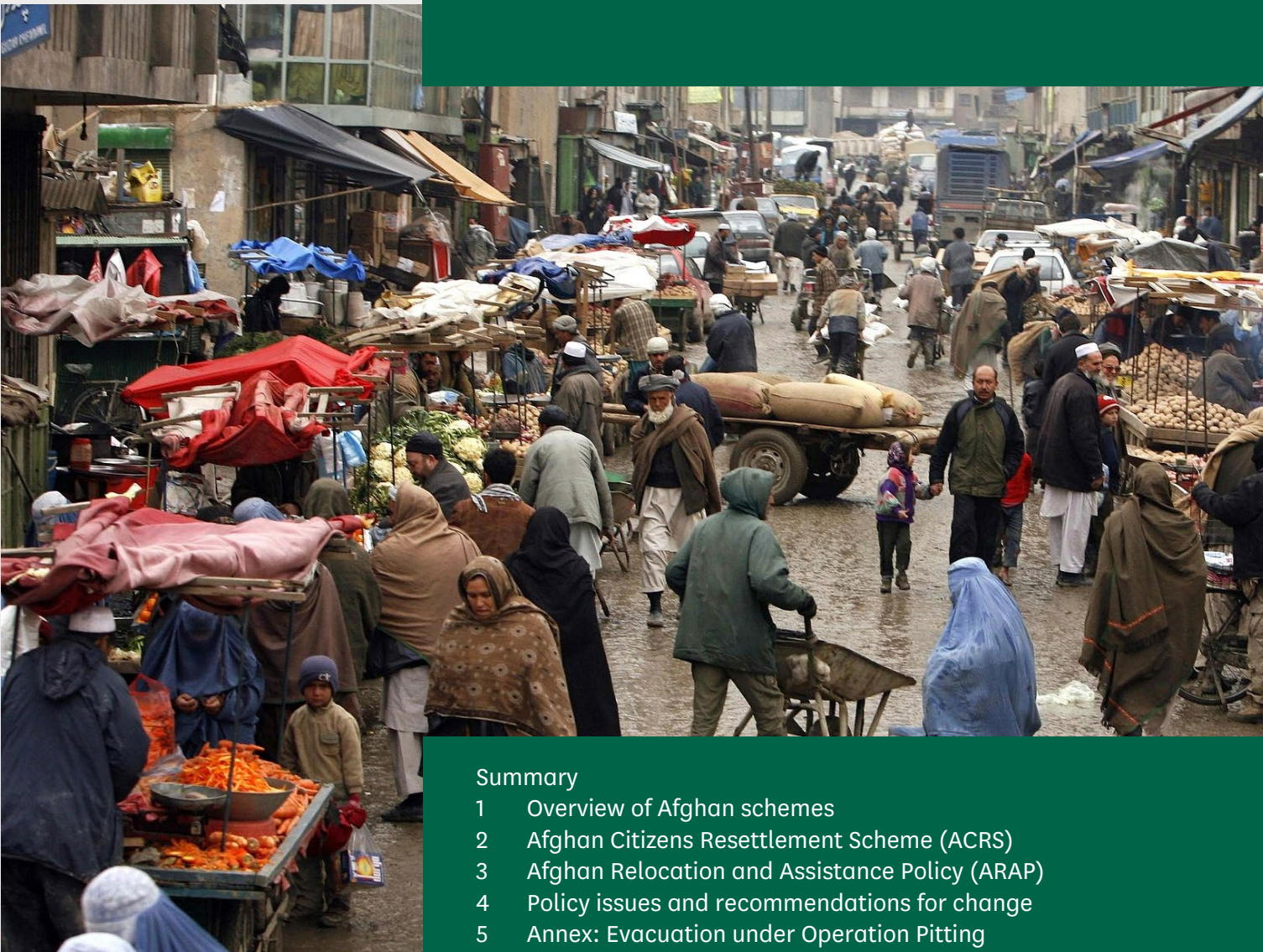


Research Briefing

20 December 2024

By Melanie Gower

# UK immigration schemes for Afghan nationals



## Summary

- 1 Overview of Afghan schemes
- 2 Afghan Citizens Resettlement Scheme (ACRS)
- 3 Afghan Relocation and Assistance Policy (ARAP)
- 4 Policy issues and recommendations for change
- 5 Annex: Evacuation under Operation Pitting

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## Summary

There are two immigration routes for people affected by the situation in Afghanistan: the Afghan Citizens Resettlement Scheme and the Afghan Relocation and Assistance Policy. [Around 30,000 people had come to the UK under these schemes by the end of September 2024.](#)

People who aren't eligible and whose circumstances don't warrant an application for [permission outside the immigration rules](#) must apply under one of the [general UK visa routes](#) to be able to come to the UK, for example as a worker, student or family member. There aren't any functioning UK visa application centres in Afghanistan. Afghans can apply for a UK visa from a neighbouring country if it is safe to travel and they have the relevant travel documents and permissions to enter.

