

**Clerical Pedophilia by Mexicans in Mexico and  
Other Countries**

**1944-2013**

**Report by CSOs and Mexican Nationals  
to the Committee on the Rights of the Child**

---

**December 2013**

## **Executive Summary**

### **Importance of the Shadow Report for the Committee on the Rights of the Child.**

We regard the Holy See's appearance before the Committee on the Rights of the Child as an historic opportunity to ensure that organizations such as those in the Holy See -State - Vatican - Catholic Church - which claim their superiority and privileges over local and even international authorities and do not accept any kind of formal responsibility, as a signatory state of the Convention and the subsequent Treaties, should be addressed as being responsible for thousands of cases of sexual abuse committed in many parts of the world, for many years, due precisely to their structural behavior of protection and the complicit cover-up of abusers. They should therefore be held accountable for the violation of articles in the Convention because of their contempt and systematic violation of the rights and higher interest of girls and their preference for covering-up perpetrators rather than protecting and safeguarding victims. This institutional behavior which involved all the levels of authority of the Organization, should be regarded as a STATE CRIME by the Committee on the Rights of the Child. This will help, first and foremost, to restore the dignity and fundamental rights to victims and even enable the organization represented by the Holy See and its authorities, national authorities and all of humanity, to ensure that this type of behavior will never again be repeated in our history, by arguing and claiming to have a superior divine origin to the authorities tasked with safeguarding the rights of the world's children.

### **Strategic Vision**

This alternative report focuses on three central points:

- a) The proof, in light of the tragic Mexican experience, of the intrinsic falsity of the answer given by the Holy See to question No.11 posed by the Committee.
- b) The demonstration of the Marcial Maciel case, as emblematic of the protection and systematic cover-up by the highest authorities of the Holy See.
- c) The demonstration of the invalidity of the arguments put forward by the Holy See to the Committee, in order to evade the international responsibility inherent in the institutional concealment of clerical abuses committed against children.

Regarding to Marcial Maciel's case, we affirm:

It is a well known fact that the impunity enjoyed by this sexual abuser, Marcial Maciel, is a true paradigm of protection and institutional cover-up by the highest authorities of the Holy See, including Popes John Paul II and Benedict XVI, as well as authorities from elsewhere, such as Cardinal Norberto Rivera in Mexico City. This institutional behavior reflects, on

the one hand, the permanent contempt for the victims, their constant suffering, the damage they suffered for many years, public defamation through the media, which harmed their reputation and integrity; and on the other, the absolute lack of response to their demands for truth and justice. The Holy See and its officials, publicly and without ever contacting the victims, not only refused to conduct a legal process to reach a judicial verdict on the veracity of the multiple demands submitted to the then Cardinal Ratzinger and Monsignor Charles Scicluna, the Congregation's Attorney. The ecclesiastical authorities eventually invited Father Maciel to withdraw to a private life, to pray and perform some form of penance<sup>1</sup>, without ever publicly admitting that he had committed several criminal offences and civil offences, as well as sacrilegious crimes, according to the Code of Canon Law. It was not until 2010 that the Holy See publicly acknowledged that Father Maciel had been a real criminal and had committed genuinely "serious crimes."<sup>2</sup>

Also, for your consideration, we submit other serious cases such as P. Nicolas Aguilar and P. Carlos Lopez, in which it can verify the same type of institutional behavior by the Catholic Church, both locally institution and between Mexico and the Archdiocese of Los Angeles.

**Our conclusion**, after presenting all these cases and after analyzing the ways in which the same behaviors are repeated both by local ecclesiastic authorities and by ecclesiastic authorities of the Holy See, is that it is a structural behavior that is systematically reproduced throughout the organization, in several countries in the world, in order to protect the image of the institution and its ministers and avoid a public scandal. It does not seek to protect the victims or to prevent and/or denounce the commission of crimes. The guidelines are issued by the authorities of the Holy See through documents issued from the territory, the indications of the Nuncios (ambassadors of the Vatican and the Head of State and representatives of the Pope) and the particular guidelines for each case, issued by the Congregation for the Doctrine of the Faith, located in the territory of the Vatican. We therefore fully agree with the report presented by SNAP<sup>3</sup> to the Committee and declare that it is an authentic State Crime involving the highest authorities of the Vatican State, its Leader and highest authority of the Holy See and its respective authorities, and each of the dioceses and organizations belonging to the organization known as the Catholic Church and not merely of individual criminals protected by individual protectors.

a) The Holy See's answer is clearly unacceptable.

---

<sup>1</sup> Press release from the Holy See, May 19, 2006.

<sup>2</sup> Press release from the Holy See, May 1, 2010 <http://www.zenit.org/es/articles/comunicado-de-la-santa-sede-sobre-los-legionarios-de-cristo>

<sup>3</sup> SNAP y Centre for Constitutional Rights. "Fighting for the Future: Adult Survivors Work to Protect Children and End the Culture of Clergy Sexual Abuse". 2013. Available online: <http://www.ccrjustice.org/files/SNAP%20Shadow%20Report%20to%20UN%20CRC.pdf>

- b) It is utterly false that the Holy See and the officials comprising it, have no responsibility for the aberrant behavior displayed by pedophile members of the Mexican Catholic Church.
- c) These behaviors were encouraged causally and directly by institutional policies and the conspiracy of silence of the Holy See and officials within it.
- d) They are therefore basically state crimes, since pedophile behaviors were encouraged, tolerated, protected and concealed at the highest level of the organized Vatican power structure.
- e) Therefore, the Holy See - Vatican State violated the mandatory provisions of the Convention on the Rights of the Child and incurred in international responsibility that should by no means be overlooked.

### **Recommendations**

The Committee is asked to achieve the following:

- To have the Holy See authorities explain how it was that, despite having information on the case of Father Marcial Maciel since the 1940s and despite the complaints from local authorities and several victims for years and having received and accepted a formal complaint submitted to the Congregation for the Doctrine of the Faith in 1998 and beginning a trial in 2005, naming as attorney Monsignor Charles Scicluna, the Holy See never reported to the appropriate civil authorities nor did it keep the pedophile away from the victims or even dare to conduct a trial. Instead, it sent Maciel home, allowing the abuser to continue committing criminal offenses against children and even his own children and it was not until 2010, after another investigation appointed by the Pope and organized by the Holy See, did it publicly acknowledge that he had been an actual criminal who had committed genuinely “serious crimes.”
- To publish all documents and records in possession of the various dicasteries and departments of the Holy See (including the Secretariat of State), the Vatican and the private files of the popes (from Pius XII to Francis), concerning the sexual abuse of children by Catholic priests in Mexico, from the Marcial Maciel cases to others that have not yet been made public.
- To determine whether the Holy See was involved with Cardinals Mahony and Rivera in arranging for Nicolás Aguilar’s escape from Los Angeles in 1989 when 26 allegations of his sexual abuse of minors already existed.
- Explain how it was possible that during the process of the beatification of Pope John Paul II, despite all the internal, procedural and public information discussed here, Cardinal Levada, Prefect of the Holy See and Head of the Dicastery that officially deals with all cases of clerical pedophilia, reported that there was no “important material”

about which Pope John Paul should have known. Consequently, John Paul II since he did not know of this material, despite being the highest authority of the Holy See, the Catholic Church and the Vatican State, regardless of whether he was informed (which implies the responsibility of the immediate authorities,) because of his position and responsibility “must have known,” and even if he did not know, this does not exempt him from responsibility due to the position he occupied in the organization during that period.

