



International Humanist and Ethical Union
The world union of Humanist organisations

**national
secular
society**

25 Red Lion Square
London WC1R 4RL
TEL: 020 7404 3126
FAX: 0870 762 8971
EMAIL: enquiries@secularism.org.uk
WEB: www.secularism.org.uk

INTERNATIONAL HUMANIST AND ETHICAL UNION

CRITICISM OF THE HOLY SEE OVER CHILD ABUSE

**AT THE UNITED NATIONS HUMAN RIGHTS COUNCIL (UNHRC)
MEETING IN GENEVA 22 SEPTEMBER 2009**

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2 October 2009

Intervention by Keith Porteous Wood, Executive Director of the (UK) National Secular Society as an International Representative of the (UN-accredited) International Humanist and Ethical Union.

The sentences in square brackets were part of the original intervention but were omitted on delivery, due to a reduction in the original time limit.

UN HUMAN RIGHTS COUNCIL: 12th Session (14 Sept – 2 October 2009)

Speaker: IHEU Representative, Keith Porteous-Wood: Tuesday 22 September 2009

Agenda Item 4: Matters requiring the attention of the Council

Child Abuse and the Holy See

Mr President,

In 1990 the Holy See acceded to the UN Convention on the Rights of the Child. It submitted its first and only report in 1994 - about which CRC expressed several areas of concern. [1] But since then - nothing. [2]

The extent of child abuse within the Catholic Church is well known. What we are addressing here, however, is the reaction of the Church authorities over which the Holy See exerts control.

- Victims have been accused of lying, even in the face of strong evidence to the contrary.
- The Church has covered up allegations, and generally failed to inform the civil authorities, even when under an obligation to do so. Moreover, dioceses have frequently moved alleged abusers from one location to another, resulting in repetition of the abuse.[3]
- Clerics implicated in concealment have been permitted to remain in office, such as Bernard Law, Archbishop of Boston [4] who still enjoys papal support as archpriest of a papal basilica in Rome, and is still a cardinal.
- The Church has argued that the problem was minor, [that it did not know the true extent of the problem, or was ignorant of the nature of child abusers or of their recidivist tendencies] yet the scale of the problem has been known to the Church since at least the 1980s.[5]
- Every possible step has been taken by the Church to minimise both criminal sanctions and the amount of compensation it paid.
- [“Gagging” clauses are routinely imposed as part of the settlement of cases.[6]]

[Mr President, the Holy See has been complicit in widespread attempts to cover up cases of alleged child abuse perpetrated by members of its clergy and religious orders,[7] apologies are rare, and a general admission of the Church’s culpability has yet to be seen.]

We urge the Holy See to recognise its responsibilities to children and the CRC, to bring its reporting up to date, and to instruct its dioceses and religious orders to report *all* cases of

alleged child abuse to the civil authorities. We suggest that as an institution that claims to have “the highest moral authority”, it can do no less.

And we urge the international community to hold the Holy See to account.

Thank you sir.

Read our [statement](#) as published by the UN which covers this issue in greater detail. (Also available online from the [National Secular Society](#) website).

Footnotes to intervention:

[1] <http://www.unhcr.org/refworld/pdfid/3ae6aec910.pdf>

[2]

<http://www.catholicsforchoice.org/topics/other/documents/2002rightsofthechildshadowreport.pdf>

[3] example: Diocese of Dallas:

http://www.richardsipe.com/reports/sipe_report.htm#DIOCESE%20OF%20DALLAS

[4]

http://www.bostonphoenix.com/boston/news_features/top/features/documents/01847611.htm

[5] example: <http://news.bbc.co.uk/1/hi/uk/2548081.stm> although it has treatment centres for child-abusing priests (Richard Sipe at

http://www.richardsipe.com/reports/sipe_report.htm #FOURTH%20PHASE

[6] <http://www.timesonline.co.uk/tol/comment/faith/article6354966.ece>

[7] <http://www.childabusecommission.ie/rpt/pdfs/CICA-Executive%20Summary.pdf>

The above intervention can be checked to [Real Player clip](#) – shown at last reference to Holy See. (6th item under National Human Rights Institutions and Non-Governmental Organizations)

Right of Reply from the Holy See

Reply by Papal Nuncio to the Vatican permanent observer mission of the Holy See to the U.N. and other international organizations, H.E. Archbishop Silvano Maria Tomasi, C.S.

