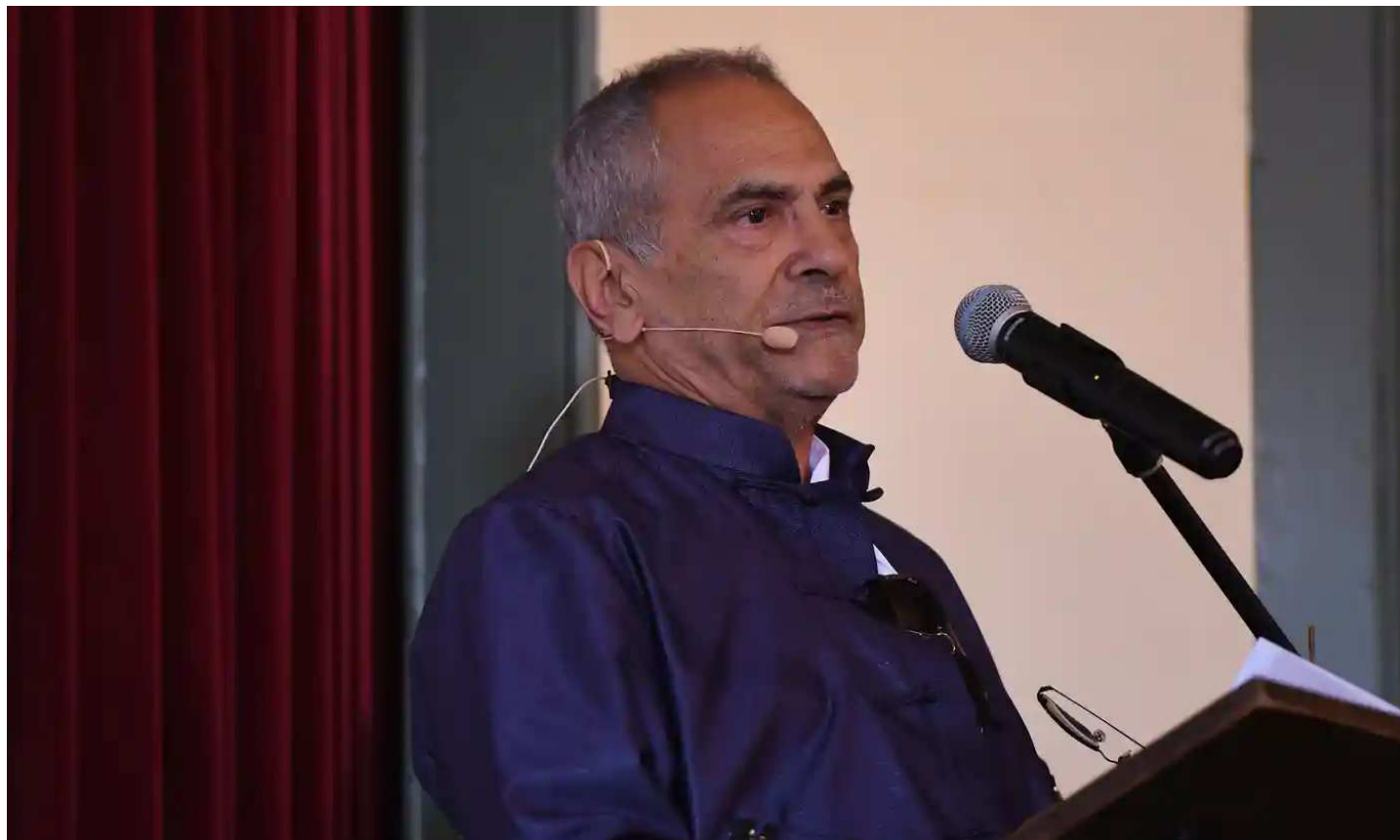


# The Guardian

## José Ramos-Horta urges Australia to drop Witness K and Bernard Collaery prosecution

Former president says Australia and Timor-Leste should put the bugging scandal behind them



Timor-Leste's José Ramos-Horta has called on the Australian government to let Witness K and Bernard Collaery live out the rest of their lives in normality. Photograph: Dean Lewins/AAP

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The former Timor-Leste president José Ramos-Horta has urged Australia to show wisdom, honesty and compassion by stopping the unfair prosecution of Witness K and Bernard Collaery, a case he described as “political” and one that had “profoundly shocked” the Timorese people.

