

# Holding the Vatican and High-Level Officials Accountable for Widespread Sexual Violence in the Catholic Church

Reports estimate that upwards of a hundred thousand children and vulnerable adults are known to have been subject to widespread and systematic rape and sexual violence by priests and others associated with the Roman Catholic Church. Unfortunately, this is not a “problem of the past;” sexual violence against children and vulnerable adults by officials of the Catholic Church continues today. In countless cases that span the globe, high level church officials bear responsibility for enabling continued sexual violence instead of taking the necessary measures to prevent or end it. Given the global nature of the problem, in recent years the Survivors Network of those Abused by Priests (SNAP) has joined with the Center for Constitutional Rights (CCR) in utilizing international human rights mechanisms in order to demand an end to the unchecked policies and practices of the Catholic church that further this worldwide sexual violence.

## Role of Church Officials in Enabling Widespread Rape and Sexual Violence

Church officials responsible for addressing widespread sexual violence by clergy have been more concerned with preserving the church’s reputation rather than protecting the best interests of the victims or taking affirmative steps to ensure that future crimes do not happen.

One of the ways church officials facilitate continued sexual violence is by transferring known offenders to other locations, without warning the incoming community. This practice is known as **priest shifting**. In many cases priests known to have raped or otherwise sexually violated children are transferred to places where they continue to have power over children, such as orphanages or schools. In some cases, church officials know that the transferred offender continues to rape or commit other acts of sexual violence and take no action.

Church officials also **refuse to cooperate with civil authorities** by continually failing to report cases of rape and sexual violence towards children. Furthermore, the Vatican has actively worked to avoid requirements regarding mandatory reporting of known or suspected

sexual violence to civil authorities and has watered down internal procedures in the U.S. that govern how bishops and diocese must respond to allegations of child sexual abuse.

Not only do church officials often refuse or delay reporting these serious crimes against children and vulnerable adults but they have **destroyed evidence, covered-up crimes, punished whistle-blowers and obstructed justice**. There are countless examples of these incidences (documented in [reports on CCR’s website](#)) that lead to one conclusion: the hierarchy of the church does not just fail to act, they actually enable and further widespread sexual violence.

Also, church officials often **blame survivors of rape and sexual violence for the crimes committed against them**. Commissions in various countries have found that church officials have attempted to defend accused priests by humiliating and blaming their victims. This cruel practice has had devastating impacts on those who have been victims of sexual violence.



Survivors with SNAP hold photos of themselves at the age they were abused outside of a cathedral in London.

## Who is SNAP?

The Survivors Network of those Abused by Priests (SNAP) was founded 25 years ago by a small group of survivors of rape and sexual violence committed by priests. Today, SNAP continues to be survivor-led and survivor-centered and has grown to 15,000 members in 62 countries, with support group meetings held in 65 cities. In addition to supporting

each other as survivors, SNAP members work to spare others from the grave harms they have suffered and the risks that many Catholics still face given ongoing sexual violence and the complicity of church officials.

SNAP itself has been a target of the church's practice of punishing whistleblowers. For example, SNAP has spent tens of thousands of dollars to fight subpoenas from church lawyers in what SNAP has called an effort to cripple them as an organization.

## **Using International Mechanisms to End Sexual Violence**

The Holy See asserts it is a sovereign state. It is governed as a monarchy with the Pope having "supreme, immediate and universal ordinary power." Given its tiny territorial state, its global presence, and the fact that it enjoys protections afforded to both governments *and* religious entities, it inhabits a unique and hybrid space in the world unlike any other country or entity. This hybrid status has long enabled it to avoid accountability. For example, church authorities have used the fact of the church's status as a religious entity to shield it from civil suits on the grounds that any inquiry by national courts into the church's handling of sexual violence cases constitutes interference with religion. In the same vein, it uses its statehood to invoke immunities granted to state officials.

However, the Vatican can and must be held accountable and compelled to make the concrete changes to its policies and practices that will protect children and vulnerable adults in the future. This is why CCR and SNAP have appealed to international human rights mechanisms.

### ***The Convention on the Rights of the Child***

The Holy See ratified the Convention on the Rights of the Child and is therefore legally obligated to comply with it. In 2013, CCR submitted reports to the Committee on the Rights of the Child (CRC) which detailed how the Holy See has violated the core principles in the Convention that require States to ensure that the best interests of the child be the primary consideration in all actions concerning children and to protect children from all forms of physical or mental violence, including sexual violence.

In January 2014, the Vatican, for the first time before an international body, had to respond to questions about its record in protecting children from sexual violence. In February 2014, the CRC issued a sharply critical report on the Vatican's failure to protect children, available on CCR's website, that focused worldwide attention on the issue.

### ***The Convention against Torture (CAT)***

International law recognizes that rape and sexual violence can constitute a form of torture. The Holy See ratified the Convention against Torture which requires it to take all necessary actions to ensure the right to be free from torture and punish acts of torture. The Committee against Torture – a body of ten independent experts which monitors the implementation of CAT by States that have ratified it - will review the Holy See's record in light of its CAT obligations in Geneva in April 2014. CCR and SNAP will be in attendance.

### ***The International Criminal Court (ICC)***

When committed on a widespread or systematic basis in a manner that demonstrates a certain pattern and practice, rape and other forms of sexual violence constitute crimes against humanity. The International Criminal Court (ICC) has jurisdiction to charge individuals within the Holy See with crimes against humanity when the victims or perpetrators are from countries that have ratified the Rome Statute.

In September 2011, as its first step in appealing to an international institution, CCR, representing SNAP, filed a detailed complaint with the Prosecutor of the ICC requesting the investigation and prosecution of high-level Vatican officials, including former Pope Benedict XVI (Joseph Ratzinger of Germany), as individually criminally responsible under the concept of superior responsibility as well as for their direct roles in enabling these crimes. In April 2012, CCR submitted additional evidence to the ICC.

In May 2013, the ICC prosecutor's office notified CCR that for the time being the office would not proceed with an investigation, while leaving open the door to the possibility of pursuing a later investigation in light of future submissions.

## **What Can You Do?**

As SNAP founder Barbara Blaine observed, "It's a worldwide problem. We're a worldwide movement." Please help grow and support this movement by getting involved:

1. Join SNAP as a survivor, supporter, or whistle-blower: [www.snapnetwork.org](http://www.snapnetwork.org)
2. Visit CCR's website [www.ccrjustice.org/snap](http://www.ccrjustice.org/snap) for more information including our full reports to the CRC and the ICC.
3. One of the most effective ways to take action is to help us raise awareness about the *ongoing*, global crisis of sexual violence and cover-up within the Catholic Church: help plan an event and invite SNAP and CCR, spread the word on social media, or write a letter to your local paper.