**A coalition of international institutional investors call upon the Western Australian state government to delay the passing of the proposed Aboriginal Cultural Heritage Bill 2020, and to partner with Indigenous Peoples to co-design a new version of the heritage protection laws.**

XXX investors representing XX AUM, stand with the Western Australian Aboriginal groups – including the National Native Title Council and the WA Alliance, in their call on the WA state government to halt the passing of the proposed Aboriginal Cultural Heritage Bill 2020. Moreover, the coalition requests that the WA state government partners with Indigenous Peoples, representing Indigenous’ interests and industry, to revise the Draft Bill.

In May 2020, Rio Tinto’s destruction of a 46,000-year-old sacred cave in Juukan Gorge, resulted in severe reputational harm to the mining industry and a loss of access to some $7 billion worth of iron ore for Rio Tinto. The Juukan Gorge Disaster demonstrated that damage to Aboriginal heritage sites represents substantial risk to the mining industry, and investors in the sector. To mitigate this risk and safeguard the long-term resilience of the mining industry, there must be robust legislation in place to protect significant Aboriginal heritage sites.

The Draft Bill has been proposed to replace the Aboriginal Heritage Act 1972, which regulates the destruction and preservation of Indigenous cultural heritage sites. However, the [WA Aboriginal Groups have recently stated that the Draft Bill does not provide adequate protection for cultural heritage and would not prevent another Juukan Gorge Disaster.](https://nntc.com.au/media_releases/nntc-supports-call-for-a-halt-to-passing-draft-wa-heritage-bill-cites-lack-of-consultation-lack-of-heritage-protection-financial-risks/)

As investors, our view is that the proposed Bill is not sufficiently robust to ensure adequate protection for sites of significant Aboriginal heritage. We consider this a very important piece of legislation that will prevent policy failures relating to the preservation of cultural heritage sites and directly mitigates any reputational risk of owning Australian mining companies.

We are very concerned and disappointed that local Indigenous groups were not suitably consulted in the short five-week consultation period. To ensure that the heritage protection laws provide the level of security required to avoid a repeat of the events at Juukan Gorge, we believe the perspectives and knowledge of Indigenous Peoples must be included in the formation of a new edition of the Draft Bill.

We urge the WA state government to delay the passing of the current draft of the Aboriginal Cultural Heritage Bill 2020, and replace it with robust legislation that sufficiently mitigates the risk of future tragedies and protects the interest of Aboriginal peoples and investors.

List of signatories

Ardevora Asset Management LLP