- We therefore publicly request that the canonization of Pope John Paul II be stopped until these points are clarified, because publicly promoting Marcial Maciel as an example to be followed among members of his organization and even for public opinion, particularly for children and young people, could cause serious confusion about cases like this.

**Clerical Pedophilia by Mexicans in Mexico and Other Countries**

**1944-2013**

**Report by CSOs and Mexican Nationals**

**to the Committee on the Rights of the Child**

**December 2013**

**INTRODUCTION, IMPORTANCE AND STRATEGIC  
VISION**

**Introduction**

The undersigned civil society organizations and Mexican nationals are addressing the Committee on the Rights of the Child to present an alternative report and offer a different perspective from that inferred from the interpretation of the written reply issued by the Holy See in November 2013, in response to the List of Questions prepared by the Committee.

**Importance**

We regard the Holy See's appearance before the Committee on the Rights of the Child as an historic opportunity to ensure that organizations such as those in the Holy See -State - Vatican - Catholic Church - which claim their superiority and privileges over local and even international authorities and do not accept any kind of formal responsibility, as a signatory state of the Convention and the subsequent Treaties, should be addressed as being responsible for thousands of cases of sexual abuse committed in many parts of the world, for many years, due precisely to their structural behavior of protection and the complicit cover-up of abusers. They should therefore be held accountable for the violation of articles in the Convention because of their contempt and systematic violation of the rights and higher interest of girls and their preference for covering-up perpetrators rather than

protecting and safeguarding victims. This institutional behavior which involved all the levels of authority of the Organization of the Catholic Church, should be regarded as a STATE CRIME by the Committee on the Rights of the Child. This will help, first and foremost, to restore the dignity and fundamental rights to victims and even enable the organization represented by the Holy See and its authorities, national authorities and all of humanity, to ensure that this type of behavior will never again be repeated in our history, by arguing and claiming to have a superior divine origin to the authorities tasked with safeguarding the rights of the world's children.

### **Strategic Vision**

This alternative report focuses on three central points:

- a) The proof, in light of the tragic Mexican experience, of the intrinsic falsity of the answer given by the Holy See to question No.11 posed by the Committee.
- b) The demonstration of the Marcial Maciel case, as emblematic of the protection and systematic cover-up by the highest authorities of the Holy See.
- c) The demonstration of the invalidity of the arguments put forward by the Holy See to the Committee, in order to evade the international responsibility inherent in the institutional concealment of clerical abuses committed against children.

## **CONTEXT OF THE PROBLEM**

### **The Paradigmatic Case of Father Marcial Maciel**

In regard to Mexico and Mexican priests, many cases of sexual abuse against children from Mexico and other countries have been detected in various parts of Mexico, and the world, for several decades. In the case of Father Marcial Maciel Degollado, although there is conclusive evidence and supporting documentation held by the Holy See and the Vatican regarding the sexual abuse committed by this priest in Mexico and other countries since the 1940s<sup>4</sup>, the authorities of the Holy See failed to stop his activities and instead systematically protected and covered up for him. He was subsequently recognized and

---

<sup>4</sup> For more information: González, Fernando M. (2010). *Maciel. Los Legionarios de Cristo. Testimonios y documentos inéditos*. España: Ed. Tusquets; Gonzalez, Fernando M. (2009). *La Iglesia del Silencio. De mártires y pederastas*. España: Ed. Tusquets; Athié, A., Barba, J., y González, F. M. (2012). *La voluntad de no saber*, México: Ed. Grijalvo. [www.lavoluntaddenosaber.com](http://www.lavoluntaddenosaber.com)

publicly promoted by Pope John Paul II<sup>5</sup>, which enabled him to continue committing crimes against children for many years. He was never reported to the competent authorities, nor was any attempt made to approach the victims or to redress the damage to them or their physical and moral integrity, or the damage caused by years of defamation, contempt and neglect.

The children<sup>6</sup> who were systematically abused by Father Maciel belonged to a religious congregation he founded, called “The Legionnaires of Christ.” The children were separated from their families and taken to distant countries (where their correspondence was controlled and they were only allowed very sporadic visits). They remained under the almost complete control of the founding father and Superior, who was also the Spiritual Director and Director of Discipline. From this time the children were bound by a special vow of silence (called the vow of charity), to maintain absolute respect for the Superior, never to criticize him for anything nor to anyone and, therefore, to maintain the secret of his pedophilia, and drug addiction.

After many attempts by the victims to report Father Maciel within the Holy See, which included formal complaints submitted to the ecclesiastical courts<sup>7</sup> and to the then Cardinal Joseph Ratzinger, Prefect of the Congregation for the Doctrine of the Faith, (the organization officially tasked with *overseeing* these crimes), as well as letters and written documents sent to other authorities of the Holy See, particularly to Pope John Paul II, and his personal secretary, Archbishop Stanislaw Dziwisz; the victims decided to complain to the media. This made public opinion aware of their stories as victims, not only because of the damage to their physical and moral integrity, but also because of the persistent disregard of their complaints by promoting the continued protection and concealment of the priest and his crimes by his own Congregation, Cardinals in the Holy See<sup>8</sup> and Cardinals in other countries, as in the case of Cardinal Norberto Rivera of the Archdiocese of Mexico, who accused victims of having paid journalist Salvador Guerrero Ciprés from La Jornada, to fabricate material to discredit Father Maciel.

---

<sup>5</sup> In 1994 John Paul II named Father Maciel as a “youth leader”; cfr. Bedoya Juan, “La increíble vida de Marcial Maciel, El País, 24 de enero del 2010

<sup>6</sup> As early as 1976, 20 children had been cited as having been abused by Father Maciel, some of whom in turn, became abusers of other children in the schools founded by the Legionnaires in later years, *Cfr.* Fernando M. Gonzalez, *La voluntad de no saber*, p. 34. The testimonials of these cases and others were turned over to Monsignor Charles Scicluna, the Attorney sent by Cardinal Ratzinger in 2005 to open the case legally, which never occurred. He ended up publicly resigning from the case he had opened in May 2006, allegedly due to Father Maciel’s “health and age.” The current directors of the Legion of Christ only acknowledged in 2013 that there were indeed 35 complaints against Father Maciel and other senior members of the Legion, of which they never informed the civil authorities. Instead they conducted internal investigation processes to determine which of them were true and which false.

<sup>7</sup> *Cfr.* *La voluntad de no saber*, *Op. Cit.* 2<sup>nd</sup> part written by José Barba.

