

UN CRC	Ratification Date	Care-Related Concluding Observations
<p>CRC/C/V A T/CO/2</p> <p>The Committee considered the second periodic report of the Holy See (CRC/C/VAT/2) at its 1852nd meeting (see CRC/C/SR.1852), held on 16 January 2014, and adopted at its 1875th meeting, held on 31 January 2014, the following concluding observations.</p>	<p>20 April 1990</p>	<p>25 February 2014</p> <p>http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsjar1tI2g%2fApuNj6YT4u%2fxwJ0WmnbV%2b6zFKuqn6NUCOsUcWWknNJ9y4JRlerzOy0m6oHBxNeAAbQomdlxRqZgl6V4BTjyMnqjnvEHTtvPyci</p> <p>III. Main areas of concerns and recommendations</p> <p>B. General principles (arts. 2, 3, 6 and 12 of the Convention) Non-discrimination</p> <p>25. The Committee welcomes the information provided by the delegation of the Holy See during the interactive dialogue that it has initiated a review of its legislation with a view to withdrawing the discriminatory expression “illegitimate children”, contained in the Canon Law, in particular Canon 1139. While also noting as positive the progressive statement delivered by the Pope in July 2013, the Committee is concerned about past statements and declarations made by the Holy See on homosexuality, which contribute to the social stigmatization of and violence against lesbian, gay, bisexual, and transgender adolescents and children raised by same sex couples.</p> <p>26. The Committee recommends that the Holy See bring all its laws and regulations as well as policies and practices into conformity with article 2 of the Convention and promptly abolish the discriminatory classification of children born out of wedlock as illegitimate children. The Committee also urges the Holy See to make full use of its moral authority to condemn all forms of harassment, discrimination or violence against children based on their sexual orientation or the sexual orientation of their parents, and to support efforts at the international level for the decriminalization of homosexuality.</p> <p>Respect for the views of the child</p> <p>31. The Committee is concerned that the Holy See has a restrictive interpretation of children’s right to express their views in all matters affecting them as well as their rights to freedom of expression, association and religion. The Committee is also concerned that the Holy See continues to view the rights enshrined in</p>

		<p>article 12 of the Convention as undermining the rights and duties of parents.</p> <p>32. The Committee reminds the Holy See that the right of children to freely express their views constitutes one of the most essential components of children’s dignity and that ensuring this right is a legal obligation under the Convention, which is not open to the discretion of States parties. The Committee also underlines that the family in which the child can freely express his or her views and in which the child’s views are given due weight from the earliest age constitutes an important model and prepares the child to exercise his or her right to be heard in the wider society. Referring to its general comment No. 12 (2009) on the right of the child to be heard, the Committee urges the Holy See to:</p> <p>(a) Combat negative attitudes to the realization of the right of all children to be heard, and promote the recognition of children as rights holders;</p> <p>(b) Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal proceedings;</p> <p>(c) Encourage, through legislation and policy, opportunities for parents and guardians to listen to children and give due weight to their views in matters that concern them, and promote parenting education programmes which build on existing positive behaviours and attitudes; and</p> <p>(d) Promote the active role of children in all services provided to families and children by Catholic organizations and institutions, as well as in the planning of curricula and school programmes, and ensure that the right of the child to be heard is fully respected in disciplinary matters.</p> <p>C. Civil rights and freedoms (arts. 7, 8, and 13–17 of the Convention)</p> <p>Right to know and be cared for by parents</p> <p>33. The Committee is concerned about the situation of children fathered by Catholic priests, who, in many cases, are not aware of the identity of their fathers. The Committee is also concerned that the mothers may</p>
