

# Argyle diamond mine: a First Nations perspective on closure

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## Abstract

*The Gelganyem Group represents the Traditional Owners of Argyle diamond mine, in the remote East Kimberley region of North Western Australia. In November 2020, mining ceased at Argyle after 37 years of operations and producing more than 865 million carats of rough diamonds.*

*Just as Argyle Traditional Owners had to pioneer new ways of working with mining companies when asserting their rights during exploration, and negotiating land agreements during mining, they are now leading the charge for the negotiation of positive outcomes for First Nations people in mine closure.*

*There are many lessons to be learnt from Argyle's closure: the first mine closure of its size globally. Argyle Traditional Owners are keen to ensure that mining companies and other First Nations groups:*

- *learn from the Argyle experience*
- *start mining negotiations with closure in mind*
- *understand the critical importance of an agreed closure vision*
- *understand what effective engagement looks like*
- *work to understand the cultural differences in approach to closure and to the value of land*
- *work closely with industry and government to ensure mine closure requirements are fit-for-purpose*
- *maximise First Nations engagement and participation in mine site restoration*
- *use closure to tell the story of Aboriginal leadership, connection to Country, and resilience.*

*First Nations participation in mine closure is critical to ensure its success. The lessons learnt from the closure of Argyle diamond mine will help mining companies and First Nations people work together to improve mine closure outcomes for everyone.*

**Keywords:** *mine closure, First Nations, engagement, finding better ways, Indigenous rights*

## 1 Introduction

While the mining industry grapples with the technical, environmental, and regulatory complexities of mine closure, it is easy for the voices of First Nations people to be lost in the mine closure conversation.

Rio Tinto's vision referenced on its website in stakeholder communications 'Argyle Mine Closure updates – Newsletter Issue 1, 2023' for the closure of its diamond mine at Argyle is 'honouring Argyle's story – closing with pride' (Rio Tinto 2023); but whose story are we honouring? and who are we making proud?

The Aboriginal people who traditionally own the land on which Argyle diamond mine sits used that land before mining, continued using the land while the mine was operational, and are acknowledged as the post-mining land users once the mining lease is relinquished. They have been instrumental in changing the way that Rio Tinto and the Western Australian State Government approach mine closure.

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This paper explores some of the lessons learnt by these key parties and seeks to provide guidance to the mining industry and to other First Nations groups about the way to approach mine closure and First Nations' participation in the mine closure process.

## 2 Argyle diamond mine

The Argyle diamond mine, located in the remote East Kimberley region of Western Australia, was one of the world's largest producers of diamonds. Operated by Rio Tinto, the mine began production in 1983 and continued for 37 years until its closure in 2020. Information supplied by Rio Tinto (2025) explains that over its life, Argyle produced more than 865 million carats of rough diamonds, including the rare and iconic pink diamonds for which it became globally renowned.

According to the Argyle Participation Agreement (Freehills Legal 2004), the mine lies on the traditional lands of the Miriwoong, Gija, Malignin and Woolah people. The East Kimberley region is known for its bright colours, rugged beauty, and rocky landscapes as demonstrated in Figure 1.



**Figure 1 Landscape of Argyle**

Argyle diamond mine is currently in the final stages of closure execution and scheduled to move into post-closure monitoring and maintenance in Q1 2026. The objectives, commitments, process, and strategy for Argyle closure and rehabilitation are outlined in a mine closure plan (MCP) first submitted (and last approved) in 2014, and later submitted again in 2018, 2021 and 2024 to the State Government for approval. The MCP describes how the Argyle site will be decommissioned, rehabilitated, and relinquished to enable the land to be transitioned to Traditional Owners (Argyle Diamonds Limited 2014, 2018, 2021, 2024).

The mine's closure marks a pivotal moment in Australian and global mining history. In Australia, Argyle is the first mine of its scale to move into closure with a formal agreement involving Traditional Owners. Globally, Argyle is considered by industry to be the first major – or Tier 1 – mine to close. For these reasons, Argyle has rightly become a reference point globally for First Nations involvement in mine closure planning.

Gelganyem, the representative body supporting the Argyle Traditional Owners, feels the immense responsibility of setting a precedent for closure as significant as this one. This precedent sets a path for both

Traditional Owner groups and mining companies, as well as post-mining restoration of Country more broadly. It is the hope of Gelganyem and Traditional Owners, that the Argyle experience can offer learning to help shape an improved and more sustainable mine closure industry.

The location of Argyle diamond mine is shown in proximity to the closest towns in Western Australia and the Northern Territory in Figure 2 below.



