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Amnesty International  
International Secretariat  
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September 1991

## **@TRADE UNIONISTS ACTION 1991**

### **HUMAN RIGHTS VIOLATIONS AGAINST TRADE UNIONISTS IN LATIN AMERICA**

#### **UPDATE**

**This document gives updated information on the material featured in Human Rights Violations Against Trade Unionists in Latin America (AI Index AMR 01/01/90) which was issued in March 1991.**

#### **BRAZIL**

##### **Background:**

On 2 February 1991 Expedito Ribeiro de Souza, president of the Rural Workers Union of Rio Maria, Pará state, was shot dead by an unknown assailant near his home. The previous year, in April 1990, four other rural workers, Ronan Rafael Ventura, Bráz Antonio de Oliveira, Paulo Canuto de Oliveira and José Canuto de Oliveira were abducted and killed and a fifth, Orlando Canuto Pereira, was wounded in Rio Maria.

In Pernambuco state, José Hélio da Silva, adviser to the Rural Workers Union of Palmares, was killed by unknown gunmen while travelling between Palmares and Joaquim Nabuco.

Threats, harassment, abductions and killings have frequently been aimed at union advisers and representatives in both Pará and Pernambuco states.

##### **Update:**

###### **Expedito Ribeiro da Souza**

After international publicity and pressure, three suspects, including a landowner who may have ordered the crime, were arrested and jailed; they are being held in the state capital, Belém. The landowner testified before a state parliamentary inquiry in May, denying responsibility for or knowledge of Expedito Ribeiro de Souza's killing. The landowner's lawyers filed an appeal for his release, for health reasons, which was denied in June.

This case is proceeding through the judicial system at an unprecedentedly fast pace. However, violence aimed at rural workers and trade unionists continues in the Rio Maria area. In late April 1991, three rural workers were killed and three others were missing and feared dead, in connection with a labour dispute. In late April and early

May, eight rural workers from the same ranch were imprisoned. Police refused to release them, despite issuance of habeas corpus writs, until the judge personally went to the police station. The 17-year-old son of one of the detained workers was seized, apparently illegally, by police at 4 am and held for two days, until a lawyer from the Pastoral Land Commission, accompanied by two television reporters, intervened.

Other trade unionists and a nephew of Expedito Ribeiro de Souza, João Dos Santos Ribeiro, reported receiving death threats in May.

#### Carlos Cabral Pereira, Roberto Neto da Silva and Orlando Canuto

Following strong domestic and international pressure the Brazilian government granted Federal Police protection to Carlos Cabral Pereira, Roberto Neto da Silva and Orlando Canuto, who had survived earlier attempts on their lives in March 1991. On 14 May 1991 a gunman traded shots with the federal police guarding the Rio Maria residence of the three men. A person charged with this crime was subsequently released under judicial order.

Amnesty International has recently learned with concern of the Minister of Justice's stated intention to withdraw the Federal Police protection for the three men.

#### José and Paulo Canuto de Oliveira

A change of venue to Belém, because of the tense atmosphere in Rio Maria, has been requested for the trial of the gunman suspected of killing the Canuto brothers in 1990. The landowner suspected of ordering the killing has not been indicted.

#### Bráz Antonio de Oliveira and Ronan Rafael Ventura

The landowners involved in the Canuto murders are also suspected of having ordered these killings, but legal proceedings in this case are at a standstill.

On 26 August 1991 two gunmen accused of the murder of the Canuto brothers, Bráz Antonio de Oliveira and Ronan Rafael Ventura, were reported to have escaped from jail.

#### **Action**

Write to the Brazilian authorities listed below:

- welcoming the movement through the judicial system of the case of those suspected of the killing of Expedito Ribeiro de Souza, but expressing concern about the continuing violence against rural workers and trade unionists in the Rio Maria area and the threats, including those to Orlando Canuto, Carlos Cabral and João Dos Santos Ribeiro, the nephew of Expedito Ribeiro de Souza.
- urging that the Federal Police protection for Carlos Cabral Pereira, Roberto Neto da Silva and Orlando Canuto be continued.
- urging that investigations into the murders of José and Paulo Canuto de Oliveira, Bráz Antonio de Oliveira and Ronan Rafael Ventura be completed and those responsible be brought to justice.

