



APOSTOLIC LETTER
ISSUED MOTU PROPRIO

BY THE SUPREME PONTIFF
FRANCIS

"VOS ESTIS LUX MUNDI"

"You are the light of the world. A city set on a hill cannot be 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 of faith in Christ in our lives and, in particular, in our relationship with others.

The 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, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church's mission. This becomes possible only with the grace of the Holy Spirit poured into our hearts, as we must always keep in mind the words of Jesus: "Apart from me you can do nothing" (Jn 15:5). Even if so much has already been accomplished, we must continue to learn from the bitter lessons of the past, looking with hope towards the future.

This responsibility falls, above all, on the successors of the Apostles, chosen by God to be pastoral leaders of his People, and demands from them a commitment to follow closely the path of the Divine Master. Because of their ministry, in fact, Bishops, "as vicars and legates

of Christ, govern the particular churches entrusted to them by their counsel, exhortations, example, and even by their authority and sacred power, which indeed they use only for the edification of their flock in truth and holiness, remembering that he who is greater should become as the lesser and he who is the chief become as the servant” (Second Vatican Council, Dogmatic Constitution *Lumen Gentium*, 27). What more closely concerns the successors of the Apostles concerns all those who, in various ways, assume ministries in the Church, or profess the evangelical counsels, or are called to serve the Christian People. Therefore, it is good that procedures be universally adopted to prevent and combat these crimes that betray the trust of the faithful.

In this regard, I promulgated an Apostolic Letter issued *Motu Proprio* on 7 May 2019 containing norms *ad experimentum* for three years.

Now that this period has passed, taking into consideration the observations of the Episcopal Conferences and the Dicasteries of the Roman Curia, having evaluated the experience of these past years, and in order to facilitate an improved application of what has been established, without prejudice to the penal and procedural provisions set forth in the Code of Canon Law and the Code of Canons of the Eastern Churches, I decree:

TITLE I

GENERAL PROVISIONS

Art. 1 – Scope of application

§1. These norms apply to reports regarding clerics or 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)

* delict against the sixth commandment of the Decalogue committed through violence or threat or through abuse of authority, or by forcing someone to perform or submit to sexual acts;

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

*** the immoral acquisition, possession, exhibition or distribution, in any way or by any means, of pornographic images of minors or of persons who habitually have imperfect use of reason;

**** the recruitment or inducement of a minor or of a person who habitually has imperfect use of reason or of a vulnerable adult to pose in a pornographic manner or to participate in real or simulated pornographic exhibitions;

b) conduct carried out by the subjects referred to in art. 6, consisting of actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against one of the subjects indicated in §1 regarding the delicts referred to in letter a) of this paragraph.

§2. For the purposes of these norms,

a) "*minor*": means any person under the age of eighteen; equivalent to a minor is a person who habitually has imperfect use of reason;

b) "*vulnerable adult*": means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence;

c) "*child pornography*": means any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for lewd purposes or for profit.

Art. 2 – Reception of reports and data protection

§1. Taking into account the provisions that may be adopted by the respective Episcopal Conferences, by the Synods of the Bishops of the Patriarchal Churches and the Major Archiepiscopal Churches, or by the Councils of Hierarchs of the Metropolitan Churches *sui iuris*, the Dioceses or the Eparchies, individually or together, must provide for institutions or offices that are easily accessible to the public for the submission of reports. The reports are to be submitted to these ecclesial institutions and offices.

§2. The information referred to in this article is protected and treated in such a way as to guarantee its safety, integrity and confidentiality pursuant to canons 471, 2° CIC and 244 §2, 2° CCEO.

§3. Except as provided for by art. 3 §3, the Ordinary who received the report shall transmit it without delay to the Ordinary of the place where the events are said to have occurred, as well as to the Ordinary of the person reported. Unless otherwise agreed upon by the two Ordinaries, it is the responsibility of the Ordinary of the place where the events are said to have occurred to proceed according to the law provided for the specific case.

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

Art. 3 – Reporting

§1. Except for when a cleric learns of information during the exercise of ministry in the internal forum, whenever a cleric or a member of an Institute of Consecrated Life or of a Society of Apostolic Life learns, or has well-founded motives to believe, that one of the acts referred to in art. 1 has been committed, that person is obliged to report it promptly to the local Ordinary where the events are said to have occurred or to another Ordinary among those referred to in canons 134 CIC and 984 CCEO, except for what is established by §3 of the present article.

§2. Any person, in particular the lay faithful who serve in offices or exercise ministries in the Church, can submit a report concerning one of the acts referred to in art. 1, using the methods referred to in the preceding article, or by any other appropriate means.

§3. When the report concerns one of the persons indicated in art. 6, it is to be addressed to the Authority identified on the basis of articles 8 and 9. The report can always be sent to the competent Dicastery directly or through the Pontifical Representative. If the first option is chosen, the Dicastery will inform the Pontifical Representative about the matter.

§4. The report must include as many particulars as 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. Information can also be acquired *ex officio*.

