



RESEAU NATIONAL DE DÉFENSE DES DROITS HUMAINS (RNDDH)
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**NEWS
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COMMUNIQUE DE PRESSE

**STATEMENT BY RNDDH EXECUTIVE DIRECTOR PIERRE ESPERANCE ON THE
NOMINATION OF JEAN OSTRICK HERCULE AS DIRECTOR OF UCREF**

We at RNDDH consider the nomination of Jean Ostrick Hercule to UCREF (Central Financial Intelligence Unit) as proof that the Haitian government is not serious when it claims to be fighting corruption and impunity. It is also proof that their efforts to find justice in the Jean Dominique case have been nothing more than cynical political maneuvering. The nomination of Jean Ostrick Hercule is nothing less than a victory for impunity in Haiti.

Why do we believe this?

First of all, as an investigating judge, Ostrick Hercule was the magistrate in charge of the case of Jean Leopold Dominique. According to the law, when a judge is assigned a criminal case, he or she is obligated to investigate that case. However, Judge Ostrick Hercule ignored the demands of the law on this case. He sat on the case for months without undertaking any investigation whatsoever. He returned the case to his supervisor on the pretext that his security had not been assured enough for him to work on this sensitive case. In spite of this, the supervising magistrate, Judge Rock Cadet, demanded that he respect the law of the land and investigate the case. Nevertheless, Ostrick Hercule refused.

Secondly, Judge Ostrick Hercule was assigned the cases of many Lavalas leaders who had been accused of siphoning public funds. In response, he took action and froze the bank accounts of those accused. However, he did not launch any investigations in these cases. Two years later, when President Preval came into office, Judge Ostrick Hercule decided to unfreeze all of these accounts under the pretext that the case lacked merit. Despite the fact that the law requires investigations to take no longer than three months, he let two years pass before rendering a decision that was based on political calculations. Because of his actions, the state lost millions of gourds that had been stolen from it.

In addition to these specific cases, it's a fact that as a judge, Ostrick Hercule was generally negligent toward his duties, and did not investigate cases assigned to him.

In 2007, Ostrick Hercule's mandate as an investigating judge came to an end, and the Ministry of Justice recommended that the executive branch not renew his contract. The ministry's reason for this was Ostrick Hercule's disrespect for the law and the duties of his office, as well as his lack of integrity.

It's clear that Judge Ostrick Hercule is severely lacking in the credibility necessary to direct an agency such as UCREF. Lacking, that is, unless the powers that be are not truly interested in fighting corruption and impunity.

Port-au-Prince, le 4 mars 2008
