

Victims say criminal charges against pope are not a stunt

by [Francis X. Rocca](#)

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VATICAN CITY (RNS) A campaign to hold the pope responsible for "crimes against humanity" is not a publicity stunt, sex abuse victims say, even as experts doubt it will have much success at the International Criminal Court.

In a dramatic and unprecedented move, abuse victims filed a complaint that seeks to hold Pope Benedict XVI and others responsible for the "systematic and widespread concealing of rape and child sex crimes throughout the world."

Lawyers representing the Survivors Network of those Abused by Priests (SNAP) filed the 84-page complaint at the ICC in The Hague, the Netherlands, on Tuesday (Sept. 13).

The filing calls for the investigation and prosecution of the pope and three other top Vatican officials: former Vatican Secretary of State Cardinal Angelo Sodano; current Secretary of State Cardinal Tarcisio Bertone; and Cardinal William Levada, a former archbishop of San Francisco who now has jurisdiction over abuse cases as head of the Congregation for the Doctrine of the Faith.

The four men are "responsible for rape and other sexual violence and for the physical and psychological torture of victims around the world both through command responsibility and direct cover up of crimes," said Pam Spees, a lawyer with the New York-based Center for Constitutional Rights, which filed the complaint on SNAP's behalf.

Vatican spokesman Rev. Federico Lombardi declined requests for comment. But Cardinal Crescenzo Sepe of Naples, former head of the

Vatican's missionary office, told the Vatican Insider website that the filing was "the usual anti-Catholic attempt that tends in some way to obscure" the image of the church.

Tuesday's filing cites five cases of sex abuse which occurred in the U.S. and the Democratic Republic of the Congo. The latter country, unlike the U.S. and the Vatican, is a party to the Rome Statute, which governs the ICC.

Vatican lawyers have argued that local bishops do not act as agents of the pope, noting that they do not receive their salaries from Rome nor work on Vatican property, and that the pope is therefore not responsible for their mishandling of sex abuse cases.

Various attempts to hold the Vatican responsible through the U.S. court system have repeatedly failed, usually because the pope, as the head of a sovereign state, is immune from prosecution.

On Tuesday, a leading authority on international law characterized the SNAP filing as an effort to attract publicity for the group's cause, which would not receive serious consideration from the ICC.

"There will be no follow-up," said Giorgio Sacerdoti, who teaches at Milan's Bocconi University. "It will be set aside."

Among the reasons the court is likely to view the sex abuses cases as beyond its jurisdiction, Sacerdoti said, is that they were not part of a "systematic" attack on human rights.

SNAP President Barbara Blaine denied that the complaint is a publicity stunt.

"We have submitted 20,000 pages of evidence that fully document all the crimes in a way that meets the criteria of the ICC," Blaine said.

"Our attorneys have done due diligence."