Reproduction of transcript provided by Holy See follows.

It can be checked the [Real Player clip](#) – shown at last reference to Holy See: (11 items from end)

Bullets in the original replaced by numbers for ease of reference

Mr. President

Let me clarify the issue raised by the International Humanist and Ethical Union in its intervention

1. In the upcoming report of the Holy See to the Committee on the Rights of the Child, which is finalized as we speak, a paragraph will be dedicated to the problem of child abuse by catholic clergy.
2. While many speak of child abuse, i.e. pedophilia, it would be more correct to speak of ephedophilia, being a homosexual attraction to adolescent males. Of all priests involved in the abuses, 80 to 90% belong to this sexual orientation minority which is sexually engaged with adolescent boys between the age of 11 and 17 years old.
3. From available research we now know that in the last fifty years somewhere between 1.5% and 5% of the catholic clergy has been involved in sexual abuse cases. The Christian Science Monitor reported on the results of a national survey by Christian Ministry Resources in 2002 and concluded: "Despite headlines focusing on the priest pedophile problem in the Roman Catholic Church, most American churches being hit with child sexual-abuse allegations are Protestant".¹ Sexual abuses within the Jewish communities approximate that found among the Protestant clergy.²
4. About 85% of the offenders of child sexual abuse are family members, babysitters, neighbors, family friends or relatives. About one in six child molesters are other children, while most of the offenders are male³.

¹ Mark Clayton, "Sex Abuse Spans Spectrum of Churches", Christian Science Monitor, April 5, 2002, p.1.

² Rabbi Arthur Gross Schaefer, "Rabbi Sexual Misconduct: Crying Out for a Communal Response", www.rrc.edu/journal, November 24, 2003.

³ Dr. Grath A. Rattray, "Child Molesters and Paedophilia", *The Gleaner*, May 14, 2002

5. According to a major 2004 study commissioned by the US Department of Education, nearly 10 percent of US Public school students have been targeted with unwanted sexual attention by school employees. The author of the study concluded that the scope of the school-sex problem appears to far exceed the clergy abuse scandal in the Roman Catholic Church and concluded in an interview with Education Week "the physical abuse of students in schools is likely more than 100 times the abuse by priests".⁴
6. The Church is very conscious of the seriousness of the problem. The Code of Canon Law stipulates that priests involved in sexual abuse cases must be "punished with just punishments, not excluding expulsion from clerical state"⁵. The American Bishops Conference issued in 2002 "essential norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by priests or deacons". The guidelines mention among others that "in case of sufficient evidence the bishop will withdraw the accused from exercising the ministry, impose or prohibit residence in a given place or territory...pending the outcome of the process". Other National Bishops Conferences have taken similar measures.
7. As the Catholic Church has been busy cleaning its own house, it would be good if other institutions and authorities, where the major part of abuses are reported, could do the same and inform the media about it.

⁴ Caroline Hendrie, "Sexual Abuse by Educators Scrutinized", in: Education Week, March 10, 2004

⁵ CIC C. 1395 § 2.

