

The Guardian

Australian spy who revealed bugging of Timor-Leste cabinet under 'effective house arrest'

Lawyer says Australia's refusal to grant Witness K a passport is 'pure retaliation'



Former Timor-Leste minister Jose Luis Gutierrez and Bernard Collaery, who says Australia's treatment of the spy who revealed the bugging of Timor-Leste's cabinet room has been 'disgraceful'. Photograph: Nicolas Delaunay/Getty Images

Christopher Knaus

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The spy who blew the whistle on Australia's bugging of Timor-Leste's cabinet room during sensitive oil and gas negotiations is still under "effective house arrest" and has been treated disgracefully by Australia in retaliation for his actions, his lawyer says.

The Australian secret intelligence service agent, known only as Witness K, had his passport seized in 2013 as he prepared to give evidence in The Hague on an Australian bugging operation.

In 2004, Witness K was involved in a covert mission to listen in on the Timor-Leste cabinet aimed at giving Australia the upper hand during negotiations to carve up oil and gas reserves in the Timor Sea, estimated to be worth about \$53bn.

The revelations caused Timor-Leste to launch legal action at The Hague, saying Australia's espionage voided a John Howard-era agreement on sharing the reserves.

Witness K's passport was taken at the same time as authorities raided the Canberra home of his lawyer, Bernard Collaery, seizing a cache of documents.

Witness K has since launched action in the security division of the administrative appeals tribunal to have his passport handed back.

The proceedings have been resisted by the Australian government, which still describes him as a security risk.

On Wednesday, as Australian and Timor-Leste signed a new agreement about sharing the reserves, Collaery spoke out about the continued "disgraceful" treatment of Witness K.

"The refusal of a passport to witness K long after the director-general of Asio cleared him for a passport is pure retaliation," Collaery told Guardian Australia. "It is unbecoming our nation to treat a loyal veteran, a patriot [in this way]."

"It's pure retaliation, the appeal procedures have been going for four years.

"It is disgraceful. The cover-up continues."

Were it not for Witness K, Collaery said, the misconduct towards Timor-Leste would "never have been disclosed".