

From: s. 22(1)(a)(ii)
To: James ROBINSON
Cc: [Middle East and Northern Africa](#)
Subject: FW: Request for urgent cleared points on Australians fighting for Israeli defence[SEC=OFFICIAL:Sensitive]
Date: Wednesday, 30 July 2025 3:51:13 PM
Attachments: [image003.jpg](#)
[image004.png](#)
[image005.jpg](#)

OFFICIAL: Sensitive

FYI

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director | Middle East and North Africa
Global and Multilateral Branch | Strategic Policy Division | Executive Group
Department of Home Affairs
t: s. 22(1)(a)(ii) m: +61 s. 22(1)(a)(ii)
e: s. 22(1)(a)(ii)@homeaffairs.gov.au
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Working hours: Monday to Thursday, Friday to 2.30pm

OFFICIAL: Sensitive

From: Alexander GOLDIE s. 22(1)(a)(ii)@homeaffairs.gov.au>
Sent: Wednesday, 30 July 2025 3:24 PM
To: s. 22(1)(a)(ii)@homeaffairs.gov.au>
Subject: Fwd: Request for urgent cleared points on Australians fighting for Israeli defence[SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

FYI

Sent by Email+

OFFICIAL: Sensitive

From: "Gemma SMYTH" s. 22(1)(a)(ii)@homeaffairs.gov.au>
Date: Tuesday, 29 July 2025 at 8:09:55 pm
To: "Alexander GOLDIE" s. 22(1)(a)(ii)@homeaffairs.gov.au>
Subject: Fwd: Request for urgent cleared points on Australians fighting for Israeli

defence[SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Sent by Email+

OFFICIAL: Sensitive

From: "S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au">
Date: Tuesday, 29 July 2025 at 6:13:59 pm
To: "DLO.Burke" S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>
Cc: "Home Affairs Media" S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>, "MO Registration" S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>, "MCB Executive Support" <S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>, "Brian HICKEY" S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>, "Gemma SMYTH" S. 22(1)(a)(ii) [REDACTED]@homeaffairs.gov.au>
Subject: RE: Request for urgent cleared points on Australians fighting for Israeli defence [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi S. 22(1)(a)(ii) [REDACTED]

As discussed, given this issue comes under the Criminal Code Act, it has actually been led by AGD/DFAT. Please find below TPs that were approved for inclusion in the WofG TPs we produced in response to the Hamas Israel conflict in May 2024. As these were last agreed in early 2024, I would recommend that they are checked with AGO/FMO. I have not checked them with agencies.

- The Australian Government is alert to the potential for Australians to travel to Israel and the Occupied Palestinian Territories and engage in hostilities.
- 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 the government of a foreign country.
- The exemption to the foreign incursions offences for serving with the armed forces of a government of a foreign country does not extend to other Commonwealth criminal offences.
- 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.

- o Australia's consistent position in the Hamas-Israel conflict, and in all conflicts, is to call for the protection of civilian lives and the observation of international humanitarian law.

Regards,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

A/g Assistant Secretary, Media and Communication

Executive Coordination Division | Executive Group

Department of Home Affairs

P: s. 22(1)(a)(ii) **M:** s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) @homeaffairs.gov.au

Acknowledgement of Country Signature Block Graphic 2022



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From: DLO.Burke <s. 22(1)(a)(ii)@homeaffairs.gov.au>

Sent: Tuesday, 29 July 2025 5:28 PM

To: Home Affairs Media <s. 22(1)(a)(ii)@homeaffairs.gov.au>

Cc: DLO.Burke s. 22(1)(a)(ii)@homeaffairs.gov.au>

Subject: Request for urgent cleared points on Australians fighting for Israeli defence
[SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi s. 22(1)(a)(ii)

Thanks for taking my call.

Senior Adviser s. 22(1)(a)(ii) has requested urgent points on Australians fighting for Israeli defence.

I can see in SQ24-001792 in PDMS that there are two SE briefs as well as a number of finalised media enquiries.

Grateful for your urgent advice please drawing on:

- 240423 – Foreign Fighters
- 240530 – Israeli-Australians travelling overseas
- 240620 – Australians fighting with IDF
- 240613 – foreign fighters.