IHEU General comments on Holy See response

General

- a. The Holy See signally failed to deny, far less provide evidence to contradict, our charges of breach of five Articles of UN Convention on Rights of the Child, namely:
 - i. Article 3: (In all actions concerning children . . . the best interests of the child shall be a primary consideration.)
 - ii. Article 3: (In all actions concerning children . . . the best interests of the child shall be a primary consideration.)
 - iii. Article 19: 1. (protect the child,... including sexual abuse... effective procedures for the establishment of . . . forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.)
 - iv. Article 34: (States Parties undertake to protect the child from all forms of ... sexual abuse.)
 - v. Article 44(1) (Reporting), and
 - vi. Article 44(2) (Reporting difficulties... affecting... fulfilment of... obligations under the ... Convention.)
- b. The Holy See significantly failed to deny any of our charges, specifically those of compounding abuse by accusing victims of lying and of institutional cover ups. They did not deny that they failed on many occasions to inform civil authorities, even when obliged to do so, or evading prosecutions, or trying to minimise the compensation paid by the Church. They did not deny moving offending priests to new posts, enabling them to re-offend. Nor did they deny that they have retained those implicated in cover-up in high positions.
- c. The massive scale of the problem is illustrated by the billions of dollars of compensation paid and by our unanswered accusations. That the Church apparently thinks that one paragraph on “child abuse by Catholic clergy” inserted in a document that is already fifteen years late is adequate, shows arrogance and indifference. It indicates why this problem has simmered largely not been tackled until very recently. This problem goes to the very top of the Church. The previous Pope did everything in his power to prevent the Archbishop of Boston, Bernard Law’s resignation, despite clear evidence of his complicity in a cover-up on a huge scale. Indeed, papal patronage by the previous and current Pope is evident from Law’s appointment and continued tenure as Archpriest of the Basilica di Santa

Maria Maggiore in Rome, a position he still retains. More significant is that he remains a Cardinal and even a member of the Pontifical Council of the Family⁶.

- d. The remainder of the Holy See's right of reply in effect says that other religious organisations were worse, despite compensation paid out by them not remotely reaching the same levels as the Catholic Church paid. The rebuttal fails to mention that there are many more protestant than Catholic churches and adherents in the US. The Pope claims to be the highest moral authority, yet his Church seems to be happy to excuse itself for such unpardonable conduct over the decades and over much of the world by pointing to other religious organisations, and even teachers, saying in effect: "we are no worse than they are". Even if this were true, it would be no adequate excuse; our objections are to the Church's shameful role. It has not – and we think cannot - offer one shred of denial to our accusations on its role.
- e. The Holy See's position as a nation state gives it the maximum privileges and influence, but the minimum accountability. It exploits this ruthlessly. It is not, for example, party to the European Convention on Human Rights, which would bring it under the jurisdiction of the European Court of Human Rights at Strasbourg. Another evasion is the cynical reservation (exclusion) of the Vatican City, from the UN Convention of the Human Rights of the Child, even though the Holy See is party to it. Vatican City is the entire geographical territory of the Holy See, and we believe the place from which investigations of child abuse by priests is directed.
- f. What is equally shocking is the international community's failure to bring effective pressure to bear on the Holy See over this matter.

On specific paragraphs (using same numbers as the Holy See's rebuttal):

1. Any answer to the charges that might be made in a single paragraph is not only one that has no substance but is insulting; and, we are entitled to assume, intentionally so.
2. We made no mention of "p[a]edophile" in either our intervention or Statement, so the reference to its alleged inaccuracy seems to be to be gratuitous. It is a clear attempt to divert attention from child abuse with an attack on homosexuals, a recurring theme in the Holy See's latest pronouncements. This is particularly unfortunate given the commonly-supposed high proportion of homosexual clergy. The Holy See's remarks on ephebophilia are perhaps also a desperate attempt to disguise the lack of substance of the Right of Reply. The remarks are also inaccurate: an *ephebos* was a young man undergoing military training, that is, 18+. It is quite clear that many young girls were also abused by clergy.

⁶ http://www.vatican.va/news_services/press/documentazione/documents/cardinali_biografie/cardinali_bio_law_bf_en.html

3. Even if the comparisons were not valid, this is simply a shameless diversionary argument heedless of the adage “two wrongs don’t make a right”. We do not believe that the protestant churches or synagogues behave institutionally in the same reprehensible way in relation to child abuse committed by their priests, or if they do that the scale of cover up is so massive. Nor is there evidence of anything on such a high scale of (a) concealment of the abuse systematically (b) protection the abuser (c) avoidance of responsibility (d) claiming exemption on the grounds of sovereign immunity (e) failing to comply with UNCRC requirements, (f) avoiding cooperation with civil authorities. Although the point is valid, the comparison is diversionary.