Art. 4 – Protection of the person submitting the report

§1. Making a report pursuant to article 3 shall not constitute a violation of office confidentiality.

§2. Except as provided for by canons 1390 CIC and 1452 and 1454 CCEO, prejudice, retaliation or discrimination as a consequence of having submitted a report is prohibited and may constitute the conduct referred to in article 1 §1, letter b).

§3. An obligation to keep silent may not be imposed on the person claiming to have suffered as a result of a delict or on the witnesses with regard to the contents of their report, without prejudice to the provisions of article 5 §2.

Art. 5 – Care for persons

§1. The ecclesiastical Authorities shall commit themselves to ensuring that those who state that they have been harmed, together with their families, are to be treated with dignity and respect, and, in particular, are to be:

- a) welcomed, listened to and supported, including through provision of specific services;
- b) offered spiritual assistance;
- c) offered medical assistance, including therapeutic and psychological assistance, as required by the specific case.

§2. The legitimate protection of the good name and the privacy of all persons involved, as well as the confidentiality of their personal data, must be ensured. To the aforementioned persons the presumption addressed in article 13 §7 shall apply, without prejudice to the provisions of article 20.

TITLE II

PROVISIONS CONCERNING BISHOPS AND THEIR EQUIVALENTS

Art. 6 – Subjective scope of application

The procedural norms referred to in this title concern the delicts 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, the pastoral heads of a particular Church or of an entity assimilated to it, Latin or Oriental, including the Personal Ordinariates, for acts committed *durante munere*;
- c) clerics who are or who were entrusted with the pastoral leadership of a Personal Prelature, for acts committed *durante munere*;
- d) clerics who are or who were leaders of public clerical associations with the faculty of incardination, for acts committed *durante munere*;
- e) those who are or who were Supreme Moderators of Institutes of Consecrated Life or of Societies of Apostolic Life of Pontifical right, as well as of monasteries *sui iuris*, for acts committed *durante munere*.
- f) lay faithful who are or who were Moderators of international associations of the faithful recognized or erected by the Apostolic See, for acts committed *durante munere*.

Art. 7 – Competent Dicastery

§1. For the purposes of this title, “competent Dicastery” means the Dicastery for the Doctrine of the Faith, regarding the delicts reserved to it by the norms in force, as well as

in all other cases and as far as their respective jurisdiction is concerned based on the proper law of the Roman Curia:

- the Dicastery for the Eastern 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, the 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 take place through the Pontifical Representative.

Art. 8 – Procedure applicable in the event of a report concerning a Bishop of the Latin Church and other subjects listed in article 6

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

§2. If the report concerns the Metropolitan, or the Metropolitan See is vacant, it shall be forwarded to the Holy See, as well as to the suffragan Bishop who is senior by promotion, to whom, if such is the case, the following provisions regarding the Metropolitan apply. The report is likewise forwarded to the Holy See when it concerns those who have pastoral leadership of ecclesiastical circumscriptions immediately subject to the Holy See.

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

Art. 9 – Procedure applicable to Bishops of Eastern Catholic Churches and other subjects listed in article 6

§1. Reports concerning a Bishop, or an equivalent subject, of a Patriarchal Church, Major Archiepiscopal or Metropolitan Church *sui iuris* shall be forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church *sui iuris*.

§2. If the report concerns a Metropolitan of a Patriarchal 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 who receives the report shall also forward it to the Dicastery for the Eastern Churches.

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

§5. If the report concerns a Patriarch, a Major Archbishop, a Metropolitan of a Church *sui iuris* or a Bishop of the other Eastern Catholic Churches *sui iuris*, it shall be forwarded to the Dicastery for the Eastern Churches.

§ 6. The following provisions relating to the Metropolitan apply to the ecclesiastical Authority to which the report is to be forwarded based on this article.

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

If the report concerns those who are or who were Supreme Moderators of Institutes of Consecrated Life and Societies of Apostolic Life of Pontifical right, including monasteries *sui iuris* in Rome or 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 requests that he be appointed by the competent Dicastery to begin the investigation.

§2. The Dicastery shall promptly provide, within thirty days from the receipt of the first report by the Pontifical Representative or the request for the appointment by the Metropolitan, the appropriate instructions on how to proceed in the specific case.

§3. If the Metropolitan considers the report manifestly unfounded, he shall inform the competent Dicastery through the Pontifical Representative, and unless otherwise instructed by the Dicastery, will archive the report.

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

§1. If the competent Dicastery, after consulting the Pontifical Representative, considers it appropriate to entrust the investigation to a person other than the Metropolitan, the

Metropolitan is so informed. The Metropolitan delivers all relevant information and documents to the person appointed by the Dicastery.

§2. In the case referred to in the previous paragraph, the following provisions concerning the Metropolitan also apply to the person charged with conducting the investigation.