Kind regards,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Senior Departmental Liaison Officer

Minister for Home Affairs | Minister for Cyber Security

Minister for Immigration and Citizenship

M: s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au) | s. 22(1)(a)(ii) [@asnet.gov.au](mailto:s.22(1)(a)(ii)@asnet.gov.au)



OFFICIAL: Sensitive

From: s. 22(1)(a)(ii)
To: James ROBINSON; s. 22(1)(a)(ii)
Cc: Strategic Policy Division Support; s. 22(1)(a)(ii)
Subject: RE: Urgent MO request: Israel[SEC=PROTECTED]
Date: Tuesday, 29 July 2025 7:29:04 PM
Attachments: image001.png

PROTECTED

s. 22(1)(a)(ii) response:

Thank you. I have provided the adviser with some WofG points that media had to hand - essentially points from May 2024 (very outdated) where AGD+DFAT are the lead. I'll pass on your advice as well and let you know if there is any further action required.

FYSA DFAT + AGD cleared points from 2024: Briefing points:

- The Australian Government is alert to the potential for Australians to travel to Israel and the Occupied Palestinian Territories and engage in hostilities.
- 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 the government of a foreign country.
- The exemption to the foreign incursions offences for serving with the armed forces of a government of a foreign country does not extend to other Commonwealth criminal offences.
- 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.
- Australia's consistent position in the Hamas-Israel conflict, and in all conflicts, is to call for the protection of civilian lives and the observation of international humanitarian law.

s. 22(1)(a)(ii)

PROTECTED

From: James ROBINSON <s. 22(1)(a)(ii)@homeaffairs.gov.au>
Sent: Tuesday, 29 July 2025 7:10 PM
To: s. 22(1)(a)(ii)@homeaffairs.gov.au; s. 22(1)(a)(ii)@HOMEAFFAIRS.GOV.AU>
Cc: Strategic Policy Division Support s. 22(1)(a)(ii)@homeaffairs.gov.au; s. 22(1)(a)(ii)@HOMEAFFAIRS.GOV.AU>
Subject: Re: Urgent MO request: Israel[SEC=PROTECTED]

PROTECTED

Great, can someone chat to s. 22(1)(a)(ii)?

Sent by Email+

PROTECTED

From: s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>
Date: Tuesday, 29 July 2025 at 6:48:00 pm
To: s. 22(1)(a)(ii) <[REDACTED]@HOMEAFFAIRS.GOV.AU>
Cc: "James ROBINSON" s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>, "Strategic Policy Division Support" s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>, s. 22(1)(a)(ii) <[REDACTED]@HOMEAFFAIRS.GOV.AU>
Subject: Re: Urgent MO request: Israel[SEC=PROTECTED]

PROTECTED

Hi s. 22(1)(a)(ii) and James

s. 47E(d)

Happy to chat.

s. 22(1)(a)(ii)

Sent by Email+

PROTECTED

From: s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>
Date: Tuesday, 29 July 2025 at 6:02:42 pm
To: "s. 22(1)(a)(ii) <[REDACTED]@HOMEAFFAIRS.GOV.AU>
Cc: "James ROBINSON" s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>, "Strategic Policy Division Support" s. 22(1)(a)(ii) <[REDACTED]@homeaffairs.gov.au>, s. 22(1)(a)(ii) <[REDACTED]@HOMEAFFAIRS.GOV.AU>
Subject: Re: Urgent MO request: Israel[SEC=PROTECTED]

PROTECTED

That's not the urgent request I was expecting!

s. 47E(d)

Will give you a call s. 22(1)(a)(ii).

s. 22(1)(a)(ii)

Sent by Email+

PROTECTED

From: s. 22(1)(a)(ii) <@HOMEAFFAIRS.GOV.AU>
Date: Tuesday, 29 July 2025 at 5:01:10 pm
To: s. 22(1)(a)(ii) <@homeaffairs.gov.au>
Cc: s. 22(1)(a)(ii) <@homeaffairs.gov.au>, "Strategic Policy Division Support" s. 22(1)(a)(ii) <@homeaffairs.gov.au>, s. 22(1)(a)(ii) <@HOMEAFFAIRS.GOV.AU>
Subject: Urgent MO request: Israel [SEC=PROTECTED]

PROTECTED

Hi s. 22(1)(a)(ii)

I just received the below from the new Immi DLO in Burke's office (s. 22(1)(a)(ii)).

Hi s. 22(1)(a)(ii), I've just started as the new Immi DLO in Minister Burke's office. I have an urgent request from an adviser for some lines on Australians (potentially dual nationals) fighting for the Israeli defence force and then returning to Australia. Is that one you can help with?

Could you please urgently assist?