<sup>8</sup> <http://www.tradicioncatolica.net/audios-revelan-que-3-cardenales-de-la-curia-realizaron-operacion-limpieza-en-la-legion-de-cristo/>

This practice of defamation, disqualification and public contempt for victims' demands and on the other hand, of complicit protection and concealment of the pedophile priest, continued for many years, which allowed him to continue his crimes and increase in number, time and space, in various countries, and even with the knowledge of his superiors in the Congregation, to have several wives and engender children with them and even the heinous case of the abuse his own children.<sup>9</sup>

It is a well known fact that the impunity enjoyed by this sexual abuser, Marcial Maciel, is a true paradigm of protection and institutional cover-up by the highest authorities of the Holy See, including Popes John Paul II and Benedict XVI, as well as authorities from elsewhere, such as Cardinal Norberto Rivera in Mexico City. This institutional behavior reflects, on the one hand, the permanent contempt for the victims, their constant suffering, the damage they suffered for many years, public defamation through the media, which harmed their reputation and integrity; and on the other, the absolute lack of response to their demands for truth and justice. The Holy See and its officials, publicly and without ever contacting the victims, not only refused to conduct a legal process to reach a judicial verdict on the veracity of the multiple demands submitted to the then Cardinal Ratzinger and Monsignor Charles Scicluna, the Congregation's Attorney. The ecclesiastical authorities eventually invited Father Maciel to withdraw to a private life, to pray and perform some form of penance<sup>10</sup>, without ever publicly admitting that he had committed several criminal offences and civil offences, as well as sacrilegious crimes, according to the Code of Canon Law. It was not until 2010 that the Holy See publicly acknowledged that Father Maciel had been a real criminal and had committed genuinely "serious crimes."<sup>11</sup>

### **Other Cases of Pedophile Priests and Mexican Victims**

We also have evidence to prove that in other cases, which have occurred in Mexico more recently, local bishops, certain civil authorities and the Vatican had the necessary information to act accordingly and yet failed to do so. They kept silent and even protected pedophile priests rather than the integrity and honor of the victims of the sexual abuse committed by their clergy.

This is the case of Father Nicolás Aguilar, accused of sexually abusing over 90 children in Mexico and the United States, beginning in Tehuacan, with the knowledge of his bishop, Monsignor Norberto Rivera. He was transferred to the city of Los Angeles in the U.S. in the late 80s, where he abused approximately 30 children and managed to evade the authorities of that city as he was warned about them by the local church authorities and returned to Mexico City. Back in Mexico he went on to abuse other children, under the

---

<sup>9</sup> Aristegui, C. (2010). *Marcial Maciel. Historia de un criminal*, México: Ed. Grijalbo. p. 153.

<sup>10</sup> Press release from the Holy See, May 19, 2006.

<sup>11</sup> Press release from the Holy See, May 1, 2010.

jurisdiction of Cardinal Rivera, who has never done anything to avoid contact between this pedophile and children, nor to protect the latter group from abuse.

We also have evidence that Father Carlos López Valdés abused children who were invited to serve as acolytes in the parish of San Agustín in Mexico City, as in the case of Jesús Romero Colín, abused when he was just 11 years old. The church authorities never acted to protect these children, or to report those responsible to the civil authorities.

Moreover, although complaints were made to the civil authorities, none of the accused has been arrested or prosecuted, which has led to the defenselessness of the victims and reinforced the impunity of the perpetrators.

Some Mexican prosecutors and judicial authorities have played a key role in promoting impunity for these priests. This situation was evident in the process of gathering evidence in the case of Joaquín Aguilar, whose records were requested four times and refused four times, without due cause. We understand that this is a strategy to tire the plaintiff and delay or attempt to cancel the proceeding.

Although the Holy See publicly expressed its rejection of sexual abuse and pedophilia and expressed its commitment to cooperate with civil authorities when cases of pedophile priests were found<sup>12</sup>, there are no known cases of bishops or cardinals, being found responsible for abusing children or covering up for pedophilia in their parishes. For example in the cases of Cardinal Groër of Vienna; Cardinal B. Law of Boston; Father Murphy, who abused approximately 200 deaf children; the massive case of Ireland; and, more recently, the case of Nuncio Wesolowski in the Dominican Republic, who was smuggled out of that country with false papers to be tried in the Vatican, violating all international and national civil laws.

---

<sup>12</sup> In February 2012, during the inauguration of the symposium on “Toward Healing and Renewal in regard to Pedophilia,” the Prefect of the Congregation for the Doctrine of the Faith Cardinal W. Levada declared the following: ***“Sexual abuse is not only a crime in canon law, but also a crime that violates criminal law in most civil jurisdictions. [And he added that] that the Church has the obligation to cooperate with civil law and report these crimes to the appropriate authorities.”***

# **SPECIFIC CASES OF CHILD SEXUAL ABUSE PROTECTED BY CATHOLIC CHURCH AUTHORITIES IN MEXICO**

**1987-2012**

## **The Case of Father Nicolás Aguilar**

- He abused many children when he was parish priest in the Diocese of Tehuacán, under the authority of Bishop Norberto Rivera. He also abused children in Los Angeles when he was transferred to another parish as a result of an agreement between Bishop Rivera and Bishop Roger Mahoney of Los Angeles. He was warned and fled the Archdiocese of Los Angeles when he was about to be arrested and returned to the Archdiocese of Mexico, where he again abused children, without any church authority undertaking any act of protection of these children, let alone notifying the corresponding authorities.
- A total of 120 abused children have been calculated, while other sources suggest 90<sup>13</sup>.
- This pedophile has always enjoyed the full protection and concealment of the Church, both from his own bishop, Norberto Rivera, when he was parish priest in the Diocese of Tehuacán, and from the Archbishop of Puebla, Rosendo Huesca Pacheco, and finally Archbishop Primate Norberto Rivera Carrera, when he returned to Mexico City<sup>14</sup>,
- The priest has been accused of pedophilia in the Superior Court of California, Los Angeles, along with Cardinals Norberto Rivera Carrera and Roger Mahony<sup>15</sup>.
- This priest has a long history as a pedophile dating back to his years in the seminary and continuing throughout his 30 years of priesthood, according to reports from his victims, who are now trying to see justice done in the U.S., after seven years of unsuccessful prosecutions conducted both in Puebla and Mexico State<sup>16</sup>.
- The case of the pedophile priest came to light in 1987 when the priest was found in a pool of blood in the parish house of Cuacnopalan, Puebla, after allegedly holding an “orgy” with youths who subsequently attacked him.<sup>17</sup>
- Other sources indicate that this incident took place in 1986: “in the 1980s, while he was a parish priest in Tehuacán, Puebla, he attacked and raped acolytes until in 1986 he

---

<sup>13</sup> <http://www.jornada.unam.mx/2007/01/11/index.php?section=politica&article=003n1pol>

<sup>14</sup> <http://crimenesdelvaticanoenmexico.blogspot.com/2012/06/sacerdote-Nicolás-aguilar-rivera.html>

<sup>15</sup> <http://www.jornada.unam.mx/2007/01/11/index.php?section=politica&article=003n1pol>

<sup>16</sup> <http://www.jornada.unam.mx/2007/01/11/index.php?section=politica&article=003n1pol>

<sup>17</sup> <http://www.jornada.unam.mx/2007/01/11/index.php?section=politica&article=003n1pol>

appeared with a severe head wounds, inflicted while he was having sex with two boys.”<sup>18</sup>

- In 1988, he was sent to Los Angeles, California, by the then Bishop of Tehuacán, Norberto Rivera Carrera<sup>19</sup>. There, he abused 26 children in just nine months, and Cardinal Roger Mahony, as recorded in the complaints filed in the U.S. court, warned him that he was wanted by the police and allowed him to return to Mexico. Back in Mexico, Father Nicolás sexually abused another 60 children residing in various communities in Puebla.<sup>20</sup>
- In 1989 Nicolás Aguilar escaped from the United States to Mexico, fleeing the Los Angeles Court of Appeal, where there are 26 allegations against him for child sexual abuse<sup>21</sup>. This was when he was admitted to a clinic to protect him and after a few months he was restored to his ministry and once again placed in charge of altar boys. He was subsequently transferred back to Tehuacán. There he was responsible for preparing boys for their First Communion despite his crimes<sup>22</sup>.
- In 1995, after being sent by his church to the Apostolate clinic intended to provide therapy for priests to help them fight homosexuality, pedophilia or alcoholism, he was incorporated into the parish of San Antonio de las Huertas, in charge of altar boys who also became his rape victims<sup>23</sup>. That same year, he sexually abused Joaquín Aguilar when he was still a minor.
- Although it has been established that this priest has abused between 90 and 120 children, there is information that approximately 60 children between the ages of five and thirteen, who lived in the working-class districts of Viveros, Aeropuerto, La Huizachera, Aviación and Emiliano Zapata, while undergoing their “preparation for first communion” had contact with the rapist, without this being reported by his authorities. He was not kept away from the children, and in no case were the children protected from the aggressor<sup>24</sup>.

