

Australia shredded all decency in the persecution of Bernard Collaery.

Pearls and Irritations, Nov. 19, 2021. By Susan Connelly



Bernard Collaery. (Image: AAP/Lukas Coch)

Our spying against Timor-Leste and persecution of a whistleblower and his lawyer reads like a tawdry thriller that would embarrass James Bond.

James Bond's ridiculous plots have been presented over decades by a string of elegant macho actors draped with impossibly air-brushed femmes fatales and evil but endlessly outwitted masterminds. Convoluting narratives are replete with bombs, harpoons, dagger shoes and vicious monsters, all employed or thwarted by polished, promiscuous patriotism.

Spycraft is a deceit engaged in from time immemorial as a weapon to protect "us" from "them". Bletchley Park to Johnny English covers the whole gamut from actual need to spook spoof.

And then we have an Australian version. Here is the whole edifice of espionage — its necessity, limits and ingenuity betrayed by an act that spits at human decency.

Our spying against Timor-Leste was planned and financed by the Howard administration, and then undertaken by the Australian Secret Intelligence Service (ASIS). It occurred in 2004, concerned negotiations over Timor Sea resources, and featured spies impersonating AusAid workers refurbishing the offices of the Timorese prime minister. Bugs were inserted in the walls, the signal was beamed to a boat in Dili Harbour, then to the Australian embassy and on to Canberra. The content of the meetings, how far the Timorese would compromise, how they interacted, who had what position — all was known to the Australians. The deal reached was highly beneficial to Australia and its resources corporations, particularly Woodside. The foreign minister responsible was Alexander Downer.

The deceit continues. One of the spies, Witness K, had the courage to cry foul once Downer's lobbying for Woodside became clear. Realising that his employment was affected by his complaint he sought legal advice, and was provided by ASIS with a list that included Bernard Collaery's name, a lawyer experienced at acting for the intelligence community and also a legal adviser to the Timorese government. Once the Timorese government understood that it had been tricked, it withdrew from the treaty and finally clinched the fairer Maritime Boundary Treaty.

Two months later, Witness K and his lawyer were charged. Now, vast secrecy around the prosecutions prevails as per the *National Security Information Act*.

National Security. *National security*. National *security*. So threatening to Australian lives and livelihoods was this episode that well over 50 hearings have taken place with no trial for Collaery yet in sight. On October 6 the ACT Court of Appeal decided that the veil of secrecy was to be lifted a little. The attorney-general countered by submitting yet more evidence that is to be assessed by a government-appointed judge. Collaery and his legal team are not privy to this new material.

The Australian people are expected to believe that these measures are necessary because their security is under threat. What might that threat be?

Are the functions of the multimillion-dollar Australian intelligence services and their thousands of employees at risk because of the episode in Timor all those years ago? Are our current methods of spying now useless? Will Australia's legitimate espionage activities no longer serve the nation? Is some foreign country now in a better position to entrap, attack, fleece or undermine Australia? Will the government's capacity to feed, house, employ or protect its citizens evaporate? Does the Reserve Bank have its back to the wall and will the Stock Exchange collapse? Will children languish from hunger and disease because a treaty fairer to the Timorese eventuated? Will Parliament House explode? *What* is the threat?

The recourse to *national security* in this case is as credible as any James Bond plot. The truth is that there are other reasons for the driven determination of the present government to pursue and punish Collaery. It is warning us all that conscience has no place in a nation willing to swindle impoverished neighbours. It is asserting that protecting politicians' reputations, such as Downer's, ranks higher than telling the truth.

The most ridiculous aspect of all this is that people worldwide now know that Australia spied on Timor-Leste for financial gain. Could it be that the greatest threat to national security is that the running of our country is in the hands of people responsible for this farce?

So the government turns out not to be James Bond after all, or even Johnny English. They at least are shown as having a principle or two, and in Bond's case some brains.

Our spook is an Australian government that stooped so low as to spy on a World War II ally that lost over 40,000 people as a direct result of helping Australian soldiers. It is a government that spied on the Timorese not long after they had freed themselves from a brutal occupation which Australia had militarily aided and politically excused for 24 years. It's an Australian government that spends millions of taxpayer dollars, risks the population's trust in the administration of the law and scapegoats honest people in attempts to conceal its greed and lies.

This spy thriller is a B-grade, tawdry little piece, directed by a company that makes lies an art form, that has soiled itself on the world's stage and is willing not only to betray friendly neighbours, but to persecute its own.

Here's an effort we all can make: join the 71,000 people who have signed the [petition to drop the prosecutions](#). This petition will end on November 30, so please sign it now and ask friends and neighbours to do the same.

Susan Connelly is a Sister of St Joseph who spent the first part of her religious life teaching in Catholic and State schools. She has been involved in Timorese issues for over 20 years, initiating programs of cultural and religious education support, and was particularly involved in advocacy for justice.

Susan is interested in the theories of René Girard on violence and scapegoating, and on his insights into the importance of forgiveness and non-retaliation. Her PhD thesis using Girard's theories to interpret the relationship between Australia and East Timor will be published in 2021.