda”⁴²

Redress

Recommendation

Provide compensation to victims of sexual abuse without imposing any obligation of first reaching a confidentiality agreement in order to access compensation.⁴³ Ensure child victims and witnesses of crimes are provided with psycho-social support for their rehabilitation and reintegration and that such measures are not made conditional on first reaching a confidentiality agreement, which prevents children from reporting to national law enforcement authorities.⁴⁴

Action

Prior to the UN's review of the Holy See's children's rights record in 2014, the media had already uncovered how the Catholic church was making victims of child sexual abuse sign a confidentiality agreement in order to access a financial settlement.⁴⁵ Such agreements conceal the identity of abusers, allow abusers the opportunity to work for the church elsewhere, and allow the church to avoid having to publicly accept liability. When victims break confidentiality agreements, the church often resorts to litigating against victims.⁴⁶

The Holy See continues to try and limit compensation, such as in Ireland, where Catholic religious congregations have only paid 13 percent of the cost of a redress scheme set up to help survivors.⁴⁷ However, in many countries the church denies all liability for compensating victims. For example in Chile, recent guidelines omitted any recognition of the church's role to provide compensation, arguing that the obligation lies with the perpetrator of the abuse,⁴⁸ rather than the institution under which they were given access to children and which often actively sought to conceal allegations of abuse. The Catholic church often denies full responsibility for those operating under its authority, and has instead blamed national governments for the lack of prevention and redress measures for abused children.⁴⁹ Additionally, CRIN was unable to find evidence of the Holy See requiring its churches around the world to provide mandatory psycho-social support and rehabilitation for child abuse survivors.

Reporting channels for victims

Recommendation

Ensure accessible, confidential, child-friendly and effective reporting channels for children who are victims or witnesses of sexual abuse and ensure they are protected from further abuse and/or retaliation for reporting abuse.⁵⁰

Action

In its review of the Holy See, the UN Committee on the Rights of the Child noted that “child victims and their families have often been blamed and discredited by the religious authorities, discouraged from pursuing their complaints, and in some instances humiliated”. Indeed, fear of retaliation is a common reason for which survivors or witnesses of sexual abuse in the Catholic church, including those working under the church, choose not to report cases abuse.

Retaliation against individuals who do report abuse has occurred at all levels of the Catholic church,⁵¹ with the Pope even being accused of retaliation against victims. In January 2018, for example, he accused abuse survivors in Chile of slander after they accused a prominent bishop of covering up cases of child sexual abuse. While the Pope stated that the accusations against the bishop were “all calumny”, a judge later found the allegations credible.

Extradition

Recommendation

For the purpose of prosecution, ensure that all persons facing charges of child sexual abuse committed abroad are extradited to the countries where the abuse is alleged to have taken place.⁵²

Action

The Holy See is granted formal diplomatic recognition by the vast majority of countries, meaning its representatives who operate outside of the Vatican City State have similar immunity as that given to diplomats of other States. In practice, this means internal documentation can be kept secret, and officials cannot be made to attend court or provide information to law enforcement authorities.⁵³ Only if there is an extradition treaty can church officials be made to stand trial for crimes committed in foreign countries, however the Vatican does not have extradition treaties.

There are many high-profile examples where the Holy See has enabled abusers to escape justice. The Vatican recently recalled a priest from the US after prosecutors intended to charge him for possessing child abuse images, with the church carrying out its own investigation. It said recalling the priest was consistent with the diplomatic practice of sovereign states and refused to identify the priest in question.⁵⁴ A notorious example of this involved the Holy See declining a request from Polish prosecutors for the extradition of Archbishop Jozef Wesolowski, a senior Vatican diplomat who was being investigated for sexually abusing children in the Dominican Republic and Poland.⁵⁵

Limitation periods

Recommendation

Promote the reform of statutes of limitations in countries where they impede victims of child sexual abuse from seeking justice and redress.⁵⁶

Action

The Holy See has reformed its own legislation extending the statute of limitations for child sexual abuse from 10 to 25 years after a victim turns 18 years old.⁵⁷ Beyond this, however, the State has not only failed to promote reform of statutes of limitations in the countries in which it has a presence, but church officials in some countries have actively supported efforts to block proposed reforms to extend the time limits for bringing complaints of childhood sexual abuse or to abolish them altogether. There are numerous examples of this in the US,⁵⁸ including the New York cardinal who spent over 2\$ million on lobbyists to block statute of limitations reform.⁵⁹