---

<sup>18</sup> <http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

<sup>19</sup> Father Nicolás Aguilar, a priest at the Church of San Sebastián Martir, in Cuacnopalan, Puebla, México, sexually abused several children in 1986. When these abuses were discovered by the community, a group of parents physically confronted Father Aguilar. The local police were aware of the incident. Father Aguilar sought the support of his bishop, Cardinal Norberto Rivera Carrera Cardinal Rivera ... facilitated Father Aguilar’s transfer to Los Angeles ... despite having advised Father Aguilar to seek psychiatric help as a result of the incident.

Available at: [http://www.expresionlibre.org/site2/nacional/noti\\_1926.php](http://www.expresionlibre.org/site2/nacional/noti_1926.php)

<sup>20</sup> <http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

<sup>21</sup> Ramírez Susana for La Jornada, *Pederastia Clerical*, Nov 13.2006.p.2

<sup>22</sup> Ramírez Susana. Op. Cit. p.2

<sup>23</sup> <http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

<sup>24</sup> <http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

## *Reported cases against Nicolás Aguilar 1997-2006*

### **The Children of Sierra Negra Trial 1997**

In 1997, the reports of 60 children from “Sierra Negra” Mexico against Nicolás Aguilar<sup>25</sup> were publicized. It is on record that the Sierra Negra victims of Father Nicolás Aguilar were extremely poor. The children’s mothers are illiterate and lived with their families in extremely marginalized neighborhoods in the area<sup>26</sup>.

#### *Testimonials*

- The declaration of Felipe Valladares Rivera, one of the victims who was just 14 years old at the time, is poignant. The child reported that on November 27, 1997 Father Nicolás picked him up in his car, which is where the sexual abuse began<sup>27</sup>: *“As we were driving along, just the two of us, he started stroking my left leg. I said, “What’s going on, Father?” I edged towards the door ... he told me that he really liked boys, and then we reached the chapel in the Viveros neighborhood.”*
- According to the statement by Efrén Alva Cortez, an 11-year-old, on November 27, 1997, the facts coincide with his friends’ version<sup>28</sup>: *- I heard Felipe going to the bathroom and when he came back he lay in the middle, so I was on the edge next to the priest. Suddenly he started stroking and touching my arms, then my stomach, then he put his hand on my penis inside my pants and he started to stroke me. He grabbed my hand and put it in his pants. I took it out and he grabbed my hand and put it back in his pants.”*
- The Sierra Children Trial lasted a total of 4 years, and is kept in file number 6/1998. The priest was sentenced to a year in prison for “indecent assault.” However, the priest was never imprisoned, since he was granted bail. In 2001 the law granted him an injunction to overturn the conviction.
- These unsuccessful allegations clearly show the willingness of the Mexican authorities and the judiciary to protect pedophile priests rather than victims. The Sierra Negra children’s file, 34/97/DRZS/TH-2 was sent to the First Criminal Court of Tehuacán, Puebla on January 8, 1998, by Rodolfo Igor Archundia Sierra from the Puebla town of

---

<sup>25</sup><http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

<sup>26</sup><http://www.jornada.unam.mx/2006/11/13/index.php?article=012n1pol&section=politica>

<sup>27</sup><http://crimenesdelvaticanoenmexico.blogspot.com/2012/06/acostado-con-3-ninos-sacerdote-Nicolás.html>

<sup>28</sup><http://crimenesdelvaticanoenmexico.blogspot.com/2012/06/sacerdote-Nicolás-aguilar-violo-decenas.html>

Tepexi Rodriguez. A month beforehand, Public Prosecutor's Agent Irma Ramírez Leonor Galicia had begun investigations<sup>29</sup>.

### **Valentina Mendoza**

**2006**

- The third lawsuit against Cardinal Norberto Rivera Carrera for the crime of protecting Nicolás Aguilar, was filed in 2006 by Valentina Mendoza, the mother of three children sexually abused by Aguilar in Los Angeles, California, 18 years earlier<sup>30</sup>. The mother declared that her children were abused in their own home in 1988<sup>31</sup> while they slept.
- *"I am not planning to keep quiet. The time has come to do justice," said a sobbing Valentina, who despite the time that has passed, has not healed the wounds left by the rape of her three boys aged 5 to 12 years, at home, when the priest decided to sleep with the boys in their room [...] "Rivera must resign. He is one of the protectors. Nicolás raped my children because he sent him to Los Angeles in 1987" [...] "He said he felt sad and that he did not want to leave because he was alone, and that depressed him. Mexicans are hospitable, so I offered to let him stay at our home. Unfortunately, that was night when he hurt my children."*
- Valentina let the priest stay in her five children's bedroom. But she decided to take the two little ones to sleep with her and her husband in order to make more room for the guest. The three who remained in the room were abused by Nicolás that night: *"That depraved man seized the opportunity and we did not know anything until after the children were able to talk about it"*.<sup>32</sup>
- There have been no updates on the case.

### **Joaquín Aguilar Méndez**

**2006**

- Joaquín Aguilar<sup>33</sup> is one of the victims who had the courage to publicly report the sexual abuse to which he was subjected in 1995 by Father Nicolás. Joaquín filed a complaint with the Los Angeles Superior Court in the US in 2006.<sup>34</sup>

---

<sup>29</sup> Ramírez Susana La Jornada, *Pederastia Clerical*, Nov 13.2006.p.2

Available at: <http://www.jornada.unam.mx/2007/01/11/index.php?section=politica&article=003n1pol>

<sup>30</sup> <http://www.jornada.unam.mx/2006/12/27/index.php?section=politica&article=003n1pol>

<sup>31</sup> [http://el-suracapulco.com.mx/nota\\_le.php?id\\_notas=11306](http://el-suracapulco.com.mx/nota_le.php?id_notas=11306)

<sup>32</sup> <http://www.jornada.unam.mx/2006/12/27/index.php?section=politica&article=003n1pol>

<sup>33</sup> 2010: Mr. In October 2006, Joaquín Aguilar Méndez, director of the Mexican chapter of the Survivors' Network of those Abused by Priests (SNAP), sued Card. Norberto Rivera Carrera at the Superior Court of Los Angeles, CA.