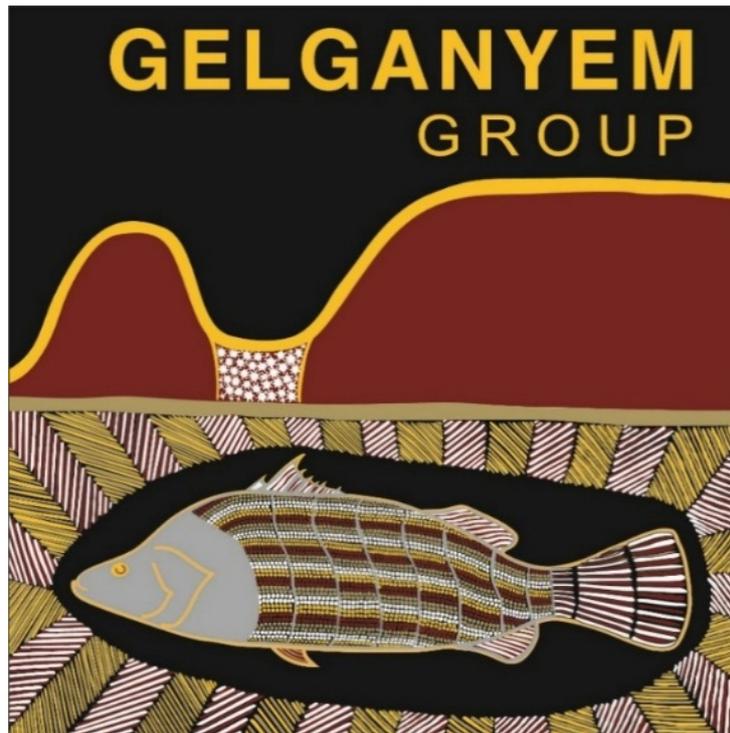
**Figure 2** Map showing location of Argyle

### **3 Who is Gelganyem? From trust to representative body**

Gelganyem was formed as a result of the Argyle Participation Agreement (APA) which was set up to manage the social, cultural, and economic benefits of mining on Country. Established as a charitable trust, Gelganyem was initially responsible for managing financial benefits, supporting education, health, cultural maintenance, community programs, and advocating for other APA benefits such as training, employment, and contracting outcomes for Traditional Owners. Over time, as the relationship with Rio Tinto matured and the mine neared closure, Gelganyem was asked by Traditional Owners to take on greater responsibilities, by advocating on their behalf to prioritise outcomes in closure design and implementation that are most important to them.

In 2022, Gelganyem became the nominated representative body for Traditional Owners in mine closure, with endorsement from both community leadership and corporate partners. The Traditional Owner group comprises seven estate/family groups (dawang/daam) from the Miriwoong and Gija people.

Information supplied by Gelganyem Group (2025) explains that these groups are culturally linked by the story of the Barramundi Dreaming and the journey of the Barramundi fish as she swims through traditional water sources. While the Miriwoong and Gija stories differ in language and in content and have cultural importance in the telling of those stories, they both include the Barramundi jumping and shedding her scales as she does so: changing the landscape of the region forever and leaving diamonds behind (Gelganyem Group 2025). The Gelganyem Group logo shows a traditional painting of the Barramundi, as demonstrated in Figure 3 below.



**Figure 3** Gelganyem Group logo

## **4 Traditional Owners as pioneers**

When Traditional Owners first learnt about the exploration activities at Argyle in the late 1970s and early 1980s, their response was firm, united, and deeply grounded in cultural responsibility.

When diamond exploration began in the East Kimberley, Traditional Owners were not consulted. The extraction of diamonds from the land at Argyle began without formal agreement, and this triggered a strong and unified response from Miriwoong and Gija people. Their response was one of resistance and assertion of sovereignty, their journey described by Kells (2021) through his article 'Indigenous rights and Argyle diamonds. Good intentions, bad policy and the burden of history'.

Traditional Owners blocked access to sacred sites, held meetings on Country, and made it clear to government and company representatives that this was not empty land – it was their land, and any project would need their consent.

This early resistance was not just about protecting sites – it was about demanding recognition, respect, and proper negotiation. They insisted that if the mine was going to continue, it had to happen on their terms, and with real benefits for their people. Some photos of Traditional Owners taking part in those early negotiations are shown in Figure 4 below.



**Figure 4** Early negotiations

## 5 Long negotiation journey

The Argyle diamond mine's agreement-making history began with a 'Good Neighbour Agreement' in 1980.

