

****Title:****

Lasco et al. v. United Nations Revolving Fund for Natural Resources Exploration et al., G.R. No. 110549, January 25, 1993

****Facts:****

1. Eldepio Lasco, Rodolfo Elisan, Urbano Berador, Florentino Estobio, Marcelino Maturan, Fraen Balibag, Carmelito Gajol, Demosthenes Manto, Saturnino Bacol, Saturnino Lasco, Ramon Loyola, Joseniano B. Espina, and Mariano R. Espina (collectively, the “Petitioners”) were employees of the United Nations Revolving Fund for Natural Resources Exploration (UNRFNRE), involved in a joint project for natural resources exploration in Dinagat Island, Philippines.
2. Petitioners filed cases for illegal dismissal and damages before the National Labor Relations Commission (NLRC), specifically NLRC Cases Nos. SRAB 10-03-00067-91 to 10-03-00078-91 and SRAB 10-07-00159-91.
3. UNRFNRE, represented by Dr. Kyriacos Louca, moved to dismiss the complaints citing diplomatic immunity under the 1946 Convention on the Privileges and Immunities of the United Nations.
4. They supported their claim by a letter from the Department of Foreign Affairs dated August 26, 1991, which acknowledged and confirmed UNRFNRE’s immunity.
5. On November 25, 1991, the Labor Arbiter dismissed the complaints on the ground that UNRFNRE was protected by diplomatic immunity.
6. The petitioners’ motion for reconsideration was denied; they subsequently filed an appeal with the NLRC.
7. The NLRC upheld the Labor Arbiter’s dismissal in a Resolution dated January 25, 1993.
8. The petitioners filed a petition for certiorari with the Philippine Supreme Court without seeking an additional reconsideration from the NLRC.

****Issues:****

1. Whether the petition for certiorari was procedurally deficient due to the failure to file a motion for reconsideration with the NLRC before appealing to the Supreme Court.
2. Whether UNRFNRE is entitled to diplomatic immunity, thereby barring the jurisdiction of the NLRC and other local courts.

****Court’s Decision:****

The Supreme Court dismissed the petition.

****Procedural Issue:****

- The Court reiterated that under Article 223 of the Philippine Labor Code, NLRC decisions are final and executory, and certiorari is the appropriate remedy. However, a motion for reconsideration is generally required before approaching higher courts unless justified by exceptional circumstances.
- The petitioners had not provided any explanation for their omission but the Court opted to discuss the merits due to the potential implications for international relations.

****Substantive Issues:****

- The petitioners argued that diplomatic immunity should not cover the commercial activities including natural resource exploration, and that UNRPNRE waived its immunity by engaging in employment contracts.
- The Court found no merit in this argument, holding that even if UNRPNRE engaged in commercial activities, it had not waived its immunity, as required explicitly under Article III, Section 4, of the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations.
- The Supreme Court quoted relevant international law norms and previous cases, affirming the diplomatic immunity recognized by the executive branch.
- The Court added that the petitioners' rights under the Constitution were not undermined by this immunity because alternative remedies existed under the relevant U.N. conventions.

****Doctrine:****

- The case underscores the principle that international organizations and their property enjoy immunity from legal processes under international treaties, unless expressly waived.
- It reiterated the political question doctrine, where courts defer to the executive branch's determinations regarding diplomatic immunity.

****Class Notes:****

1. ****Diplomatic Immunity****: Immunity enjoyed by international organizations and their officials, exempting them from legal jurisdiction unless immunity is expressly waived.
 - ***Legal Basis***: 1946 Convention on the Privileges and Immunities of the United Nations, Article III, Sections 4 and 5.
2. ****Finality and Executory Nature of NLRC Decisions****:
 - Article 223 of the Labor Code of the Philippines stipulates decisions by the NLRC are final and executory, appealable only through a petition for certiorari.
3. ****Political Question Doctrine****:

- Courts avoid jurisdiction on matters where the executive has already determined diplomatic immunity and other international relations issues.

****Historical Background:****

The UNRFNRE's involvement in a joint mineral exploration project with the Philippine Government reflects post-WWII practices where international organizations were increasingly involved in developmental projects in member states. The 1946 Convention was foundational in providing operational immunities essential for the independent functioning of such organizations globally. This case highlights the friction between local labor rights and the broad immunities granted to international bodies operating under U.N. auspices.