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		<p>obtain a plan for regular payment from the Church until the child is financially independent only if they sign a confidentiality agreement not to disclose any information about the child's father or the plan.</p> <p>34. The Committee recommends that the Holy See assess the number of children fathered by Catholic priests, find out who they are and take all necessary measures to ensure that the rights of those children to know and to be cared for by their fathers is respected, as appropriate. The Committee also recommends that the Holy See ensure that churches no longer impose confidentiality agreements as a condition to providing mothers with financial plans to support their children.</p> <p>Right to identity</p> <p>35. While welcoming the emphasis placed by the Holy See on children's right to live with their parents and to know their identity, the Committee is concerned about the continued practice of anonymous abandonment of babies that is organized by Catholic organizations in several countries through the use of so-called "baby boxes".</p> <p>36. In the light of articles 6, 7, 8 and 19 of the Convention, the Committee strongly urges the Holy See to cooperate in studies to determine the root causes of the practice of anonymous abandonment of babies and expeditiously strengthen and promote alternatives, taking into full account the right of children to know their biological parents and siblings, as enshrined in article 7 of the Convention. The Committee also urges the Holy See to contribute to addressing the abandonment of babies by providing family planning, reproductive health care, as well as adequate counselling and social support to prevent unplanned pregnancies, and to provide assistance to families in need, while introducing the possibility of confidential births at hospitals as a measure of last resort to prevent abandonment and/or death of a child.</p> <p>D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39 of the Convention)</p> <p>Torture and other cruel or degrading treatment or punishment</p> <p>37. The Committee is concerned that the Holy See has not taken the necessary measures to protect and</p>
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		<p>ensure justice for the girls who were arbitrarily placed by their families, State institutions and churches in the Magdalene laundries of Ireland that were run by four congregations of Catholic Sisters until 1996. The Committee is particularly concerned that:</p> <p>(a) Girls placed in those institutions were forced to work in slavery-like conditions and often subjected to inhuman, cruel and degrading treatment as well as physical and sexual abuse;</p> <p>(b) Girls were deprived of their identity, education and often food and essential medicines, had the obligation of silence imposed on them and were prohibited from contact with the outside world;</p> <p>(c) Unmarried girls who gave birth before entering or while incarcerated in the laundries had their babies forcibly removed from them;</p> <p>(d) Although the four Catholic congregations concerned function under the authority of the Holy See, no action has been taken to investigate the conduct of the sisters who ran the laundries or to cooperate with law enforcement authorities in holding accountable those who were responsible for the abuse as well as all those who organized and knowingly profited from the girls' unpaid work.</p> <p>38. With reference to the recommendations made in 2011 by the Committee against Torture to Ireland (CAT/C/IRL/CO/1, para. 21) to prosecute and punish perpetrators with penalties commensurate with the gravity of the offences committed,</p> <p>and to ensure that all victims obtain redress and have an enforceable right to compensation, the Committee urges the Holy See to:</p> <p>(a) Conduct an internal investigation into the conduct of religious personnel working in the Magdalene laundries in Ireland as well as in all countries where this system existed, and ensure that all those responsible for the offences are sanctioned and reported to the national judicial authorities for the purposes of prosecution;</p> <p>(b) Ensure that full compensation is paid to the victims and their families, either through the congregations or orders themselves or through the Holy See, the supreme power of the Church, which is legally</p>
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		<p>responsible for its subordinates in Catholic religious orders under its authority;</p> <p>(c) Take all appropriate measures to ensure the physical and psychological recovery and social reintegration of the victims of those offences;</p> <p>(d) Assess the circumstances and reasons which led to such practices and take all necessary measures to ensure that women and children are not arbitrarily confined for any reason whatsoever in Catholic institutions in the future.</p> <p>Corporal punishment</p> <p>39. While welcoming the statement made by the delegation that it would put to the Holy See for consideration the banning of corporal punishment of children in all settings, the Committee is concerned that corporal punishment, including ritual beatings of children, has been and remains widespread in some Catholic institutions and has reached endemic levels in certain countries, as revealed notably by the Ryan Commission in Ireland. The Committee is also concerned that the Holy See does not consider corporal punishment as being prohibited by the Convention and has therefore not enacted guidelines and rules clearly banning corporal punishment of children in Catholic schools or Catholic institutions working with and for children and in the home.</p> <p>40. The Committee reminds the Holy See that all forms of violence against children, however light, are unacceptable and that the Convention leaves no room for any level of violence against children. The Committee also reminds the Holy See of its obligation under article 19 of the Convention to take all appropriate measures to protect the child from all forms of physical or mental violence. The Committee urges the Holy See to:</p> <p>(a) Explicitly oppose all corporal punishment of children, in the same way as it opposes torture and other cruel, inhuman or degrading treatment or punishment;</p> <p>(b) Amend the Canon Law and Vatican City State laws to explicitly prohibit all corporal punishment of children, including within the family;</p>