## Afghan Citizens Resettlement Scheme (ACRS)

The [Afghan Citizens Resettlement Scheme \(ACRS\)](#) was launched in January 2022 with the aim of resettling up to 20,000 people in the UK over the following few years. Around 12,400 people had arrived under the scheme by the end of September 2024. Most arrived in summer 2021 during the UK's military-led evacuation exercise, Operation Pitting.

A person must meet the requirements of one of three 'referral pathways' to be eligible under the ACRS. Each pathway has distinct criteria and processes.

- Pathway 1 is for Afghans identified for evacuation in summer 2021 and their close family members. [9,706 people](#) had arrived in the UK and been recorded under pathway 1 by 30 September 2024.
- Pathway 2 is for Afghan refugees in neighbouring countries who are referred by the UN refugee agency for resettlement in the UK. [1,225 refugees](#) had been resettled in the UK under the route by 30 September 2024.
- Pathway 3 is for certain at-risk groups currently in Afghanistan or neighbouring countries (initially Garda World and British Council contractors and Chevening alumni). [1,495 people](#) had arrived under pathway 3 by the end of September 2024.

## ARAP scheme for former HM Government employees

Some Afghan civilians (and family members) who were previously employed by the British government and fear reprisals may be eligible for relocation in the UK through the [Afghan Relocations and Assistance Policy \(ARAP\)](#) scheme.

It is open to any current or former staff employed by HM Government in Afghanistan since 2001 who are assessed to be at serious risk of threat to life. Eligibility is regardless of employment status, rank or role, or length of time served. The scheme is open-ended and there is no limit on how many places are available.

[17,956 people](#) had been relocated to the UK under the ARAP scheme by the end of September 2024. The Ministry of Defence is [reviewing around 2,000 ineligibility decisions](#) relating to former members of Afghan specialist units.

## Topical issues and calls for policy change

Issues [raised in the last Parliament](#) about the effectiveness of the UK's immigration provisions for Afghans include:

- The narrow scope of the schemes and Afghans' continued use of other immigration routes including asylum.
- The slow pace of ARAP decision-making and reviews.
- The low number of arrivals under ACRS pathways 2 and 3 and continued uncertainty over the future scope and timetables for these routes.
- Practical and procedural obstacles to applying to the Afghan schemes or other visa routes, and the absence of automatic flexibility for Afghans such as over the requirement to attend a visa application centre and the level of supporting evidence required.
- Issues arising from reception arrangements for new UK arrivals, particularly difficulties finding suitable long term accommodation.
- Controversy over the handling of ARAP applications made by Afghans who worked in specialist units serving alongside UK forces, notably members of Commando Force 333 and Afghan Territorial Force 444, and the pace of reviewing refusal decisions in those cases.

## 1

## Overview of Afghan schemes

Active UK resettlement and relocation schemes for Afghan nationals	
Scheme and eligibility overview	Arrivals up to 30 September 2024 <sup>1</sup>
<p><b>Afghan Citizens Resettlement Scheme (ACRS)</b>  <b>Quota: Up to 20,000 people over several years</b></p> <p>Available to some Afghans who are at risk in Afghanistan, or have already fled to neighbouring countries or been evacuated to the UK</p>	<b>12,426 people</b>
<ul style="list-style-type: none"> <li>ACRS Pathway 1</li> </ul> <p>For people called forward in summer 2021 as eligible under the Operation Pitting evacuation programme and close family members who became separated during evacuation</p>	9,706 people
<ul style="list-style-type: none"> <li>ACRS Pathway 2</li> </ul> <p>For Afghan refugees in camps in neighbouring countries, identified by the UN Refugee Agency</p>	1,225 people
<ul style="list-style-type: none"> <li>ACRS Pathway 3</li> </ul> <p>For specified categories of at-risk individuals living in Afghanistan or the surrounding region (currently British Council and Garda World contractors, Chevening alumni, and family members)</p>	1,495 people
<p><b>Afghan Relocations and Assistance Programme (ARAP)</b>  <b>Quota: Unlimited</b></p> <p>For current or former staff employed by HM Government in Afghanistan since 2001 who are assessed to be at serious risk of threat to life.</p>	<b>17,956 people</b>

<sup>1</sup> Gov.uk, [Afghan Resettlement Programme: operational data](#), 28 November 2024. These figures exclude 30 Afghan scheme arrivals which haven't been attributed to a specific route.