Thanks,

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Director, Europe and Sub-Saharan Africa Section
 Global and Multilateral Branch | Strategic Policy Division
 Department of Home Affairs
 E: s. 22(1)(a)(ii) <@homeaffairs.gov.au> P: s. 22(1)(a)(ii)

cid:image001.png@01DBBA18.E8A042C0



PROTECTED

From: [Middle East and Northern Africa](#)
To: s. 22(1)(a)(ii)
Cc: [Israel-Gaza Taskforce - IGTF \(DFAT\)](#); [Middle East and Northern Africa](#); s. 22(1)(a)(ii)
Subject: RE: Senate Estimates briefing: Israel & OPTs - Australian citizens serving in the IDF and s. 22(1)(a)(ii)
s. 22(1)(a)(ii) [SEC=OFFICIAL:Sensitive]
Date: Friday, 7 February 2025 2:30:21 PM
Attachments: [image001.jpg](#)

OFFICIAL: Sensitive

Good afternoon Sarah,

Apologies for the delay in responding to your original request. I can confirm that we are comfortable with the first point below as it is factual. However, without the context of the brief as a whole, we are unable to comment on the highlighted point. To be able to provide comment, we would need to understand what is meant by an s. 22(1)(a)(ii)

We recommend removing the highlighted point entirely. Alternatively, if there is still sufficient time before your internal Senate Estimates deadline, we can ask our Immigration Compliance colleagues to review the point, with additional context from you (either the brief or further explanation via email).

s. 22(1)(a)(ii)

Please let us know if you would like to take the second approach and we will work to facilitate Immigration Compliance's review.

Kind regards,

s. 22(1)(a)(ii)

Senior Policy Officer | Middle East and North Africa
Asia Branch | Strategic Policy Division
Executive Group
Department of Home Affairs
Phone: s. 22(1)(a)(ii)
Email: s. 22(1)(a)(ii)@homeaffairs.gov.au

cid:image004.jpg@01DA9FCB.9D06FFB0



OFFICIAL: Sensitive

From: S. 22(1)(a)(ii) @dfat.gov.au>
Sent: Tuesday, 4 February 2025 4:12 PM
To: CT Legal Policy S. 22(1)(a)(ii) @homeaffairs.gov.au>; S. 22(1)(a)(ii) @ag.gov.au>;
 S. 22(1)(a)(ii) @dfat.gov.au>; S. 22(1)(a)(ii) @dfat.gov.au>; Middle East and Northern Africa
 S. 22(1)(a)(ii) @homeaffairs.gov.au>
Cc: Israel-Gaza Taskforce - IGTF (DFAT) S. 22(1)(a)(ii) @dfat.gov.au>
Subject: Senate Estimates briefing: Israel & OPTs - Australian citizens serving in the IDF and
 S. 22(1)(a)(ii) [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi AGD, DHA and DPL colleagues

Seeking your review of the points below from our Israel and OPTs Back Pocket Brief on Australian citizens serving in the IDF (or a redirect if I've not hit the right areas).

Grateful if you could come back to me with any edits by COB tomorrow/Wednesday 5 Feb.

//

Will the government sanction Australian citizens serving with the Israel Defense Forces?

- . Australia's consistent position in the Hamas-Israel conflict is to call for the protection of civilian lives and the observation of international humanitarian law.
- . 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.
- . Under the Criminal Code Act 1995, it is an offence for Australians to engage in hostile activities overseas, unless serving in or with the armed forces of a foreign country
 - this legislation discourages Australians from fighting in overseas conflicts and endangering their lives and the lives of others.

[refer to Attorney-General's Department on legality of Australians serving with the IDF]

//

S. 22(1)(a)(ii)

s. 22(1)(a)(ii)

//

Many thanks

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Assistant Director | Israel-Gaza Taskforce
Middle East Branch | Middle East and Africa Division

T s. 22(1)(a)(ii) | M s. 22(1)(a)(ii)



TALKING POINTS

Subject	Middle East Regional Escalation	
Date	25 October 2024	Version: 9
Type	Agency	
Media Officer:	s. 22(1)(a)(ii)	Media Ph: s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

Foreign fighters

- The Australian Government is alert to the potential for Australians to travel to the region and engage in hostilities.
- Australians who travel to fight, who are not serving in the armed forces of a foreign country, may be committing a criminal offence.
- Hamas and Hizballah are listed terrorist organisations.
- Australians who travel to fight with a terrorist organisation, or recruit another person to do so, are committing a criminal offence.
- Law enforcement will consider foreign fighters who have returned to Australia on a case-by-case basis.
- If you are concerned that someone you know may be preparing to travel to fight for a terrorist organisation contact the National Security Hotline on 1800 123 400.

s. 22(1)(a)(ii)

s. 22(1)(a)(ii)

CLEARANCE:

