



Novak Djokovic wins visa appeal, judge permits him to stay in Australia

Description

Novak Djokovic won his visa appeal against the Australian government on Monday.

Australian Federal Court quashed the government's decision to cancel the Serbian tennis star's visa on Monday, ending his detention and appearing to clear the path for him to play in the Australian Open.

The 34-year-old was fighting deportation and the cancelation of his visa over the country's strict COVID-19 vaccination rules. The government canceled his visa shortly after he arrived in Melbourne on Wednesday because officials determined he didn't meet the criteria for an exemption to an entry requirement that all non-citizens be fully vaccinated against coronavirus.

Djokovic argued he didn't need proof of vaccination because he had contracted the illness last month. Australian medical authorities ruled that a temporary exemption for the vaccine rule can be provided to people who had been infected with COVID-19 within six months.

Circuit Court Judge Anthony Kelly noted that Djokovic had provided officials at the airport with a medical exemption given to him by Tennis Australia, which organizes the Australian Open, and two medical panels.

"The point I'm somewhat agitated about is what more could this man have done?" Kelly asked Djokovic's lawyer Nick Wood.

Wood agreed that there was nothing more Djokovic could've done.

Djokovic had been placed in an immigration detention hotel used to house refugees and asylum seekers.

Lawyers for Home Affairs Minister Karen Andrews said in their submission that if the judge ruled in favor of the tennis star, immigration officials might cancel his visa a second time. They said the vaccination requirement could only be deferred for arriving travelers who have had a COVID-19

infection if their illness was acute.

“There is no suggestion that the applicant (Djokovic) had ‘acute major medical illness’ in December” when he tested positive, the submission said.



Novak Djokovic, of Serbia, serves against Jenson Brooksby, of the United States, during the fourth round of the U.S. Open tennis championships, Monday, Sept. 6, 2021, in New York. (AP Photo/John Minchillo) (AP Photo/John Minchillo)

Djokovic could face a three-year ban from the country if his visa is canceled and is deported.

The world's No. 1 tennis player has 20 major titles. The 2022 Australian Open begins next week. Djokovic is the defending champion.

By Ryan Gaydos

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