While the Good Neighbour Agreement was considered by industry as a bold step forward in embedding cultural values into mining relationships, many Traditional Owners felt that its impact was uneven. Without enforceability, consistent engagement, or equal power in decision-making, the agreement sometimes struggled to move beyond symbolism to real accountability.

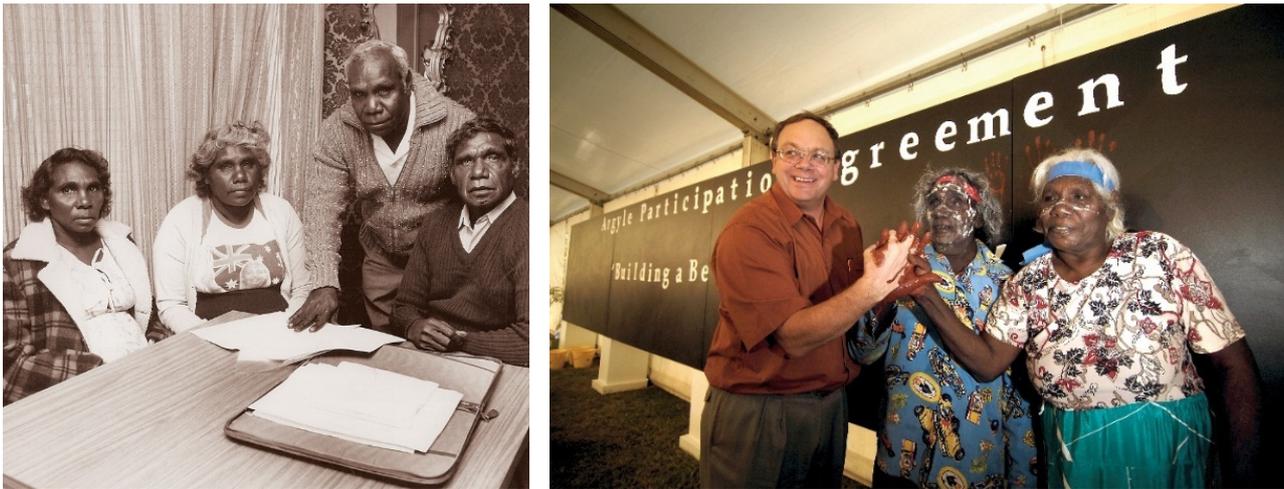
Thankfully, the Good Neighbour Agreement evolved into the more comprehensive APA in 2005, which was registered as an Indigenous Land Use Agreement. The APA formalised financial and other benefits for Traditional Owners, including an unwavering commitment to the recognition of their aspiration for native title rights.

It took over 20 years of persistent effort by Traditional Owners before the APA was signed in 2005. That agreement was not the beginning of the conversation – it was the culmination of decades of advocacy, cultural defence, and vision for the future.

The Traditional Owners were considered pioneers for mining agreements when they negotiated the APA in 2004 because they fundamentally shifted how Indigenous communities could engage with and influence mining operations on their land. The Traditional Owners' approach was not about resistance for its own sake, but about strategic negotiation to protect Country, culture, and community.

This sentiment captures the strength, pragmatism, and cultural grounding of the Traditional Owners during the Argyle negotiations. They did not just accept the mine – they used it as a platform to assert their authority in the hope that they could shape a future that reflected their values.

Significant cultural leaders were involved in the negotiations about their land. They had to walk between two worlds as they spoke to mining industry professionals and their families back on Country, each in their different ways. Some of these key decision-makers are shown in the photographs in Figure 5 below.



**Figure 5 Agreement making**

## **6 A landmark agreement led by Traditional Owners**

Unlike many earlier agreements that were driven largely by governments or mining companies, the APA was shaped through years of Traditional Owner advocacy, resistance, and negotiation. It reflected their active leadership in asserting land rights and demanding fair terms.

## **7 Recognition of traditional ownership and decision-making authority**

Traditional Owners made sure that the APA formally acknowledged their deep connection to Country and their right to have a say in what happens on it. This included to a small degree, influence over mine operations and closure, which was rare at the time. It wasn't just about financial compensation – it was about respect, cultural survival, and self-determination.

## **8 A model for future agreements**

The APA became a benchmark across Australia. It inspired other Indigenous communities to push for stronger terms in their own negotiations – emphasising cultural heritage protection, environmental stewardship, and legacy planning.

