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José Ramos-Horta urges Australia to return passport of spy who revealed bugging operation

Witness K blew the whistle on Australian operation that bugged Timor-Leste cabinet



José Ramos-Horta says Australia should show 'wisdom and magnanimity to Witness K', who revealed Australia's use of listening devices to gain the upper hand in oil and gas negotiations with Timor-Leste. Photograph: Daniel Munoz/Getty Images

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The Australian government should return the passport of a former secret service agent who blew the whistle on an operation to spy on Timor-Leste, José Ramos-Horta has said.

The comments from the former prime minister and president of Timor-Leste come just weeks after the two countries came to an historic maritime border agreement, after decades of fractious and controversial negotiations.

But despite the diplomatic resolution Witness K, who played a key role in the saga, continues to be “under effective house arrest” with no passport, his lawyer said.

“I think the Australian government should show wisdom and magnanimity to Witness K,

whose honesty and courage led to the historic signing of the permanent maritime border agreement, by returning his passport,” Ramos Horta told the Guardian.

Witness K, a former Australian Secret Intelligence Service agent, was involved in an illegal spy mission targeting the Timor-Leste cabinet in 2004. Australia used listening devices to gain the upper hand during sensitive bilateral negotiations over the splitting up of valuable oil and gas reserves in the Timor Sea.

Witness K turned whistleblower, publicly revealing the operation - a move that prompted Timor-Leste to challenge the agreement in The Hague.

Both Witness K and his lawyer, Bernard Collaery, were raided by Australian authorities in 2013, as Witness K prepared to give evidence in the Hague. Witness K had his passport seized and was left unable to travel to the court. The passport still has not been returned and Collaery alleges Witness K is now under “effective house arrest” and unable to leave Australia.

Witness K has since launched legal action to have his passport handed back.

A spokesman for the Department of Foreign Affairs and Trade said the department would not comment because the decision to refuse Witness K a passport was before the administrative appeals tribunal.

Earlier this month, Timor-Leste and Australia struck a maritime border deal, which formally split up entitlement and ownership of the Timor Sea, including the untapped \$53bn of gas reserves in the Greater Sunrise basin.

Collaery said the agreement would never have been reached without Witness K. Yet, he said, the spy is still treated in a “disgraceful” fashion by the Australian government.

“The misconduct towards Timor-Leste would never have been disclosed and negotiations reopened without the courage of Witness K,” Collaery told Guardian Australia. “The people of Timor owe a massive debt to Witness K.”