Although the deadline for comments on Version 8 of the Draft Programmatic Agreement for the Resolution Copper Mine project was on September 4th, a major announcement was made by Resolution Copper’s parent company, Rio Tinto, on September 11th. This information concerns Rio Tinto’s, and presumably their subsidiary Resolution Copper’s, position regarding important cultural resources and their desire for good-faith relationships with Indigenous people.

On May 24th, 2020, Rio Tinto knowingly and deliberately destroyed two rock shelters in Western Australia that contained archaeological remains demonstrating continuous human habitation for the last 46,000 years. They did so in order to expand an existing iron mine, in spite of strenuous opposition from Aboriginal communities. The resulting uproar – including global bad publicity and pressure from outraged investor groups – culminated on September 11th with the forced resignations of CEO Jean-Sebastien Jacques and two other top executives. The story has made headlines around the world, from the New York Times to The Guardian, CNN, NPR, and business newspapers such as Marketwatch and Business Insider.


Rio Tinto chairman Simon Thompson said: “What happened at Juukan was wrong and we are determined to ensure that the destruction of a heritage site of such exceptional archaeological and cultural significance never occurs again at a Rio Tinto operation.”

Let that sink in: “we are determined to ensure that the destruction of a heritage site of such exceptional archaeological and cultural significance never occurs again at a Rio Tinto operation.”

This poses an interesting dilemma. Resolution Copper’s long-stated intent is to destroy the Chí’chil Biłdagoteel Traditional Cultural Property, a place with exceptional archaeological and cultural significance recognized and acknowledged as such by the U.S. government; yet the Chairman of Resolution’s parent company just made a public vow to never again destroy such properties at their operations. Which will it be? They can’t have it both ways, and whatever they do next will play out on a global stage with Indigenous communities, federal and local governments, heritage resource advocates, environmentalists, investors, the business world, and the general public looking on.

Rio Tinto in fact has a long record of bad-faith actions relative to Indigenous communities, usually followed by apologies, promises to not do it again, and money to smooth things over and keep it quiet. In addition, many of their “agreements” with Indigenous people reportedly include gag orders to prevent them from speaking out against further destruction – see https://www.theguardian.com/business/2020/sep/12/indigenous-leaders-say-riotinto-dumping-executives-must-be-beginning-of-genuine-transformation, paragraphs 5 and 12. This particular case was so egregious, even for Rio Tinto, that word got out and it made them look bad – not just to the general public but to their shareholders and investor groups. So they issued yet another apology, made some feel-good promises, and sacrificed a few corporate scapegoats. Reparations are reportedly under discussion with Aboriginal groups.

But right there in the sixth paragraph of Rio Tinto’s own press release are the words that will come back to haunt them: “we are determined to ensure that the destruction of a heritage site of such exceptional archaeological and cultural significance never occurs again at a Rio Tinto operation.” Those words will also come back to haunt the Forest Service, who are acting as Rio Tinto’s agents rather than as public servants. And those same words – which can only be interpreted as a great promise or a great lie – will never be forgotten by the indigenous people of Arizona and all who have been fighting for decades to save Oak Flat from destruction.