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		<p>(d) Develop clear guidance and training on when and how to refer instances of abuse and neglect to investigative authorities.</p> <p>E. Family environment and alternative care (arts. 5, 9–11, 18 (1 and 2), 20–21, 25 and 27 (4) of the Convention)</p> <p>Family environment</p> <p>48. While welcoming the information provided by the delegation of the Holy See that it will proceed with a revision of family-related provisions in the Canon Law in the near future, the Committee is concerned that the Holy See and Church-run institutions do not recognize the existence of diverse forms of families and often discriminate against children on the basis of their family situation.</p> <p>49. The Committee recommends that the Holy See ensure that Canon Law provisions recognize the diversity of family settings and do not discriminate against children on the basis of the type of family they live in.</p> <p>Children deprived of a family environment</p> <p>50. The Committee welcomes the emphasis placed by the Holy See on the importance of growing up in a family environment for the full and harmonious development of children’s personality. The Committee is, however, concerned about the situation of adolescents recruited by the Legion of Christ and other Catholic institutions who are progressively separated from their families and isolated from the outside world. While taking note of the Holy See’s response, which highlights parental rights and duties to choose schools and seminaries for their children, the Committee also notes that in November 2013, the President of the French Episcopal Conference recognized the manipulation of individual consciences in some Catholic institutions and congregations.</p> <p>51. The Committee urges the Holy See to properly investigate all allegations of children and adolescents being separated from their families by means of psychological manipulation, and ensure that those</p>
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		<p>responsible for manipulating adolescents are held accountable and cease their activities.</p> <p>52. The Committee is concerned that institutionalization of children is still widespread in Catholic organizations and that family-type alternatives are still not given priority, as indicated by the opening of new institutions in many countries. The Committee is also concerned that the Holy See has not adopted guidelines on the placement and monitoring of children in Catholic alternative-care institutions and still does not have a policy for the de- institutionalization of children placed in Catholic organizations.</p> <p>53. The Committee urges the Holy See to adopt a policy for the de- institutionalization of children placed in Catholic institutions and for the reunification of children with their families, where possible. The Committee also recommends that the Holy See take all necessary measures to ensure as a matter of priority that children under the age of three are not placed in institutions. The Holy See should also adopt guidelines for the placement, adequate periodic review and monitoring of children in all Catholic alternative-care settings, in order to ensure the application of standards and to prevent abuse. In doing so, the Holy See should take into account the Guidelines for the Alternative Care of Children annexed to General Assembly resolution 64/142 of 20 December 2009.</p> <p>G. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d), 38, 39 and 40 of the Convention)</p> <p>Sale, trafficking and abduction</p> <p>58. The Committee is deeply concerned that thousands of babies have been forcibly removed from their mothers by members of Catholic congregations in a number of countries and placed in orphanages or given to adoptive parents abroad, as was the case notably in Spain and the Magdalene laundries in Ireland. The Committee is particularly concerned that although the congregations responsible were operating under its authority, the Holy See did not conduct an internal investigation into these cases and failed to take action against those responsible. The Committee is also concerned that the Holy See did not provide information on the measures taken to trace the whereabouts of the children and to reunite them, where possible, with their</p>
