

Australian Archaeological Association Inc.: Press Release
Loss of Juukan Gorge Rockshelters, Pilbara region, Western Australia

The destruction of the significant Juukan Gorge rockshelters, despite new and compelling evidence from archaeological excavations conducted after the permit to destroy was issued, highlights the urgent need to reform the *WA Aboriginal Heritage Act*. These actions highlight the need to have robust heritage agreements between proponents and Aboriginal communities that are responsive to new information about the cultural significance of sites. There has been an increasing call from professional archaeologists and Aboriginal Representative Bodies to have a forum in Western Australia for heritage appeals that considers the values of heritage to Traditional Owners and the State, and takes into account wider considerations of significance such as The Burra Charter.

New evidence for values and significance should be able to be incorporated into agreements with communities and reflected in the level of protection afforded by heritage law. This would bring WA into line with other States where up-to-date assessment of the significance of sites is used to make informed decisions around their protection and management. The early dates for occupation at Juukan, at 46,000 years ago, puts this site in the oldest bracket of dates for the human occupation of Australia's deserts. This issue emphasises the need for the WA State Government to progress the reforms to the Heritage Act for greater clarity, certainty and site protection for Traditional Owners, land-users and the Regulator, and not the least for the heritage itself.

While AAA understands that Rio Tinto was legally permitted to destroy these sites under a Section 18 Notice issued in 2013, the fact that Rio did not revisit this decision after the site's increased cultural significance was demonstrated by subsequent archaeological excavations, and visits by Traditional Owners, is inconsistent with modern standards of heritage management. Many of our members work extensively and collaboratively with Rio Tinto and have done so for many years, on the assumption that Rio Tinto's strategic mission is to set best practice in cultural heritage management and establish and maintain ethical partnerships with Traditional Owner communities. It is expected that RTIO, and other resource developers, meet both the regulatory requirements mandated by state legislation and the expectations of their agreements with Traditional Owner groups. That the timing of the destruction of these sites was on Australian *Sorry Day* was particularly unfortunate. Multi-decadal investment in best-practice heritage management and Traditional Owner partnerships can be eroded by such actions.

There are important lessons to be learned here. As a discipline that prides itself on our collaborative work with Traditional Owner groups while striving for best practise outcomes in heritage compliance, we call on the Western Australian regulators and industry leaders to work towards building a stronger and fairer heritage protection framework for the State.

In this Week of Reconciliation – we say: We are Sorry.

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