#### **Appeals to:**

Brasilia

Pará

Sr. Ministro da Justiça do Brasil  
 Sr. Jarbas Passarinho  
 Ministério da Justiça  
 Esplanada dos Ministérios  
 Bloco 23  
 70.064 Brasília DF, Brasil

Sr. Secretário de Segurança  
 Pública, Estado do Pará  
 Sr. Alcides Alcântara  
 Rua 28 de Setembro 339  
 66.020 Belém, PA, Brasil

### Pará

Sr. Governador de Estado do Pará  
 Sr. Jader Barbalho  
 Palácio Lauro Sodré  
 Praça D, Pedro II  
 66.000 Belém, PA, Brasil

### Pará

Sr. Delegado Elzevaldo de Jesus  
 Miranda  
 Delegado de Polícia Civil  
 68553 Rio Maria, PA, Brasil

## CHILE

### Background

Trade union leader Bernardo Araya Zúñiga, 67, and his wife 61-year-old María Flores Barraza were abducted from their home by members of the former security agency, the DINA (*Dirección de Inteligencia Nacional*, National Intelligence Directorate) in April 1976 and subsequently "disappeared". The following month, Víctor Díaz López, another trade union leader was arrested by the DINA. They were among a number of trade unionists who "disappeared" during the former military government of General Augusto Pinochet.

An elected civilian government took office in March 1990. The following month, President Patricio Aylwin set up the *Comisión Nacional de Verdad y Reconciliación* (National Commission for Truth and Reconciliation) to look into serious human rights violations, defined as "disappearances", illegal executions and deaths under torture. The commission published its findings in March 1991.

### Update

The Commission concluded that 957 people "disappeared" after being detained and gave an account of the cases in which the "moral responsibility" of the state was acknowledged. The report said the following about the cases of Víctor Díaz López, Bernardo Araya Zúñiga and María Flores Barraza.

### **Víctor Manuel Díaz López**

"Disappeared". Santiago, May 1976.

Víctor Díaz, 56, married, three children, printworker. He was the national director of the *Central Única de Trabajadores* (CUT, Trade Union Central) and was acting as the deputy general secretary of the Communist Party at the time of his arrest.

He was detained on 12 May 1976 by agents of the DINA. He was held in a sector called *La Torre* (The Tower) of the Villa Grimaldi, from where he "disappeared".

### **Bernardo Araya Zuleta**

"Disappeared". Quintero, April 1976.

Bernardo Araya, 64, married, four children. He was the General Secretary of the *Confederación de Trabajadores de Chile* (Confederation of Workers of Chile), General Secretary of the CUT and a deputy, at various times, of the Communist Party.

He was detained on 2 April 1976 in Quintero by agents of the DINA. He was transferred to Santiago, remaining in a clandestine detention centre that has not been identified. From that moment, his whereabouts remain unknown.

### **María Olga Flores Barraza**

"Disappeared". Quintero, April 1976.

María Flores, 60, married, four children, housewife. She was an active member of the Communist Party and the founder of the *Centro de Madres del diario El Siglo en la Población Lautaro* (Centre for Mothers of the newspaper, The Century, in the neighbourhood of Lautaro).

She was detained on 2 April 1976 in Quintero with her husband Bernardo Araya Zuleta, by agents of the DINA. They were both transferred to Santiago, remaining in a detention centre that has not been identified from where they both "disappeared".

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The report of the Commission included a series of recommendations, including moral, legal and material reparation to victims and their relatives and administrative, judicial and legislative measures to prevent future human rights violations. It criticised the role of the judiciary for having failed to grant adequate protection against human rights violations and in creating a sense of impunity among the military and police.

When President Aylwin announced the findings of the report, he said that the Commission had passed relevant information to the courts and called on the judiciary to carry out "extensive investigations" for which "the current Amnesty Law cannot be an obstacle." This Amnesty Law was passed in 1978 and although it prevents any prosecution for human rights violations before 1978, it has since been used by the courts to block judicial investigations to clarify the fate of the victim and establish responsibility.

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<sup>1</sup> A newspaper of the Communist Party.

The courts continue to block investigations into past human rights violations. Amnesty International believes that the 1978 Amnesty Law should not prevent full investigations to establish the fate of the "disappeared" and to bring those responsible to justice.

