

Investigating Judge Jean Sénat Fleury announces that he is resigning to protest the Justice Minister's disregard for the principle of separation of powers

---

Port-au-Prince, January 10, 2005; (AHP)- Jean Sénat Fleury, announced Monday that he is resigning from his position as examining magistrate at the civil tribunal of Port-au-Prince.

Judge Fleury is taking this step he said, because of the violation by Justice Minister Bernard Gousse of the principle of separation of powers.

Jean Sénat Fleury said his criticism of Mr. Gousse was based on the Minister's order issued to the senior judge of the civil court, Jean-Joseph Lebrun, to remove him and Judge Brédy Fabien from a number of cases on the pretext that relatives of individuals whose cases are being investigated by the offices of these two judges have complained of the slow pace of progress of their cases.

"We condemn this act, which constitutes a flagrant violation of the Constitution and is also an attack on the honor and integrity of a magistrate", said Judge Fleury.

"With a Minister like Bernard Gousse, the Haitian judicial system can not move forward", remarked Judge Jean Sénat Fleury. He went on to describe Mr. Gousse as incompetent.

"I still represent an impediment standing in the way of many ministers who wish to act outside the law, given that I generally do not take orders from anyone with respect to the performance of my duties", declared Judge Fleury, who affirmed that he has always availed himself of the law and his own conscience.

He said he hopes that with his departure things somehow will go better within the judicial system as Bernard Gousse has suggested.

AHP January 10, 2005 3:10 PM