Cleared by	Title	Time/Date cleared
James Robinson	Middle East Crisis Coordinator	5 October 2024
s. 22(1)(a)(ii)	Director, National Security and Crisis Comms	25 October 2024

CONSULTED:

Cleared by	Title	Time/Date cleared
s. 22(1)(a)(ii)	A/g Senior Director, Office of Community Cohesion	24 October 2024
s. 22(1)(a)(ii)	A/g Assistant Secretary Envoy Support	10 October 2024
s. 22(1)(a)(ii)	Senior Director Immigration Outreach and Engagement	3 October 2024
s. 22(1)(a)(ii)	Assistant Secretary Multicultural Affairs Branch	10 October 2024
s. 22(1)(a)(ii)	Senior Director, Visa Support Centre	9 October 2024

OFFICIAL

Back Pocket Brief Number: CTCC-04

BACK POCKET BRIEF

**Home Affairs Portfolio
Department of Home Affairs
Budget Estimates Hearing – May 2024**

BACK POCKET BRIEF

Topic: Conflict in Israel and Occupied Palestinian Territories

Group: National Security and Resilience

Division: Counter-Terrorism Coordination Centre

s. 22(1)(a)(ii)

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under the *Freedom of Information Act 1982*

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Clearing Officer: Gemma Smyth | A/g First Assistant Secretary, Counter-Terrorism Coordination
Centre

SB24-000402

Page 1 of 4
As at 22 April 2024

OFFICIAL**Back Pocket Brief Number: CTCC-04****Travel to foreign conflict zones**

- Australian Government agencies are alert to the potential for Australians to travel to Israel and the Occupied Palestinian Territories and engage in hostilities.
- There is a range of measures in place to deter foreign fighters travelling to overseas conflict zones, including ‘Do not travel’ advice, passport refusal, cancellation and suspension action, and foreign incursions and recruitment offences.
- Australians who travel to fight who are not serving in the armed forces of a foreign country may be committing a criminal offence.
- Australians who travel to fight with a terrorist organisation, or recruit another person to do so (including inducing, inciting or encouraging), are committing a criminal offence.
 - Hamas, Hizballah and Palestinian Islamic Jihad are listed terrorist organisations.
- Law enforcement will consider foreign fighters who have returned to Australia on a case-by-case basis.

s. 22(1)(a)(ii)

OFFICIAL

OFFICIAL**Back Pocket Brief Number: CTCC-04****Declared areas**

- Under Division 119 of the *Criminal Code Act 1995*, an Australian citizen, resident or visa holder commits an offence if they enter or remain in an area in a foreign country declared by the Foreign Affairs Minister.
- The offence does not prevent a person from travelling to a declared area for a specified legitimate purpose.
 - Legitimate purposes include the provision of humanitarian aid, working as a journalist, or visiting a family member.
- Before declaring an area in a foreign country, the Minister for Foreign Affairs must be satisfied that a listed terrorist organisation is engaging in a hostile activity in that area of the foreign country.
- The Minister for Foreign Affairs must arrange for the Leader of the Opposition in the House of Representatives to receive a briefing on the proposed declaration.
- There are no declared areas currently in effect.

s. 22(1)(a)(ii)

Additional Information

Statistic and Financial Reporting Period:

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Clearing Officer: Gemma Smyth | A/g First Assistant Secretary, Counter-Terrorism Coordination
Centre
SB24-000402

Page 3 of 4
As at 22 April 2024

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OFFICIAL**Back Pocket Brief Number: CTCC-04**

Statistics Date Ranges – May 2024 Additional Estimates	
Since last hearing	1 January 2024 – 31 March 2024
Financial Year	1 July 2023 – 31 March 2024

OFFICIAL

OFFICIAL**Back Pocket Brief Number: CTCC-06****BACK POCKET BRIEF**

**Home Affairs Portfolio
Department of Home Affairs
Additional Estimates Hearing – February 2024**

BACK POCKET BRIEF**Topic: Conflict in Israel and Occupied Palestinian Territories****Group: National Security and Resilience****Division: Counter-Terrorism Coordination Centre**

- Following the 7 October 2023 attack on Israel by Hamas, the Minister for Home Affairs activated the National Coordination Mechanism (NCM) to ensure that Commonwealth agencies and state and territory governments are all working together to address the impacts of the Hamas-Israel conflict on Australians
 - the NCM is an important tool for preparing for, responding to, and recovering from any crises.
 - the NCM ensures that the full capabilities of the Australian, state and territory governments and, if required, the private sector, are brought to bear during a crisis.