In short, the Traditional Owners were not just reacting to a mining project as passive observers – they were strategically shaping its social contract and laying the groundwork for more just and durable agreements in the future. Their work with Argyle was pioneering because it blended cultural survival with modern negotiation, setting new standards for the mining industry.

## **9 A shift towards closure**

Just as Argyle Traditional Owners had to pioneer new ways of working with mining companies when asserting their rights during exploration, and negotiating land agreements during mining, they are now leading the charge for the negotiation of positive outcomes for First Nations people in mine closure.

There are many lessons to be learnt from Argyle closure: the first diamond mine closure of its size globally. Argyle Traditional Owners are keen to ensure that mining companies and other First Nations groups can benefit and grow from this learning to ensure that equality, participation, respect and legacy remain at the forefront, as can be seen from the photographs in Figure 6 below.



**Figure 6** Respect for each other

## 10 Lessons learnt

### 10.1 Lesson #1: speak to the right people

Mining companies tend to try and stay away from issues of native title or cultural authority, stating respect for Aboriginal people's rights to self-govern. But it is entirely the responsibility of mining companies to make sure that they are talking to the right people, meaning those with both legal and cultural authority. It is important to keep checking in on this, and it does require some sensitivity and understanding about stakeholder engagement. Stakeholder engagement should include the understanding of end land users as rights holders and should be seen as a great way to understand the Country, its people, and to make progress in the region – not simply as an inconvenience.

### 10.2 Lesson #2: practice what you preach

Many mining companies include statements on their website that they support the United Nations Declaration on the Rights of Indigenous People (UNDRIP) and follow the established practice of obtaining Free, Prior, and Informed Consent (FPIC) to their activities – but this is not seen in practice.

Similarly, many companies are proud members of the International Council of Mining and Metals (ICMM) and have therefore signed up to the ICMM Position Statement on Indigenous Peoples – but they do not follow the principles of that statement, which include recognising UNDRIP and FPIC.

### 10.3 Lesson #3: start mining with closure in mind

The Argyle closure experience has reinforced the critical need for mining companies and First Nations groups to adequately consider and resource mine closure at all levels of consultation, resourcing, agreement making and post mine land use planning. The following points capture this need more specifically with regards to alignment between the objectives and expectations of each party:

- Closure must be factored into pre-feasibility and feasibility studies.
- Closure must be adequately considered at the time of agreement-making and negotiations.
- Baseline information should be recorded before mining begins – the quality of Traditional Owners lives and the land they care for. Caring for Country is not only about environmental standards, flora and fauna quantity and type, soil quality, water quality, landform stability and so on – but also the use of the land by Indigenous people.

- Closure must be appropriately resourced throughout the life of the mine.
- Mine operations should be carried out with closure in mind e.g. retention of growth media, progressive rehabilitation, continued flora and fauna management, ongoing protection of cultural heritage sites.
- Establish an agreed closure vision before the mine is operational. It is critical that the closure vision, including the principles, objectives and values of the Traditional Owners is properly considered, understood and integrated into the overall design.
- Establish an agreed Post Mining Land Use (PMLU) prior to mining. If PMLU is unclear, then this must be revisited continually with sufficient resources and support to the post mine land user. In the meantime, retain as much flexibility as possible, with the rehabilitation objectives set at the highest environmental values.
- If an Indigenous Land Use Agreement (or similar land use agreement) is negotiated, consider how this agreement will flex and adapt to change, tension, opportunity etc.
- Ensure that any new agreements or modernised agreements make the roles and responsibilities of all parties clear.
- When considering PMLU, understand how the land will be used in the true sense, not just what its value is from an economic perspective. PMLU extends beyond tenure discussions and economic opportunities. For Traditional Owners, land and Country has value far beyond this and relates closely to their own cultural and historic activity, as can be seen from their use of Country as demonstrated in Figure 7 below.



**Figure 7 Cultural use of Country**

#### 10.4 Lesson #4: understanding what effective engagement really looks like

Listed here are a number of learnings and examples that this experience can draw from in orders to improve engagement, ensuring it remains effective, meaningful and ethical:

- Engage early and often.
- Be consistent and transparent.
- Recognise, acknowledge and manage the power imbalance.
- Negotiated agreements must be established with clear consideration around the correct cultural governance structures.
- Recognise the importance of a clear communications protocol. Traditional Owner groups are often small enterprises, living in remote and harsh conditions, with lean staff. Manage the interactions and demands on them.

