



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### **Concluding observations on the report submitted by the Holy See under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict\***

1. The Committee considered the initial report of the Holy See (CRC/C/OPAC/VAT/1) at its 1853<sup>rd</sup> meeting (see CRC/C/SR.1853), held on 16 January 2014, and adopted at its 1815<sup>th</sup> meeting, held on 31 January 2014, the following concluding observations.

#### **I. Introduction**

2. The Committee welcomes the submission of the Holy See's initial report. The Committee also welcomes the constructive dialogue with the multisectoral delegation of the Holy See.

3. The Committee reminds the Holy See that the present concluding observations should be read in conjunction with the concluding observations on the Holy See's second periodic report under the Convention (CRC/C/VAT/CO/2) as well as those on the initial report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/VAT/CO/1), both adopted on 31 January 2014.

#### **II. General observations**

4. The Committee also welcomes the ratification by the Holy See of:

(a) The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols I, II and III) on 22 July 1997; and

(b) The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction on 17 February 1998.

5. The Committee notes that there is no body that constitutes a "military body" or "armed forces" in the Holy See. The Committee also notes that the minimum age for entering the Pontifical Swiss Guard is 19 years of age.

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\* Adopted by the Committee at its sixty-fifth session (13-31 January 2014).

6. The Committee further welcomes the involvement of Catholic schools around the world in education to peace and reconciliation between communities affected by armed conflicts.

### **III. General measures of implementation**

#### **Dissemination and Training**

7. The Committee regrets the lack of information on the activities undertaken by the Holy See through individuals and institutions working under its authority to disseminate the Optional Protocol, especially those who work in contact with children who have been victims of recruitment and involvement in armed conflict.

**8. The Committee recommends that the Holy See strengthen its efforts to support awareness-raising and training activities on the provisions of the Optional Protocol.**

### **IV. Prevention**

#### **Measures adopted to prevent offences referred to in the Protocol**

9. The Committee notes with appreciation the firm condemnation by the Roman Pontiff of the use and exploitation of children in all circumstances, including armed conflict, and his promotion of prevention programs worldwide to assist especially vulnerable children at risk of recruitment.

**10. The Committee recommends that the Holy See continue to use its authority in preventing the recruitment and use of children in armed conflict.**

### **V. Prohibition and related matters**

#### **Criminal legislation and regulations in force**

11. The Committee welcomes the clear condemnation of the recruitment and use of children as soldiers in armed conflict considered as an intolerable crime in the Compendium of the Social Doctrine of the Church (CSDC). The Committee also notes as positive the criminalization of recruitment and use of children under 15 years as a war crime under Law VIII on Complementary Norms on Penal Matters, Title IV: War Crimes issued *Motu Proprio* by the Roman Pontiff on 11 July 2013. The Committee is however concerned that the recruitment of children under 18 has not been criminalized by the Holy See.

**12. The Committee urges the Holy See to bring the penal laws of the Vatican City State in line with articles 2 and 4 of the Optional Protocol and to criminalize the recruitment and use of children under 18 years in armed conflict.**

### **VI. Protection, recovery and reintegration**

#### **Measures adopted to protect the rights of child victims**

13. The Committee welcomes the numerous appeals made by the Holy See to draw attention to the long-term consequences that involvement in armed conflict has on children who were recruited. The Committee is however concerned that insufficient information was provided on the concrete measures taken by the Holy See to support individuals and institutions under its responsibility in protecting the rights of those children.

**14. The Committee recommends that the Holy See provide assistance, including financial support to individuals and institutions working under its authority for the protection of child victims' rights.**

**Assistance for physical and psychological recovery and social reintegration**

15. The Committee welcomes the numerous initiatives developed by local Catholic schools and institutions to provide physical and psychological recovery and reintegration to children recruited and involved in armed conflict. The Committee notes as particularly positive projects such as the one developed by the Catholic Education Department in Uganda for rescuing and socially reintegrating child soldiers as well as the establishment of a transit and reception centre for child soldiers in South Kivu by the Jesuit Refugee Service.

**16. The Committee recommends that the Holy See continue to support initiatives to provide physical and psychological recovery and reintegration to children recruited and involved in armed conflict.**

## **VII. International assistance and cooperation**

**International cooperation**

17. The Committee encourages the Holy See to continue to play a key role in international fora towards the elimination of the recruitment and use of children in armed conflict.

## **VIII. Follow-up and dissemination**

18. The Committee recommends that the Holy See take all appropriate measures to ensure the full implementation of the present recommendations by, *inter alia*, transmitting them to the Pope, the Curia, the Congregation for the Doctrine of the Faith, the Congregation for Catholic Education, the Catholic Health Care Institutions, the Pontifical Council for the Family as well as bishops conferences, individuals and institutions functioning under authority of the Holy for appropriate consideration and further action.

19. The Committee recommends that the initial report and written replies submitted by the Holy See and the related concluding observations adopted by the Committee be made widely available, including (but not exclusively) through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Optional Protocol, its implementation and monitoring.

## **IX. Next report**

20. In accordance with article 8, paragraph 2, the Committee requests the Holy See to include further information on the implementation of the Optional Protocol and the present concluding observations in its next periodic report under the Convention on the Rights of the Child, in accordance with article 44 of the Convention.

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