

TRANSLATION

EXCERPTS FROM ABC - Thursday April 8, 1993
DEBATE BETWEEN TRADE UNIONISTS AND LABOR AUTHORITIES CONTINUES

JUSTICE AND LABOR IGNORE SUPREME COURT RESOLUTION

Dr. Oscar Martínez Pérez, Vice-Minister of Labor, asserted that Decree 16.769 "remains in effect, because the Ministry has yet to be informed otherwise." The Supreme Court brought to a halt the provisions of this controversial decree following a petition by the CUT and the CNT on the grounds that it is unconstitutional. "Furthermore, the resolution favors the petitioning organizations only, leaving out the unions affiliated to these labor central organizations," he stated. Meanwhile, labor leaders state that Martínez Pérez' view of the situation is incorrect.

"In the first place, the decree remains in effect until we are notified otherwise, - a rule that should apply to any recourse or measure that comes into being. Logically, it becomes effective immediately after notification, prior to which not even the petitioning organizations may be taken into consideration. An official notice must reach the Ministry first," he affirmed.

"Secondly, the unconstitutional aspect benefits solely and exclusively the petitioning parties; it does not apply 'erga omnes' (against all involved)," explained Martínez Pérez.

The Vice-Minister clarified that following notification, only the CUT and the CNT will enjoy the benefit derived from the claim of unconstitutionality. "Due to their status as civic legal organizations they would be the only organs to reap the benefits, and this goes to show that it is the entities at the top who object to staying in tune with the National Constitution and the laws," he added.

EXCERPTS FROM ABC - Saturday, April 3, 1993

JUSTICE MINISTER INSISTS HE WILL NOT RECOGNIZE CUT

The Minister of Labor and Justice, Oscar Paciello, stated in an interview with Radio Nanduti, that the Supreme Court of Justice, "is doing something called abuse of power, and in this particular case, it can not force me to violate the Constitution which I swore in the Palace of Government to respect."

He added that there are two situations. On one hand, the ruling affects only the petitioners (CUT and CNT) and on the other hand, we are in the process of electing most of the labor leaders and some unions are already adapting themselves to this decree and are in the process of requesting the Ministry of Labor's legal recognition.