

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 22 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE17/292) - Bassem Tamimi - Programme 2.3: Visas

Senator Rhiannon, Lee (L&CA) written:

On 4 April this year the Australian government granted Bassem Tamimi a visa to visit Australia. On April 5 this visa was revoked as set out in a letter from the department to Mr Tamimi that stated in part “there is a risk that members of the public will react adversely to your [Tamimi’s] presence in Australia regarding your views of the ongoing political tensions in the Middle East”.

(a) Did Australia’s Ambassador to Israel or Australia’s Representative Office in Palestine or any department officer provide evidence or any advice that contributed to Mr Tamimi’s visa being revoked?

(b) Is the government aware that denying entry to an individual on the basis of their political views is a violation of freedom of speech and an act of political censorship?

(c) When the Israeli Prime Minister visited Australia there were protests in a number of Australian cities reflecting what some call an “adverse public reaction”.

i. How does the “adverse public reaction” that the Israeli Prime Minister visit precipitated differ from what it was anticipated Mr Tamimi’s visit would cause?

(d) Does the government agree or recognise that some of the Israeli Prime Minister’s policies including the expansion of West Bank settlements that have been criticised by the United Nations result in “a strong adverse reaction” from some people in Australia?

(e) It has been reported that Mr Tamimi as a result of the revoking of his visa is now banned from applying for an Australian visa for three years. Did the Australian ambassador to Israel or representatives of the Australian Representative Office of any DFAT department officer give evidence to Minister Peter Dutton on the Department of Immigration about this matter?

(f) Was any advice passed on once the ban was in place?

Answer:

(a) Under privacy legislation, the Department is unable to comment on specific details of Mr Tamimi’s case. In general terms, non-citizens who have a visa cancelled are provided with written notice of the reasons for the decision. For cases where foreign policy matters may be involved, the Department will take into consideration relevant advice provided by the Department of Foreign Affairs and Trade.

(b) This is a matter for the Australian Government and it would not be appropriate for the Department to comment.

(c) Each case is assessed on its own merits. A range of information sources are taken into consideration when assessing whether a visa applicant may pose a risk of vilifying, inciting discord in, or representing a danger to the Australian community, or

a segment of the community (section 501(6)(d)(iii)-(v) of the *Migration Act 1958*); or whose presence in Australia may be considered contrary to Australia's foreign policy interests (Public Interest Criterion 4003(a) of the *Migration Regulations 1994*).

- (d) This is a matter for the Australian Government and it would not be appropriate for the Department to comment
- (e) Under privacy legislation, the Department is unable to comment on specific details of Mr Tamimi's case. In general terms, when considering visa cancellation the decision-maker will have regard to the statutory consequences of the decision including any exclusion period that may be subsequently imposed. In cases where foreign policy matters may be involved, the Department will take into consideration relevant advice provided by the Department of Foreign Affairs and Trade.
- (f) Under privacy legislation, the Department is unable to comment on specific details of Mr Tamimi's case.