

CANBERRA LAWYER FACES CHARGES

Bernard Collaery has been charged with making known intelligence services information over an Australian spying operation on the Timorese government. A former ACT Attorney-General and long-time Timor advocate, he asks for support and prayers.

Background

In March 2002, just before East Timorese independence, Australia withdrew from the maritime boundary jurisdiction of two international bodies. As a result, East Timor was forced to negotiate with Australia about the border without an "umpire".

Spying

In 2004, the offices of the East Timorese Prime Minister were being refurbished with Australia's help in an AusAid project. The walls of the office were later found to have "bugs" in them, which allowed Australian negotiators to listen in on the Timorese planning sessions concerning the border.

Conscience matter

One of those involved in the bugging, known as Witness K, complained to the Australian Security Intelligence Service authorities and was told to get a lawyer, and chose Bernard Collaery. A case was prepared in which Collaery determined that Australia had acted illegally.



Bernard Collaery

Raid on office, passport seized

In 2013, while preparations were being made to have the case heard in The Hague, Collaery's Canberra offices were raided by ASIO and Witness K's passport was seized, preventing evidence being given overseas. In the meantime, negotiations to set a proper border under international law continued. During this time, Timor-Leste withdrew the case it had launched against Australia regarding the spying allegations.

Why is denouncing a crime itself a crime?

Just after Australia concluded a new Timor Sea treaty with East Timor in May 2018, charges were laid against Witness K and Collaery. The Australian government claims that they made known information about ASIS operations. They are charged under the *Criminal Code* and the *Intelligence Services Act 2001*, and perhaps face two years jail. The first hearing is set for July 25 in the ACT Magistrates Court, at 4:15 p.m. At a press conference on 28 June in Parliament House, Canberra, Collaery asked why addressing a crime could itself be a crime.

The matter has serious implications, raising questions about legislation, secrecy, and the "national interest".

(Click [here](#) and [here](#) for more information about the case)

Let's help Bernard with prayers and support.