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Ties between Timor-Leste and Australia hit turbulence

Men who exposed Australia for spying on the Timor-Leste Cabinet during 2004 bilateral gas talks now face jail



A 2014 file image of the then Timor-Leste foreign affairs minister Jose Luis Gutierrez (R) with Australian lawyer Bernard Collaery during an audience of the International Court of Justice (ICJ) in The Hague. (Photo by Nicolas Delaunay/AFP)

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Timor Leste

June 29, 2018

Timor-Leste's new government has hit a major hurdle in its plan to improve fraught relations with Australia over the sensitive issue of maritime boundaries in the gas-rich sea between the two countries.

It was only in March that Australia and Timor-Leste, formerly known as East Timor, signed a treaty drawing permanent [maritime boundaries](#).

Ties have been improving since, but now the legacy Australian spying 14 years ago has come to the fore.

The Australian spy agency "whistleblower" known as Witness K and his Canberra-based lawyer, [Bernard Collaery](#), a veteran advisor to Timor-Leste, were on June 28 committed for trial on criminal charges that could see them both jailed.

They are accused of illegally informing the Timor-Leste government that Australia had been spying on them by using Cabinet room listening devices installed on the authority of then foreign minister Alexander Downer.

This was while crucial talks were being conducted on the sharing of maritime oil and gas reserves.

"Witness K was not a whistleblower," Collaery said previously. "He went with his complaint to the Inspector-General of Intelligence and Security and received approval, and I received approval to act."

Collaery said that the prosecution was a "vindictive" attack that aimed at ruining his reputation and career, according to *The Australian*.

"It's an attack on myself for acting as a lawyer within my professional rules and it's a sad moment in the history of the country I love and have served," he said.

Privately the Timorese government is saying little, but Collaery is extremely close to Timor-Leste leaders such as Prime Minister [Taur Matan Ruak](#) and Xanana Gusmao.

The prosecution by Australia could stymie ongoing talks between Timor and Australia on the thorny issue of whether piped gas from the US\$50 billion Great Sunrise gas field lands in Timor-Leste or Australia for processing.

Xanana Gusmao, head of the ruling Alliance for Progress and Change (but not prime minister), is continuing to press for a Timor-Leste facility, despite energy companies claiming such a move is uneconomic and could lead to them not exploiting the fields.

People close to the new Timor PM have said he is very keen to have much closer engagement with Australia. No minister in Australia's ruling conservative government has visited the country since its election in 2013.

Timor-Leste's Foreign Minister Dionisio Babo told ucanews.com that the relationship with Australia had improved in recent years under Prime Minister Malcolm Turnbull and Foreign Minister Julie Bishop.

This was during renegotiation of an earlier the maritime treaty, which was torn up by a U.N. court forcing Australia into negotiations. Collaery ran the court case in The Hague for Timor-Leste.

Babo remained mute over the trial committal decision of June 28: "I will not comment, it is a matter for the Australian legal system."

A spokesperson for the Australian government said planning was underway for Julie Bishop to visit Timor-Leste.