



**Mission Viejo High School Model United Nations
29th Annual Conference
*"Through the Fire the Spirit is Forged"***



Topic Synopsis

ICC, Center for Constitutional Rights v. Pope Benedict

IMPORTANT! You need to send your first and last name to myhsmunicc@gmail.com by January 4th in order to have a personalized placard for the conference.

Intro:

The International Criminal Court (ICC), governed by the Rome Statute, is the first permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community. The ICC is an independent international organization, and is not part of the United Nations system. Its seat is at The Hague in the Netherlands. Although the Court's expenses are funded primarily by States Parties, it also receives voluntary contributions from governments, international organizations, individuals, corporations and other entities. You will act as an impartial judge to resolve such disputes. You will write Preliminary findings instead of position papers. These findings should be an impartial analysis of what you personally think the outcome of a case should be based on the information given in the case summary as well as your research into international law. Include in your analysis the following: Background, defendant's side, plaintiff's side, preliminary ruling, and questions you wish to ask the witnesses that will be present.

NOTE: This case is fairly new (dating from September 13, 2011); therefore, some aspects of the case have been fabricated so that you, as the judges, can fully complete your Preliminaries.

Background: On September 13, 2011, the Survivors Network of those Abused by Priests (SNAP), aided by attorneys from the Center for Constitutional Rights, filed suit against Pope Benedict XVI and three other high Vatican officials for "crimes against humanity" of covering up the rape and sexual abuse of children and adults by priests. The accused Vatican officials include Angelo Sodano, dean of the College of Cardinals and former Vatican secretary of state; Cardinal Tarcisio Bertone, secretary of state, who previously served on the Congregation for the Doctrine of the Faith (CDF), and Cardinal William Lavada, current head of the CDF. The CDF is the organization that handles sexual abuse cases; many have criticized Lavada's handling of previous abuse cases. The CCR has been able to file about 22,000 pages of documentation pertaining to their case including judicial reports from Canada, Ireland, and USA, along with an



Mission Viejo High School Model United Nations
29th Annual Conference
“Through the Fire the Spirit is Forged”

80 page detailed report of their suit file. Megan Peterson is one of the rape victims in the US to file charges, claiming that Joseph Jeyapaul, a local priest, had repeatedly raped her as a child. Because SNAP has specifically accused the Pope and the three other officials, the ICC will have to try the Pope himself in court, which brings up certain ethnical and religious questions of what effect this case’s result will have on the church and its sanctity.

*To move forward with the case, the ICC must first review the accusations to see whether they pertain to the court at all; however, cases filed against Catholic priests’ abuses have been taken before, and for this committee we will pretend that the ICC has decided to take the case.

Plaintiff: The SNAP claims that the Pope and the other high ranking officials have covered up the abuses of many Catholic priests and not done anything as punishment. They are in charge of all Catholic priests and must deal with all accused abuses of the church, advocates SNAP president Barbara Blaine. Spokespersons for the SNAP and CCR point out that instead of stopping the accused priests, the pope allows them to move to different countries and continue their practice of sexual abuse.

Defendant: The Vatican officials’ main refute is that priests must be watched over by their bishops, and the Vatican hierarchy has no affiliation with each separate priest. Therefore, the Vatican hierarchy is putting blame on bishops. They also claim that the church is too decentralized to be able to regulate all Catholic churches properly. With the Catholic Church being so spread out worldwide, there is no way for the Vatican to be able to watch over the whole world’s Catholic priest population. The Vatican believes that the Pope cannot be blamed for the sins of individual priests.

Witnesses:

Catholic priest

Rape victim

Angelo Sodano

Cardinal Bertone

Cardinal Lavada

Co-worker of one of the accused



Mission Viejo High School Model United Nations
29th Annual Conference
“Through the Fire the Spirit is Forged”

Attendee of the same church as one of the victims

Things to consider:

Does the pope have regulation over all Catholic priests?

What will happen to the dignity and sanctity of the church and pope with this case?

Who verifies that the abused are telling the truth about the priests?

Bibliography:

<http://www.nytimes.com/2011/09/14/world/europe/14vatican.html>

<http://www.csmonitor.com/World/Europe/2011/0915/Why-the-ICC-likely-won-t-charge-pope-over-Catholic-Church-sex-abuses>

<http://www.guardian.co.uk/world/2011/sep/13/pope-crimes-humanity-victims-abuse>