

# Australian businessman jailed for “reckless” foreign interference

Mike Head

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On Thursday, Sydney businessman Alexander Csergo was sentenced to three-and-a-half years in prison for supposedly reckless foreign interference involving two Chinese people. The judge declared that such a severe punishment was needed to send a wider message.

Csergo’s jailing underscores how readily someone can be ensnared or entrapped into being accused of supplying information, no matter how worthless, to a foreign government or foreign entity under the draconian foreign interference laws introduced in 2018.

This is under conditions in which the corporate media, the intelligence and police agencies and the Albanese Labor government are mounting an aggressive propaganda campaign against China, Russia and Iran, replete with unsubstantiated allegations of political interference in Australia.

The charge of reckless foreign interference does not involve a deliberate attempt to act on behalf of a foreign power, let alone to cause harm to “national security.” Instead, it requires only that an individual was aware of a “substantial” and “unjustifiable” risk that their conduct could assist a foreign entity and was “deceptive.”

Csergo’s only “crime” appears to be working in Shanghai as a corporate consultant.

While living in China for about 20 years, Csergo, now aged 58, established a digital advisory and consultancy business that provided services to transnational corporations. There was no evidence that he handed over, or could even gain access to, classified material.

The material he allegedly provided to two individuals, identified only as Ken and Evelyn, consisted of open source information, available online, about business and political conditions in Australia. In fact, soon after the charges were laid against Csergo in 2023, the prosecution abandoned allegations that his conduct “prejudiced Australia’s national security.”

Within hours of Csergo’s sentencing, however, the Australian spy and police agencies issued a joint media release asserting, without any details, that his activities were part of a vast “assault” by foreign governments on Australia’s sovereignty.

Mike Burgess the director-general of the Australian Security Intelligence Organisation (ASIO), the domestic spy agency,

insisted: “In this case, the spies wanted the Australian to target individuals in Australia’s intelligence community, Prime Minister’s Office, defence sector, judiciary and think tanks.” Yet, Csergo provided no such information.

Burgess further painted a picture of the country being under siege. He claimed that ASIO and the Australian Federal Police had “conducted literally hundreds of operations to mitigate threats against our diaspora communities, political systems and classified information” since 2020.

In handing down Csergo’s sentence, New South Wales District Court Judge Craig Smith said it was necessary to punish him for longer than the more than 600 days he had already spent in prison, because it was important to deter people from being wooed into compromising Australia’s national security.

Sentencing Csergo to the time he had already served would not appropriately reflect the seriousness of the offence to Australia’s interests, Smith ruled, even though the businessman had no criminal history, was a “decent man” and had experienced mental health problems in custody.

Smith said he did not consider Csergo’s conduct to have been “overly sophisticated in the criminal sense.” In fact, the judge acknowledged that it would take expert training for someone like Csergo to detect Chinese intelligence activity.

Moreover, it appears that the only “deception” by Csergo was to present Ken and Evelyn with plagiarised information.

Csergo’s contact with the two people began via LinkedIn in 2021, when Evelyn said she represented a think tank seeking information on Australia for Chinese businesses looking to invest there. After Csergo asked whether her clients were Chinese investors, she said they were “state-owned companies” that wanted to thrive in Australia, Canada and New Zealand.

Csergo’s reports to Evelyn and Ken, on topics such as the state of the mining industry, were cut and pasted from material by such publications as the *Australian Financial Review* and the Lowy Institute, an Australian corporate think tank.

The prosecution said Csergo received cash in hand payments for his reports, and the media depicted that as evidence of sinister intent. Yet such payment methods are often used by businesses in China to evade taxation.

The prosecution alleged that by mid-2020, Csergo must have

suspected that Evelyn and Ken worked for a Chinese intelligence agency, the Ministry of State Security, because they asked for more sensitive material relating to ASIO and the Australian military.

Csergo told the police that he became suspicious that he was under Chinese surveillance, but could not return to Australia at that time because of COVID travel restrictions, and so felt he had to keep working with the pair. Prosecutors argued he should have alerted Australian authorities—as if that were a legal requirement—but neglected to do so because of the money he was making.

When he returned to Australia in 2023, Csergo had with him a “shopping list” of subjects in which Ken and Evelyn were interested, including the AUKUS military pact against China and the corporate regulator, the Australian Securities and Investments Commission. But the judge accepted that “there is no evidence he did anything in relation to the shopping list.”

Outside court, Csergo’s brother, Steve Csergo, said he was worried that the case may set a precedent. “My concern is for the future of all Australians and our freedoms,” he told reporters. “My concern is, will you be arrested for doing a report from open-source information from the state library next?”

In 2018, when they were introduced, the Socialist Equality Party warned that the “foreign interference” laws were a wholesale attack on democratic rights. They could be used, above all, to crack down on anti-war opposition or any anti-government dissent, especially if it was alleged to be conducted together with an international party or organisation.

As the WWSW has documented, as well as creating unprecedented foreign interference offences, the legislation expanded existing offences, such as treason, sabotage, advocating mutiny and breaching official secrecy, to broaden their potential use to criminalise anti-war advocacy and activity, including the exposure of war crimes.

Campaigning against Australian involvement in a US-led military intervention could be criminalised if contact were made with an organisation in the targeted country or even an international anti-war campaign.

This legislation was introduced by the previous Liberal-National Coalition government with Labor’s support, in close collaboration with the first Trump administration, amid an orchestrated witch hunt by the media and political establishment against alleged political interference by China and other designated threats, notably Russia and Iran.

Lurid allegations branded politicians, universities, students and business figures with any connections whatsoever to China, in particular, as a potential “fifth column,” determined to subvert the Australian nation-state.

This atmosphere has intensified under the Albanese Labor government since 2022. It has escalated the commitment to US militarism, including by extending the multi-billion dollar AUKUS military pact, expanding the US access to more 100

military bases and military-related facilities across Australia and backing the wars against Russia, the Palestinians and Iran.

Just before Csergo was sentenced, the Labor government announced that it is preparing to implement an official report that issued 20 recommendations to make the foreign interference and espionage laws even “stronger” and “more effective.”

One of the major problems identified by the report was that only two convictions have been obtained under the laws since 2018. Apart from Csergo, the only other successful prosecution was of Melbourne businessman and local Vietnamese-Chinese community figure Di Sanh Duong.

In February 2024, Duong, 68, was sentenced to nearly three years’ imprisonment on a vague charge of “preparing for or planning an act of foreign interference,” supposedly on behalf of China, even though his “covert” act consisted of publicly handing a novelty charity cheque to a government minister for a hospital.

The Labor government is also creating a witch-hunting wartime atmosphere in the universities. It amended Australia’s Foreign Relations Act last month, with the backing of the Coalition and the far-right One Nation, to extend to individual academics new powers to outlaw university research or teaching relations with designated overseas bodies or colleagues, particularly from China, Russia and Iran.

These developments must be a warning as capitalism once again plunges humanity into a widening global conflict. During both previous world wars, Labor governments jailed anti-war campaigners, framed up militant workers on sabotage and other serious charges, and indefinitely detained, without trial, thousands of Australian citizens and residents of foreign descent.

The ruling class fears that working-class discontent will intensify as today’s US-led wars escalate, and the impact mounts on the cost of living and the cutting of disability, health, education and other social programs to pay for massive military spending. Through the Labor government, it is beginning to implement wartime-style political repression.



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