

Morrison flies into a storm in East Timor over Witness K prosecution

By [James Massola](#)

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Dili: Some of East Timor's most respected political leaders are demanding the Morrison government drop the prosecution of Australian whistleblowers Bernard Collaery and former spy Witness K, as the Prime Minister prepares to land in East Timor on Friday.

Protesters marched through the streets of Dili on Wednesday in support of dropping the charges against Mr Collaery, a Canberra lawyer, and Witness K, a former Australian Secret Intelligence Service agent who revealed Australia had bugged East Timorese government offices during negotiations over a maritime boundary.



Members of East Timorese civil society group MKOTT, including Tomas Freitas (seated) and Shirley Shackleton, the widow of Balibo Five victim Greg Shackleton, at a protest on Wednesday. JAMES MASSOLA

Jose Ramos Horta, a Nobel laureate and former prime minister and president of East Timor, told the *Sydney Morning Herald* and *The Age* it was "incomprehensible that in the current circumstances, on the merits of the case, they [the Morrison government] don't stop it".

"If Australia doesn't show political leadership, moral leadership on this issue,

every time we talk to Australian leaders I will wonder if they have a tape recorder in their pocket [or] if my office has been bugged," he said.

Mr Morrison is due to meet Prime Minister Taur Matan Ruak in Dili on Friday to formalise the March 2018 agreement that finally creates a maritime boundary between East Timor and Australia. That deal unlocked access to oil and gas fields including the Greater Sunrise field, which is worth up to \$US50 billion (\$74 billion), and splits revenue from the field up to 80-20 Timor's way. It replaces an earlier agreement, negotiated by the Howard government in the early 2000s, which had a 50-50 revenue split.



Nobel laureate Jose Ramos Horta says the Morrison government should drop the prosecution of Witness K and Bernard Collaery. JAMES MASSOLA

That deal was dumped by East Timor when it emerged the Australian government had bugged the government during negotiations. Witness K, who participated in the bugging operation and his lawyer, Mr Collaery, are now being prosecuted for breaching Australia's secrecy laws. Witness K, whose name cannot be revealed for legal reasons, has indicated he is prepared to plead guilty.

But to many in East Timor, the pair are heroes who ensured a fair go for the tiny nation.

Former president and prime minister Xanana Gusmao told the ABC's *Four Corners* he was willing to fly to Canberra to give evidence in support of Mr Collaery and Witness K. Mr Gusmao led the Timorese negotiations over the boundary, was a hero of the resistance to Indonesian occupation and remains an influential politician.

Mr Morrison is due to meet Mr Gusmao and President Francisco Guterres on his trip to Dili, which is the first by an Australian prime minister since Kevin Rudd's visit in 2007. This visit marks the 20th anniversary of 78 per cent of East Timorese voting for independence from Indonesia.

Former East Timorese deputy prime minister Jose Guterres was another who said Mr Collaery and Witness K should not be prosecuted.



Civil society group MKOTT March through the streets of Dili chanting "Viva Timor Leste! Viva Bernard Collaery! Viva Witness K!". They want the Morrison government to stop the prosecution of the whistleblowers. JAMES MASSOLA

"Bernard Collaery loves Australia, I have known him for many years, he is a great guy. He and Witness K, I know he was an intelligence guy but even if you work in intelligence you are not a machine, you have common sense," he said, adding the agent had spoken out because the bugging was ethically wrong.

Tomas Freitas, a spokesman for MKOTT (the movement against the occupation of the Timor Sea) which organised the protest, said the pair were "heroes" to ordinary East Timorese. Attorney-General Christian Porter, who has the power to drop the case, should do so immediately as prosecution would harm bilateral relations, Mr Freitas said.

"If it was not for Witness K and Bernard Collaery this [revised] treaty would not have been negotiated, agreed and signed," he said. "The [independence referendum] celebration of the 30th of August 2019 and the signing of the maritime boundary will not be complete without the freedom of the pair."

Porter said on Tuesday that pursuing the cases against Witness K and Collaery remained in the public interest, and that there was a reasonable chance of conviction.

Question marks remain over whether the Greater Sunrise field is viable, with opposition and civil society groups criticising the huge investment. But East Timor's government believes the field's development will open the door to greater economic development for the tiny island nation of about one million people.



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