

APOSTOLIC LETTER
ISSUED MOTU PROPRIO

OF THE SUPREME PONTIFF
FRANCIS

"VOS ESTIS LUX MUNDI"

«*You are the light of the world; a city that stands on a mountain cannot remain hidden*» (Mt 5:14).

Our Lord Jesus Christ calls every believer to be a shining example of virtue, integrity and holiness. All of us, in fact, are called to give concrete witness to faith in Christ in our lives and, in particular, in our relationship with our neighbour.

Crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, may no longer occur, a continuous and profound conversion of hearts is needed, attested to by concrete and effective actions that involve everyone in the Church, so that personal holiness and moral commitment can contribute to promoting the full credibility of the Gospel proclamation and the effectiveness of the Church's mission. This becomes possible only with the grace of the Holy Spirit poured into hearts, because we must always remember Jesus' words: "*Apart from me you can do nothing*" (Jn 15:5). Although much has already been done, we must continue to learn from the bitter lessons of the past, to look with hope to the future.

This responsibility falls, first of all, on the successors of the Apostles, appointed by God to guide his people, and demands of them the commitment to follow closely in the footsteps of the Divine Master. By reason of their ministry, in fact, they govern "*the particular Churches entrusted to them as vicars and legates of Christ, with counsel, persuasion, example, but also with authority and sacred power, which, however, they use only to build up their flock in truth and holiness, remembering that he who is greater must do as the least, and who is the leader, as he who serves*" (Conc. Ecum. Vat. II, Const. *Lumen gentium*, 27).

What is most stringently concerned with the successors of the Apostles, it concerns all those who in various ways assume ministries in the Church, profess the evangelical counsels or are called to serve the Christian people. Therefore, it is good that procedures be adopted at the universal level to prevent and combat these crimes that betray the trust of the faithful.

To this end, on 7 May 2019 I promulgated an apostolic letter in the form of *Motu Proprio* containing norms *ad experimentum* for a three-year period.

Now, after the appointed time,

Having regard to the observations received from the Episcopal Conferences and Dicasteries of the Roman Curia, having evaluated the experience of these years, in order to encourage a better application of what has been established,

without prejudice to the provisions of the Code of Canon Law and the Code of Canons of the Eastern Churches in penal and procedural matters,

I have:

TITLE I

GENERAL PROVISIONS

Art. 1 – Scope

§ 1. These norms apply in the case of reports concerning clerics, members of Institutes of Consecrated Life or Societies of Apostolic Life and moderators of international associations of the faithful recognized or erected by the Apostolic See concerning:

a)

* a crime against the Sixth Commandment of the Decalogue committed by violence or threat or by abuse of authority, or by forcing someone to perform or undergo sexual acts;

** a crime against the sixth commandment of the Decalogue committed with a minor or with a person who habitually has an imperfect use of reason or with a vulnerable adult;

the immoral purchase, storage, exhibition or disclosure, in any way and by any means, of pornographic images of minors or of persons who habitually have an imperfect use of reason;

the recruitment or inducement of a minor or a person who habitually has an imperfect use of reason or of a vulnerable adult to show himself or herself pornographically or to participate in real or simulated pornographic performances;

b) conduct carried out by the persons referred to in Article 6, consisting of actions or omissions aimed at interfering with or evading civil investigations or canonical, administrative or criminal investigations, against one of the subjects referred to in § 1 above regarding the crimes referred to in letter a) of this paragraph.

§ 2. For the purposes of these rules, the following definitions shall apply:

(a) '*minor*' means any person under eighteen years of age; the child is treated as a person habitually with imperfect use of reason;

(b) '*vulnerable adult*' means any person in a state of infirmity, physical or mental deficiency or deprivation of liberty which in fact, even occasionally, limits his or her capacity to understand or to want or otherwise to resist the offence;

(c) '*child pornography material*' means any representation of a minor, regardless of the medium used, engaged in explicit sexual activities, whether actual or simulated, and any representation of the sexual organs of minors for lust or profit.

Art. 2 – Receipt of reports and data protection

§ 1. Taking into account any indications adopted by the respective Episcopal Conferences, by the Synods of Bishops of the Patriarchal Churches and Major Archiepiscopal Churches, or by the Councils of Hierarchs of the Metropolitan Churches *sui iuris*, the Dioceses or Eparchies, individually or together, must be provided with bodies or offices easily accessible to the public for the reception of reports. Reports must be submitted to these ecclesiastical bodies or offices.

§ 2. The information referred to in this article shall be protected and processed in such a way as to guarantee its security, integrity and confidentiality in accordance with canons 471, 2nd CIC and 244 § 2, 2nd CCEO.

