

URGENT ACTION

FAMILY HARASSED BY MINING COMPANY PERSONNEL

Máxima Acuña and her family, subsistence farmers in northern Peru, have reported new acts of intimidation and harassment against them, this time by armed security personnel from a mining company. They are in an ongoing legal dispute against the mining company over the ownership of a plot of land where the family lives. They believe the ongoing harassment and intimidation against them is an attempt to drive them away.

According to local human rights organizations, at 9:30am on 2 February armed security personnel from the Yanacocha mining company entered the land where **Máxima Acuña** and her family have lived for over 20 years and destroyed the crop of potatoes they were growing for their own use. The family reported the incident to the Public Prosecutor's office.

Two days before, the family's dog was found alive but with a stab wound to the neck.

Máxima Acuña and her family, who are subsistence farmers, have been in a dispute with the Yanacocha mining company for years over the ownership of the plot of land where they live in Tragadero Grande, Sorochuco district, Cajamarca region. On 17 December 2014 a Court in Cajamarca determined that the family was not guilty of illegally occupying the land, as claimed by the company. The mining company challenged the decision and on 9 March 2015 the Supreme Court confirmed the first acquittal ruling. The mining company is now challenging the ownership of the land in a civil court.

Please write immediately in Spanish or your own language:

- Reminding the authorities that they must protect Máxima Acuña and her family from any acts of intimidation according to their wishes and must respect their human rights at all times, including their right to the plot of land where they live, whatever the outcome of the land dispute;
- Expressing grave concern that Máxima Acuña and her family have been subjected to a campaign of intimidation and harassment by both the police and members of the Yanacocha mining company's security personnel, and that until now, none have been brought to justice;
- Urging them to order a thorough and impartial investigation into the reported destruction of the crops and bring those responsible to justice.

PLEASE SEND APPEALS BEFORE 17 MARCH 2016 TO:

Interior Minister

José Luis Pérez Guadalupe
Ministro del Interior
Ministerio del Interior
Lima, Perú
Tel/Fax: +511 418 4030 (ask for "tono de fax, por favor")
Email: dm@mininter.gob.pe

Salutation: Dear Minister/Sr. Ministro

Attorney General

Pablo Sánchez Velarde
Fiscal de la Nación (i)
Ministerio Público
Fiscalía de la Nación
Lima, Perú
Tel/Fax: +511 625 5555 or +511 208 5555
(ask for "tono de fax, por favor")
Email: psanchez@mpfn.gob.pe

Salutation: Dear Attorney General/Sr. Fiscal de la Nación

And copies to:

Human Rights organization
GRUFIDES
Jr. José Galvez 430 – A,
Barrio San Pedro
Cajamarca, Perú
E-mail: info@grufides.org

Also send copies to:

Ambassador Luis Miguel Castilla, Embassy of Peru
1700 Massachusetts Ave. NW, Washington DC 20036
Fax: 202 659 8124 | Phone: 202 833 9860 | Email: sbarboza@embassyofperu.us (Assistant Ms. Sara Barboza)

Please let us know if you took action so that we can track our impact! EITHER send a short email to uan@aiusa.org with "UA 182/13" in the subject line, and include in the body of the email the number of letters and/or emails you sent, OR fill out this [short online form](#) to let us know how you took action. Thank you for taking action! Please check with the AIUSA Urgent Action Office if taking action after the appeals date. This is the third update of UA 182/13. Further information: www.amnesty.org/en/documents/amr46/002/2015/en/

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ADDITIONAL INFORMATION

Over the past few years the Acuña family have reported repeated harassment and attacks from police and private security personnel from the Yanacocha mining company, who they state are attempting to drive them off their land. On 3 February 2015 Máxima Acuña's lawyer told the press that at least 200 police officers entered the family's land and demolished an extension she was building to their house. Máxima Acuña and her family described how they were building the extension to support the structure of their existing house against the rain.

On 20 January 2015 Máxima Acuña and her family reported being harassed and intimidated by the police in their home. Days later, Máxima Acuña's lawyer told Amnesty International that over 15 police officers as well as private security guards entered their plot of land and started taking photos of their house. When the family questioned why the police officers were on their property, no one addressed them or provided any legal documentation to support their actions.

On 30 January 2014 Máxima Acuña received a telephone call from a male voice who told her "get off the property or you'll die" (*sal de tu propiedad, si no vas a morir*). Shortly after the call, two police officers approached her and told her to stop farming the land as it was not hers. After she and her daughter returned home, they stated that two police officers, one of whom was armed, entered the house and told them to stop farming and to leave the land immediately. The police left after Máxima Acuña made a few telephone calls to ask for help, but they returned to her property on 4 February 2014 to intimidate her again.

Name: Máxima Acuña (f) and her family
Gender m/f: all

Further information on UA: 182/13 Index: AMR 46/3392/2016 Issue Date: 4 February 2016