## Appeals

Please continue to send appeals:

- welcoming the Commission for Truth and Reconciliation's report but calling on the authorities to ensure that full judicial investigations are carried out and that those responsible for the "disappearances" of Bernardo Araya Zúñiga, María Flores Barraza, Víctor Díaz López and all the other trade unionists whose cases are included in the report are brought to justice.

## Addresses

Minister of Labour and Social Security  
Señor René Cortázar Sanz  
Ministro de Trabajo y Previsión Social  
Ministerio de Trabajo y Previsión Social  
Huérfanos 1273, piso 6  
Santiago, Chile

Minister of the Interior  
Señor Enrique Krauss Rusque  
Ministro del Interior  
Ministerio del Interior  
Palacio de La Moneda  
Santiago, Chile

## COPIES TO:

National Confederation of Workers  
Sres.  
Central Unitaria de Trabajadores  
(CUT)  
Santa Mónica 2015  
Santiago  
Santiago, Chile

Association of Relatives of the  
Disappeared  
Sres.  
Agrupación de Familiares de  
Detenidos Desaparecidos  
Plaza de Armas 444  
Santiago, Chile

## COLOMBIA

Germán Antonio Redondo, Gloria Amparo Viveros Lucumy, Edilma Moreno and Esteban Palmét Domínguez

## Background

Germán Antonio Redondo, Secretary General of the SINTRAFANASUCOL trade union at the San Carlos Sugar Refinery in Tuluá, was shot dead while travelling on a bus to work on 15 November 1990. Six days later, his girlfriend Gloria Amparo Viveros Lucumy who worked at the COCICOIMP Cooperative in Tuluá, was also attacked by men outside her home in Tuluá. She was shot eight times and was killed.

Local politician Edilma Moreno was travelling home by motorcycle with her daughter on 19 October 1990 when she was intercepted by two armed men on motorcycles. She was shot dead. She had formerly worked on the banana plantations in Urabá and became an executive board member for plantation workers' union SINTRAFANAGRO, affiliated to the CUT.

On 26 October 1990 Esteban Palmes Domínguez was killed by armed men who shot him dead as he was on his way home. He was the Director of the Secondary Education Institute in Apartadó, and a member of the Antioquia Teachers' Union, Asociación de Educadores de Antioquia (ADEA), which is affiliated to Colombia's trade union confederation, Central Unitaria de Trabajadores (CUT).

#### **Update:**

An official investigation was opened into the killing of Germán Antonio Redondo and Gloria Amparo Viveros Lucumy. The preliminary investigation was moved from Tuluá, where the killings took place, to Buga, also in Valle department, where it is in the hands of the First Court of Public Order. While Amnesty International welcomes the investigation, there is concern that although many such investigations are opened in Colombia, only exceptionally do they lead to the identification and prosecution of those responsible for the human rights violations.

There has been no further information about the killings of Edilma Moreno and Esteban Palmes Domínguez.

#### **Appeals:**

Please continue to make appeals,

- continuing to express concern at the killings of the four trade unionists;
- welcoming the official investigation into the killings of Germán Antonio Redondo and Gloria Amparo Viveros Lucumy. Urge that it be thorough and impartial and the results be made public;
- urging that there be an immediate inquiry into the deaths of Edilma Moreno and Esteban Palmes Domínguez

#### **Appeals to:**

Presidente César Gaviria Trujillo  
 Presidente de la República  
 Palacio de Nariño  
 Santa Fé de Bogotá  
 Colombia

Dr. Gustavo Arrieta  
 Procurador General de la Nación  
 Edificio Banco Ganadero  
 Carrera 5, No. 15-80  
 Santa Fé de Bogotá  
 Colombia

Dr. Rafael Pardo Ruzda  
 Ministro de Defensa Nacional  
 Ministerio de Defensa Nacional  
 Avenida Eldorado - Carrera 52  
 Santa Fe de Bogotá  
 Colombia

**Copies to:**

CSPP (Comité de Solidaridad con Przos Políticos)  
 AA 4296  
 Cali  
 Colombia

**EL SALVADOR**

**María Cristina Gómez**

**Background**

On 5 April 1989, María Cristina Gómez was abducted as she left the school in San Salvador where she worked as a teacher. Her body was discovered two hours later with four bullet wounds, and several marks on her skin which looked as if they had been caused by acid.

