



## **Chaupe Land Dispute Information Update: April 24, 2018**

As outlined in our [previous updates](#) regarding the ongoing land dispute between members of the Chaupe family and Yanacocha, we believe it is important to be truthful and transparent about the facts. This includes providing factual information regarding Yanacocha's ongoing efforts to respectfully and responsibly protect its property rights while continuing to seek good-faith dialogue to achieve a mutually agreeable resolution with the Chaupe family.

### Latest Developments

Since our last [update](#) in May 2017 regarding the Peruvian Supreme Court ruling to dismiss the criminal complaint originally filed by Yanacocha in 2011, our approach has focused on seeking opportunities to strengthen direct engagement with members of the Chaupe family. These efforts were suspended in September 2017 when the family filed a lawsuit in the U.S. Federal Court in Delaware (through Earthrights International). The lawsuit alleges that since August 2011 certain Newmont entities, together with Minera Yanacocha and its local security contractor, Securitas, and the Peruvian National Police ("PNP"), have harassed and abused the Chaupe family.

On 11 April 2018, the federal court in Delaware granted Newmont's motion to dismiss indicating the suit belonged in Peruvian, not U.S., courts. The order issued by the court contains jurisdictional conditions that were agreeable to Newmont.

### Incursions and Possessory Defenses

Illegal trespass onto land clearly owned by Yanacocha – parcels that are not under dispute in the courts – were undertaken by members of the Chaupe family on three occasions since May 2017. The illegal trespass activities involved:

- 10 October 2017 – plowing and planting new areas
- 17 November 2017 – plowing and planting new areas and adding to a structure previously subject to a possessory defense in 2014
- 2 April 2018 – plowing and planting new areas

In response to all three of these new trespass actions, Yanacocha responsibly and lawfully conducted possessory defenses to re-establish the company's possessory rights, as required by Peruvian law. In all cases, human rights and risk assessments were conducted prior to the possessory defenses which were completed without violence or the use of security personnel.

### Engagement with the Chaupe Family

Since 2016, Yanacocha has focused on improving communications and relationships with members of the Chaupe family following recommendations from the "[Yanacocha Independent Fact Finding Mission.](#)" Direct engagement with members of the family increased in frequency in 2017, indicating both parties had an interest and a desire to find a mutually beneficial resolution to the land dispute.

Unfortunately, this progress was cut short in September 2017 when the Chaupe family filed the lawsuit in Delaware.

## Conclusion

Our goal is to always be respectful of our neighbors, while lawfully protecting our property rights, avoiding confrontation and respecting human rights. We continue to invite the Chaupe family to join us in direct, good-faith dialogue to reach a fair and durable resolution and ask that they refrain from undertaking new incursions onto company land adjacent to the disputed parcel.

We recognize the ongoing distress this dispute creates for the Chaupe family and Yanacocha continues to seek measures to reduce tensions and prevent conflict. We are optimistic that a platform for dialogue can be established, and we will continue to update our stakeholders on significant developments as they occur.