

**The Hon. Tony Burke MP**

**28 January 2026**

Dear Minister

We write on behalf of rank-and-file Labor members across Australia who support the international legal and human rights of the Palestinian people. We acknowledge and thank you for the important work you do as Minister for Home Affairs.

We note the announcement that the federal government has invited Israeli President Isaac Herzog to visit Australia.

As Home Affairs Minister, your responsibilities include the assessment of visa applicants using the character test set out in the Migration Act 1958, Section 501, which states that the Minister *'may refuse to grant a visa to a person if the person does not satisfy the Minister that the person passes the character test'*.

Can you please advise whether you or your department have applied or will apply the character test to any visa application from the Israeli President. We draw your attention to two clauses which are relevant in assessing the character of Isaac Herzog:

1. *'A person does not pass the character test if ... the Minister reasonably suspects that the person has been or is involved in conduct constituting ... the crime of genocide, a crime against humanity, a war crime, a crime involving torture or slavery or a crime that is otherwise of serious international concern; whether or not the person, or another person, has been convicted of an offence constituted by the conduct...'* SECT 501, 6 (ba) (iii)
2. *'A person does not pass the character test if ... in the event the person were allowed to enter or to remain in Australia, there is a risk that the person would ...incite discord in the Australian community or in a segment of that community...'* SECT 501, 6 (d) (iv)

Have you considered the UN Commission of Inquiry report (September 2025) conclusion that statements made by Herzog constituted direct public incitement to commit genocide, breaching the Genocide Convention, which surely brings SECT 501, 6 (ba) (iii) into play?

Have you considered (under SECT 501, 6 (d) (iv)) the discord that will be incited in large sections of the community if Herzog is permitted to enter Australia? Such discord is likely to extend so broadly as to include Palestinian, Arab and Muslim Australians, and all those including Labor members who have actively opposed Israel's actions in Gaza.

Minister, on these grounds we urge you to find that Herzog does not pass the character test, and therefore that you should refuse to grant him a visa.

**On behalf of rank-and-file Labor members**

**Peter Moss**  
NSW

**Wendy Turner**  
QLD

**Oliver van Ingen**  
VIC