<http://www.aciprensa.com/sacerdocio/desmentido1.htm>

**Joaquín's version of the lawsuit:**

49 -. In October 1994, when Joaquín was 13, Father Núñez was the main celebrant of the Mass in San Antonio de Padua. Father Nicolás Aguilar also used to hear confessions in the church. Joaquín's brother and

- The court declared in 2007 that it had no jurisdiction in the lawsuit filed by Joaquín Aguilar against Cardinal Norberto Rivera for covering up the sexual abuse committed against him by Father Nicolás Aguilar, since the event occurred in Mexico<sup>35</sup>, a decision which Joachim and his lawyer appealed against, on the grounds that this pronouncement of lack of competent jurisdiction issued by Judge Elihú M. Berle, did not absolve the priest of the serious crimes he had committed.
- It should be noted that Joaquín only sought justice in the United States after failing to obtain any response in Mexico: *"Everything was a lie," said a disappointed Joaquín Aguilar, "they lost the records four times in the court." They lost the evidence we presented against him. They wanted to tire us out. Eventually, when we found out that the Church was paying for the court's lawyers, I myself told my parents to give up. I did not get justice in Mexico, so I went to the Superior Court of California to try to get the justice that has been denied me in my own country.*"<sup>36</sup>

### **Sergio Sánchez Merino**

- Sergio Sánchez Merino also filed suit against Rivera and Aguilar, against the former for covering up sexual abuse, and against the latter for the fact itself. His suit was also dismissed for lack of competent jurisdiction<sup>37</sup>. The plaintiff still recalls the events that marked his life forever with the same anguish: *"I remember perfectly what the place looked like. It had a bed, a mirror and a few other bits of furniture. He grabbed my arms and told me a story about a tumor he supposedly had in his stomach. He grabbed my hands and put them on his body, asking me to touch the tumor. Then unbuttoned his pants and put his penis in my hands... I was very scared and did not know what to do [...] It's a trauma, a trauma, a trauma. I was a terrified child [...] At that moment he said: "Do you want to die? Do you want your mother to die? You don't, do you? So do this to me." He put his penis in my mouth.*"<sup>38</sup>

---

*a girl acolyte did not go to mass. During Mass, Joaquín had to go to the bathroom. The only bathroom that could be used during Mass which was located in the rectory where the priests lived. Joaquín walked to the bathroom through the rectory. Father Nicolás was in his room. Father Nicolás grabbed Joaquín, dropped his pants and pulled Joaquín's down and stood over him in bed. Father Nicolás Aguilar penetrated his anus. The Mass continued. At one point, Joaquín managed to break free and jumped under the bed and when Father Nicolás looked for him on one side he escaped through the other side and ran out of the rectory*

**Available at:** <http://www.aciprensa.com/sacerdocio/desmentido1.htm>

<sup>34</sup> <http://www.jornada.unam.mx/2010/04/26/index.php?section=sociedad&article=041n2soc>

<sup>35</sup> <http://www.cimacnoticias.com.mx/node/58578>

<sup>36</sup> <http://www.jornada.unam.mx/2006/11/13/index.php?article=012n1pol&section=politica>

<sup>37</sup> Of the four lawsuits against the Cardinal, those filed by Joaquín Aguilar and Sergio Sánchez Merino were dismissed for lack of jurisdiction. <http://www1.lajornadamichoacan.com.mx/2010/04/26/index.php?section=politica&article=003n1pol>

<sup>38</sup> <http://www.jornada.unam.mx/2006/11/13/index.php?article=012n1pol&section=politica>

- Sergio was sexually abused by Nicolás Aguilar when he was 12. In November 1997, he met with Cardinal Rivera to report the priest's criminal conduct, but Rivera decided to, "Protect his subordinate, rather than the children."<sup>39</sup>
- Before leaving for the United States in 2003, Sergio confirmed the allegation in 2002. The lawyer in charge informed him that there was a sentence that had not been served because Nicolás had managed to escape thanks to a warning from the judge involved in the case, Carlos Ramírez: "*He told me everything had been arranged, that the priest had been sentenced to pay us 40 thousand pesos each, but it was all lies. They never gave us anything. We did not even have a lawyer.*"<sup>40</sup>

### **Joaquín González Rodríguez (John Doe)**

**2009**

- There is another lawsuit in the U.S. against Father Nicolás Aguilar, filed on June 18, 2009<sup>41</sup> (other sources say it was filed on April 20, 2010<sup>42</sup>) by an American of Mexican descent, aged approximately 32, who says he was sexually abused in 1987, as a child, by Father Nicolás, when he gave religious services to the Latino community in downtown Los Angeles<sup>43</sup>. The plaintiff's identity was kept hidden at his request, because in 2009, he was receiving psychological therapy and had not informed his family of the lawsuit, as a result of which the law allowed him to use the pseudonym John Doe. He continues to suffer from great mental and physical pain, shock, emotional distress, physical manifestations of the distress, embarrassment, loss of self-esteem, shame, humiliation and the inability to enjoy life. He has been prevented from fully enjoying his everyday activities and has incurred and will continue to incur expenses for medical and psychological treatment, therapy and counseling.
- Joaquín González Rodríguez (John Doe), aged 12, a first year student at junior high school, said in his statement of November 27, 1997 that he had only known Father Nicolás for six months. He explained that he used to go to the priest's house for doctrinal talks on Saturdays at 6 pm. "*The first time there were fifty of us and then there were more, but in the end there were like ten of us because Father Nicolás forced those of us who went to do things*"<sup>44</sup>.

---

<sup>39</sup> <http://www.jornada.unam.mx/2006/11/13/index.php?article=012n1pol&section=politica>

<sup>40</sup> <http://www.jornada.unam.mx/2006/11/13/index.php?article=012n1pol&section=politica>

<sup>41</sup> **Full text of the lawsuit: John Doe vs. Cardinal Norberto Ribera and Cardinal Roger Mahoney.**

**Available at:** <http://www.sectas.org/notas/texto-completo-demanda-norberto.asp>

<sup>42</sup> : <http://www.sectas.org/notas/texto-completo-demanda-norberto.asp>

<sup>43</sup> [http://www.expresionlibre.org/site2/nacional/noti\\_1926.php](http://www.expresionlibre.org/site2/nacional/noti_1926.php)

<sup>44</sup> <http://www.portalparaguay.net/index.php/noticias/religion/item/653-nicol%C3%A1s-aguilar-rivera-sacerdote-pederasta-y-fugitivo-de-la-justicia>

- John stated in his declaration that he was about 9 or 10 years old when he was abused by Father Aguilar<sup>45</sup>. Father Aguilar had access to the plaintiff because he and his relatives trusted him blindly. Father Aguilar used his position as a priest and his authority to isolate and abuse the plaintiff. This lawsuit also accuses Cardinal Roger Mahony, Archbishop of Los Angeles, of being an accomplice to these facts.
- In his statement, John asks the Los Angeles court: for “Compensation for damages, court costs, interest, attorneys’ fees, and statutory civil penalties, and other such relief that the Court deems appropriate and just.” John accuses the religious authorities concerned, mainly the Diocese of Tehuacán and the Archdiocese of Los Angeles, of “damages for negligence, negligent supervision, negligent hiring and retention, breach of fiduciary duty, negligent failure to warn, negligence per se for statutory rape, sexual battery and vicarious liability.”<sup>46</sup>
- In 2012, the Federal Court of Los Angeles finally closed the case of John Doe against his abuser and the latter’s protector, Norberto Rivera, for covering up the former’s sexual abuse. The lawsuit was shelved because it was not possible to notify neither Cardinal Rivera Carrera, nor Nicolás Aguilar nor the Diocese of Tehuacán in Puebla State, since the documents sent by the firm representing the plaintiff Joaquín González Rodríguez allegedly had defects as regards form.<sup>47</sup>
- This notice was the second occasion on which the applicant sought to summon Cardinal Rivera Carrera, who had previously been awarded an injunction by a federal judge in Puebla, who considered that, “The demand should not be notified because the name of González Rodríguez was not correctly identified, since the plaintiff was only identified as 'John Doe', the alias used in the United States to protect a plaintiff’s identity.”
- González Rodríguez’s lawyer<sup>48</sup>, Anthony De Marco, asked the judge in charge of the case, Josephine Tucker, to defer the case until 2013, a request that was refused. On July 3rd, De Marco informed to the Court that his client had reached an undisclosed settlement with Los Angeles Cardinal Roger Mahony, the other defendant, as a result of which the matter was closed<sup>49</sup>.

