



**Senator the Hon John Faulkner
Minister for Defence**

Ms Julia Irwin MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

04 AUG 2009

Dear Ms Irwin

Thank you for your letter of 2 July 2009 on behalf of several petitioners concerning the *Montevideo Maru* and the burial places of missing servicemen and civilians in Papua New Guinea.

The Australian Government appreciates the significance of recognising and, where appropriate, locating Australia's marine heritage, including major shipwrecks from World Wars I and II. As you may be aware, the Government provided significant support to search for HMAS *Sydney II*, whose discovery brought comfort to many Australians.

While the sinking of the *Montevideo Maru* was a national tragedy, an international search for the vessel is not possible at this time. Unlike HMAS *Sydney II*, an Australian vessel located in Australian waters, the *Montevideo Maru* is an unflagged vessel and lies in the Philippine Exclusive Economic Zone. The Australian Government can protect vessels lying in Australian waters under the *Historic Shipwrecks Act 1976*, but cannot protect vessels lying outside Australian waters. Regrettably, the Philippine Government does not have similar legislation that could protect the *Montevideo Maru* if it were found.

Any search for the *Montevideo Maru* would alert shipwreck looters to the possible location of the wreck, which would threaten the wreck and the remains of those onboard. This would be unacceptable to the Australian Government, and forms the basis of the decision not to search for the *Montevideo Maru* at the present time.

I trust that this information will be of assistance to the Committee.

Yours sincerely

JOHN FAULKNER