§ 3. Except as provided in article 3 § 3, the Ordinary who has received the report transmits it without delay to the Ordinary of the place where the events allegedly took place, as well as to the Ordinary proper to the person reported. Unless otherwise agreed between the two Ordinaries, it is the task of the Ordinary of the place where the facts would have taken place to proceed according to the norm of law according to what is provided for the specific case.

§ 4. For the purposes of the present title, Eparchies are equated with Dioceses and the Hierarch is equated with the Ordinary.

Art. 3 – Reporting

§ 1. Except in the case of knowledge of the news by a cleric in the exercise of the ministry in the internal forum, whenever a cleric or a member of an Institute of Consecrated Life or of a Society of Apostolic Life has knowledge or reasonable grounds to believe that one of the acts referred to in Article 1 has been committed, has the obligation to report it promptly to the Ordinary of the place where the events would have occurred or to another Ordinary among those referred to in canons 134 CIC and 984 CCEO, except as established by § 3 of this article.

§ 2. Any person, in particular the lay faithful who hold offices or exercise ministries in the Church, may submit an alert concerning any of the facts referred to in article 1, using the procedures referred to in the preceding article or in any other appropriate way.

§ 3. Where the alert concerns one of the persons referred to in Article 6, it shall be addressed to the Authority identified in accordance with Articles 8 and 9. The report can always be addressed to the competent Dicastery, directly or through the Pontifical Representative. In the first case, the Dicastery informs the Pontifical Representative.

§ 4. The report must contain the most detailed elements possible, such as indications of time and place of the facts, of the persons involved or informed, as well as any other circumstance that may be useful in order to ensure an accurate assessment of the facts.

§ 5. News can also be acquired *ex officio*.

Art. 4 – Protection of the person submitting the report

§ 1. Issuing an alert pursuant to Article 3 shall not constitute a breach of professional secrecy.

§ 2. Except as provided for in canon 1390 CIC and canons 1452 and 1454 CCEO, prejudice, retaliation or discrimination for submitting a report are prohibited and may supplement the conduct referred to in Article 1 § 1, letter b).

§ 3. To those who make a report, to the person who claims to have been offended and to the witnesses can not be imposed any obligation of silence regarding the content of it, without prejudice to the provisions of art. 5 § 2.

Art. 5 – Personal care

§ 1. The ecclesiastical authorities are committed to ensuring that those who claim to have been offended, together with their families, are treated with dignity and respect, and offer them, in particular:

- a) welcoming, listening and accompaniment, also through specific services;
- b) spiritual assistance;
- (c) medical, therapeutic and psychological assistance, depending on the specific case.

§ 2. However, the legitimate protection of the good reputation and privacy of all persons involved, as well as the confidentiality of personal data, must be safeguarded. The presumption referred to in art. 13 § 7, without prejudice to the provisions of art. 20.

TITLE II

PROVISIONS CONCERNING BISHOPS AND EQUIVALENT

Art. 6 – Subjective scope of application

The procedural rules referred to in this Title shall relate to the offences and conduct referred to in Article 1 carried out by

- a) Cardinals, Patriarchs, Bishops and Legates of the Roman Pontiff;
- b) clerics who are or who have been entrusted with the pastoral guidance of a particular Church or of an entity assimilated to it, Latin or Eastern, including personal Ordinariates, for acts committed *during munere*;
- c) clerics who are or who have been appointed to the pastoral leadership of a personal prelate, for acts committed *during munere*;
- d) clerics who are or have been at the head of a public clerical association with the faculty to incardinate, for acts committed *during munere*;
- e) those who are or have been Supreme Moderators of Institutes of Consecrated Life or Societies of Apostolic Life of Pontifical Right, as well as of Monasteries *sui iuris*, for acts committed *during munere*;

f) lay faithful who are or have been Moderators of international associations of the faithful recognized or erected by the Apostolic See, for acts committed *during munere*.

Art. 7 – Competent Dicastery

§ 1. For the purposes of this title, "competent Dicastery" means the *Dicastery* for the Doctrine of the Faith, with regard to the crimes reserved to it by the norms in force, as well as, in all other cases and to the extent of their respective competence according to the law proper to the Roman Curia:

- the Dicastery for the Oriental Churches;
- the Dicastery for Bishops;
- the Dicastery for Evangelization;
- the Dicastery for the Clergy;
- the Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life.
- the Dicastery for the Laity, Family and Life.

§ 2. In order to ensure the best coordination, the competent Dicastery informs the Secretariat of State and the other Dicasteries directly concerned of the report and the outcome of the investigation.