Shortly after the killing, the school teachers' union ANDES 21 de Junio requested that the judge immediately proceed to conduct an investigation to determine responsibility for the crime. Their plea was not heeded.

**Update**

CONAMUS, the women's organization to which María Cristina Gómez belonged, reported in August 1991 that judicial proceedings in the case had been closed. However, an exhumation and autopsy were never carried out despite requests by the prosecuting attorneys as early as April 1989 for these vital steps to be taken. Moreover, key information provided by witnesses regarding the identity of the killers was never followed up by the judge. The women's organization CONAMUS has repeatedly requested an audience with the Supreme Court to discuss the case, but CONAMUS say that their requests have been ignored.

**Appeals:**

-urge that exhaustive steps be taken to fully investigate the killing of María

Cristina Gómez, including the carrying out of an autopsy and the citing of witnesses with relevant information, so that those responsible for her killing can be identified and brought to justice.

Appeals to:

Lic. Ángel Benjamín Cestoni  
 Comisión de Derechos Humanos gubernamental  
 Pasaje Gral. Escalón 87  
 Av. Sur Bloque 2, No. 226  
 Colonia Escalón  
 San Salvador, El Salvador

Teléfono 20538 CODENU SAL  
 Fax: (503) 24 09 92

Dr. Manuel Duarte Rodríguez  
 Fiscal Adjunto para Derechos Humanos  
 Fiscalía General de la República  
 13a Calle Poniente  
 Centro de Gobierno  
 San Salvador, El Salvador

Copies of letters should be sent to the Coordinadora Nacional de la Mujer Salvadoreña (CONAMUS), National Coordination of Salvadorian Women, for which María Cristina worked actively, and ANDES 21 de Junio, the school teachers' union of which María Cristina was a member:

CONAMUS  
 Apartado Postal 3262  
 Centro de Gobierno  
 San Salvador, El Salvador

ANDES  
 1a Avda Norte 810  
 San Salvador, El Salvador

Copies of appeals should also be sent to the court dealing with the case:

2o. Juzgado de lo Penal de Nueva San Salvador  
 San Salvador, El Salvador

## GUATEMALA

### STINDE and STECSA members

#### Background

Many members and leaders of the Sindicato de Trabajadores del Instituto Nacional de Electrificación (STINDE), Electrical Workers Union, and of the Sindicato de Trabajadores de la Embotelladora Central, Sociedad Anónima, (STECSA), Trade Union of Workers at the Central Bottling Plant, Ltd, have been long-term and recent targets of human rights violations.

In 1989 José León Segura de la Cruz, a STINDE regional leader in Pasabién, Zacapa Department, was killed following repeated death threats related to his union activities. In 1990 Juan Luis Coy Monzón, Secretary of Organization and Media of STINDE, received threats and his wife was abducted and interrogated. In March 1990 Néstor René Osorio Sandoval, a member of STINDE in Chiquimula department, was killed in circumstances suggesting he may have been extrajudicially executed.



Carlos Enrique Sagastume and his brother Tyron Francisco Sagastume, both STECSA members, disappeared on 12 February 1990 and their bodies were found the next morning. José Rolando Pantaleón, a member of the STECSA theatre and musical group, was abducted and murdered in July 1989, having received a series of threats.

### Update

Trade unionists and members of popular movements have been targeted since the government of Jorge Serrano Elías took office in January 1991. AI has learned of a large number of threats, intimidation, abduction and torture as well as possible extrajudicial execution against trade union leaders in recent months. The choice of the victim and the manner in which these abuses have been carried out suggest the involvement of the security forces in the guise of the so-called "death squads". (For further details consult Guatemala: Trade Unionists and Political Activists targeted under the new government (AI Index: AMR 54/28/91) issued by Amnesty International in June 1991).

During April and May 1991, over 18 leaders of popular and trade union movements in Guatemala went into exile after receiving death threats.

On 29 April 1991 Dinora Pérez, aged 28, a leading trade union figure and member of the board of the Fundación de Proyectos de Área Rural para Guatemala (FUNPARUGUA), Rural Projects Foundation for Guatemala, was killed by two heavily armed men on a motorcycle in Zone 7 of Guatemala City.

