

Rio Tinto's position on recommendations issued by the Joint Standing Committee on Northern Australia

The table below outlines Rio Tinto's positions on Recommendation 1, as at 16 December 2020. This document will be updated as further progress is made.

RECOMMENDATION	RIO TINTO POSITION
Negotiate a restitution package for the destruction of the Juukan rock shelters with the PKKP.	Rio Tinto has been engaging directly with the PKKP on determining an appropriate remedy for several months and has provided funding to the PKKP to support genuine participation in this process.
Ensure a full reconstruction of the Juukan rock shelters and remediation of the site at its own expense, with guidance and oversight from the PKKP, acknowledging Rio Tinto's undertaking in this regard and the steps taken to date. The reconstruction should specifically include steps to mitigate water and other damage to the creek that flows in Juukan Gorge and protect the Sacred Snake-head Rock Pool.	<p>Work by Rio Tinto and PKKP on a remediation plan is well underway with the PKKP assessing ways to protect the area for the future.</p> <p>Full reconstruction of the rock shelters is not possible, however Rio Tinto is committed to recover the rock shelters to the fullest extent possible and will seek to enable access if it is deemed safe.</p> <p>Other parts of the gorge, including the Snake-Head rock pool will be protected. Mitigation of water runoff has been completed in preparation for the wet season.</p>
Commit to a permanent moratorium on mining in the Juukan Gorge area, negotiated with the PKKP, and that this is respected by all mining and exploration companies.	<p>We are committed to a permanent moratorium on mining in the area in and around the Juukan Gorge.</p> <p>Rio Tinto has no intention to mine the Juukan Gorge and this has been communicated to the PKKP.</p>

<p>Undertake an independent review of all its agreements with Traditional Owners to ensure they reflect best practice standards</p>	<p>Rio Tinto has committed to modernise all agreements with each of the Traditional Owner groups in the Pilbara on whose land we operate.</p> <p>We respect their unique and individual interests in modernised agreements and will engage with Traditional Owners on this basis.</p> <p>We intend to engage with the Traditional Owners on how independent input can be sought to support this modernisation process.</p> <p>We have indicated our preference to make the modernised agreements public, subject to the agreement of Traditional Owners.</p>
<p>Remove any gag clauses or restrictions on Traditional Owner rights under heritage and other laws</p>	<p>Key confidentiality clauses of existing agreements are not being enforced and will not be included in any future agreements.</p> <p>Rio Tinto has written to and engaged with Pilbara Traditional owners to confirm this.</p>
<p>Commit to a stay on all actions under Rio Tinto's current Section 18 permissions until they are properly reviewed to ensure that free, prior and informed consent has been obtained from Traditional Owners and is current.</p>	<p>We are reassessing any activities which have the potential to impact heritage sites and have implemented a process for consultation with Traditional Owners including over existing Section 18s.</p> <p>We will continue to review mine plans to ensure the protection of sites of exceptional cultural value and have increased monitoring of operational activities that have the potential to impact heritage sites.</p> <p>Where avoidance of a site is not possible and disturbance is contemplated, we are consulting with Traditional Owners. Indirect impacts are also being managed through increased monitoring of operational activities.</p>
<p>Commit to a voluntary moratorium on applying for new Section 18 permissions, pending either the passage of stronger heritage protections in Western Australia or the negotiation of a protocol with relevant Traditional Owners to establish an improved process for site surveys, cultural protection and work area clearances based on the principle of avoiding damage wherever possible</p>	<p>We are working collaboratively with Traditional Owners groups to develop a detailed heritage management protocol to enhance cultural protection.</p> <p>We welcome and encourage greater certainty around heritage protection and believe this will also lead to the certainty required to invest and operate over the long term.</p> <p>In the interim, we have increased engagement regarding current and proposed plans for mining activities and are continuing to consult with Traditional Owners on heritage values and potential impacts.</p> <p>In our experience, Section 18 applications in Western Australia are not being processed without a letter of support from TOs.</p>

<p>Return all artefacts and other materials held by Rio Tinto to PKKP and after negotiation and by agreement with PKKP, fund appropriate keeping places for artefacts and other materials to be supervised and controlled by the PKKP.</p>	<p>All artefacts are the property of PKKP and RioTinto continues to be ready to relocate them as desired.</p> <p>Artefacts previously salvaged from the Juukan rock shelters and stored on Rio Tinto's Brockman mine site have been moved to a purpose-built facility.</p> <p>Other artefacts are either in possession of PKKP, and some are stored in a Rio Tinto facility in Dampier.</p> <p>Discussions with PKKP are underway on a permanent keeping place, potentially on PKKP country if that is their wish.</p>
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