

# Timor spy case: How Australia does Big Oil's dirty work

**Peter Boyle** ([/glw-authors/peter-boyle](#)), July 27, 2018

Issue [1189](#) ([/glw-issues/1189](#)) // [Australia](#) ([/country/australia](#))



Protesters in Sydney urge the Australian government to not prosecute Witness K and his lawyer Bernard Collaery.

Activists from the Movement Against the Occupation of the Timor Sea (MKOTT) in Timor-Leste demonstrated outside the Australian Embassy in the capital Dili on July 25.

This coincided with demonstrations in several cities around Australia to protest the Coalition government's prosecution of former ACT Attorney-General Bernard Collaery. Collaery is the lawyer representing the unnamed spy who is accused of blowing the whistle on the alleged bugging of the

Timorese government delegation by the Australian Secret Intelligence Service (ASIS) during critical negotiations over the maritime boundary between the two countries.

The case, which was to start in a magistrate's court in Canberra on July 25 but has now been postponed to September 12, is an extraordinary example of how closely Australian governments work with multinational fossil fuel corporations.

In 2004, ASIS allegedly placed listening devices in the walls of the offices of Timor-Leste's prime minister's and cabinet office during a refurbishment program conducted by AusAid, the Australian government's foreign aid agency. This enabled Australian officials to listen in to the plans of the Timorese negotiators over the treaty about the [US\\$65 billion \(https://www.reuters.com/article/us-timor-australia-Ing/how-australia-east-timor-treaty-unlocks-65-billion-gas-fields-idUSKCN1GJ0L8\)](https://www.reuters.com/article/us-timor-australia-Ing/how-australia-east-timor-treaty-unlocks-65-billion-gas-fields-idUSKCN1GJ0L8) Greater Sunrise offshore gas field in the Timor Sea.

"Witness K" was a member of ASIS who was present during the bugging operation. He complained to his superiors on returning to Australia when he discovered then-foreign minister Alexander Downer and the former head of the Department of Foreign Affairs and Trade Ashton Calvert were both lobbying for Woodside Petroleum, an oil company with a major interest in the exploitation of the Timor Sea resources.

Witness K was permitted by his superiors to engage a Collaery. After much deliberation Collaery and Witness K concluded that Australian intelligence services were being used to spy for financial gain.

In 2013, the matter was exposed in the news. The Timorese government, furious at the spying, withdrew from the treaty talks and took Australia to the International Court of Justice (ICJ).

Collaery's offices were then raided by the Australian Service Intelligence Organisation (ASIO) — Australia's domestic spy agency — and a large number of legal documents were confiscated. Witness K's passport was taken, preventing him from testifying at the ICJ.

To Australia's international embarrassment, the ICJ ordered Australia to [cease all spying against its neighbour \(http://www.smh.com.au/federal-politics/political-news/australia-ordered-to-cease-spying-on-east-timor-by-international-court-of-justice-20140303-hvfy.html\)](http://www.smh.com.au/federal-politics/political-news/australia-ordered-to-cease-spying-on-east-timor-by-international-court-of-justice-20140303-hvfy.html) and to return Collaery's papers. Timor-Leste then took Australia through a compulsory conciliation process under United Nations rules, which against Australia's initial objections, resulted in a new Timor Sea Treaty in 2018.

During these negotiations, Timor-Leste dropped its spying case against Australia as an act of good-will and to further the resolution of the treaty.

However, following the finalisation of the new treaty in June, Collaery and Witness K were charged with committing offences under the *Crimes Act* and the *Intelligence Services Act 2001*, by making known to the government of Timor-Leste and to the media the fact of the Australian espionage against Timor-Leste.

This shocking case is just the latest illustration of how Australian governments — Coalition and Labor — have served multinational corporate interests at the expense of the Timorese people. Gough Whitlam's

Labor government betrayed newly-independent East Timor in 1975, abetting the bloody Indonesian occupation of this country and shamefully becoming the only nation to recognise the occupied territory as part of Indonesia. The 1989 images, recorded in John Pilger's epic documentary film [Death Of A Nation](https://whowhatwhy.org/2016/03/10/report-and-graphic-video-death-of-a-nation-the-timor-conspiracy/) (<https://whowhatwhy.org/2016/03/10/report-and-graphic-video-death-of-a-nation-the-timor-conspiracy/>), of then-foreign minister Gareth Evans drinking a toast with the Suharto dictatorship's foreign minister Ali Alatas to celebrate a deal dividing up the gas resources in the Timor Sea, is emblematic of this shameful history.

It was only the brave resistance of the Timorese people and the mass movement of solidarity that forced a later Australian government to retreat from this collusion with Indonesia's occupation of this neighbouring nation. However, Australia's the dirty work on behalf of Big Oil secretly continued.

If there is a lesson in this story it is that we don't have real democracy in Australia. We may have a parliament that we vote for every few years but it is the big corporations that really rule this country: in particular, the fossil fuel companies, the big banks and the media monopolies.

Surveys show that up to [80% of Australians](https://www.theguardian.com/australia-news/2017/dec/12/australians-faith-in-system-of-government-waning-survey-finds) (<https://www.theguardian.com/australia-news/2017/dec/12/australians-faith-in-system-of-government-waning-survey-finds>) don't believe that government serves their interests — and they are dead right. Certainly, radical reforms to the electoral system are needed but in the end these won't be enough if the economic resources of our society are not democratised.

There can be no real democracy when a few powerful corporate interests own and control most of the resources. This is why socialists are campaigning for the nationalisation of the banks and the energy companies as a necessary starting point to democratising Australia.