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		<p>biological mothers.</p> <p>59. The Committee urges the Holy See to open an internal investigation into all cases of removal of babies from their mothers and fully cooperate with relevant national law enforcement authorities in holding those responsible accountable. The Committee also urges the Holy See to ensure that the Catholic congregations involved fully disclose all the information they have on the whereabouts of the children, in order to reunite them, where possible, with their biological mothers; and to take all necessary measures to prevent the occurrence of similar practices in the future.</p>
Country Report		
<p>CRC/C/VAT/2</p> <p>22 October 2012</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fvAT%2f2&Lang=en</p>		
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
<p>CRC/C/OPSC/VAT/CO/1</p> <p>Consideration of reports submitted by states parties Under article 12(1) of the Optional Protocol to the</p>	<p>24 October 2001</p>	<p>25 February 2014</p>

<p>Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</p>		<p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fVAT%2fCO%2f1&Lang=en</p> <p>Sale of children and adoption</p> <p>23. The Committee expresses deep concern about the discovery in 2011 that thousands of babies had been removed from their mothers in maternity wards in Spain and sold by networks of doctors, priests and nuns to childless couples who were considered to be more appropriate parents. The Committee is also concerned that similar practices were also carried out in other countries, such as Ireland, where babies were systematically taken away from girls and women detained in the Magdalene laundries.</p> <p>24. The Committee urges the Holy See to ensure that individuals and institutions operating under its authority that have organized, participated in and assisted in the removal of babies from their mothers and the transfer of those babies for remuneration or any other consideration to childless couples, individuals or institutions are held accountable. The Committee urges the Holy See to ensure a full disclosure of all the information gathered by the institutions and individuals involved in those offences, in order to facilitate victims' access to information on their biological filiation.</p> <p>25. The Committee is concerned that although many Catholic institutions and organizations are involved in intercountry adoptions, the Holy See has not taken the necessary measures to ensure that Catholic institutions do not engage in unlawful adoption.</p> <p>26. In the light of article 5 of the Optional Protocol, the Committee urges the Holy See to adopt, as a matter of priority, appropriate legal and administrative measures to ensure that all individuals and institutions under its authority that are involved in the adoption of a child, act in conformity with applicable international legal instruments. The Committee recommends that the Holy See consider ratifying the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.</p>
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OPAC to CRC	Ratification Date	Care-Related Concluding Observations
<p>CRC/C/OPAC/VAT/CO/1</p> <p>The Committee considered the initial report of the Holy See (CRC/C/OPAC/VAT/1) at its 1853rd meeting (see CRC/C/SR.1853), held on 16 January 2014, and adopted at its 1875th meeting, held on 31 January 2014, the following concluding observations.</p>	<p>24 October 2001</p>	<p>25 February 2014</p> <p>http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fOPSC%2fVAT%2fCO%2f1&Lang=en</p> <p>Assistance for physical and psychological recovery and social reintegration</p> <p>15. The Committee welcomes the numerous initiatives developed by local Catholic schools and institutions for the physical and psychological recovery and social reintegration of children who were 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 the rescue and social reintegration of child soldiers, as well as the establishment by the Jesuit Refugee Service of a transit and reception centre for child soldiers in South Kivu in the Democratic Republic of the Congo.</p> <p>16. The Committee recommends that the Holy See continue to support initiatives for the physical and psychological recovery and social reintegration of children who were recruited and involved in armed conflict.</p>
ICCPR	Ratification Date	Care-Related Concluding Observations
ICESCR	Ratification Date	Care-Related Concluding Observations

CEDAW	Ratification Date	Care-Related Concluding Observations
CRPD	Ratification Date	Care-Related Concluding Observations
UPR	Date of Consideration	Link to Page
Hague Intercountry Adoption	Ratification Date	Link to Country Profile

Acronyms and Abbreviations:

- CEDAW Convention on the Elimination of All Forms of Discrimination against Women
- CRC Convention on the Rights of the Child/Committee on the Rights of the Child
- CRPD Convention on the Rights of Persons with Disabilities
- ICCPR International Covenant on Civil and Political Rights
- ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review