

Nick Xenophon urges inquiry into bugging of Timor-Leste oil and gas treaty talks

Independent senator says royal commission 'only way to get to the truth' of allegations Australia bugged Timor-Leste's cabinet room during trade talks

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The independent senator Nick Xenophon has called for a royal commission into Australia allegedly bugging Timor-Leste's cabinet room during trade negotiations.

Timor-Leste has been in dispute with Australia after allegations by a whistleblower from the Australian Secret Intelligence Service (Asis) - known as witness K - that the country's cabinet room was bugged during negotiations for an oil and gas treaty in 2004.

The ABC revealed on Thursday that a representative sent to Dili in 2012 to deal with the dispute had been involved in the alleged bugging operation, causing further diplomatic concerns. The ABC also reported senior intelligence officials had raised concerns about the operation.

On Friday Xenophon appeared with the former NSW director of public prosecutions, Nicholas Cowdery - who said he believed the operation may have breached Australian law - and said further inquiries into the Asis operation were needed.

"If in fact Asis was used solely for the purpose of getting a commercial advantage for Australian companies over East Timor and its oil resources that is undoubtedly scandalous," Xenophon said. "The only way we can get to the truth of this is through a royal commission."

Intelligence officers who had behaved appropriately "should not have their home raided", Xenophon said, in reference to raids carried out in December 2013 to seize documents about the international dispute. The raids on witness K's residence and the offices of East Timor's lawyer, Bernard Collaery, were authorised by the Australian attorney general, George Brandis.

Timor-Leste is involved in international legal action against Australia over the raids. However, Australia recently agreed to return documents relating to the dispute after a series of appeals in the international court of justice.

The Australian federal police has prepared a brief of evidence in relation to the disclosures made by witness K, who could potentially face prosecution under Australia's sweeping disclosure laws. The Asis agent, whose identity remains secret, has also had his passport seized.

The Department of Foreign Affairs and Trade is expected to make a decision next week on whether to reissue Witness K's passport.