§ 3. The communications referred to in this title between the Metropolitan and the Holy See shall take place through the Papal Representative.

Art. 8 – Procedure applicable in case of reporting concerning a Bishop of the Latin Church and other subjects referred to in art. 6

§ 1. The Authority that receives a report transmits it both to the competent Dicastery and to the Metropolitan of the ecclesiastical Province in which the reported person is domiciled.

§ 2. If the report concerns the Metropolitan, or the Metropolitan See is vacant, it is forwarded to the Holy See, as well as to the most senior suffragan Bishop for promotion to whom, in this case, the following provisions concerning the Metropolitan apply. Likewise, the Holy See is forwarded the report concerning those who are at the pastoral head of ecclesiastical circumscriptions immediately subject to the Holy See itself.

§ 3. In the event that the report concerns a Papal Legate, it is transmitted directly to the Secretariat of State.

Art. 9 – Procedure applicable to Bishops of the Eastern Churches and other subjects referred to in art. 6

§ 1. In the case of reporting to a Bishop, or an equivalent subject, of a Patriarchal, Major Archiepiscopal or Metropolitan Church *sui iuris*, it is forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church *sui iuris*.

§ 2. If the report concerns a Metropolitan of a Patriarchal Church or Major Archiepiscopal Church, who exercises his office within the territory of these Churches, it is forwarded to the respective Patriarch or Major Archbishop.

§ 3. In the preceding cases, the Authority that received the report also forwards it to the Dicastery for the Oriental Churches.

§ 4. If the person reported is a Bishop or Metropolitan outside the territory of the Patriarchal, Major Archbishopric or Metropolitan Church *sui iuris*, the report is forwarded to the Dicastery for the Oriental Churches which, if it deems it appropriate, informs the competent Patriarch, Major Archbishop or Metropolitan *sui iuris*.

§ 5. In the event that the report concerns a Patriarch, a Major Archbishop, a Metropolitan of a Church *sui iuris* or a Bishop of the other Eastern Churches *sui iuris*, it is forwarded to the Dicastery for the Oriental Churches.

§ 6. The following provisions relating to the Metropolitan shall apply to the ecclesiastical authority to which the report is forwarded on the basis of this article.

Art. 10 – Procedure applicable to Supreme Moderators of Institutes of Consecrated Life or Societies of Apostolic Life

If the report concerns those who are or have been Supreme Moderators of Institutes of Consecrated Life or Societies of Apostolic Life of Pontifical Right, as well as of monasteries *sui iuris* present in the Urbe and in the suburbicarian Dioceses, it is forwarded to the competent Dicastery.

Art. 11 – Initial duties of the Metropolitan

§ 1. The Metropolitan who receives the report immediately asks the competent Dicastery for the task of starting the investigation.

§ 2. The Dicastery shall promptly and in any case within thirty days of receipt of the first report from the Pontifical Representative or the request for the assignment from the Metropolitan, provide the appropriate instructions regarding how to proceed in the concrete case.

§ 3. If the Metropolitan considers the report manifestly unfounded, through the Pontifical Representative, he informs the competent Dicastery and, unless otherwise provided by the latter, orders its archiving.

Art. 12 – Entrustment of the investigation to a person other than the Metropolitan

§ 1. If the competent Dicastery, after consulting the Pontifical Representative, deems it appropriate to entrust the investigation to a person other than the Metropolitan, the latter shall be informed. The Metropolitan delivers all relevant information and documents to the person appointed by the Dicastery.

§ 2. In the case referred to in the preceding paragraph, the following provisions relating to the Metropolitan shall apply to the person in charge of conducting the investigation.

Art. 13 – Conduct of the investigation

§ 1. The Metropolitan, once he has obtained the task from the competent Dicastery and in compliance with the instructions received on the way to proceed, personally or through one or more suitable persons:

(a) collect relevant information on the facts;

b) access the information and documents necessary for the purpose of the investigation kept in the archives of ecclesiastical offices;

c) obtains the collaboration of other Ordinaries or Hierarchs, where necessary;

d) request information, if it deems it appropriate and in compliance with the provisions of § 7 below, from persons and institutions, including civil ones, who are able to provide useful elements for the investigation.

§ 2. If it becomes necessary to hear a minor or a vulnerable adult, the Metropolitan shall adopt appropriate modalities, which take into account their condition and the laws of the State.

§ 3. In the event that there are reasonable grounds to believe that information or documents concerning the investigation may be misappropriated or destroyed, the Metropolitan shall take the necessary measures for their preservation.

