



# Convention on the Rights of the Child

Distr.: General  
1 July 2013

Original: English

**ADVANCE UNEDITED  
VERSION**

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## Committee on the Rights of the Child

Sixty-fifth session

13-31 January 2014

Item 4 of the provisional agenda

**Consideration of reports of States parties**

### **List of issues to be taken up in connection with the consideration of the second periodic report of the Holy See (CRC/C/VAT/2)**

**The State party is requested to submit in writing additional, updated information, if possible before 1 November 2013.**

*The Committee may take up all aspects of children's rights contained in the Convention during the dialogue with the State party.*

### **Part I**

**In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).**

1. Please provide information on the process of elaboration of the Holy See's report. In particular, please indicate whether children, children's associations and civil society associations were involved in the preparation of the report.
2. With reference to paragraph 9 of the Holy See's report, please clarify the status of the Convention in the State party and provide information on the measures taken to incorporate its principles and provisions in the domestic legal system of the Vatican City State.
3. With reference to paragraph 57 of the Holy See's report, please elaborate on the concrete measures undertaken by the Pontifical Council for the Family to implement and evaluate the implementation of the Convention.
4. Please indicate the measures taken by the Holy See to ensure the effective dissemination of the Convention among the general public and in particular children. Please also indicate the training provided to all religious personnel who work in contact with children.
5. Please indicate the steps taken to address discrimination between children in Catholic schools and institutions, in particular with regard to gender, and to promote equality between girls and boys. In particular, please indicate the measures taken to remove from catholic schools textbooks all sex stereotyping which may limit the development of

the talents and abilities of boys and girls and undermine their educational and life opportunities.

6. Please indicate whether the Holy See still label children born outside wedlock as “illegitimate children” and whether it has assessed the consequences on the use of such terminology on the rights of these children.

7. Please provide information on the concrete measures taken by the State party to promote and protect the right of children to be heard and to express their views freely in all matters affecting them in accordance with article 12 of the Convention. Please also clarify the statement contained in paragraph 23a of the State party’s report that “the inherent dignity of the child is founded on something more profound than his ability to express his views”.

8. Please indicate whether an investigation was conducted by the Holy See into the complaints of torture and other cruel, inhuman and degrading treatment and of subjection to force labour of girls held in the Magdalene’s’ laundries run by Catholic Sisters in Ireland until 1996. If so, please provide the Committee with the main findings of such an investigation. In particular, please provide detailed information on:

(a) The proceedings engaged against all those found responsible within these congregations, and against all those who financially benefitted from the forced labour done by girls in the laundries;

(b) The number of babies taken away from their mothers in the Magdalene’s laundries, placed in catholic orphanages or given for adoption as well as on the measures taken to reunite mothers with their children, and the efforts to ensure full disclosure of all information on the whereabouts of all these children;

(c) The compensation as well as the rehabilitation measures, including medical, psychological and social services provided to the victims of the Magdalene’s laundries who are still experiencing long lasting consequences of the abuse suffered when they were children.

9. With reference to paragraph 29a of the Holy See’s report, please indicate whether the Holy See has clearly condemned and taken measures to prevent all forms of corporal punishment of children in all settings, including within the family. In view of the widespread allegations of corporal punishment inflicted on children in catholic institutions, as revealed notable by the Ryan Commission in Ireland, please explain the measures taken by the State party to impartially investigate those allegations and hold those accountable those responsible.

10. Please explain how the Holy See fulfil its responsibility to exercise due diligence and to prevent violence against children within the family. In this context, please clarify the statement contained in paragraph 23 of the Holy See’s report that “children must be protected in cases where a proven abuse has been committed within the family” and that “beyond such cases, civil authorities must not intervene in the family and interfere with the duties and rights of the parents”. Please indicate whether the Holy See has created within its own institutions and encouraged other States to create safe and child-sensitive counselling, complaint and reporting mechanisms for children.

11. In the light of the recognition by the Holy See of sexual violence against children committed by members of the clergy, brothers and nuns in numerous countries around the world, and given the scale of the abuses, please provide detailed information on all cases of child sexual abuse committed by members of the clergy, brothers and nuns or brought to the attention of the Holy See over the reporting period. For all these cases, please provide detailed information on:

(a) The measures in place to ensure that no member of the clergy currently accused of sexual abuse be allowed to remain in contact with children as well as the specific cases where immediate measures were taken to prevent them from being in continued contact with children as well as the cases where priests were transferred to other parishes or to other States where they continued to have access to and abuse children;

(b) The explicit instructions given at all levels of the clergy to ensure the compulsory reporting to national competent authorities of all cases of sexual abuse and on the cases where instructions were given not to report such offences, and at which level of the clergy;

(c) The type of support and protection provided by the Holy See to child victims of sexual abuse party testifying against their sexual abusers and the cases where children were silenced in order to minimize the risk of public disclosure;

(d) The investigations and legal proceedings conducted under penal canon law against perpetrators of sexual crimes and their outcome as well as the cooperation provided by the State party proceedings engaged in countries where the abuses were committed;

(e) The number of child victims who have been given assistance for recovery, including psychological support and social reintegration and have received financial compensation. With reference to paragraph 98 of the Holy See's report, please clarify whether the confidentiality of the proceedings were imposed on child victims as a condition precedent of financial compensation; and

(f) The measures undertaken to prevent further sexual violence from taking place in institutions run by the Catholic Church and to provide information on prevention to children and their families.

12. With reference to paragraph 23 of the Holy See's report relating to the right of the child to grow up in a family environment, please indicate the measures taken to investigate the allegations made by young boys enrolled in the Legion of Christ that this religious congregation has been separating them from their families.

13. Taking into account that Catholic institutions provide different types of services around the world in relation to child abandonment, including baby boxes, please indicate the measures taken by the Holy See to ensure that the necessary support is provided to families to prevent abandonment. In case of abandonment, please explain the measures taken to preserve the right to identity of abandoned children.

## Part II

**In this section the Committee invites the Holy See to briefly (three pages maximum) update the information presented in its report with regard to:**

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing; and
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

1. Please provide information on the annual budget allocated for the implementation of the Convention for the years 2010, 2011, 2012.
  2. Please provide, if available, updated statistical data (disaggregated by age, sex, geographic location, ethnic origin and socioeconomic background) for the years 2010, 2011 and 2012 on the number of babies abandoned in so called “*baby boxes*” managed by Catholic institutions and the exact number of baby boxes currently run by Catholic institutions;
  3. Please provide data on the number of children separated from their families and cared by Catholic institutions around the world for the years 2010-2012. In doing so, please include information on:
    - (a) Factors responsible for the separation;
    - (b) Type of placements allocated;
    - (c) Body/organization providing placements; and
    - (d) Duration of placements and measures to reunite children with their parents.
  4. Please provide data, disaggregated by age, sex, ethnic origin and socio-economic status, on cases of violence against children within the family for the period 2010-2012 reported to institutions of the Holy See and the actions taken to protect children and prevent further violence
  5. Please provide the Committee with an update of any data in the report which may have been outdated by more recent data collected or other new developments.
  6. In addition, the Holy See may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
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