Furthermore, the statement in the Holy See’s response that: “most American churches being hit with child sexual-abuse allegations are Protestant”, carefully ignores a statement in the very same research⁷ that “The Catholics have gotten all the attention from the media, but this problem is even greater with the Protestant churches simply because of their far larger numbers,” (our emphasis). According to Wikipedia, Catholics form about a third of Christians in the US. (57.199m out of 173.402 million), so there are roughly twice as many protestants as Catholics.

4. This point is irrelevant: these people are not members of an organisation that claims ultimate authority and unquestionable teachings on morality. Nor have they taken vows of celibacy, nor are they allowed to claim legal immunity on spurious grounds. Furthermore, the power relationship between a Catholic priest and his victims is quite different, making easier the abuse to take place and then exacerbating the already traumatic abuse.
5. As 4
6. It was the primacy of canon law that encouraged criminal concealment; appeals to its penalties are not reassuring and we can find no requirement in canon law to inform civil authorities, even when this is required. The Holy See is passing responsibility to national Bishops Conferences, i.e. to church qua church officials, with no mention of the culpability of the Holy See as a sovereign body.
7. If the Church is “putting its house in order” it is only doing so after much unfavourable publicity and the payment of huge sums in compensation – which even on this scale are inadequate. The tone of this sentence shows a sense of grievance rather than repentance.

⁷ <http://www.csmonitor.com/2002/0405/p01s01-ussc.html>

Comments by others on the Holy See's Right of Reply to IHEU's intervention

The exchange has been covered in between a hundred and two hundred newspapers - we have stopped counting – around the world in at least seven languages and numerous blogs, some with hundreds of comments. It is notable that 99% of the newspaper content and blog comment is sympathetic to IHEU's intervention.

The Vatican Correspondent of the Religious News Service (RNS), a subscription only wire service, asked The Rev. Federico Lombardi, Jesuit and head of the Holy See Press Office, to confirm the authenticity of the document circulated by their representative in the Chamber, but unusually without a letterhead. He did so, *"but said that the Vatican had chosen not to publish it, in order not to 'add gasoline to the fire' on a volatile topic"*⁸. He described IHEU's intervention to the Washington DC-based Catholic News Service as "a very hard and unjust attack".⁹

In a comprehensive article on the website of the (US) National Public Radio by David Ropthkopf, he concluded:

Perhaps not surprisingly, the Vatican's response neither satisfied the man accusing it of covering up sex abuse within the Church nor did it sit very well with representatives of other religions. Keith Porteous Wood, of the NGO that charged the Catholic Church with violating several provisions of the Convention on the Rights of the Child, said not enough had been done by the Church to address its internal problems or to open its records to permit civil prosecution of wrong-doers.

Protestant and Jewish representatives were quick to respond condemning the Church's attempt to spread around the blame and defending their own approaches to the problem.

Had these other religious groups asked my advice, I might have told them to simply remain silent and let the Archbishop Tomasi have the limelight and the microphone all to himself. It is hard to imagine what the Church could possibly do to look worse than it already did in the face of a global scandal that has cost it \$2 billion in settlements in the United States alone. Hard to imagine ... and yet somehow, that's precisely what it did.

More details available from IHEU's statement issued by the UN Human Rights Council, under reference A/HRC/12/NGO/25 dated 8 September 2009 reference A/HRC/12/NGO/25. Copies were made available to delegates together with a transcript of our intervention when Keith Porteous Wood spoke.

⁸ RNS Vatican Correspondent Francis X Rocca as quoted in RNS Digest Sept 30. His dispatch on this subject concluded: Welcoming the attention that the exchange had drawn to his cause, Porteous Wood pronounced himself unappeased by the reply. "The complacency exhibited by this supposed rebuttal shows that the problem goes to the most senior level of the church," he said.