§ 4. Even when using other persons, the Metropolitan remains responsible for the direction and conduct of the investigations, as well as for the timely execution of the instructions referred to in Article 11 § 2.

§ 5. The Metropolitan is assisted by a notary freely chosen in accordance with canons 483 § 2 CIC and 253 § 2 CCEO.

§ 6. The Metropolitan is required to act impartially and free from conflicts of interest. If he considers that he is in conflict of interest or that he is unable to maintain the necessary impartiality to guarantee the integrity of the investigation, he is obliged to abstain and to report the circumstance to the competent Dicastery.

Likewise, anyone who considers that there is such a conflict of interest in the case is obliged to contact the competent Dicastery.

§ 7. The suspect is always recognized the presumption of innocence and the legitimate protection of his good reputation.

§ 8. The Metropolitan, if requested by the competent Dicastery, informs the person of the investigation against him, hears him on the facts and invites him to present a defensive statement. In such cases, the suspect may have recourse to a prosecutor.

§ 9. Periodically, according to the indications received, the Metropolitan transmits to the competent Dicastery an information on the status of the investigations.

Art. 14 – Involvement of qualified persons

§ 1. In accordance with any directives of the Episcopal Conference, the Synod of Bishops or the Council of Hierarchs on how to assist the Metropolitan in investigations, it is very fitting that the Bishops of the respective Province, individually or together, should establish lists of qualified persons from which the Metropolitan may choose those most suitable to assist him in the investigation, according to the needs of the case and, in particular, taking into account the cooperation that can be offered by the laity under canons 228 CIC and 408 CCEO.

§ 2. The Metropolitan is however free to choose other equally qualified persons.

§ 3. Anyone assisting the Metropolitan in the investigation is required to act impartially and free from conflicts of interest. If he considers that he has a conflict of interest or is unable to maintain the necessary impartiality to guarantee the integrity of the investigation, he is obliged to abstain and to report the circumstance to the Metropolitan.

§ 4. The persons who assist the Metropolitan take an oath to properly and faithfully fulfill the task, in compliance with the provisions of art. 13 § 7.

Art. 15 – Duration of the investigation

§ 1. Investigations must be concluded within a short time and in any event within that indicated in the instructions referred to in Article 11 § 2.

§ 2. In the presence of just reasons and after having transmitted information on the status of the investigations, the Metropolitan may request an extension of the deadline to the competent Dicastery.

Art. 16 – Precautionary measures

If the facts or circumstances so require, the Metropolitan proposes to the competent Dicastery the adoption of appropriate measures or precautionary measures against the suspect. The Dicastery adopts the measures, after consulting the Pontifical Representative.

Art. 17 – Establishment of a fund

§ 1. The ecclesiastical provinces, the Episcopal Conferences, the Synods of Bishops and the Councils of Hierarchs may establish a fund intended to bear the costs of investigations, established in accordance with canons 116 and 1303 § 1, 1st CIC and 1047 CCEO, and administered according to the norms of canon law.

§ 2. At the request of the Metropolitan in charge, the funds necessary for the purposes of the investigation shall be made available to him by the administrator of the fund, subject to the duty to submit to the latter an account at the end of the investigation.

Art. 18 – Transmission of documents and *votum*

§ 1. Once the investigation has been completed, the Metropolitan transmits the original of the acts to the competent Dicastery together with his *vote* on the results of the investigation and

in response to any questions posed in the instructions referred to in article 11 § 2. A copy of the acts is kept in the Archives of the competent Pontifical Representative.

§ 2. Unless subsequently instructed by the competent Dicastery, the Metropolitan's faculties cease once the investigation has been completed.

§ 3. In compliance with the instructions of the competent Dicastery, the Metropolitan, upon request, informs the person who claims to have been offended and, if necessary, the person who made the report or their legal representatives, of the outcome of the investigation.

Art. 19 – Subsequent measures

The competent Dicastery, unless it decides to order a supplementary investigation, proceeds in accordance with the law as provided for the specific case.

Art. 20 – Compliance with state laws

These rules apply without prejudice to the rights and obligations established in each place by state laws, particularly those concerning any reporting obligations to the competent civil authorities.

I establish that the present Apostolic Letter issued Motu Proprio be promulgated by publication in L'Osservatore Romano, entering into force on April 30, 2023, and then being published in the Acta Apostolicae Sedis. With its entry into force, the previous Apostolic Letter in the form of Motu Proprio promulgated on 7 May 2019 is abrogated.

Given in Rome, at Saint Peter's, on 25 March 2023, the Solemnity of the Annunciation of the Lord, eleventh of the Pontificate.

FRANCIS