



s 22(1)(a)(ii)

MEDIA ENQUIRY

Subject: Foreign army recruitment	
Deadline: 3 December 2024	
Journalist: s 47F(1)	Outlet: s 47F(1)
Phone/Mobile:	Email: s 47F(1)
Enquiry Received (Time & Date): 8.11pm 2 December 2024	
Media Officer: s 22(1)(a)(ii)	Media Ph: s 22(1)(a)(ii)

QUESTION / ISSUE

Journalist asked:

I am a writer for s 47F(1). I have recently published an investigation into a suspicious organization that is potentially recruiting for a foreign army.

In July, Home Affairs stated that it had intervened in - but not necessarily prevented - 4 cases where they suspected a person was travelling to Israel to join the Israel Defence Forces (IDF). As documented in the article, Garin Tzabar Australia is the Australian wing of an Israeli program for Lone Soldiers, or soldiers who don't have parents living in Israel. It is a joint venture partnership between the Israeli Ministry of Immigration, Ministry of Defence, the Israel Defence Force's Metav Unit for recruiting soldiers outside of Israel, and the Garin Department within Metav.

Garin Tzabar Australia has announced that the next batch Australian IDF recruits who have joined their program are due to arrive in Israel prior to January.

S119.7 of the Commonwealth Code Act 1995 states that "a person commits an offence if the person recruits, in Australia, another person to serve in any capacity in or with an armed force in a foreign country." It is a further offence to facilitate or promote recruitment for a foreign army, and to publish recruitment materials. This includes advertising information relating to how a person may serve in a foreign army.

I am writing a follow-up article about the matter. My deadline is Tuesday afternoon. As such I would like to ask for comment:

1. How did ABF intervene in those four cases? Were any prevented?
2. Are there any further cases that ABF were aware of between July and the publication of my investigation? Were ABF aware of the 'August 2024 cycle' for IDF recruits conducted by Garin Tzabar Australia?
3. What are ABF's plans insofar as intervening or preventing IDF recruits from leaving to Israel prior to the January 12th Garin Tzabar opening ceremony?
4. To what extent will ABF intervene or prevent Garin Tzabar Australia from operating as an Israeli joint venture within Australia?

OFFICIAL

5. *What measures does ABF plan to implement when Australian IDF soldiers return from their service?*

If there are any further comments you wish to add, please feel free include them.

RESPONSE OFFICIAL**Attributable to a Departmental spokesperson:**

- The Australian Government is alert to the potential for Australians to travel to Israel and the Occupied Palestinian Territories and engage in hostilities.
 - The Australian Government does not track the movement of Australians overseas.
- The Government encourages all Australians who seek to serve with the armed forces of a foreign country to carefully consider their legal obligations, and ensure their conduct does not constitute a criminal offence.

On background OFFICIAL (for use in reporting, not for attribution):

- Under the *Criminal Code Act 1995* (Criminal Code), it is an offence for Australians to engage in hostile activities overseas, unless serving in or with the armed forces of a foreign country.
- The exemption to the foreign incursions offences for serving with the armed forces of a foreign country does not extend to other Commonwealth criminal offences.
- The Department (including Australian Border Force) works closely with Australian Government partners including operational and security agencies to identify individuals of national security interest that are departing Australia to participate in, or provide logistical or material support in offshore conflicts.
- The ABF does not track individuals travelling overseas intending to serve in foreign militaries.
- All movements across the border are screened using a range of intelligence-informed targeting techniques.
- Interventions include the gathering and assessment of information.
- The ABF as part of its role in screening inbound and outbound passengers may question travellers in regards to reasons for travel to and from Australia
 - Questioning may include seeking details on what activities a person has undertaken or is planning to undertake offshore
- If it is identified that an individual seeks travel to a foreign country to engage in conflict then the ABF provides advice including that criminal offences may apply to certain activities and that Australian government support may be limited
- Questions related to legislation are best directed to the Attorney-General's Department.

CLEARANCE

s 22(1)(a)(ii)

Lead business area

Counter Terrorism Coordination Centre

OFFICIAL

OFFICIAL

Drafting officer		
s 22(1)(a)(ii)	Public Affairs Officer, National Security & Crisis Comms	2/12/2024

International Division clearance		Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Full Name	Area	Date (DD/MM/YYYY)

Other Government agency consultation/clearance		Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Agency	Branch/area	Date (DD/MM/YYYY)
Agency	Branch/area	Date (DD/MM/YYYY)

Final SES clearance (minimum SES Band 1) and approval for release		
SES of lead business area must verify that all appropriate consultation and clearances have been undertaken.		
Melani Guyatt	A/g Commander, Customs Enforcement Customs Compliance, Enforcement and Targeting	3/12/2024
Alisha Warner	AS, CTCC	3/12/2024

Media and Communication Branch		
s 22(1)(a)(ii)	Director, Media and Communication Branch	XX/12/2024

Review / Consultation		
Full Name	Position / Branch / Division or Group	Date (DD/MM/YYYY)

OFFICIAL