



Latin American Mining Monitoring Programme

**Box 1: Yanacocha Mining Company Vs. the Chaupe-Acuña Family over Disputed Territory, Tragadero Grande**

**29<sup>th</sup> October 2012:** The Criminal Court of Celendín, Cajamarca rules in favour of Yanacocha and against the Chaupe-Acuña family on allegations of “illegal occupation”.

Sentence: suspended prison terms of three years, and a fine of 200 soles payable for civil reparations to Yanacocha.

**2<sup>nd</sup> August 2013:** Following an appeal by the family’s lawyer, the Superior Court of Justice of Cajamarca rules “null and void” the sentence of 29 October 2012 on the basis that the previous judgement contained errors of law and had failed to consider fundamental evidence favourable to the Chaupe Acuña family.

**5<sup>th</sup> August 2014:** After Yanacocha files a new complaint against the Chaupe Acuña family for illegal occupation, the uni-personal Court of Celendin rules in favour of the mine and against the Chaupe-Acuña family for “aggravated usurpation”.

Sentence: suspended prison term of two years and eight months, a fine of 5,500 soles payable for civil reparations to the Yanacocha mining company, and a resolution that the family vacate the disputed lands.

**17<sup>th</sup> December 2014:** Following an appeal by the family’s lawyers, the Criminal Chamber of Appeals for the Superior Court of Justice of Cajamarca overturns the 5<sup>th</sup> August 2014 ruling acquitting the Chaupe Acuña family of allegations of “illegal usurpation” and stops the previous resolution that ordered the family to evict the property.