

Witness K

Witness K is a former senior Australian foreign intelligence officer with ASIS (Australian Secret Intelligence Service). In 2004, Witness K refused to be involved in an ASIS operation to 'bug' the cabinet rooms of Timor Leste during negotiations for a proposed Oil and Gas treaty between Timor Leste and Australia (the Treaty), said to be worth an estimated AUD\$40 billion.

Timor Leste is one of the poorest countries in this region, and its oil/gas resources are its only source of wealth. Timor Leste has a long history with Australia, having defended and hidden Australian soldiers in WWII in repeated acts of bravery. This unwavering loyalty cost many hundreds of Timorese lives. Public attitudes in Australia toward Timor Leste ('East Timor') are sympathetic.

The Treaty was to substantially benefit an Australian company, Woodside. Witness K determined that the operation's main purpose was to manipulate those negotiations by providing an unfair advantage to Woodside.

Subsequent to his refusal to participate, K was denied promotional opportunities and considered his career to be 'effectively over'. He left the service.

In 2012, when the operation was exposed, Timor Leste demanded an explanation of the Australian Government. It also commenced international arbitration proceedings in The Hague on the grounds that the Treaty was signed on an improper basis due to the spying operation. Witness K was prepared to become a key witness for Timor Leste.

After it had become clear that K was to testify, ASIO (the Australian domestic spy agency) raided his home, and his lawyer's offices and confiscated his passport, preventing him from travelling to give evidence at The Hague.

In addition to the raids, criminal proceedings have been threatened against him and the case is ongoing. Witness K's bravery in standing up to secret and powerful forces has demonstrated his strong moral compass in the performance of his duties. In light of the growing demand for further and increased power to intelligence agencies, Witness K's disclosure in the public interest sheds light on sometimes murky and questionable conduct of espionage which may be at odds with a citizenry's own values.