

Newmont strives, in good faith, to be respectful of neighboring communities, while continually improving our environmental and social performance. In an effort to promote truth and transparency surrounding the events of February 3, 2015 – where members of the Yanacocha team removed new foundations illegally constructed by the Chaupe family on undisputed, company property – below we have provided verifiable facts in response to some alarming public statements and misrepresentations of that day’s events made by some groups. More information and details regarding the ongoing land dispute between the Chaupe family and Yanacocha can be found in this [fact sheet](#), as well as this [stakeholder update](#) from February 5, 2015.

- **Statement** – *“On 3 February 2015, approximately 200 people trespassed on the land of human rights defender Ms Maxima Acuna de Chaupe and demolished the preliminary construction of a new home that her family was building on their land.”*
- **Fact** – On February 3, 2015 – acting with full knowledge of Peruvian authorities, in compliance with the law and with Peruvian police monitoring approximately one kilometer away – 40 members of the Yanacocha team, not 200, dismantled new foundations the Chaupe family illegally built on undisputed company property. The existing Chaupe family structure (house), located approximately 200 meters away from the new construction, remains in place and was not disturbed in any manner. The existing structure (house) will remain until the judicial case around the legality of that structure built in 2011 on land Yanacocha purchased in 1996-97, is resolved in the courts.
- **Statement** – *“Allegedly, shots were fired by members of the group, which included employees of the Division of Special Operations of the Peruvian National Police (DINOES) and the private security firm of the Yanacocha mining company, as well as a number of its engineers.”*
- **Fact** – The Yanacocha personnel exercising the company’s legal right to remove foundations illegally constructed on undisputed company property were not armed or carrying any firearms and, as such, no shots were fired. The police were one kilometer away monitoring the situation to ensure proper procedures were followed and to intervene in the event of violence. Although Chaupe family members threw stones and other objects at Yanacocha employees, Yanacocha personnel did not retaliate and, fortunately, did not suffer any major injuries.
- **Statement** – *“At approximately 9:00 am, the armed group entered the property of the human rights defender without authorisation and demolished the building, which was being constructed a few metres from Máxima Acuña de Chaupe's current residence. No representative of the Public Prosecutor was present during the demolition, and no document authorising the action was presented.”*

- **Fact** – The Yanacocha employees and security team accompanying them did not have firearms and did not enter the property of the Chaupe family. The new construction was located approximately 200 meters from the existing Chaupe house, as opposed to “a few meters” as reported by others, on lands owned by Yanacocha, and employees of the company are not required to have authorization to be on company property. A public prosecutor was invited but declined to be present on February 3rd as the prosecutor said there was no legal dispute that Yanacocha owned the land parcel and was within its rights to remove the illegally constructed foundations.

- **Statement** – *“The human rights defender has lived on her land in Tragadero Grande, Sorochuco, Cajamarca for 24 years. In 2011, the Yanacocha mining company attempted to buy the human rights defender's land and when she refused to sell, a campaign of intimidation and violence ensued.”*

- **Fact** – Yanacocha purchased the land from Samuel Chaupe (Maxima Chaupe’s father-in-law) and the Sorochuco Community in 1996/97 following an established and customary legal process. The land parcels did not contain any houses or structures prior to 2011. Maxima Chaupe illegally constructed a house on land owned by Yanacocha 14 years after the official sale occurred. Yanacocha has never attempted to purchase the land from Maxima Chaupe as the company already purchased the parcels in 1996/97 from Maxima Chaupe’s father-in-law and the Sorochuco Community.

- After several attempts to resolve the issue through direct engagement, Yanacocha referred the matter to the Peruvian judicial system. In 2012 and again in 2014, Peruvian courts confirmed that Yanacocha is the rightful owner and possessor of the land. On January 20, 2015, Peruvian authorities verified that a foundation for a new structure on a different parcel within Yanacocha’s property (as defined by public records in Peru) had been constructed approximately 200 meters from the existing Chaupe family residence. Due to Peruvian laws regarding squatters’ rights, the company had to remove the foundations from its property within 15 days or find itself in another, protracted judicial action to re-establish its legal and documented ownership of the property.

- **Statement** – *“Last December, indigenous Peruvian farmer Máxima Acuña Chaupe won a lawsuit for control of her land.”*

- **Fact** – In 2012 and again in 2014, Peruvian courts confirmed that Yanacocha was the lawful owner and possessor of the land in question, ruling that the Chaupe family had illegally and criminally trespassed upon the land in question. In a separate ruling in December 2014, the Cajamarca Criminal Court of Appeals ruled that there was insufficient evidence of “acts of violence” by the Chaupe family on the initial day of their illegal trespass to warrant criminal charges. This particular ruling did not make a finding that the Chaupe family has any ownership or possession of the property in dispute.