

Bernard Collaery, East Timor and Governmental Duplicity

[George Browning – Pearls and Irritations - 21 August 2020](https://johnmenadue.com/bernard-collaery-east-timor-and-governmental-duplicity/?mc_cid=42df904687&mc_eid=07a02a9df8)
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The extent of the outrage and the reason the government is desperate to keep hidden its unlawful behaviour through the prosecution of Bernard Collaery and Witness K has now had a little further light shone upon it.

For some time, it has been publicly and shamefully known that the Australian Government instigated unlawful surveillance on the East Timorese authorities to gain unfair commercial advantage over fossil fuel assets in the Timor Sea.

Lifting the lid on this sorry affair, dispelling the darkness, and letting the light shine is vitally important, not just because of this issue, but because it highlights the increasing prevalence of government, here and overseas, to refuse transparency.

There are increasing and troubling signs that foundations necessary for the maintenance of a functioning civil society are breaking down. Trust is the oil that keeps society functioning. Truth can no longer be assumed to form the basis of policymaking. Trust is clearly in short supply, both in Australia and in governments the world over, with a few exceptions. Lack of transparency destroys trust. The unconscionable pursuit of journalists and their sources of information is becoming a normalised strategy in the protection of governmental incompetence and bungling: be it scandals associated with our involvement in Afghanistan and Timor; or at home, in failures associated with aged care, or, ministers refusing to accept responsibility in their portfolios. Lack of transparency undermines the principles upon which the Westminster system of government is built.

But let us return to East Timor, Witness K and Bernard Collaery.

The trial of Bernard Collaery and Witness K is being conducted behind closed doors on the grounds of 'National Security'. But what possible national security issues are at risk here, or is it that there are no national security issues, rather the government is desperate and determined to keep something hidden? We could be forgiven for thinking that Timor presents us with an existential threat, that somehow Australia's vital military, cyber, or even multi-national trade interests were at stake. Really?? We are not dealing with China, Russia, the US, or even Indonesia, we are dealing with one of the youngest, smallest, and most impoverished nations on the planet. Were we in danger of risking information about our defence capability? – hardly. We were dealing with people to whom we are in debt, people who, during the Japanese incursion of the second world war, gave their lives to safeguard our soldiers and who, to the great anguish of our soldiers, had to be left behind on the beaches as we evacuated. We were dealing with people who had every right to expect we could be trusted and assume we would treat them with the utmost respect.

Economic interest is included under the umbrella of matters that are considered part of National Security. Putting this interest at risk is considered a serious criminal offence. So, let us assume for a moment, (we can only assume because nothing is being made public) that this is what is at stake. We already know that Australia's bugging of the East Timorese offices was instrumental in securing more than its fair share of fossil fuel assets in the waters between our two nations and that East Timor had to take Australia to the International Court of Arbitration to gain fairness.

On Saturday, Mr Collaery was a keynote speaker at Radford College, Canberra's annual student-led Dirrum festival. Along with the Socceroo and civil rights campaigner Craig Foster; Professor Tom Calma, champion of First Nations people and Chancellor of the University of Canberra; fighter for equality at all levels the former Wallaby, David Pocock, his wife Emma; His excellency Anote Tong, former President of Kirribati, and many others. His address was titled 'Time for Reform' and its context the reality that truth is a contested virtue in Australian political life.

In his address to the festival, Mr Collaery revealed that deceitfully denying the Timorese a fair share of maritime fossil fuel assets may not have been the only element of our government's duplicity. Mr Collaery told his audience that Australian government officials gave away Helium with a potential value of \$8 – 12 billion to Conoco Phillips and Woodside, companies registered in Australia but foreign-owned.

In other words, the wrong party is on trial. The prosecutor should be the prosecuted. This is an own goal by the Australian government, an own goal being made infinitely more notorious in the conducting of this malicious trial on Witness K and Bernard Collaery.

The unfair 2004 treaty negotiations marked by the transfer of a multi-billion helium windfall not to Australia or Timor-Leste but to predominantly foreign owned corporations is a scandal of mammoth proportion the Coalition seeks to keep out of the news. At great personal cost and with great integrity K set out to get a finding of unlawful conduct and every one of us lets him down if we remain silent as he is shuffled off in secret to a Canberra Gulag.

Collaery did not reveal who was responsible. The helium, found in conjunction with natural gas and used in cryogenics and other high-tech industries, was jointly owned by East Timor and Australia. Its existence was hidden from the Timorese and the decision to give it away was made in a parliamentary office in Canberra. Helium has been declared a 'vital commodity' by the Australian government. What clearly upsets Mr Collaery is that Prime Minister Howard assured the Timorese that Australia would act in good faith in revenue negotiations.

The claim deserves serious journalistic investigation, despite the fear that media offices might be raided in the process. If this claim proves to be true, it will show that rather than Bernard Collaery and Witness K being responsible for undermining Australia's national interests, the Australian government was itself responsible for this travesty.

It is not Mr Collaery and Witness K who are on trial here but the Australian government. The Australian people are also on trial, for through the government we are seen as an untrustworthy people who protect our unethical behaviour through criminal proceedings behind closed doors that mirror the worst behaviour of totalitarian governments.

The government has a massive, if not insurmountable mountain to climb, if it is to convince the Australian electorate that in this matter Australia's interests have been protected – honourably. It may appear that these two men (presuming witness K is a man) are on trial, but as the large crowd of supporters who protest outside the court every time there is a hearing testify, this is not the case.

Secrecy is an important element in every government's armoury for the protection of its people. But when that secrecy victimises its own citizens there must be a high level of trust that this is necessary. No such trust exists, and there is a strong perception in the community that government uses lack of transparency to protect its own interest, not those of its people and nation.

The recorded video of Bernard Collaery's remarkable address can be found at: <https://www.dirrumfestival.org/cbr20>