⁹ <http://www.catholicnews.com/data/stories/cns/0904338.htm>

Worldwide media coverage of IHEU's intervention at UN

UK

[Sex abuse rife in other religions, says Vatican](#) (*Guardian*)

[Child abuse common in other churches, says Vatican](#) (*Telegraph*)

[Vatican hits out at other faiths over child abuse](#) (*Ekklesia*)

[Pope chooses Bishop Bernard Longley to be new Archbishop of Birmingham](#) (*Times*)

[Catholic Church accused of covering up child abuse](#) (*Mirror*)

[The Vatican hits back](#) (BBC)

[The correct response to Abuse](#) (*The Tablet*)

[Catholic church sex abuse 'caused by homosexuals, not paedophiles'](#) (*Pink News*)

[Report of Archbishop's appointment turns into yet another rant about sex abuse](#) (*Telegraph*)

Australia

[Roman Polanski and clergy sexual abuse](#)

[Other churches also have abuse problem: Vatican](#)

Canada

[Fightback and counterattack: Vatican says church sex abuse of kids not really pedophilia](#)

Ireland

[Sorry the hardest word for clergy](#)

United States

[Vatican defense: 'Only 5%' of clergy sex abusers and most of those gay](#)

[Foreign Policy: The Vatican And Child Abuse](#)

[Vatican says no to protecting free expression when it incites hatred](#)

[Vatican envoy to UN defends church's response to sex abuse](#)

[The Vatican Would Prefer You Refer To Its Molesting Priests as Gay Molesting Priests](#)

[Catholic Church Delivers Astonishing Pedophilia Rationalization in Geneva](#)

[Vatican: Abusive Priests Not Pedophiles, but 'Ephebophiles'](#)

[Sex Abuse in Catholic Church was Homosexual Problem, not Pedophilia: Vatican](#)

[Vatican Sets Record Straight on Sexual Abuse](#)

[Vatican: we may be bad, but others are worse](#)

[Catholic church sex abuse 'caused by homosexuals, not paedophiles'](#)

[Vatican official: Most clerical abuse not pedophilia, but homosexual abuse of adolescents](#)

[The Abuse is Homosexuality](#)

[Vatican envoy to UN defends church's response to sex abuse](#)

[Vatican's New Defense on Child Molestation Charges: Finger-pointing](#)

[The Vatican's latest defense](#)

Argentina

Para el Vaticano no es pedofilia, sino efebofilia

El Vaticano sugiere a la ONU definir la efebofilia

Croatia

Protestants and Jews have more pedophiles?

France

Prêtres pédophiles : le Saint-Siège répond aux attaques

Germany

Hauptsache unter der Fünf-Prozent-Hürde

Italy

La Chiesa: preti pedofili? No, solo efebofili

Pedofilia, scontro a Ginevra

Vaticano: non è pedofilia ma Efebofilia

Arcivescovo Tomasi: "Preti pedofili? No, sono omosessuali attratti da maschi adolescenti"

ARCIGAY: MANCUSO, IL VATICANO E' IN STATO CONFUSIONALE

Mexico

Busca Iglesia encubrir los delitos contra menores: ONG

Prelado habla de casos de efebofilia

La iglesia católica acusa a otras iglesias de albergar más casos de pederastia que ella y culpa a los homosexuales de sus propios casos

Netherlands

'Misbruik in Kerk geen pedofilie maar efebofilie'

Poland

Katolicki Kościół oskarżony

Portuagal

“Padres não são pedófilos, são gays”

Santa Sé lamenta colagem do clero católico à pedofilia

Spain

Los curas que abusan de niños no son pedófilos sino efebófilos, según el Vaticano

Arzobispo dice que los curas pederastas son en realidad "efebófilos"

Los curas no son pedófilos para el Vaticano, sino "gays atraídos por adolescentes"

El Vaticano afirma que los curas no son pedófilos, sino "efebófilos"

El Vaticano considera que no hay curas pedófilos, sino "efebófilos"

La Iglesia se defiende: "los casos de abusos sexuales son comunes en otros credos"

La Iglesia asegura que sus curas son efebófilos y no pedófilos