End notes

Accountability

- 1 CRC/C/VAT/CO/2, para. 44 (b); CAT/C/VAT/CO/1, para. 12.
- 2 NPR, 'Vatican responds to Pa. grand jury report on abuse of children by clergy' (August 2018). Available at: <https://www.npr.org/2018/08/17/639491434/vatican-responds-to-pa-grand-jury-report-on-abuse-of-children-by-clergy?t=153615450906>
- 3 *The Washington Post*, 'Why the Vatican continues to struggle with sex abuse scandals' (August 2018). Available at: https://www.washingtonpost.com/world/europe/why-the-vatican-continues-to-struggle-with-sex-abuse-scandals/2018/08/12/483e16e2-9439-11e8-818b-e9b7348cd87d_story.html?utm_term=.5fd5bc49923f
- 4 *The New York Times*, 'Pope Francis sets guidelines for removing bishops who mishandle sex abuse cases' (June 2016). Available at: <https://www.nytimes.com/2016/06/05/world/europe/05popeabuseupdate1pix.html>
- 5 *Catholic Herald*, 'Pope and cardinals consider regional tribunals for abuse cases' (March 2018) Available at: <https://www.catholicherald.co.uk/news/2018/03/01/pope-and-cardinals-consider-regional-tribunals-for-abuse-cases/>
- 6 *The Guardian*, 'Shocking sexual abuse of children by Germany clergy detailed in report' (September 2018). Available at: <https://www.theguardian.com/world/2018/sep/25/report-details-sexual-abuse-german-catholic-church>
- 7 PRI, 'US priests accused of sex abuse get a second chance by relocating to South America' (September 2015). Available at: <https://www.pri.org/stories/2015-09-17/us-priests-accused-sex-abuse-get-second-chance-relocating-south-america>
- 8 *ABC Australia*, 'Vatican requires bishops 'to cover up child sex abuse' in absence of reporting laws, expert says' (September 2018). Available at: <https://www.abc.net.au/news/2018-08-02/vatican-law-requires-catholic-bishops-cover-up-abuse-expert-says/10057532>
- 9 *The Guardian*, 'Catholic church rejects royal commission call to report abuse disclosed in confession' (August 2018). Available at: <https://www.theguardian.com/world/2018/aug/31/priests-wont-report-abuse-disclosed-in-confession-australian-bishops-say>
- 10 CRC/C/VAT/CO/2 para. 44(c); CAT/C/VAT/CO/1 para. 22.

Transparency

- 11 CRC/C/OPSC/VAT/CO/1 para.24.
- 12 *The Conversation*, 'Why is it so hard to hold priests accountable for sex abuse' (August 2018). Available at: <https://www.theconversation.com/why-its-so-hard-to-hold-priests-accountable-for-sex-abuse-101947>; 'Guide to Understanding Basic CDF Procedures concerning Sexual Abuse Allegations.' Available at: www.vatican.va/resources/resources_guide-CDF-procedures_en.html
- 13 *The Guardian*, 'Shocking' sexual abuse of children by German clergy detailed in report' (September 2018). Available at: www.theguardian.com/world/2018/sep/25/report-details-sexual-abuse-german-catholic-church
- 14 *The Guardian*, 'Catholic church faces its past' (January 2019). Available at: <https://www.theguardian.com/news/audio/2019/jan/25/the-catholic-church-faces-its-past>
- 15 *Reuters*, 'Pope vows no more cover ups on sexual abuse in letter to Catholics' (August 2018). Available at: <https://www.reuters.com/article/us-pope-abuse-letter/pope-vows-no-more-cover-ups-on-sexual-abuse-in-letter-to-catholics-idUSKCN1L510L>
- 16 *Reuters*, 'Australian abuse victims contest Vatican on lack of pope meeting' (March 2016). Available at: <https://www.uk.reuters.com/article/uk-pope-abuse-pell/australian-abuse-victims-contest-vatican-on-lack-of-pope-meeting-idUKKCN0W628Y>

17 *The New York Times*, 'Pope Francis Long Knew of Cardinal's Abuse and Must Resign, Archbishop Says' (August 2018). Available at: www.nytimes.com/2018/08/26/world/europe/pope-ireland-sexual-abuse-letter-vigano.html

Pontifical Commission for the Protection of Minors

18 CRC/C/VAT/CO/2, para. 44 (a); CAT/C/VAT/CO/1, para. 12.

19 National Catholic Reporter, 'Survivor explains decision to leave Vatican's abuse commission' (March 2017). Available at: <https://www.ncronline.org/news/people/exclusive-survivor-explains-decision-leave-vaticans-abuse-commission>

20 Pontifical Commission for the Protection of Minors. Available at: https://www.protectionofminors.va/content/tuteladeiminori/it/sezione-chi_siamo/pagina-membri_new.html

