Vatican

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A member of the Vatican diplomatic corps serving in Washington has been recalled to the Vatican where he is involved in a criminal investigation involving child pornography, the Vatican said.

The Vatican press office said Sept. 15 that it was notified Aug. 21 by the U.S. State Department "of a possible violation of laws relating to child pornography images by a member of the diplomatic corps of the Holy See accredited to Washington."

"The Holy See, following the practice of sovereign states, recalled the priest in question, who is currently in Vatican City," the press office said.

The Associated Press reported that the State Department confirmed it had asked the Vatican to lift the official's diplomatic immunity. It said that request was denied.

The Vatican said the priest's identity and other details are covered by "investigative confidentiality" during the preliminary investigation stage. The Vatican yearbook lists the nuncio, Archbishop Christoph Pierre, and three priests as making up the diplomatic staff at the Washington nunciature.

After receiving the notification from the State Department, the Vatican said, "the Secretariat of State transmitted this information to the promoter of justice of the Vatican tribunal." The promoter of justice is the Vatican's chief prosecutor.

"The promoter of justice opened an investigation and has already commenced international collaboration to obtain elements relative to the case," the Vatican said.

Update added 10:42 a.m. CDT.

After the Vatican announcement was released, the U.S. bishops conference issued a statement.

“This is a serious issue. We hope the Holy See will be forthcoming with more details,” said a written statement from Cardinal Daniel N. DiNardo of Galveston-Houston, the president of the U.S. Conference of Catholic Bishops.

“While we don’t know all the facts, consistent with our Charter, we reaffirm that when such allegations occur, an immediate, thorough, and transparent investigation should begin in cooperation with law enforcement and immediate steps be taken to protect children,” DiNardo’s statement said.

The formal name for the Charter is the Charter for the Protection of Children and Young People, commonly called the Dallas Charter. It is the set of guidelines and standards that are to govern the U.S. church’s response to the clergy sexual abuse crisis.

“The protection of children and young people is our most sacred responsibility,” DiNardo’s statement said.

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Update added 2:44 p.m. CDT.

The 1961 Vienna Convention on Diplomatic Relations, signed by most nations of the world, including the United States and the Holy See, stipulates that diplomatic personnel "shall not be liable to any form of arrest or detention" in the host country. The host country may, however, ask the sending country to waive immunity or the

sending country, in this case, the Vatican, may choose to recall the diplomat and proceed with a criminal investigation and possible prosecution of its own.

Greg Burke, director of the Vatican press office, said the Vatican's current investigation is concentrated on matters defined as "crimes against children" in the 2013 "Supplementary Norms on Criminal Law Matters."

Specifically, he said, the investigation is referring to what Vatican law defines as "child pornography," which "means any representation, by whatever means, of a minor engaged in real or simulated explicit sexual activities as well as any representation of the sexual parts of a minor for primarily sexual purposes."

Burke also referred reporters to section 10 of the supplementary norms, which discuss criminal penalties for a person found guilty of producing or selling and trading child pornography; in those cases, Vatican law foresees a maximum of 12 years imprisonment and a fine of up to 250,000 euros ($299,000).

When Pope Francis updated Vatican City law in 2013, he specified that it applied to Vatican employees serving abroad, including Vatican diplomats stationed around the world in nunciatures.

Any charges or penalties arising from a Vatican City criminal investigation are in addition to the universally applicable canon law, norms and sanctions for priests accused of child sexual abuse or possession of child pornography. The Congregation for the Doctrine of the Faith investigates those charges and the canonical penalties include the possibility of the priest being expelled from the priesthood.

Similar procedures were followed when then-Archbishop Jozef Wesolowski, a Pole who served as nuncio to the Dominican Republic, was accused of child sexual abuse in 2013. Recalled to the Vatican, the canonical court dismissed him from the clerical state; at that point, the then-papal spokesman, Jesuit Fr. Federico Lombardi, said he no longer had diplomatic immunity and could possibly be extradited to the Dominican Republic to face charges there.

In the end, the Vatican City tribunal conducted its own criminal investigation. Confined to Vatican property, Wesolowski's trial was scheduled to begin in July 2015, but he ended up in the hospital the day before the trial was to open. He died in August 2015 without having appeared before the court.