Ramos-Horta, a Nobel peace prize winner, said the pair should be allowed to live out the rest of their lives in normality and that Australia and Timor-Leste should put the bugging scandal - a “dark cloud” on an otherwise positive bilateral relationship - behind them.

“We should put all of this behind [us] and please show wisdom, show honesty, compassion, if you wish, to let Witness K live his life as an honourable patriot of Australia,” Ramos-Horta told an event organised by the Australia Institute.

“Stop harassing Bernard Collaery. Let him go back to his law practice and to have a normal life and honour them.”

Witness K, a former intelligence officer, and his lawyer Collaery, a former ACT attorney general, are facing potential jail time for communicating information about a 2004 bugging operation conducted by the Australian Secret Intelligence Service on Timor-Leste government offices during sensitive bilateral

negotiations concerning the carve up of oil and gas resources in the Timor Sea.

The listening devices gave Australia an advantage in negotiations about lucrative resources critical to the future of Timor-Leste, one of the world's youngest and most impoverished countries.

Revelations about the operation's existence led Timor-Leste to take Australia to the international courts and, ultimately, renegotiate a treaty in much fairer terms. The prosecution of Witness K and Collaery began soon after the new treaty was signed.

Ramos-Horta said news of the prosecution had "profoundly shocked" the Timorese people. He said he could see no point to it.

"Obviously in Timor-Leste, everyone who follows this aberration and this situation, the very unfair treatment of Bernard Collaery and Witness K, we are profoundly shocked because we were supposed to have reached a way forward in the relationship overall," Ramos-Horta said.

"Through the UN-mediated conclusion of the Timor Sea treaty, everything that happened before and leading to the agreement on the treaty should be put aside, but instead the government continued to pursue a trial in secret of Witness K and Bernard Collaery."

He said he understood the need for secrecy around intelligence operations but the spying operation against Timor-Leste was different, he said.

"If Australia wants to spy on North Korea, China or Russia, you can understand," he said.

"But to spy on Timor-Leste on behalf of Woodside, on behalf of ConocoPhillips, on behalf of oil companies, you know, it's a bit like you have a poor old lady somewhere in an Australian neighbourhood, 80 years old, poor, living on a meagre pension, and then Australia tries to extract money from that old lady.

"Well, Timor-Leste was on our knees, and we needed a very fair arrangement."

Aspects of Collaery's trial are expected to be held in secret.

Ramos-Horta said he was shocked that a nation like Australia would allow court proceedings to be obscured in such a way.

"I am not surprised when secret trials happen in North Korea, but in Australia that is really mind-boggling," he said. "[The prosecution] is a waste of Australia's resources, Australia's goodwill, goodwill towards Australia ... to persist in this very unjust case against Bernard Collaery and Witness K.

"Please just drop it. It's a political decision to be made by the prime minister and attorney general. They know they can do it."

Collaery also spoke at the event but was limited in his ability to speak about the case directly.

He said the bugging operation was symbolic of Australia's complete failure in the region.

"We can't ever do anything but try and develop a diplomatic service in our region that is devoted to promoting Australia's best interests," he said.

Collaery said that if Australia had a proper accountability and integrity regime, others may be facing court for the scandal.

Ramos-Horta said he had "no idea" what the government gains from the prosecution.

"It's political, what they gain from it, I have no idea," he said.

"Only bad feeling among many people in Australia and they could raise doubt in Timor-Leste. Why? We were the ones who were victims."