21 *Political Critique*, 'We need to defeat the wolves - interview with Peter Saunders' (January 2018). Available at: <https://www.politicalcritique.org/world/eu/2018/we-need-to-defeat-the-wolves-interview-with-peter-saunders/>

Reform canon law

22 CRC/C/VAT/CO/2 Para. 44 (d).

23 CRC/C/OPSC/VAT/CO/1 para.30.

24 *The Guardian*, 'Farrell scandal puts Catholic church's attitude to Australian law under the microscope' (September 2016). Available at: <https://www.theguardian.com/australia-news/2016/sep/24/farrell-scandal-puts-catholic-churchs-attitude-to-australian-law-under-the-microscope>

25 *The Conversation*, 'Why is it so hard to hold priests accountable for sex abuse' (August 2018). Available at <https://www.theconversation.com/why-its-so-hard-to-hold-priests-accountable-for-sex-abuse-101947>

26 *National Catholic Reporter*, 'Vatican warns against misinterpreting international law, human rights' (September 2014). Available at: <https://www.ncronline.org/news/accountability/vatican-warns-against-misinterpreting-international-law-human-rights>

Reporting obligations

27 CRC/C/VAT/CO/2 Para. 44 (e); CAT/C/VAT/CO/1 para. 16.

28 *Crux Now*, 'What new Catholic bishops are, and aren't, being told on sex abuse' (February 2016). Available at: <https://www.cruxnow.com/church/2016/02/07/what-new-catholic-bishops-are-and-arent-being-told-on-sex-abuse/>; *The Independent*, 'Bishops do not have to report child abuse, Vatican says' (February 2016). Available at: <https://www.independent.co.uk/news/world/europe/bishops-do-not-have-to-report-child-abuse-vatican-says-a6866061.html>

29 *The Guardian*, 'Pennsylvania sexual abuse report is another setback for Pope Francis' (August 2018), available at: <https://www.theguardian.com/world/2018/aug/15/pennsylvania-sexual-abuse-report-another-setback-pope-francis>; 'Australia: 7% of Catholic priests abused children, commission finds' (February 2017). Available at: <https://edition.cnn.com/2017/02/06/asia/australia-catholic-sex-abuse/index.html>; *National Catholic Reporter*, 'No mandatory reporting in Italian norms for handling abuse allegations' (April 2014), available at: <https://www.ncronline.org/news/accountability/no-mandatory-reporting-italian-norms-handling-abuse-allegations&sa=D&ust=1537523159343000&usg=AFQjCNFtJAWOARiL8Uj7gkKiKnZwY1a4Ag>

30 *The Guardian*, 'South Australia Catholic church to ignore law on reporting confessions of abuse' (June 2018). Available at: <https://www.theguardian.com/world/2018/jun/15/south-australia-catholic-church-to-ignore-law-on-reporting-confessions-of-abuse>

Protection and prevention

- 32 CRC/C/VAT/CO/2, para. 44(g)
- 32 CRC/C/OPSC/VAT/CO/1, para. 34
- 33 *Pontifical Commission for the Protection of Minors (PCPM)*, Guidelines template. Available at: https://www.protectionofminors.va/content/tuteladeiminori/en/resources_section/pcpm-guidelines-template_page.html
- 34 *CBC News*, 'Montreal Catholic Church will fingerprint all priests working with children' (June 2017). Available at: <https://www.cbc.ca/news/canada/montreal/montreal-church-priest-banned-children-vulnerable-1.4169218>
- 35 Some regional diocese in the United States have mandatory background checks for those working in the church, while others do not. See, for example, the Archdiocese of Seattle's 'Coordinator's handbook: Background checks'. Available at: https://www.seattlearchdiocese.org/Assets/SEP/6297_BGCRequirements.pdf
- 36 See, for example, *Hawaii Catholic Herald*, 'Vatican, China nearing agreement on bishops, according to reports' (August 2018). Available at: <http://www.hawaiicatholicherald.com/2018/02/08/vatican-china-nearing-agreement-on-bishops-according-to-reports/>
- 37 See, for example, *Crux*, 'Mexican bishops set up team to protect children, develop protocols' (November 2018). Available at: www.cruxnow.com/church-in-the-americas/2018/11/22/mexican-bishops-set-up-team-to-protect-children-develop-protocols/
- 38 *National Catholic Register*, 'Marie Collins Highlights Ongoing Tensions Over Vatican's Handling of Clergy Abuse' (March 2017). Available at: <http://www.ncregister.com/daily-news/marie-collins-highlights-ongoing-tensions-over-vaticans-handling-of-clergy>
- 39 See, for example, *The Guardian*, 'US Catholic church has spent millions fighting clergy sex abuse accountability' (May 2016), available at: <https://www.theguardian.com/us-news/2016/may/12/catholic-church-fights-clergy-child-sex-abuse-measures>; and *The Guardian*, 'How the Vatican built a secret property empire using Mussolini's millions' (January 2013), available at: <https://www.theguardian.com/world/2013/jan/21/vatican-secret-property-empire-mussolini>
- 40 Pontifical Commission for the Protection of Minors, Education and Information. Available at: https://www.protectionofminors.va/content/tuteladeiminori/en/what-we-do_section/education_page.html
- 41 Council of Europe, Details of Treaty No.201 - Convention on the Protection of Children against Sexual www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201
- 42 RTÉ, 'Marie Collins in call for bishops to agree zero tolerance on abuse' (January 2019). Available at: <https://www.rte.ie/news/ireland/2019/01/14/1023213-vatican-marie-collins/>