## 1.1

# Immigration status and entitlements

Everyone brought to the UK under the Afghan Citizens Resettlement Scheme (ACRS) or Afghan Relocations and Assistance Programme (ARAP) is given indefinite leave (permission to stay in the UK permanently), permission to work, access to education and healthcare, and is eligible to apply for [benefits classed as public funds](#). They are exempt from the habitual residence test for access to benefits.<sup>2</sup> Indefinite leave gives the possibility of applying to naturalise as a British citizen after five years.

People in ACRS pathway 2 (recognised refugees referred by the UN refugee agency, UNHCR) are given refugee status with indefinite leave. Refugee status gives some additional entitlements, reflecting provisions in the 1951 Refugee Convention. For example, it gives more favourable family reunion rights.

People arriving under the ACRS and ARAP schemes are eligible for integration support in the UK, including help to find housing, work and learn English. See the Library briefing [Accommodation and integration support for resettled Afghans](#) for more details.<sup>3</sup>

## 1.2

# Options for ineligible people

People who aren't covered by the Afghan schemes and whose circumstances don't warrant an application for [leave outside the rules](#) must apply under a general UK visa route to come to the UK, for example as a worker, student or family member of someone settled here.

Generally, visa applicants must visit a UK visa application centre to provide biometric information when submitting their visa application. There aren't any functioning UK visa application centres in Afghanistan. Afghans can attend a visa application centre in a neighbouring country. But in practice it may be too difficult or dangerous to do so. Border restrictions, identity document requirements, and visa requirements imposed by neighbouring countries are other obstacles.

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<sup>2</sup> The Social Security (Habitual Residence and Past Presence) (Amendment) Regulations 2021, [SI 2021/1034](#); The Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021, [SSI 2021/320](#)

<sup>3</sup> CBP 9804

## 1.3

## Special arrangements for Afghans already in the UK

### Afghan nationals in the UK with limited leave

In September 2021 the Home Office confirmed some concessions for Afghans who had already been given temporary permission to be in the UK (for example as a worker, student or family member of a person in the UK).<sup>4</sup> These included easing restrictions on switching immigration category in-country, including for Afghan visitor visa holders.<sup>5</sup> Applicants are still expected to meet all the other requirements for the visa category they are applying for, including the application fee.

### Asylum seekers and people without status

Home Office [country policy guidance for Afghan asylum and human rights claims](#) considers the security and humanitarian situation in Afghanistan and the approach to asylum claims from people who have or are perceived to have opposed the Taliban's views.

The guidance doesn't recommend granting asylum to all Afghan asylum seekers. It has a non-exhaustive list of groups evidence suggests are likely to be at risk of persecution by the Taliban. It cautions that "Each case must be considered on its merits with the onus on the person to demonstrate that they would be at real risk on return"<sup>6</sup>

Refused Afghan asylum seekers are advised to make further submissions to the Home Office if they believe there has been a change of circumstances since their case was refused.<sup>7</sup> People without immigration status are also encouraged to contact the Home Office. The Home Office has confirmed enforced returns to Afghanistan are suspended but its policy is to "seek to remove from the UK those who have committed serious crimes or who present a threat to national security... as soon as we are able to do so."<sup>8</sup> At the time of the Taliban's takeover, there were calls for the government to grant all Afghans in the UK permission to stay. It was argued that there was unlikely to be a prospect of safely returning any person to Afghanistan any time soon.<sup>9</sup>

<sup>4</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 13 September 2021 (updated 26 July 2023), paras 43-4

<sup>5</sup> Home Office, [Concessions to the Immigration Rules for Afghan nationals for work and study routes](#), v1.0, 17 January 2022

<sup>6</sup> Home Office, CPIN, [Afghanistan: Fear of the Taliban](#), v3.0, April 2022, para 2.4.9-10

<sup>7</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 26 July 2023, paras 48-50

<sup>8</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 26 July 2023, para 50

<sup>9</sup> See for example, the [August 2021 briefing](#) by the Joint Council for the Welfare of Immigrants and the [joint letter](#) by the Afghanistan and Central Asian Association and the Immigration Law Practitioners' Association (24 August 2021).

