

Statement by His Excellency, Xanana Gusmão, on the discontinuation of the Prosecution of Bernard Collaery

I commend the decision of the Government of Australia to discontinue the prosecution against Mr Bernard Collaery.

I have written to the Prime Minister of Australia, the Hon Anthony Albanese MP, thanking him and his government for the decision which has been made in the interests of justice and the relationship of friendship between Timor-Leste and Australia.

Mr Collaery was being prosecuted for alleged breaches of Australian national security laws by disclosing that the Australian intelligence services bugged Timor-Leste's cabinet room during oil and gas negotiations. The bugging of Timor-Leste's cabinet room, which was undertaken for commercial purposes, was illegal and unconscionable.

The Timorese people are grateful for the courage shown by Mr Collaery and supported the stand that he took in this matter. Mr Collaery and his client, Witness K, are greatly respected in Timor-Leste. We recognise their enormous contribution to our struggle to achieve permanent maritime boundaries with Australia in the Timor Sea.

The President of the Republic, His Excellency Dr José Ramos-Horta, worked tirelessly behind the scenes and through public advocacy on behalf of Mr Collaery to have the prosecution stopped.

I have consistently called for the charges against Mr Collaery to be dropped. I was honoured to provide a number of affidavits to the Australian courts in support of Mr Collaery and was prepared to travel to Canberra to give evidence in court.

I also raised the matter directly with the previous Australian Prime Minister as well as with the newly elected Prime Minister, the Hon. Anthony Albanese MP. I would also like to thank the Hon Tanya Plibersek, the Australian Minister for the Environment and Water, who I met on the sidelines of UN Ocean Conference in Lisbon on 30 June 2022, who showed a profound understanding of Timor-Leste's concerns about the prosecution and took such prompt action to raise the matter within her government.

I want to acknowledge the contribution of civil society in Australia, and around the world. Activists, lawyers, academics, Members of Parliament, supporters of Timor-Leste and many others campaigned for years to have this prosecution dropped. This is also an important day for them.

The decision of the Australian Government to discontinue the prosecution is just and fair. It is the right decision for the relationship between Timor-Leste and Australia. The decision allows our countries to move forward in a positive way to strengthen our relationship of friendship and cooperation.

7 July 2022

Tetum iha pajina tuir mai

Gusmão praises the Australian Govt for dropping the charges against Bernard Collaery



The former Prime Minister and the Charismatic leader of Timor-Leste, Kay Rala Xanana Gusmão
(Photo Tatoli/Egas Cristovao)

DILI, 08 July 2022 (TATOLI) – The former Prime Minister and the Charismatic leader of Timor-Leste, Kay Rala Xanana Gusmão praised the Australian Government for the discontinuation of the Prosecution of Bernard Collaery.

Bernard Collaery is an Australian lawyer and former politician who was charged in 2018 after assisting his client, an Australian ex-spy identified only as Witness K, to disclose information about the Australian spying operation in Timor-Leste.

On thursday, (07/07), the Australian Attorney-General, the Hon. Mark Dreyfus QC MP ordered the Commonwealth to drop the prosecution of lawyer Bernard Collaery under section 71 of the Judiciary Act 1903.

"I commend the decision of the Government of Australia to discontinue the prosecution against Mr Bernard Collaery," said Gusmão in a statement released on thursday.

"I have written to the Prime Minister of Australia, Anthony Albanese, thanking him and his government for the decision which has been made in the interests of justice and the relationship of friendship between Timor-Leste and Australia."

Mr. Collaery was being prosecuted for alleged breaches of Australian national security laws by disclosing that the Australian intelligence services bugged Timor-Leste's cabinet room during oil and gas negotiations. The bugging of Timor-Leste's cabinet room, which was undertaken for commercial purposes, was illegal and unconscionable.

"The Timorese people are grateful for the courage shown by Mr. Collaery and supported the stand that he took in this matter. Mr. Collaery and his client, Witness K, are greatly respected in Timor-Leste. We recognize their enormous contribution to our struggle to achieve permanent maritime boundaries with Australia in the Timor Sea," said Gusmão.

The President of the Republic, His Excellency Dr. José Ramos-Horta, worked tirelessly behind the scenes and through public advocacy on behalf of Mr. Collaery to have the prosecution stopped.

"I have consistently called for the charges against Mr. Collaery to be dropped. I was honored to provide a number of affidavits to the Australian courts in support of Mr. Collaery and was prepared to travel to Canberra to give evidence in court."