- Support Traditional Owner groups with their aspirations and priorities, even when it is not the priority of the mining company.
- Understand that consultation and consent are cumulative.
- Do not engage in silos – Traditional Owners have full visibility of all layers of a mining company activities, as well as a long corporate memory.
- Recognise that managing/closing a mine and managing a major long-term stakeholder relationship each requires a vastly different skill set.
- Work closely with industry and government. Remain connected and integrated.
- Do not undervalue the significance and importance of traditional knowledge of Country (particularly ecological) and ensure that this knowledge is incorporated into operations and closure design. No individual knows Country better than Traditional Owners. This provides a considerable advantage.
- Ensure independent technical expert support for Traditional Owners is supported, resourced, and encouraged.
- Understand that silence is not consent.
- Give people time to make up their minds.
- Are you asking or telling? When presenting to Traditional Owners – be clear on what you are asking. Are you seeking consent? Or telling Traditional Owners what you are planning on doing? Do not present your plans as fact and then badger Traditional Owners into agreeing with what has already been decided.
- Provide all options and information on the consequences of decisions you are seeking. Do not ask questions in silos. Provide context.
- Understand that poor engagement has a significant reputational risk.
- Understand that the cost of mistrust is enormous and will snowball. Never underestimate the financial and reputational impact of a poor relationship, a lack of respect or an inadequate focus on meaningful Traditional Owner participation. Mistrust causes major delays, refusals, blockages and significant reputational damage. A social license to operate has a direct correlation to the bottom line.
- The quickest way to understand how best to engage with any group is to ask them and be guided by them as to what form of engagement should take place, or what content would be appropriate. If the group has formal representation through an Aboriginal Corporation or similar – work closely with that corporation to provide as much information to the group as possible.
- Figure 8 below shows what effective engagement can look like – a full room is always a good sign.



**Figure 8 Effective engagement**

## 10.5 Lesson #5: be prepared for closure operationally

Closure transition, planning and execution demands a distinctly different approach to that of operations, require a great coordination of multiple teams, stakeholder management, foresight of obstacles and support for First Nations priorities and ultimate reclamation. Some further considerations are listed below:

- Mining parties must adequately resource themselves for closure. This is not a time to leave a skeleton crew. Arguably, the same level of investment and resourcing that goes into negotiating agreements ought to be replicated in readiness for decommissioning, rehabilitation, make safe, closure execution, monitoring and maintenance and so on.
- Mining parties must adequately resource Traditional Owners and their representative bodies to deal adequately with closure, long before the pressures and impacts of closure are felt.
- Ensure early operations integrate closure planning and design, including establishing baseline data, agreement on analogue sites, collection of topsoil, anticipation of growth media etc.
- Consider aligning closure outcomes with relevant industry standards, such as the Society for Ecological Restoration's International Principles and Standards for the Ecological Restoration and Recovery of Mine Sites and the ICMM Good Practice Guide on Integrated Mine Closure. Connection to industry benchmarks will improve confidence and transparency with Traditional Owners as both stakeholders and rights holders.
- Plan and incorporate reliable processes for the sharing and storage of information. This should further support the long-term management and retention of important corporate information and the ultimate repatriation of information to the post-mining land user. This must include Indigenous Cultural and Intellectual Property, the traditional knowledge and cultural expressions of Aboriginal and Torres Strait Islander peoples, Traditional Ecological Knowledge systems, Indigenous governance structures and so on.
- Consider the impact of a mining company's constantly changing staffing, resources, funding streams, mining phases, and internal objectives. For Traditional Owners, their role and position never change and, in many cases, nor do their representatives.
- Plan for and incorporate collaborative strategies to ensure the repatriation of cultural material back to where they were removed from and, if this is not possible, negotiate the safest and most appropriate alternative (living museum, cultural centre on or close to the site they were removed from).
- Ensure agreements and relationship management structures incorporate escalation points that are effective and transparent.
- Discussions about tenure, liability, ownership, risk, and impacts must be held with the right people – noting that Traditional Owners are not necessarily the same as native title holders or those holding cultural authority. Discussions about cultural authority must be honest, transparent, frequently reviewed, monitored, evaluated and adapted to ensure it remains fit-for-purpose.
- The photographs in Figure 9 demonstrate the importance of planning for closure and being prepared.



**Figure 9 Be prepared for closure operationally**

## 11 Conclusion

First Nations participation in mine closure is critical to ensure its success. It is not optional. The lessons learnt from the closure of Argyle diamond mine will help mining companies, regulators, governments and First Nations people work together to improve mine closure outcomes for everyone.

## Acknowledgement

As always, the Gelganyem Group acknowledges the Traditional Owners of the Barramundi Dreaming.

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