## 1.4

# Useful casework resources

### Information on UK visa routes

- **Gov.uk**, [Support for British and non-British nationals in Afghanistan](#). UK visa information for people in Afghanistan and neighbouring countries, including details of the ARAP and ACRS schemes and an information helpline.
- **Gov.uk**, [Afghan Relocations and Assistance Policy](#), 20 November 2024. Includes information on eligibility criteria, reviews and frequently asked questions, in English, Dari and Pashto.
- **Safe Passage and Refugee Legal Support**, Afghan Pro Bono Initiative. [Provides pro bono advice to Afghans seeking family reunion and help with ARAP applications](#). They have also published answers to frequently asked questions and a self-help guide to the Afghan Relocations and Assistance Policy (ARAP), both available in English, Dari and Pashto.
- **UNHCR Afghanistan**, [Help](#). Information for people inside Afghanistan. There are similar pages for people in neighbouring countries on the websites of [UNHCR Pakistan](#) and [UNHCR Iran](#).
- **UNHCR UK**, [Information and links on Afghanistan Situation](#). Includes information about UNHCR's role in the ACRS resettlement scheme.

### Information for Afghans in the UK

- **Gov.uk**, [Next steps in the UK: immigration information for people evacuated from Afghanistan](#). A factsheet for people evacuated from Afghanistan.
- **Refugee Council**, [Support and information for people affected by the crisis in Afghanistan](#). Links and signposting to sources of further information and assistance.
- **Red Cross**, [Help for Afghan people in the UK](#). Information for Afghans in the UK and about eligibility for the Afghan schemes.

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## 2 Afghan Citizens Resettlement Scheme (ACRS)

### 2.1 Background to the scheme

In August 2021, in the aftermath of the Taliban's takeover of Afghanistan, the government announced plans for a scheme to resettle some Afghan citizens in the UK.<sup>10</sup> The [Afghan Citizens Resettlement Scheme \(ACRS\)](#) formally opened on 6 January 2022 for Afghans who had already been evacuated to the UK and on 13 June 2022 for other eligible groups.

Resettlement schemes enable recognised refugees to be transferred from a country of asylum to another safe country where they will reside permanently. The ACRS is unusual because it doesn't only cater for recognised refugees.<sup>11</sup>

The ACRS is separate to the Afghan Relocations and Assistance Policy (ARAP) scheme for Afghan civilians who worked alongside British forces (discussed in section 3), and the UK's other [refugee resettlement schemes](#).<sup>12</sup> It is also separate from the in-country asylum process. Afghans who travel to the UK to claim asylum aren't eligible to be considered under the ACRS.<sup>13</sup>

As with other resettlement routes, the ACRS operates at government discretion outside of the immigration rules. The broad principles of the scheme are set out in the Home Office's [Afghanistan Resettlement and Immigration policy statement](#), published in September 2021 and subsequently updated.

### 2.2 How to access the ACRS

Afghans can't apply directly to the Home Office for ACRS resettlement. Instead, eligible individuals are identified through one of three 'referral pathways'. Each pathway has its own eligibility criteria and processes for identifying people for resettlement.

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<sup>10</sup> Gov.uk, [Bespoke resettlement route for Afghan refugees announced](#), 18 August 2021

<sup>11</sup> Consequently, not everyone brought to the UK under the ACRS is granted refugee status.

<sup>12</sup> Namely the UK Resettlement Scheme, Community sponsorship, and Mandate Resettlement Scheme.

<sup>13</sup> PQ 100570 [[on Refugees: Afghanistan](#)], answered on 19 January 2022

## Pathway 1: People identified under Operation Pitting

Some ACRS places are being used to grant long-term immigration status to people who arrived in the UK under the Operation Pitting evacuation exercise in summer 2021.

People who were called forward for evacuation in summer 2021 but couldn't board flights are also eligible for resettlement under pathway 1, although government policy towards this group has changed over time.

The first version of the Afghanistan resettlement and immigration policy statement (published in September 2021) said these people "will also be offered a place under the scheme if they subsequently come to the UK. Efforts are being made to facilitate their travel to the UK."<sup>14</sup> An updated version of the policy, published in July 2023, offers resettlement to a more limited group of people. It states: "People who were notified by the UK government that they had been called forward or specifically authorised for evacuation but were not able to board flights, and who do not hold leave in a country considered safe by the UK can be offered a place under the scheme."<sup>15</sup>

### How many people have arrived so far?

Most people recorded under ACRS pathway 1 arrived during the Operation Pitting evacuation or soon after.