Among those receiving death threats were two workers of the Tipografía Nacional (State Printing Press), Rosendo de León Dubón and Mauricio Raxecó Henríquez. Rosendo de León is also the Secretary General of the Sindicato de la Tipografía Nacional (the State Printing Press trade union) and Mauricio Raxecó is a member of the Consejo Consultativo (Consultative Council) of the same union, which is an affiliate of the Federación Nacional de Sindicatos de Trabajadores del Estado de Guatemala (FENASTEG), National Federation of Guatemalan State Workers' Unions. Mauricio Raxecó is also Secretary of Education, Art and Culture as well as a member of the Executive Committee of FENASTEG.

According to the information received by AI, the two trade unionists have been receiving telephone threats and have reported being followed since April when they denounced cases of official corruption inside the Tipografía Nacional, a dependency of the Ministerio de Gobernación (the Interior Ministry). On 6 June 1991, Mauricio Raxecó was going to his home in Zone 1 of Guatemala City when two men reportedly stopped him, beat him and told him to stop making accusations. In a recent incident, a call was reportedly made to FENASTEG headquarters by an unidentified man threatening "les vamos a quebrar el culo por andar en las actividades sindicales" ("We are going to get you for being involved in trade union activities").

On 19 August 1991, according to a statement made later by Mauricio Raxecó to a local human rights organization, he was intercepted by four men in plain clothes, driving a white vehicle with polarized windows, after leaving his home, which had been under constant surveillance for over two weeks, at approximately 8.30pm. One of the men held Mauricio Raxecó by the collar and another, who was armed, began beating him. They threatened him and told him to give them the address of Rosenda de León. They said that the two trade unionists had taken no notice of previous telephone warnings and that they were becoming a nuisance. As the man holding him tried to force him into the vehicle

Mauricio Raxecó managed to break free and escape. He sought refuge at the Guatemalan Red Cross office in Guatemala City.

On 20 August 1991, plain clothes members of the National Police arrived at the offices of the Guatemalan Red Cross to interview Mauricio Raxecó, following his denunciation of the attempted abduction. Later the same day uniformed members of the National Police arrived and locked Mauricio Raxecó in a room while they interrogated him. Mauricio Raxecó subsequently left the offices of the Guatemalan Red Cross, went into hiding and then later left the country. Amnesty International continues to be seriously concerned for the safety of Rosendo de León Dubó, who remains in Guatemala.

Amnesty International is also seriously concerned by an attempt to abduct Tomás Larz, General Secretary of the Sindicato de Trabajadores Campesinos de la Finca La Torre (Peasant Workers Union of the Finca (estate) La Torre). On 26 July 1991 three armed men in plain clothes arrived at the Finca La Torre, a coffee plantation situated in Pochuta, Chimaltenango department, approximately 130 km from the capital Guatemala City. The men arrived on foot and asked for Tomás Larz. They were directed to his small shop and once inside produced firearms and ordered some young people who were in the shop to leave. They then pointed their guns at Tomás Larz and ordered him to accompany them out of the plantation. Once outside the assailants attempted to hijack a vehicle from a nearby house and ordered the owner to drive. When the owner of the vehicle refused to cooperate one of the men hit him over the head with his firearm. They then fired shots at another person who tried to intervene. In the confusion Tomás Larz managed to escape and the assailants then forced the owner of the vehicle to drive them out of the plantation. The owner later returned safe and sound.

Tomás Larz, as General Secretary of the union, has in the past been subjected to harassment and threats at the hands of the security forces, including briefly being held and interrogated at the local military base in Pochuta. On 28 February 1991 over 60 plantation workers had been dismissed because of their participation in the union. The owner of the plantation who is a retired army colonel has accused the workers, many of whom are Cakchiquel Indians, of having links with the guerrillas. Amnesty International has in the past received information on many instances of people accused of having links with the guerrillas being subjected to torture, "disappearance" and extrajudicial execution by the security forces, acting sometimes in plain clothes in the guise of the so-called "death squads" and sometimes in uniform. The workers, in conjunction with the Union Sindical de Trabajadores de Guatemala (UNISTRAGUA), Labour Union of Guatemalan Workers, of which the Peasant Workers' Union is an affiliate, organized a 4-day Marcha de la Dignidad por el Derecho de la Vida, al Trabajo y la Paz (March for Dignity and the Right to Life, Work and Peace) to protest the dismissals.

