News
Vatican
The dome of St. Peter's Basilica is pictured at the Vatican July 12, 2019. (CNS photo/Paul Hari

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Clergy abuse victims asked the European Court of Human Rights on Thursday to make a definitive ruling on whether the Holy See can continue to avoid being held liable for sexual abuse committed by Catholic priests by claiming state immunity.

Lawyers for the victims asked the court's Grand Chamber to hear the case, after a lower Chamber judgment in October agreed that the Vatican couldn't be sued in a local Belgian court because it enjoys sovereign immunity. The lower judgment concurred with Belgian courts that had dismissed the case, also determining that the misconduct of priests can't be attributed to the Holy See.

The 24 victims had argued the Holy See was indeed liable for their abuse because of the "structurally deficient" way the Catholic hierarchy had handled cases of priests who raped and molested children for decades, covering up the crimes rather than

reporting them.

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In the new filing, the victims' lawyers said the October ruling was flawed and that the case warrants review by the full Grand Chamber, particularly since it will affect clergy abuse victims across Europe. The Grand Chamber is made up of 17 judges and accepts requests to review Chamber judgments on an “exceptional basis,” according to the ECHR website.

There was no indication when the Grand Chamber might decide whether it would hear the case or not.

The lawyers said the case met the court’s criteria for review since it concerns sensitive issues that have generated public debate and involve legal questions that haven’t been addressed previously by the court.

The key question is whether the Holy See — the headquarters of a global religion — should enjoy the benefits of immunities afforded to a nation state while escaping the responsibilities that come with being a real nation, they argued.