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Witness K and Collaery's influence to be felt in Timor Leste

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When Witness K's case is next due in the ACT Magistrates Court on August 29, Prime Minister Scott Morrison will be on his way to mark 20 years since the referendum that secured Timor Leste's independence from Indonesia, and to ratify the maritime boundary treaty between the two nations.

While Witness K and his lawyer Bernard Collaery wont be mentioned publicly by our representatives, their influence will be felt at the proceedings.



 Protestors demonstrating in support of Witness K and Bernard Collaery at the Law courts of the ACT. Picture: Karleen Minney

On Tuesday Witness K indicated he intended to plead guilty to breaching secrecy laws, an understandable position after years of legal wrangling.

The prosecution and defence lawyers are yet to agree to a statement of facts in the case, and what ends up in that statement could have implications for Witness K's former lawyer Mr Collaery, who will fight on in the Supreme Court.

Clinton Fernandes, professor in international and political studies at UNSW Canberra, said many in Timorese civil society will be aware of the significance of the two men in their country getting a better deal in the negotiations over valuable oil fields.

"It's very instructive that the Prime Minister and leader of the opposition are going to Timor Leste to celebrate a renewal of bilateral relations and the two people most responsible for the renegotiation of the treaty are in fact Witness K and Collaery, who are facing legal sanction," Professor Fernandes said.



Protestors demonstrating in support of Witness K and Bernard Collaery at the Law courts of the ACT. Picture: Karleen Minney

In the same way protesters were seen outside the court on Tuesday wearing T-shirts bearing Mr Collaery's face, posters and T-shirts in solidarity with the pair have also been seen in Timor Leste and could be appear again when Australian attention returns to the country. The group MKOTT, or Movement Against the Occupation of the Timor Sea, has campaigned in support of the pair.

The men have been offered appreciation by Timor-Leste's president as well as former presidents Xanana Gusmao and Jose Ramos-Horta. Many in one of the world's poorest countries remember that it is because of the two men that an attempt by one of the world's richest countries to gain the negotiating upper hand was revealed.

"They are like the uninvited Banquo's ghost," Professor Fernandes said, referring to the spectre that haunted Shakespeare's Macbeth.

Unlike in the Scottish play however, Witness K and Collaery, while absent, will be obvious to everyone at the official events, even if Australian leaders would rather they weren't.