

London, 25 September 2014



**To the attention of the signing members of the Voluntary Principles on Security and Human Rights (VPs)**

As the Latin American Mining Monitoring Programme (LAMMP), an organization supporting rural and indigenous women affected by mining projects in Latin America, we are writing to express our concern about the human rights violations against Máxima Acuña Chaupe provoked by police and security personnel hired by Yanacocha S.A., a subsidiary of Newmont Mining Corporation.

Since the establishment of the VPs in 2000, LAMMP has followed with great interest their implementation across the extractive sector in Latin America. In line with the *UN Guiding Principles on business and human rights* (UNGPR), it is our firm belief that mining companies have an obligation to uphold international human rights standards. Thus, it is after a long history of conflicts and human rights violation that we support the VPs in the extractive sector. Also, we appreciate that their implementation is not without challenges.

However, from our own experience working with women in mining affected communities, it is clear that there is a fundamental gap between the VPs and their implementation. The conflict surrounding the Conga project, owned by Yanacocha, is but one example of this breach with the VPs and other international efforts to create a culture of human rights in the industry.

Yanacocha is a joint venture comprising Condesa, a subsidiary of the Peruvian company Minas Buenaventura and Newmont Mining Corporation. Newmont holds a majority of Yanacocha's shares (51.35%) and as a signing member of the VPs, we believe that it should be held accountable for any human rights violations committed or contributed to in the Conga conflicts.

With an investment of 4.800 million USD, the project is expected be Peru's largest ever-mining investment, exploiting 3069 hectares of land. For this reason, the gold and copper mine has faced large scale opposition since 2011, leading to the mine's suspension in November that year.

Yanacocha and Newmont recognised their involvement in the conflict in their 2012 report, *Listening to Cajamarca*<sup>1</sup>. Nevertheless, we are deeply concerned that these public statements are simply used as fig leaves to conceal further human rights violations.

Protests have continued throughout the suspension period, reaching a state of emergency imposed by government officials in July 2012<sup>2</sup>. National and international civil society

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<sup>1</sup> [http://www.newmont.com/sites/default/files/u110/CSRM\\_Listening-Study\\_Final-Report.pdf](http://www.newmont.com/sites/default/files/u110/CSRM_Listening-Study_Final-Report.pdf)

<sup>2</sup> Minas Congas mining project, Bank Track, 2014

groups, including LAMMP, have noted the alarming persecution of Human Rights Defenders and environmental activists in the Conga conflict<sup>3</sup>.

So much that, we would like to invite you to read the attached document regarding Máxima Acuña Chaupe, a rural woman from Cajamarca. We believe that her experiences are telling of the human rights trampled by the mine's security operations: she is systematically harassed, threatened and attacked by members of security personnel at Conga, particularly from the Division of Special Operations of the Peruvian National Police (DINOES) hired by Yanacocha.

This is a pressing matter for two important reasons:

-Máxima is still awaiting the verdict of her appeal from the sentencing of the 5 August 2014

-The operations at the Minas Congas project is planned to re-open in the coming year<sup>4</sup>.

Accordingly, we urge you to recognise these incidents as violations of the VPs and to review Newmont Mining Corporation's membership to the initiative.

We are looking forward to your reply,

Yours sincerely,



Leilah Gordon-Bates,  
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<sup>3</sup> <http://www.frontlinedefenders.org/peru-reportonhumanrightsdefenders> and

[http://www.banktrack.org/manage/ajax/ems\\_dodgydeals/createPDF/minas\\_conga\\_mining\\_project](http://www.banktrack.org/manage/ajax/ems_dodgydeals/createPDF/minas_conga_mining_project)

<sup>4</sup> <http://www.mining.com/newmonts-conga-copper-and-gold-mine-could-restart-next-year-authorities-80316/>