The World Archaeological Congress (WAC) was shocked and saddened by the destruction of Juukan Gorge sites in the Pilbara, Western Australia. WAC condemns the decision taken by the mining company Rio Tinto to go ahead with the blasting despite the irreplaceable importance of the sites for the custodian Aboriginal communities in the Pilbara, the Puutu Kunti Kurrama and Pinikura peoples. WAC understands that the rockshelters within the Juukan Gorge also have high archaeological significance, and regrets that Rio Tinto did not act to preserve the sites in the landscape, despite the wishes of the Puutu Kunti Kurrama and Pinikura people expressed in the form of a request to access the site for their NAIDOC Week celebrations on 15 May 2020.

WAC urges the Government of Western Australia to review and revise its 1972 Aboriginal Heritage Act to ensure that improved protection is provided to heritage resources and to allow appeal avenues through which Traditional Owners and custodial communities can formally object to such permits on the discovery of new information.
WAC recognises, respects and promotes the importance of tangible and intangible Indigenous heritage as a vital element of Indigenous rights, and condemns the interference with Indigenous heritage. WAC supports the rights of the Puutu Kunti Kurrama and Pinikura people in these difficult circumstances, and into the future. We urge Rio Tinto, the State and the Federal governments of Australia, in sincere consultation with the custodian Aboriginal community and the PKKPA Aboriginal Corporation, to prevent such incidents in the future by taking appropriate actions immediately.

Deriving from this incident, the World Archaeological Congress wishes to make the following recommendations.

In the short-term, WAC calls upon Rio Tinto, and all companies operating in resource and extractive industries across the world, to:

1. Review and update heritage management frameworks regularly - in consultation with Indigenous communities/Traditional Owners. WAC is of the opinion that the measure of success in this regard is compliance with best practice Indigenous community consultation, archaeology and heritage management protocols (as informed by current academic literature), rather than the legislation of the day, which by its nature is slow-moving and frequently inadequate for the effective protection of cultural heritage.

2. Avoid and protect heritage places with demonstrated cultural significance, even if that significance is demonstrated post-approval to disturb. While it may currently not be a legal requirement to preserve a heritage place that has been approved for disturbance in some jurisdictions (for example, in Western Australia), WAC is of the opinion that the wishes of the Indigenous communities must take precedence in these situations. In situations where resource companies seek consent for interference with a heritage site, the full, informed consent of the appropriate custodian community must be granted.

3. Continue to locate, record and protect areas of cultural significance within their tenure under the direction of Indigenous communities and other cultural stakeholders. This work must be conducted following best practice in heritage management.
4. Make public in a timely manner the results contained in cultural heritage management reports they have sponsored - provided the express permission and informed consent of the appropriate custodian community has been granted. WAC is concerned that the practice of keeping the results of heritage compliance research confidential benefits industry in gaining approval to destroy such places as the Juukan Gorge rockshelters. WAC understands that such reports may contain culturally sensitive information as well as commercially sensitive information. Such information can be redacted.

*In the long-term,* WAC calls upon all state and national governments, globally, to review and strengthen their heritage legislation to better protect cultural heritage, especially in situations where industry and heritage collide.

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**Background information**

The World Archaeological Congress, with members in more than 90 countries, is the only fully international and representative organisation of practicing archaeologists. WAC’s mission is to (1) promote professional training for disadvantaged nations and communities; (2) broaden public education, involving national and international communities in archaeological research; (3) develop archaeological practice so that it empowers Indigenous and minority groups; (4) contribute to the conservation of archaeological sites threatened by looting, urban growth, tourism, development or war; and (5) re-dress global inequities amongst archaeologists.