

---

Brazil's Top Court Suspends Impeachment of President Dilma Rousseff

09/12/2015



Justice Luiz Edson Fachin decided late on Tuesday to suspend the appointment of an impeachment committee and all its proceedings until the top court can meet on December 16 to decide on the constitutional issue, the official said.

Fachin's decision temporarily stops the process begun last week by the speaker of the lower house of Congress, Eduardo Cunha, who took up an opposition request to impeach Rousseff for allegedly breaking Brazil's budget laws.

Rousseff suffered her first setback on Tuesday, when the house voted to appoint a committee stacked with her opponents to report on whether she committed an impeachable offense.

The session almost collapsed into chaos during an angry debate over the unprecedented secret ballot.

The Supreme Court said it would also analyze that vote.

The Communist Party of Brazil, a small party in Rousseff's coalition, raised the constitutional issue in an injunction filed last week. The injunction said a 1950 law laying out impeachable crimes by a president was not compatible with Brazil's 1985 constitution.

Fachin, whom Rousseff appointed to the court in June, said in his decision published hours after the tumultuous house session that the temporary suspension was "to avoid acts that could eventually be invalidated by the Supreme Court."

His decision provides Rousseff with some respite as she struggles for political survival almost one year into a second term besieged by a severe recession and a corruption scandal that has ensnared dozens of her allies.

Opponents who initiated the impeachment bid accuse her of breaking budget rules to boost spending during her re-election campaign last year. Rousseff has denied any wrongdoing.

If the committee finds an offense was committed, the process will go to a full vote on the house floor, where the opposition needs two thirds of the votes to begin a 180-day impeachment trial in the Senate. During that trial, Rousseff would be suspended and replaced by Vice President Michel Temer.

---