



Clerical Abuse Victims Seek Justice At World Court

by [Sylvia Poggioli](#)

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Rob Keeris/AP

Members of the Survivors Network of those Abused by Priests pose in front of the International Criminal Court in The Hague, Netherlands, Tuesday. A group representing the victims is asking the world court to investigate top Vatican officials over the clerical sex abuse scandal.

The international tribunals at The Hague have dealt with horrific war crimes and brought Balkan war criminals and African warlords to trial.

Now, the tribunal is being asked to investigate top Vatican officials over the global clerical sex abuse scandal, and victims say these offenses meet the legal definition of crimes against humanity.

Pope Benedict XVI has repeatedly apologized for crimes committed by priests.

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bear individual responsibility for knowing about and either failing to prevent or report the crimes.



Alberto Pizzoli/AFP/Getty Images

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But the Survivors Network of those Abused by Priests, known as SNAP, and the human rights group the Center for Constitutional Rights say the Vatican has yet to implement a policy to crack down on abusive priests and cooperate with law enforcement.

The groups are delivering more than 20,000 pages of documentation from all over the world to the International Criminal Court, or ICC.

Attorney Pam Spees says the evidence shows that crimes of clerical sex abuse constitute a "widespread or systematic attack directed against a civilian population."

"What we are saying is that the crimes of sexual violence within the church context are widespread, certainly. But they are also being committed on a systematic basis, in the sense that it is the policies and practices of the church and church leadership which allow these things to continue," Spees says.

SNAP's David Clohessy says these crimes, which follow the same pattern throughout the world, can't be effectively addressed piecemeal by prosecutors in individual countries, but instead require the scrutiny of an international institution.

"The systematic rape of children on a global basis day after day, week after week, year after year, decade after decade, in this massive institution where there are virtually no checks and balances, we honestly believe that that is every bit as heinous, and needs to be exposed and stopped, as the crimes of an individual military general who abuses the power of his troops and his weaponry," Clohessy says.

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- David Clohessy, Survivors Network of those Abused by Priests

The complaint cites two liability theories — superior and individual responsibility.

Under the theory of superior responsibility, persons in positions of authority can be found liable for the actions of others if they knew or had reason to know about and failed to prevent the crimes, or failed to turn the matter over to civil authorities.

And the attorneys for victims are arguing that individual responsibility applies in this case, as well — for example, Spees says, when the current pope was head of the Vatican office handling clerical sex abuse cases.

"You see, over periods of years, Cardinal Joseph Ratzinger [now Pope Benedict] either refusing to defrock offending priests, even when the bishops are telling him over and over again this harm is being done, there is more risk of harm — and he's leaving them there, or he is moving them," Spees says.

Clohessy says psychologists and experts believe no more than 15 percent of men and women who were sexually abused as children ever speak out, and an even smaller percentage take legal action.

"In virtually every country, what has come to light about clerical sex crimes and cover-ups in the Catholic Church is dwarfed, dramatically dwarfed, by the secrets that remain hidden, and that is why we think an investigation is really, really crucial," Clohessy says.

The Vatican has not reacted so far. And the ICC has not said whether it will take up the case.

But Clohessy is convinced that by putting the international spotlight on top officials of the Catholic Church, other victims in Europe and across the world who have remained silent will find the courage and strength to speak out — thereby also helping to protect children who are vulnerable right now.