Travel to foreign conflict zones

- Australian Government agencies are alert to the potential for Australians to travel to Israel and the Occupied Palestinian Territories and engage in hostilities.
- We have strong laws aimed at discouraging such actions by people of security concern, including passport cancellations where certain criteria are met, and foreign incursions and recruitment offences
- Australians who travel to fight who are not serving in the armed forces of a foreign country may be committing a criminal offence.
- Hamas and Hizballah are listed terrorist organisations.
- Australians who travel to fight with a terrorist organisation, or recruit another person to do so (including inducing, inciting or encouraging), are committing a criminal offence.
- Law enforcement will consider foreign fighters who have returned to Australia on a case-by-case basis.

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Clearing Officer: Chris Field, First Assistant Secretary, Counter-Terrorism Coordination Centre

SB23-001255

Page 1 of 6

As at 6 February 2023

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OFFICIAL**Back Pocket Brief Number: CTCC-06**

If asked: What measures is the Australian Government taking to combat foreign fighters travelling to conflict zones [i.e. Lebanon]?

- There is a range of measures in place to deter foreign fighters travelling, including 'Do not travel' advice, passport refusal, cancellation and suspension action, and foreign incursions and recruitment offences.

s. 22(1)(a)(ii)

Declared areas

- Under Division 119 of the *Criminal Code Act 1995*, an Australian citizen, resident or visa holder commits an offence if they enter or remain in an area in a foreign country declared by the Foreign Affairs Minister.
- The offence does not prevent a person from travelling to a declared area for a specified legitimate purpose.
 - Legitimate purposes include the provision of humanitarian aid, working as a journalist, or visiting a family member.
- Before declaring an area in a foreign country, the Minister for Foreign Affairs must be satisfied that a listed terrorist organisation is engaging in a hostile activity in that area of the foreign country.
- The Minister for Foreign Affairs must arrange for the Leader of the Opposition in the House of Representatives to receive a briefing on the proposed declaration.

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Clearing Officer: Chris Field, First Assistant Secretary, Counter-Terrorism Coordination Centre

SB23-001255

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As at 6 February 2023

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Back Pocket Brief Number: CTCC-06

s. 22(1)(a)(ii)

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SB23-001255

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As at 6 February 2023

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Back Pocket Brief Number: CTCC-06

s. 22(1)(a)(ii)

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SB23-001255

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As at 6 February 2023

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Back Pocket Brief Number: CTCC-06

s. 22(1)(a)(ii)

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Clearing Officer: Chris Field, First Assistant Secretary, Counter-Terrorism Coordination Centre

SB23-001255

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As at 6 February 2023

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Back Pocket Brief Number: CTCC-06

s. 22(1)(a)(ii)

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Clearing Officer: Chris Field, First Assistant Secretary, Counter-Terrorism Coordination Centre

SB23-001255

Page 6 of 6

As at 6 February 2023

OFFICIAL**Back Pocket Brief Number: SB23-001086****BACK POCKET BRIEF**

**Home Affairs Portfolio
Department of Home Affairs
Supplementary Estimates Hearing – October 2023**

BACK POCKET BRIEF**Topic: Israel and Hamas Conflict****Group: National Security and Resilience****Division: Counter-Terrorism Coordination Centre**

- On 7 October 2023, Gaza-based Palestinian militants led by Hamas launched a surprise, large-scale coordinated attack on Israel.
- In response to this event, the Minister for Home Affairs has activated the National Coordination Mechanism (NCM) to ensure that Commonwealth agencies, state and territory governments are all working together to address the effects of the war in Israel on Australians
 - the NCM is a key tool for preparing for, responding to, and recovery from any crises.
 - the NCM is a flexible tool to ensure that the full capabilities of the Australian, state and territory governments and, if required, the private sector are brought to bear during a crisis.

Travel to foreign conflict zones

- The Department is alert to the potential for Australians to travel to Israel and the Occupied Palestinian territories and engage in hostilities. The Australian Border Force and the Department are monitoring the movements of Australians who may travel to, and return from, the conflict zone.
 - Australians who travel to fight with a terrorist organisation, or recruit another person to do so (including inducing, inciting or encouraging) are committing a criminal offence.

s. 22(1)(a)(ii)

OFFICIAL

Clearing Officer: Chris Field First Assistant Secretary Counter-Terrorism Coordination Centre

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SB23-001086

As at 11 OCTOBER 2023

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Back Pocket Brief Number: SB23-001086

s. 22(1)(a)(ii)

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Page 2 of 2

SB23-001086

As at 11 OCTOBER 2023