Art. 13 – Carrying out the investigation

§1. Once he has been appointed by the competent Dicastery and acting in accordance with the instructions received on the manner of proceeding, the Metropolitan, either personally or through one or more suitable persons:

- a) collects relevant information regarding the facts;
- b) accesses the information and documents necessary for the purpose of the investigation kept in the archives of ecclesiastical offices;
- c) obtains the cooperation of other Ordinaries or Hierarchs whenever necessary;
- d) if deemed appropriate and with respect to the provisions of §7 of this article, requests information from individuals and institutions, including civil institutions, that are able to provide useful elements for the investigation.

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

§3. In the event that there are well-founded motives to conclude that information or documents concerning the investigation are at risk of being removed or destroyed, the Metropolitan shall take the necessary measures for their preservation.

§4. Even when making use of other persons, the Metropolitan nevertheless remains responsible for the direction and conduct of the investigation, as well as for the timely execution of the instructions referred to in art. 11 §2.

§5. The Metropolitan shall be assisted by a notary freely appointed pursuant to canons 483 §2 CIC and 253 §2 CCEO.

§6. The Metropolitan is required to act impartially and free of conflicts of interest. If he considers himself to have a conflict of interest or is unable to maintain the necessary impartiality to guarantee the integrity of the investigation, he is obliged to recuse himself and report the circumstance to the competent Dicastery. Likewise, anyone who believes there is a conflict of interest in the case is required to inform the competent Dicastery.

§7. The person under investigation always enjoys the presumption of innocence and the legitimate protection of his or her good name.

§ 8. The Metropolitan, if requested by the competent Dicastery, informs the person of the investigation concerning him/her, hears his/her account of the facts and invites him/her to present a brief in defence. In such cases, the investigated person may be assisted by legal counsel.

§9. In accordance with the instructions received, the Metropolitan periodically sends a status report on the state of the investigation to the competent Dicastery.

Art. 14 – Involvement of qualified persons

§1. In accordance with any possible directives of the Episcopal Conference, of the Synod of Bishops or of the Council of Hierarchs regarding how to assist the Metropolitan in conducting the investigation, it would be very useful if the Bishops of the respective Province, individually or together, establish lists of qualified persons from which the Metropolitan may choose those most suitable to assist in the investigation, according to the needs of the individual case and, in particular, taking into account the cooperation that can be offered by the lay faithful pursuant to canons 228 CIC and 408 CCEO.

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

§3. Any person assisting the Metropolitan in the investigation is required to act impartially and must be free of conflicts of interest. If he considers himself to be in a conflict of interest or unable to maintain the necessary impartiality required to guarantee the integrity of the investigation, he is obliged to recuse himself and report the circumstances to the Metropolitan.

§4. The persons assisting the Metropolitan shall take an oath to fulfil their charge properly, with respect to the provisions of art. 13 §7.

Art. 15 – Duration of the investigation

§1. The investigation is to be completed in short order and in accordance with the instructions listed in art. 11 §2.

§2. Where there are just reasons, and after having sent a report on the status of the investigation, the Metropolitan may request that the competent Dicastery extend the time period.

Art. 16 – Precautionary measures

Should the facts or circumstances require it, the Metropolitan shall propose to the competent Dicastery the adoption of provisions or appropriate precautionary measures with regard to the person under investigation. The Dicastery shall adopt the provisions after having consulted the Pontifical Representative.

Art. 17 – Establishment of a fund

§1. Ecclesiastical Provinces, Episcopal Conferences, Synods of Bishops and Councils of Hierarchs may create a fund, to be established according to the norms of canons 116 and 1303 §1, 1° CIC and 1047 CCEO and administered according to the norms of canon law, whose purpose is to sustain the costs of the investigations.

§2. At the request of the appointed Metropolitan, the funds necessary for the purpose of the investigation are made available to him by the administrator of the fund; the Metropolitan remains duty-bound to present an account to the administrator at the conclusion of the investigation.

Art. 18 – Transmission of the acts and the *votum*

§1. Having completed the investigation, the Metropolitan shall transmit the original version of the acts to the competent Dicastery, together with his *votum* regarding the results of the investigation and in response to any queries contained in the instructions issued under art. 11 §2. A copy of the acts is to be kept in the Archive of the competent Pontifical Representative.

§2. Unless there are further instructions from the competent Dicastery, the faculties of the Metropolitan cease once the investigation is completed.

§3. In compliance with the instructions of the competent Dicastery, the Metropolitan, upon request, shall inform the person who has alleged an offence and, when applicable, the person who made the report, or their legal representatives of the outcome of the investigation.

Art. 19 – Subsequent measures

Unless it decides to provide for a supplementary investigation, the competent Dicastery proceeds in accordance with the law provided for the specific case.

Art. 20 – Compliance with state laws

These norms 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 means of publication in *L'Osservatore Romano*, entering into force on 30 April 2023, and then published in the *Acta Apostolicae Sedis*. With its entry into force, the preceding Apostolic Letter issued *Motu Proprio*, promulgated on 7 May 2019, will be abrogated.

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

Francis

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The HOLY SEE

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