---

<sup>45</sup> [http://www.expresionlibre.org/site2/nacional/noti\\_1926.php](http://www.expresionlibre.org/site2/nacional/noti_1926.php)

<sup>46</sup> [http://www.expresionlibre.org/site2/nacional/noti\\_1926.php](http://www.expresionlibre.org/site2/nacional/noti_1926.php)

<sup>47</sup> <http://www.aciprensa.com/noticias/corte-de-los-angeles-cierra-definitivamente-demanda-contra-cardenal-rivera/#.UpefQNJsgn0>

<sup>48</sup> <http://www.desdelafe.mx/apps/article/templates/?z=0&a=3388>

<sup>49</sup> <http://www.aciprensa.com/noticias/corte-de-los-angeles-cierra-definitivamente-demanda-contra-cardenal-rivera/#.UpefQNJsgn0>

**Case of Father Carlos Lopez, parish priest of San Agustín Mexico City, under the authority of Norberto Rivera**

- Jesús Romero Colin, was a victim of sexual abuse by the priest Carlos López Valdés, who is still celebrating mass, and who is aided by the Catholic Church, which is aware of his conduct as it is denounced in the documentary Agnes Dei.<sup>50</sup>
- The complaint was filed by Jesús in 2007, after he had been sexually abused for 9 years when he was underage (He was 11 years old when the sexual abuse started).<sup>51</sup> These events occurred in the churches of San Agustín de las Cuevas and San Judas Tadeo, both belonging to the Sixth Vicariate of the Archdiocese of Mexico. The person responsible for this archdiocese is Cardinal Norberto Rivera Carrera, who had a lawsuit against him in the U.S. District Court of Los Angeles, California, for the alleged cover-up of the priest Nicolás Aguilar Rivera, accused of sexually abusing over 90 children and young people in Mexico and the United States<sup>52</sup>.
- According to Romero Colín's lawyer, the Central Office for the Investigation of Sex Crimes of the Central Attorney General's Office of the Federal District responsible for the lawsuit, is acting in an extremely irregular manner.<sup>53</sup>
- At the age of 11, Jesús Romero Colin was an acolyte at the Church of San Agustín de las Cuevas in the borough of Tlalpan in Mexico City. The first time the priest abused him, Colin thought the priest had touched him because he was half asleep and did not realize what he was doing. Jesus did not confess anything to his relatives until nine years later, during which time he suffered systematic sexual abuse by Father Carlos López. *"The first few times he took photos of me when I was asleep. Then he told me he wanted to have an album of me to see how I was growing."* At the age of 15, Jesus found pictures on his computer and postal correspondence with this material that the priest sent to other people, *"Who I guess were also pedophiles, who wanted more pictures of me. So he exchanged them,"* said Jesús.
- The Congregation for the Doctrine of the Faith, which is the authority responsible for judging more serious crimes including sexual abuse by priests against minors, considers that the evidence presented by the Inter-Diocesan Ecclesiastical Court of Mexico is "overwhelming." The evidence includes a CD with child pornography that includes images of the victim taken by the aggressor.

---

<sup>50</sup> <http://crimenesdelvaticanoenmexico.blogspot.com/2012/02/sacerdote-pederasta-carlos-lopez-valdez.html>

<sup>51</sup> <http://www.protegeatushijos.org/inicio/2010/10/15/sacerdote-carlos-lopez-v-podria-ser-expulsado-por-abuso-sexu.html>

<sup>52</sup> <http://www.protegeatushijos.org/inicio/2010/10/15/sacerdote-carlos-lopez-v-podria-ser-expulsado-por-abuso-sexu.html>

<sup>53</sup> <http://www.protegeatushijos.org/inicio/2010/10/15/sacerdote-carlos-lopez-v-podria-ser-expulsado-por-abuso-sexu.html>

- Owing to the clarity of the evidence, Jesús Romero’s lawyer stated that the Vatican would rule against the pedophile priest by November 2010 but there has been no news of the case to date.
- In 2007 the Primate Archdiocese asked López Valdez asked to deal with his “inappropriate behavior” and avoid a “scandal.” López ignored his and continue ministering<sup>54</sup>, despite the reprimand from the Auxiliary Bishop and Episcopal Vicar of Mexico, Jonás Guerrero on September 13, 2007.
- There is a recording where López admits sexually abusing other children. This video was recorded by Jesus through a hidden camera and is shown in the documentary Agnus Dei.<sup>55</sup>

### Corollary

**Our conclusion**, after presenting all these cases and analyzing the way in which the same behaviors are repeated by local ecclesiastic authorities, such as the ecclesiastic authorities of the Holy See, is that it involves structural behavior that is systematically repeated throughout the organization, in several countries in the world, in order to protect the image of the institution and its ministers and avoid a public scandal. It does not seek to protect the victims or to prevent and/or denounce the commission of crimes. The guidelines are issued by the authorities of the Holy See through documents issued from the territory, the indications of the Nuncios (ambassadors of the Vatican and the Head of State and representatives of the Pope) and the particular guidelines for each case, issued by the Congregation for the Doctrine of the Faith, located in the territory of the Vatican. We therefore fully agree with the report presented by SNAP to the Committee and declare that it is an authentic state crime involving the highest authorities of the Vatican state, its leader and also the highest authority of the Holy See and its respective authorities and each of the dioceses and organizations belonging to the organization known as the Catholic Church and not merely of individual criminals protected by individual protectors.

---

<sup>54</sup> More information available at Univision.com: <http://noticias.univision.com/al-punto/article/2012-03-17/pecasos-de-sacerdote-ensombrecen-visita-papal#ixzz2lz35RgAu>

<sup>55</sup> More information available at: Univision.com: <http://noticias.univision.com/al-punto/article/2012-03-17/pecasos-de-sacerdote-ensombrecen-visita-papal#ixzz2lz3ZF7uS>

## **BENEDICT XVI's VISIT TO MEXICO, 2012**

Prior to the visit of Benedict XVI to Mexico on March 23, 2012, a number of victims of Father Maciel and other Mexican priests, sought an audience with the Pope to discuss cases of sexual abuse by the Catholic Church authorities. These included Joaquín Aguilar, who, as we reported earlier, was abused by priest Nicolás Aguilar, and Jesús Romero Colin, who in turn was abused by priest Carlos López Valdés. Both cases occurred with the support and complicity of the Priest of the Archdiocese of Mexico led by Cardinal Norberto Rivera. During his visit, the Pope did not grant them the audience they had requested. There was no confirmation that the victims were his “primary concern” as the Pope had declared in February 2012.

According to Joaquín Aguilar: *“The Church completely ignored us. In our request for an audience, we included our phone numbers. The Nunciature promised they would answer [...] we telephoned the Nunciature and they said: Wait a little longer, we’ll get back to you’ [...] and they went on like that without any answer.”*

## **GLARING INAPPROPRIATENESS OF THE ARGUMENTS PUT FORWARD BY THE HOLY SEE**

The last page of the response that concerns us, states that the Holy See is the central organ of the Catholic Church and that it also exercises sovereignty over the Vatican City State. Here it is argued that, with the exception of events that have happened within Vatican territory, the other specific situations that concern the Committee are beyond the control of the Holy See and concern Catholic persons and institutions in other countries, which is why these issues are within the sphere of competence of existing legal systems within the respective States.

