

Asunto: ZDF Zoom und SRF Kassensturz Gold

Dear Mr. Hosny,

Thank you again for your interest in Yanacocha. I understand you have additional questions based on allegations made by certain individuals, and I wanted to ensure you had accurate, complete and balanced information regarding these allegations, as I trust you want your story to be as fair, balanced and accurate as possible.

Below are the additional questions I understand you have based on these allegations. I have provided additional information/ responses to these questions/ allegations, including links to important documents. Also, attached is a study commissioned by the government of Cajamarca in 2010 showing that mining activities have not negatively impacted water availability in the Cajamarca region.

Please let me know if you need anything else, and we look forward to a fair, balanced and accurate story on October 6.

Thank you.

Roberto Del Aguila
Yanacocha
Communications Manager

1. **The regional government of Cajamarca accuses Yanacocha to considerably strain the water in the region. As evidence it indicates the environmental study by the University of Barcelona, as well as its own water and soil samples.**
 - a. The Cajamarca region receives ample rainfall, but lacks sufficient water storage capacity to capture water during the rainy season for use during the six-month dry season. To help address the issue of lack of water storage capacity, Yanacocha invested approximately US\$20 million to build the Chailhuagón reservoir, which doubled the water storage capacity of Chailhuagon lake to 2.6 million cubic meters. Chailhuagon now provides year-round water availability to downstream users. In addition, Yanacocha has invested in more than 60 water systems and sanitation infrastructure to benefit nearly 8500 families, along with more than 100 kilometers in improved canals, of micro-reservoir construction and pressurized irrigation systems in rural villages in the mine's area of influence. Yanacocha also invested US\$10 million in the local water authority (SEDACAJ) to help them upgrade their infrastructure and facilities. Also, attached is a study commissioned by the government of Cajamarca in 2010 showing that mining has not impacted water availability in the Cajamarca region.

2. **The inhabitants of San José came up with the accusation that from a leak at the waste site of the of mine exits contaminated water which contaminates their stream.**
 - a. Peru's Agency for Assessment and Environmental Control (OEFA) looked into these allegations and initiated an investigation to evaluate the allegations. Yanacocha has fully complied with all of OEFA's requests, as part of the evaluation, and we look forward to the results from OEFA. In addition, Cajamarca's Prosecutor initiated a criminal investigation into the allegations and concluded that no pollution from Yanacocha's facilities was detected. Yanacocha also issued a news release regarding this issue which may be found here: <http://www.yanacocha.com/comunicado-27/>

3. **Further we have been submitted a contract in which the Peruvian Ministry of the Interior allows the Mine to employ members of the National Police in their spare time as private security forces. In the past these have repeatedly been violently active against the demonstrators, according to the human rights organization Grufidis. There were dead and wounded.**
 - a. Peruvian law allows for private companies to contract additional security support from the police to protect people and assets. Many companies in Peru also do this under the auspices of the law, not just mining operations. In addition, these types of arrangements are not unique to Peru and also occur in the United States and elsewhere. In October 2011, protesters led by well-known political activists (some with previous involvement in the Tupac Amaru) requested entry to the Conga property to “conduct an inspection.” After granting their request to enter the property, unarmed Conga employees from the company’s community relations team were physically beaten with whips and sticks (video on YouTube) by the activists. The unprovoked attack on Yanacocha’s community relations employees, as well as vandalism of company property and facilities, set the stage for the need to increase police protection around the Conga project. In November 2011, bands of protesters (led by many of the same political activists) set up roadblocks around the City of Cajamarca, preventing traffic and supplies from getting in or out the city. The siege lasted 11 days and caused widespread shortages of food and fuel before the central government was forced to declare a state of emergency to restore order, protect the general public and allow food and fuel to enter the city. Those leading the protests included former members of the outlawed Tupac Amaru (Marxist-Leninist) terrorist organization, which was responsible for countless deaths during Peru’s communist insurgency in the 1980s and 1990s. On July 3, 2012, a large group attempted to storm the municipal building in Celendin — which is approximately 60 kilometers from the Conga project — to attack the mayor after he made comments stating he would be in favor of a dialogue process to achieve a resolution around the future of the Conga project. Protestors fired weapons at police and soldiers (these security forces were not acting on behalf of Yanacocha and were not under agreement by the company as this confrontation occurred 60 KM away from the Conga project) brought in to protect the municipal building and, regrettably, the confrontation escalated resulting in the tragic and unnecessary deaths of four individuals in Celendin, and one in Bambamarca. There was a very real economic impact from the roadblocks and violent protests. Not only were 6,000 Conga employees laid off, 77,000 jobs in the Cajamarca region disappeared as a result of the roadblocks and protests, scaring away tourists and investors. While the economy in the rest of Peru expanded -- thanks in large part to natural resource development projects -- Cajamarca entered a recession.
4. **The Supreme Court of Cajamarca has dejected the eviction of Yanacocha against the farmer’s wife Maxima Acuna at the beginning of the year and recognized her as rightful owner of the land which is claimed by the mine. In February the security forces of the mine have destroyed a residential building and a stable under construction of the farmer’s wife.**
 - a. This is inaccurate. First, there is no Supreme Court in Cajamarca. Second, there has not been any temporary or final decision by a Judge or a court in which any right to the parcels in question has been granted to the Chaupe family and/or Maxima Acuna.
 - b. On July 2015, the Civil Judge of Celendin issued a restraining order on the Chaupe family requiring that they stop trespassing and invading any additional Yanacocha property.
 - c. On a number of occasions, Yanacocha has exercised its rights established by article 920 of the Peruvian civil code which entitles land owners to assert their property rights, with the support of police, in the face of illegal property invasions. On January 20th, 2015, Yanacocha removed a hut located approximately 200 meters away from the area that Chaupe family currently occupies. Since that initial action, Yanacocha has exercised its

possessory defense several times with no physical force used against Maxima Acuña or her family. In fact, the company has exercised its possessory defense in ways that presented the lowest possible risk to both the family and members of the company's community relations team.

- d. In addition, an independent fact finding mission has been established to understand the facts related to this land dispute. More information about the independent fact finding mission may be found here: <http://www.resolv.org/site-yiffm/>. Additional information about this issue may be found [here](#) and [here](#). Background on the land dispute is available in this [fact sheet](#).