Redress

- 43 CRC/C/OPSC/VAT/CO/1 para.36; CAT/C/VAT/CO/1 para. 18.
- 44 CRC/C/VAT/CO/2 para. 61(c-d).
- 45 Channel 4 News, 'Catholic church counts cost of sex abuse payouts' (September 2010). Available at: <http://www.channel4.com/news/articles/uk/pope+benedict+xvi+arrives+in+the+uk+as+people+ask+if+catholic+failure+to+address+child+sex+abuse+is+because+of+fears+over+litigation+payouts/3767577.html>; *The Times*, 'Priests' victims forced to agree secrecy laws' (November 2002). Available at: <https://www.thetimes.co.uk/article/priests-victims-forced-to-agree-secrecy-clauses-wgr6dsjlv5>
- 46 National Catholic Register, 'Father Corapi's Bombshell' (June 2011). Available at: <http://www.ncregister.com/daily-news/father-corapis-bombshell#ixzz2TZQ7IXf9>
- 47 RTÉ, '13% of redress scheme cost paid so far - C&AG report' (March 2017). Available at: <https://www.rte.ie/news/2017/03/09/858398-redress-scheme-report/>

48 Episcopal Conference of Chile, 'Cuidado y Esperanza. Líneas guía de la Conferencia Episcopal de Chile para tratar los casos de abusos sexuales a menores de edad' (July 2015). Available at: http://www.iglesia.cl/documentos_sac/27052015_938am_5565bacb65812.pdf#page=40

49 Junge Wissenschaft im Öffentlichen Recht, 'No Jurisdiction of the Holy See over the Catholic Church?' (February 2014). Available at: <https://www.juwiss.de/11-2014/>

Reporting channels for victims

50 CRC/C/OPSC/VAT/CO/1 para. 61(b).

51 *The Guardian*, 'Pope Francis accuses Chilean church sexual abuse victims of slander' (January 2018). Available at: <https://www.theguardian.com/world/2018/jan/19/pope-francis-victims-church-sexual-abuse-slander-chile>

Extradition

52 CRC/C/OPSC/VAT/CO/1 para. 32.

53 *The Herald*, 'The Catholic Church has a formal diplomatic relationship with Australia, but there are calls for that to end' (February 2017). Available at: <https://www.theherald.com.au/story/4478602/vatican-hiding-behind-the-protections-weve-given-it/>

54 *The Independent*, 'Vatican recalls priest after US prosecutors said they wanted to charge him for child abuse images' (September 2017). Available at: <https://www.independent.co.uk/news/world/americas/vatican-recall-priest-child-sexual-abuse-images-us-state-department-a7949871.html>

55 *The New York Times*, 'Jozef Wesolowski, Ex-Archbishop Accused of Sexual Abuse, Dies at 67' (August 2015). Available at: <https://www.nytimes.com/2015/08/29/world/europe/jozef-wesolowski-polish-ex-archbishop-accused-of-child-sexual-abuse-is-found-dead.html>

Limitation periods

56 CRC/C/VAT/CO/2, para. 61(e).

57 *El Diaro*, 'El Papa plantea que los delitos cometidos por curas pederastas no prescriban nunca' (May 2018). Available at: https://www.eldiario.es/sociedad/Papa-cambiara-Derecho-Canonico-prescriban_0_771323593.html

58 *The Guardian*, 'US Catholic church has spent millions fighting clergy sex abuse accountability' (May 2016). Available at: <https://www.theguardian.com/us-news/2016/may/12/catholic-church-fights-clergy-child-sex-abuse-measures>

59 *Business Insider*, 'The Catholic Church is fighting to block bills that would extend the statute of limitations for reporting sex abuse' (September 2015). Available at: <http://uk.businessinsider.com/r-as-pope-visit-nears-us-sex-victims-say-church-remains-obstacle-to-justice-2015-9?r=US&IR=T>

