



Chaupe Land Case Information Update: October 4, 2016

Background

As outlined in our [previous updates](#) regarding the ongoing land dispute between the Chaupe family and Yanacocha, we believe it is important to be truthful and transparent about the facts surrounding this case, including Yanacocha's efforts to protect its property rights in the face of ongoing attempts to illegally acquire additional property from the company through adverse possession.

The following information expands on previous updates and supplements information currently available on the [Newmont](#) and [Yanacocha](#) websites and specifically addresses recent events that occurred on October 4, 2016. Our last [update](#) was provided on September 20, 2016 following a possessory defense action by the company to remove a recently cultivated area on land not under legal dispute and well documented as belonging to Yanacocha. A number of false/exaggerated claims were made that the Chaupes were "severely beaten" during the possessory defense. However, [medical records released](#) following the action demonstrated that Maxima Chaupe was not struck or beaten in any way.

The [complete video](#) was released by Yanacocha and demonstrated that despite being physically attacked with rocks and sticks, the security personnel in no way retaliated, struck the Chaupes or initiated any contact with them. While videos of this type will always be perceived negatively, it was important to be transparent and ensure detailed events can be viewed by interested parties.

Recent Events

As indicated in our September 20, 2016 update, the Chaupes, once again, illegally occupied additional parcels of land owned by Yanacocha in the same area where the possessory defense occurred on September 18, 2016. In response to the illegal occupation, the company again conducted a possessory defense on October 4, 2016 to remove recently cultivated crops and replanted native grasses that were there previously. According to Peruvian law, structures or crops illegally planted on private property must be removed by the owner within 15 days using a legal process known as a "possessory defense." If the property owner fails to re-establish their possession of a parcel within the 15-day time limit, the trespasser gains possession of the property under Peru's squatters' rights laws.

The possessory defense on October 4, 2016 lasted approximately one hour and the entire event was witnessed by independent journalists. Once again, the security personnel protecting the workers were violently confronted by Jaime Chaupe who struck one of the security personnel in the head with a machete. Fortunately, the security personnel were wearing their standard protective gear and did not sustain serious injuries. In addition, independent local media were invited to witness the possessory defense and were present during the entire engagement and spoke with both Jaime Chaupe and company representatives. With media present, Jaime Chaupe stated he would be willing to accept Yanacocha's offer to engage in a good-faith dialogue. Company representatives said they would be willing to meet with the Chaupes and/ or their representatives at a date, time and place of their choosing.

The Yanacocha team also demarcated the boundary to once again make clear the property line between the parcel that is under legal dispute and the parcels that are clearly owned by Yanacocha and not under legal dispute. At no time did any member of the security team or Yanacocha retaliate or attempt to strike Jamie Chaupe.

Summary

Our goal is to always be respectful of our neighbors, while lawfully protecting our property rights and avoiding confrontation.

We prefer to resolve differences through direct, good-faith dialogue, and remain open and willing to doing so. In the meantime, Yanacocha must rely on legal avenues provided under the judicial process to protect its established property rights. This includes making every effort to reduce tensions and minimize conflict by not disturbing the house the Chaupe family built on Yanacocha land in 2011 until the judicial process is complete. Similarly, while Yanacocha manages entry and access onto its privately held lands, it has committed to ensure the Chaupe family and visitors have safe access to the disputed lands.

On September 28 Newmont welcomed the public release of an independent report examining the ongoing land dispute in Peru between members of the Chaupe family and Yanacocha. Obviously, the complex land dispute remains a concern for us, and we believe it is important to be truthful and transparent about the facts surrounding this issue and as such will continue to release updates to provide timely information. The report also presents opportunities for Yanacocha to improve their performance and management of conflicts such as this land dispute. Over the next few weeks we will work in good faith to socialize the findings of the report and our action plan with stakeholders so we can chart a constructive path forward.

We recognize the ongoing distress this dispute creates for the Chaupe family. Yanacocha will continue to seek measures to reduce tensions and prevent conflict as the judicial processes to determine ownership unfold.

We are optimistic that a platform for dialogue can be established based on statements made by Jamie Chaupe today and we encourage Grufides and other NGOs to support the family's desire to establish dialogue. We will continue to update our stakeholders on new developments.