In June 1991 a settlement was reportedly reached with the owner of the plantation including the reinstatement with pay of the dismissed workers. The union thinks that the abduction attempt against Tomás Larz, which they believe was carried out by security forces, was designed to intimidate the union leadership and membership into disbanding the union.

## Action

Appeals should be made to the Guatemalan authorities:

- expressing concern at the threats made against trade unionists in recent months, including those against Rosendo de León Dubón, Mauricio Raxecó Henríquez and Tomás Larz López;
- asking that the threats and attempts at abduction be investigated and that those found responsible be brought to justice;
- asking that adequate steps be taken to protect Rosendo de León Dubón and Tomás Larz López as well as all those involved in trade unions and popular movements.

Appeals to:

Dr. Jorge Serrano Elías  
 Presidente de la República de  
 Guatemala  
 Palacio Nacional  
 Guatemala, Guatemala

Lic. Fernando Hurtado Prém  
 Ministro de Gobernación  
 Despacho Ministerial  
 Oficina No. 8, Primer Nivel  
 Palacio Nacional  
 Guatemala, Guatemala

Copies to:

Lic. Ramiro de León Carpio  
 Procurador de los Derechos Humanos  
 Avenida Simón Cañas 10-61  
 Zona 2  
 Guatemala, Guatemala

Unión Sindical de Trabajadores de  
 Guatemala (UNSTRAGUA)  
 11 Calle 8-14, 3er. Nivel  
 Edificio Tecún, Of. 34  
 Zona 1  
 Guatemala, Guatemala

## PERU

### Background

Victor Taype Zúñiga, president of the Federación Nacional de Trabajadores Mineros, Metalúrgicos y Siderúrgicos, National Federation of Miners, was held in detention for three months at the beginning of 1990 and subjected to severe torture. In March 1990 the Inspecting Judge of Huancavelica ordered the release of Víctor Taype and dropping of the charges. However, the chief prosecutor of Huancavelica asked for the case to be reopened, and a new detention order was issued. Amnesty International is concerned that if re-arrested, Víctor Taype may be tortured again.

### Update

Faced with the reopening of the case and a new detention order by the court of Huancavelica, Víctor Taype's defense lawyers filed a complaint before the Supreme Court in Lima in order to render the detention order null and void. Yet, while the Supreme Court is processing this complaint, Víctor Taype is still liable to appear before the court in Huancavelica to answer a charge of alleged "terrorism". The court in Huancavelica ordered him to appear at a hearing on 23 August 1991.

To date Víctor Taype has not travelled to Huancavelica on doctor's orders, in view of the poor health he suffers following his alleged torture at the hands of the police.

Human Rights organizations in Peru hope that the Supreme Court in Lima will soon decide the issue in his favour and all charges will be dropped. In the meantime appeals should continue to be made to the following authorities:

Dr. César Fernández Arez	Dr. Horacio Valladares Ayarza
Presidente de la Corte Suprema	Presidente de la Segunda Sala
Palacio Nacional de Justicia	Penal de la Corte
Suprema	Palacio Nacional de Justicia
Paseo de la República s/n 2do. piso	Paseo de la República s/n 2do. piso
Lima 1	Lima 1
Perú	Perú

(President of the Supreme Court)

### Appeals

Write to the Peruvian authorities,

- expressing concern that Víctor Taype could be re-arrested on account of his legal trade union activities;
- urging that if re-arrested, the physical safety of Víctor Taype be ensured and that he be humanely treated in prison, including having access to lawyers and relatives;
- urging that a thorough, impartial and independent investigation is conducted into allegations that Víctor Taype was tortured while in police custody.

### Appeals to:

Presidente Alberto Fujimori	Dr. Manuel Catacora
Presidente de la República	Fiscal General de la Nación
Palacio de Gobierno	Fiscalía General de la Nación
Plaza de Armas	Edificio Torre de Lima, 7o. piso
Lima 1	Centro Cívico
Perú	Perú

### Copies to:

Señores  
 Federación Nacional de Trabajadores y Metalúrgicos del Perú  
 Plaza 2 de Mayo, 44  
 Lima 1  
 Perú