This statement is completely false by virtue of the following considerations:

a) The hierarchical organization of the Catholic Church, structured around the figure of the Pope, the successor to Peter and also Head of the Vatican State and the Holy See, the governing body of the Vatican State (with its Secretariat and Secretary of State) and each and every one of the local churches, whose headquarters are also located within the Vatican State, constitutes an organized power apparatus which has a rigid hierarchical structure whose branches are local churches scattered across the globe, over which it exercises

powers of command, coordination and strategic control derived from Canon Law and other documents and the respective Nunciatures and Apostolic Nuncios as diplomatic representatives authorized by the Holy See and the Vatican State in the different countries of the world.

b) Among other forms, such powers are exercised through the issuance of standard policies and procedures contained in rules and documents emanating from the Vatican, instruments of authority that govern both the organizational pyramid and each and every one of the cardinal, episcopal, priestly, diocesan and congregational authorities.

c) Thus, the specific behavior of local church authorities is by no means autonomous or independent, but rather predetermined by the major behavioral guidelines issued by the Vatican, so between the latter and the concrete results produced at the national level there is an undeniable, inseparable cause and effect relationship.

d) This is fully corroborated by the document issued by the Holy See in 1962, known as "*Regarding the Request of the Accomplice*," where, citing the need to avoid alleged scandals and damage to the image of the Catholic Church, a secret, internal institutional procedure was drawn up that threatened to excommunicate those who denounced acts of pedophilia to non-Church authorities; it prescribed internal procedures to judge and punish cases of pedophilia; however it did not create guidelines to address or redress the serious damage caused to victims. These ecclesiastic norms were the basis of the behaviors displayed by the religious authorities of Mexico and other countries, in order to cover up for pedophiles and their crimes committed against many children for a long time and in many different places.

e) Therefore, contrary to what is expressed in the reply that concerns us, these violations of the precious value of human dignity protected by the Universal Declaration of Human Rights, are part of a chain whose first link originates in the actions or omissions that are directly attributable to the Holy See and the church officials comprising it.

f) This inevitably leads to the corollary meaning that although it is true that the behaviors cited in this report did not take place in the Vatican State, it was there that the objective conditions that made these behaviors possible, were devised and institutionalized. As a result, it is perfectly valid to state that the Vatican authorities are clearly and definitively jointly responsible for the atrocities committed in various places, with different church authorities, as we have mentioned.

As the Convention on the Rights of the Child says, "Party states will respect the rights enshrined in this Convention and will ensure their application to each child subject to its jurisdiction... (Art. 2). This assumes that the Convention imposes an obligation on states not only as regards what happens within their territory but also as regards what happens in the spaces in which competence or jurisdiction is exercised (personal and material sphere). While it is true that some of these acts were committed in other countries (spatial sphere), it

is also true that these acts were committed by persons over whom the Holy See exercises jurisdiction.

g) Even if there had not been institutional policies promoting a conspiracy of silence, the Vatican authorities are still directly responsible due to the command chain because it is a well-known fact of international law that when a wrongful act is committed by an organized apparatus of power, the directors are jointly responsible for the irregular conduct of their subordinates since they have the basic duty to monitor and ensure that the organization is kept on track. This interpretative criterion is an *opino iuris*, generally accepted by the community of nations, as stated in the sentences passed in the emblematic cases of *Yamashita*; *Eichmann*; *Fujimori*; *Videla and Pinochet*.

h) Furthermore, the deviation of the organized apparatus of Vatican power is fully confirmed by the widespread, structural and systematic nature of the cover-up policy implemented by the Holy See, in other words, with structural impunity and the *banality* of evil deliberately assumed as state policies, whose highest and most reprehensible material expression is the permanent protection and concealment that the Holy See; Vatican State; Congregation of the Legionnaires of Christ and local authorities provided for the pedophile priest Marcial Maciel, as outlined in the above paragraphs.

i) This indicates beyond reasonable doubt that, contrary to what the authorities of the Holy See argue, we are not simply in the presence of isolated behavior protected by dishonest individuals. These are actual crimes of state, through which the dignity and human rights of the boys and girls who were victims of such abhorrent behavior were severely damaged, which raises the need for the United Nations, through the Committee, to put a stop to this structural pathology and vindicate the victims.

j) Therefore, it is clear that the Holy See - Vatican State flagrantly violated the obligations provided for in Sections 2, 3, 4, 16 and 19 of the Convention on the Rights of the Child, incurring in international responsibility in the terms of and for the effects of Resolution 56/83 on the “Responsibility of the State for Internationally Illicit acts,” passed by the United Nations General Assembly on December 12, 2001.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Conclusions**

- a) The Holy See's answer is clearly unacceptable.
- b) It is utterly false that the Holy See and the officials comprising it, have no responsibility for the aberrant behavior displayed by pedophile members of the Mexican Catholic Church.
- c) These behaviors were encouraged causally and directly by institutional policies and the conspiracy of silence of the Holy See and officials within it.
- d) They are therefore basically state crimes, since pedophile behaviors were encouraged, tolerated, protected and concealed at the highest level of the organized Vatican power structure.
- e) Therefore, the Holy See - Vatican State violated the mandatory provisions of the Convention on the Rights of the Child and incurred in international responsibility that should by no means be overlooked.

### **Recommendations**

The Committee is asked to achieve the following:

- To have the Holy See authorities explain how it was that, despite having information on the case of Father Marcial Maciel since the 1940s and despite complaints from local authorities and several victims for years and having received and accepted a formal complaint submitted to the Congregation for the Doctrine of the Faith in 1998 and beginning a trial in 2005, naming as attorney Monsignor Charles Scicluna, the Holy See never reported to the appropriate civil authorities nor did it keep the pedophile away from the victims or even dare to conduct a trial. Instead, it sent Maciel home, allowing the abuser to continue committing criminal offenses against children and even his own children and it was not until 2010, after another investigation appointed by the Pope and organized by the Holy See, did it publicly acknowledge that he had been an actual criminal who had committed genuinely "serious crimes."
- To publish all documents and records in possession of the various dicasteries and departments of the Holy See (including the Secretariat of State), the Vatican and the private files of the popes (from Pius XII to Francis), concerning the sexual abuse of children by Catholic priests in Mexico, from the Marcial Maciel cases to others that have not yet been made public.

- To determine whether the Holy See was involved with Cardinals Mahony and Rivera in arranging for Nicolás Aguilar's escape from Los Angeles in 1989 when 26 allegations of his sexual abuse of minors already existed.
- Explain how it was possible that during the process of the beatification of Pope John Paul II, despite all the internal, procedural and public information discussed here, Cardinal Levada, Prefect of the Holy See and Head of the Dicastery that officially deals with all cases of clerical pedophilia, reported that there was no "important material" about which Pope John Paul should have known. Consequently, since the Pope did not know of this material, despite being the highest authority of the Holy See, the Catholic Church and the Vatican State, regardless of whether he was informed (which implies the responsibility of the immediate authorities,) the Pope, because of his position and responsibility "must have known," and even if he did not know, this does not exempt him from responsibility due to the position he occupied in the organization during that period.
- We therefore publicly request that the canonization of Pope John Paul II be stopped until these points are clarified, because publicly promoting him as an example to be followed among members of his organization and even for public opinion, particularly for children and young people, could cause serious confusion about cases like this.