Gusmão recounted that he raised the matter directly with the previous Australian Prime Minister as well as with the newly elected Prime Minister, Anthony Albanese: "I would also like to thank the Hon Tanya Plibersek, the Australian Minister for the Environment and Water, who I met on the sidelines of UN Ocean Conference in Lisbon on 30 June 2022, who showed a profound understanding of Timor-Leste's concerns about the prosecution and took such prompt action to raise the matter within her government."

Gusmão acknowledged the contribution of civil society in Australia, and around the world: "Activists, lawyers, academics, Members of Parliament, supporters of Timor-Leste and many others campaigned for years to have this prosecution dropped. This is also an important day for them."

Gusmão said the decision of the Australian Government to discontinue the prosecution is just and fair.

"It is the right decision for the relationship between Timor-Leste and Australia. The decision allows our countries to move forward in a positive way to strengthen our relationship of friendship and cooperation," he concluded.

Xanana agradese Governu Austrália retira akuzasaun hasoru Bernard Collaery



Komandante Ein-Xefe FALINTIL, Kay Rala Xanana Gusmão. Imajen/Eugénio Pereira

DILI, 08 julu 2022 (TATOLI)— Líder Karismátiku, Kay Rala Xanana Gusmão, agradese no kongratula Governu Austrália ne'ebé liberta Bernard Collaery hosi justisa liuliu akuzasaun tuir sesaun 71 husi *Judiciary Act* 1903 Austrália nian.

Governu Austrália akuza Bernard Collaery tanba belun boot Timór nian ne'e lekar sai segredu intelijénsia Austrália (ASIO-Australian Securty Intellegence) halo operasaun espionajen hasoru Timor-Leste iha tinan 2004 no ajuda mós Timor-Leste mánan negosiasaun fronteira marítima permanente hosi Austrália.

“Ha'u hakerek ba Primeiru Ministru Austrália Anthony Albanese, agradese ba nia Governu no desizaun ne'ebé interese ba relasaun amizade Timor – Leste no Australia,” Xanana afirma liuhosi nota ne'ebé Agência TATOLI asesu, sesta ne'e.

Bernard Collaery hetan akuzasaun tuir alegasaun ne'ebé viola ba lei seguransa nasional Austrália ba servisu intelijensia ne'ebé koloka iha Gabinete Governu Timor-Leste durante negosiasaun petroleun.

“Povu Timor-Leste agradese ba korajen ne'ebé Bernard Collaery ne'ebé apoiu nia pozisaun durante ne'e, Bernard Collaery hanesan kliente koñesidu no sasin barak no respeita Timor – Leste,” refere nota ne'e.

Xanana mós rekoñese ba kontribuisaun belun boot Timór nia-luta ne'ebé hodi alkansa fronteira marítima permanente entre tasi Austrália no tasi Timór.

“Prezidente República José Ramos Horta servisu halo advokasia ne'ebé di'ak hodi halo prosesu ne'e to'o ramata. Ha'u salut no agradese ba Tribunál Austrália nian ne'ebé apoiu ona atu liberta nia,” deklara Xanana.

Prokuradór Jerál Austrália retira Bernard Collaery

Prokuradór Jerál Austrália Onorável, Hon, Mark Dreyfus QC MP no Ministra Negósiu Estranjeiru Austrália Senadora Onorável Penny Wong MP deklara desizaun loos ona hodi hapara akuzasaun ba Bernard Collaery. “Ohin, Prokuradór Jerál Austrália nian Onorável Mark Dreyfus QC MP hapara ona akuzasaun ba

Bernard Collaery tuir sesaun 71 husi *Judiciary Act* 1903 Austrália nian,” Dreyfus hateten liuhóis nota imprensa.

Desizaun ne'ebé Prokuradór ne'e foti kle'an tebes relasiona ho seguransa nasional no Austrália nia interese no administrasaun judisiál ne'ebé propriu.

“Tuir Ha'u nia pontu de vista akuzasaun ba Bernard Collaery tenke para,” dehan Dreyfus.

Tanba ne'e, Nia decide uza nia kompeténsia ka kbiit bazeia ba seksaun 71 husi *judiciary Act* atu la kontinua halo akuzasaun ba Bernard Collaery.

Governu Austrália nia kompromisiu atu proteje interese nasional Austrália nian ho nasuan viziñu sira ne'ebé besik.

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