



[Presiding Judge Carves Jean](#) announced his decision on Monday to charge former dictator Jean-Claude Duvalier with corruption – not with human rights violations allegedly committed during his 15 years as dictator.

If convicted of corruption charges, Duvalier will face a maximum of five years in prison.

"I did not find enough legal grounds to keep human rights charges and crimes against humanity against him," Judge Jean said. "Now my job is over. The case is no longer in my hands."

Judge Jean did not release the full details of his decision, pending a review by the attorney general and Duvalier's defense. Duvalier's attorney, Reynolds Georges, confirmed that they would appeal the indictment, arguing that the statute of limitations for all the allegations had expired. Duvalier is currently under house arrest in Port-au-Prince, now awaiting his trial.

This news follows lukewarm statements from President Michel Martelly regarding the prosecution of the former dictator, which over the weekend sparked unfounded concerns that the current government would pardon Duvalier. Martelly said that his administration's primary focus is reconciliation for the country, leaving the final decision to pursue Duvalier to Haiti's justice system.

A number of Haitian residents in Miami and Riviera Beach, Palm Beach County, who lived in Haiti during the Duvalier regime, were incensed of the possibility of Duvalier being pardon for his human rights violations.

Edwidge, a landscaper in Riviera Beach, said he clearly remembers life under the Duvalier regime, especially under Duvalier's Tonton Macoute, and the fear they inspired "if anyone even dared to say they opposed his [Duvalier] policies."

Several victims of the Tonton Macoutes came forward with claims to the prosecution. Prosecutors however did not include them in their recommendations to the judge, also claiming the statute of limitations had expired.

"Those other human rights charges were not part of the request I sent to the investigative judge," confirmed Felix Leger, a former prosecutor who prepared the recommendations.

U.N. officials and international human rights advocacy groups, including [Amnesty International](#) and [Human Rights Watch](#), have urged the Haitian judiciary to charge Duvalier and his officials for human rights atrocities, arguing that under international law, crimes against humanity do not fall under the statute of limitations.

"In Haiti, our understanding is that under the constitution, international law is given supremacy so it does seem rather bizarre that financial charges appear to be possible but not international crimes," UN human rights spokesman Rupert Colville said in a news briefing in Geneva.