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U.S. FEDERAL COURT ACTION REQUESTS INFORMATION FROM NEWMONT
REGARDING REPRESSION OF PROTESTS AT ITS CONGA MINE PROJECT

JANUARY 24, 2014, DENVER – EarthRights International (ERI) filed an action in federal court today on behalf of a protestor paralyzed by police violence at the site of Newmont Mining’s Conga mine project in Peru. ERI is seeking documents and information from Newmont to assist in pending legal proceedings in Peru related to the police repression of protestors against the Conga project.

Elmer Eduardo Campos Álvarez, a 32-year-old resident of the Cajamarca department, where the Conga project is planned, lost a kidney and his spleen and was paralyzed from the waist down on November 29, 2011, when police officers shot him in the back while he was peacefully protesting. Mr. Campos was among at least 24 protestors injured by police that day.

The Yanacocha mining company – a Newmont subsidiary – contracted with the Peruvian National Police for the provision of security services at the planned mine site, and the police officers involved in the repression of November 29, 2011 have told local prosecutors that they were providing security to the company. The proposed Conga mine has generated strong community opposition; the project would mean the destruction of lakes held sacred by local people, who depend on the lakes as a major source of water.

“Police repression of social protest against mining operations is endemic in Peru and around the world,” said Benjamin Hoffman, ERI’s Amazon Staff Attorney. “The problem is exacerbated in cases like this one, where public police officers are deployed in the service of private security. We hope this action will shed more light on the situation and assist in obtaining justice in Peru.”

Mr. Campos is seeking information held by Newmont – including photographic and video evidence, reports of Yanacocha security or employees, records of communications with the police, and internal company communications – that shed light on the events of that day.

If provided, the requested information will assist Peruvian legal authorities currently investigating the incident in both a pending criminal investigation against the two commanding police officers and a civil lawsuit brought by Mr. Campos against the police and other government actors.

“Justice,” said Mr. Campos, “means first that there is a real investigation to determine who was responsible, and that they pay for their crimes, and second, that the government fulfills its responsibility to protect its citizens and the environment, rather than forcing a destructive mining project on its citizens through abusive police conduct.”



“We hope the action in the United States supports the legal efforts underway in Peru to seek justice, accountability and greater protection for human rights, and helps to end a culture of impunity for police repression of legitimate protest activity,” said Mar Pérez of the National Human Rights Coordinator, which is representing Mr. Campos as an aggrieved party in the criminal investigation.

The federal court motion was filed under 28 U.S.C. § 1782, a law which allows parties to foreign legal proceedings to obtain documents and information from individuals or companies in the United States in service of foreign proceedings.

In addition to EarthRights International, Mr. Campos is represented in the federal court action by Gail Johnson of Johnson, Brenner & Klein, PLLC, based in Boulder, Colorado.

EarthRights International (ERI) is a nongovernmental, nonprofit organization that combines the power of law and the power of people in defense of human rights and the environment, which we define as "earth rights." We specialize in fact-finding, legal actions against perpetrators of earth rights abuses, training grassroots and community leaders, and advocacy campaigns, and have offices in Southeast Asia, the United States and Peru. More information on ERI is available at <http://www.earthrights.org>.

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