**Individuals and Organizations that support the present report**  
**(alphabetical order).**

Abraham Rojas Martínez	Enrique Marquez
Abril Violeta Zarco Iturbe	Eric Barragán Burgueño
Aidé García Hernández	Fátima Moneta Arce
Alberto Athié	Fernando M. González
Alan Issac Rodríguez Gómez	Flor Alegría Mar
Alejandra Verenice González Pérez	Francisco Javier Díaz Álvarez
Alejandra Sotelo C.	Gabriela Cano
Alicia Carriquiriborde	Gabriela Delgado Ballesteros
Alma Celia San Martín	Gabriela Juárez Palacios
Alma Sánchez	Griselda Razo García
Alma Viviana Martínez Pena	Gustavo Ortiz Millán
Ana Lidia Murillo Camacho	Héctor Casillas Martínez
Andrea Gutiérrez Padilla	Héctor Mendoza
Andrea Márquez Guzmán	Imelda Marrufo Nava
Angélica Pineda Bojórquez	Irma Alma Ochoa Treviño
Angélica Rubio Balderas	Jacobo Dayán Askenazi
Arnoldo Kraus	Javier García Tinoco
Asunción Álvarez	Jesús Cruzvillegas Fuentes
Bernardo Barranco Villafán	Jesús López Lobato
Bertha Elena Munguía Gil	Jhonatan Iván Gómez Elizondo
Camilo Albornoz	Joaquin Aguilar Méndez
Carlos Arturo Ventura Callejas	Jorge Alberto Reyes López
Carmen Aristegui	Jorge Robles
Carmen Boullosa	José Alfonso Suárez Del Real y Aguilera
Clara Gabriela Meyra Segura	José Barba
Claudia Cruz	José Guadalupe Sánchez Suárez
Claudia Zulema Robles Gómez	José Luis Caballero
Diego Antonio Contreras Rodríguez	José Tena Rodríguez
Enrique González Ruiz	

Juan De Jesús Ramos Gutiérrez  
Juan Pedro Barbosa García  
Judith Vázquez Arreola  
Julián Cruzalta Aguirre  
Julieta Hernández González  
Karime Suri Salvatierra  
Laura Gutierrez López  
Leopoldo Best Guzmán  
Lilia Monroy Limón  
Lol Kim Castañeda Badillo  
Lourdes Ontiveros S.B.  
Luz Ángela Cardona Acuña  
Ma. Laura Manrique Nava  
Mali Haddad  
Margarita Argott Cisneros  
María Andrea González Benassini  
María Consuelo Mejía Piñeros  
María Del Carmen de Lara  
María Eugenia Robles Olvera  
María Teresa Fernández Vázquez  
Mariana Winocur  
Mariaurora Mota  
Maribel Luna Martínez  
Marisa Belausteguigoitia  
Martha Recaséns Díaz De León  
Martha Tagle  
Maylí Sepúlveda Toledo  
Miguel Moguel

Miguel Rábago Dorbecker  
Mireya Figueroa Bautista  
Norma Chavarría  
Omar Rabindranath Godínez Ortega  
Óscar Chávez Lanz  
Patricia Margarita Hernández  
Ramírez  
Pilar Noriega  
María Jiménez Díaz  
Raquel Rodríguez Martínez  
Raffaela Schiavon  
Regina Gonzalo Ortuñez  
René Ortiz M.  
Roberto Andrés Guadarrama  
Barretero  
Roberto Mañón Garibay  
Rocío Díaz  
Rocío Lombera González  
Rodolfo Echeverría  
Rosa Luisa Acuña Rendón  
Rosario Guerra  
Selma González Serratos  
Simón Pablo Sandoval Rubio  
Sonia Franco Martínez  
Tania Marisol Ramos González  
Tania Ramírez Hernández  
Teresa Candela  
Yadira Aldana Tovar  
Zoila Ríos Toledo

16 Redes de Promotores en Derechos Humanos, A.C

ABC, Acción Para El Bienestar Ciudadano Con Derechos Humanos Y Democracia

Acciona A.C.

ADIVAC, Asociación para el Desarrollo Integral de Personas Violadas, A.C.

Alianza Democrática de Organismos Civiles

Arthemisas por la Equidad, A.C.

Asociación Sinaloense de Universitarias

Asociación Mexicana De Reflexión Teológica Feminista, A.C.

Babelsur/Centro de Investigación Política y Alternativas Sociales, A.C.

Campaña Femicidio Nunca Más

Católicas por el Derecho a Decidir A.C.

Cauce Ciudadano A.C.

Centro de Apoyo Solidario, Documentación y Estudio, A.C

Centro de Derechos Humanos de las Mujeres

Centro de Estudios Ecuménicos A.C.

Centro de Estudios Sociales y Culturales Antonio de Montesinos A.C.

Colectivo Mujer y Utopía

Comité De Derechos Humanos Ajusco

Comunidad Red Sol, A.C.

Consortio para el Diálogo Parlamentario y la Equidad A.C.

Convergencia de Organismos Civiles

Coordinadora Popular De Madres Educadoras, COPOME

Defensoría de los Derechos de la Infancia, A.C.

El Armario Abierto

Elige, Red De Jóvenes Por Los Derechos Sexuales Y Reproductivos, A.C.

Enclave, Equidad Social y Transparencia, A.C.

Enlace, Comunicación Y Capacitación A.C.

Federación Mexicana de Educación Sexual y Sexología, A.C., FEMESS

Foro Intereclesiástico Mexicano A.C.

Frente Nacional para el Desarrollo "Emiliano Castillo"

Fundación Diego Lucero A.C.

Género, Etica y Salud Sexual A.C.

Grupo de Información en Reproducción Elegida, GIRE

Grupo de Mujeres San Cristobal de las Casas A.C.

Grupo Interdisciplinario De Sexología, A.C.

Iglesia de Scientology México

Iniciativa Ciudadana y Desarrollo Social, INCIDE Social A. C.

Inova Fundación, A.C.

Instituto de Acción Ciudadana para la Justicia y la Democracia A.C.

Instituto Mexicano De Derechos Humanos Y Democracia A.C.

Ipas México A.C.

Mujeres Barzonistas

Mujeres por México en Chihuahua, A. C.

Mujeres Unidas Ympia de Gouges, A.C.

Observatorio contra la Trata  
Observatorio de Violencia Social y  
de Género en Campeche  
Observatorio Eclesial  
Red de Mujeres Indígenas de  
Campeche  
Red de Mujeres Lesbianas  
Red de Mujeres y Hombres por una  
Opinión Pública con Perspectiva de  
Género en Campeche  
Red Democracia y Sexualidad,  
DEMYSEX (Red conformada por  
200 organizaciones en 21 estados)  
Red Mesa de Mujeres de Ciudad  
Juárez  
Red Nacional de Periodistas

Red por los Derechos de la Infancia,  
REDIM  
Red RETOÑO para la Prevención  
de la Delincuencia Organizada  
Red Unida de Organizaciones de la  
Sociedad Civil A.C.  
Servicio Internacional Cristiano en  
Solidaridad con América Latina  
"Oscar Arnulfo Romero" SICSAL  
Servicios de Inclusión Integral A.C.  
SNAP MEXICO A.C.  
Sociedad Unidad por los Derechos  
Humanos A.C.  
TRI GAY, S.C.  
Unión Popular Valle Gómez, A.C.