As on 30 September 2024, 9,706 people had arrived in the UK and been recorded as falling under ACRS pathway 1.<sup>16</sup> 6,450 people had been granted indefinite leave to remain.<sup>17</sup>

## Separated families pathway

Some people evacuated to the UK in summer 2021 became separated from close family members during the process, including around 80 children who arrived in the UK without their parents.<sup>18</sup>

From the outset of the ACRS, the government said separated family members would be eligible for relocation in the UK.<sup>19</sup> However until very recently there wasn't a route for separated family members to apply under, resulting in families facing prolonged separation.<sup>20</sup>

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<sup>14</sup> Home Office, Afghanistan Resettlement and Immigration Policy Statement, 13 September 2021, para 25

<sup>15</sup> Home Office, [Afghanistan Resettlement and Immigration Policy Statement](#), 26 July 2023, para 25

<sup>16</sup> Home Office, Transparency data, [Afghan Resettlement Programme: operational data](#), 28 November 2024

<sup>17</sup> Home Office, Transparency data, [Afghan Resettlement Programme: operational data](#), 28 November 2024

<sup>18</sup> [\[2024\] EWHC 786 \(Admin\)](#), para 21

<sup>19</sup> Home Office, [Afghanistan Resettlement and Immigration Policy Statement](#), 26 July 2023, para 29

<sup>20</sup> In the absence of a specified route, some separated households submitted visa applications under other parts of the immigration rules, or for leave outside the rules.

An application route for separated family members opened on 30 July 2024.<sup>21</sup> Afghans evacuated to the UK under the ACRS between 13 – 28 August 2021 can refer their immediate family members to the Home Office to be considered for a visa to join them in the UK. UK-based adult sponsors can refer their spouse or unmarried partner and dependent children (aged under 18 at the time of the evacuation). Children in the UK can make referrals for their parents and siblings (aged under 18 at the time of evacuation). Additional family members may be considered in exceptional circumstances.<sup>22</sup>

There was a three-month window for referrals (until 30 October). Practical information about [how to make a referral under the separated families pathway](#) was available from gov.uk.

## Pathway 2: Refugees in neighbouring countries

Pathway 2 is for people in refugee camps in Afghanistan's neighbouring countries (typically, Iran and Pakistan). Afghans who have been in a protracted refugee situation (pre-dating the Taliban taking control) are eligible for pathway 2 as well as more recent refugees.

The UN refugee agency (UNHCR) is responsible for identifying refugees as potentially suitable for resettlement and referring their cases to the Home Office to consider. UNHCR cannot identify or refer people who are still inside Afghanistan.

UNHCR makes referrals based on its standard [resettlement submission categories](#). These are: legal and/or physical protection needs; survivors of torture and/or violence; medical needs; women and girls at risk; family reunion; children and adolescents at risk; lack of foreseeable alternative durable solutions. Individuals (or their relatives) cannot apply to UNHCR to be considered for resettlement. The UNHCR in the UK website has information about how the referral process works: [UNHCR UK information and links on Afghanistan situation](#).

The Home Office began to accept referrals on 13 June 2022. It [anticipated](#) that UNHCR would refer up to 2,000 refugees during the first year of pathway 2 and said the number would be kept under review. The anticipated number of referrals hasn't been updated since then. The Home Office doesn't hold public data on the volume of UNHCR referrals.<sup>23</sup>

### How many people have arrived so far?

As of 30 September 2024, 1,225 people had been resettled in the UK through this route.<sup>24</sup>

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<sup>21</sup> Gov.uk, [Separated Afghan families to be reunited](#), 30 July 2024; WS 45 [[Afghan resettlement](#)], 30 July 2024

<sup>22</sup> WS 45 [[Afghan resettlement](#)], 30 July 2024

<sup>23</sup> PQ 187114 [on [Refugees: Afghanistan](#)], answered on 12 June 2021

<sup>24</sup> Immigration statistics quarterly release, [table ASY\\_DQ2](#), 28 November 2024

### Family members' eligibility for resettlement

As with the other ACRS pathways, spouses, partners and dependent children under 18 of people chosen for resettlement under pathway 2 are also eligible. Other family members may be eligible in exceptional circumstances. Due to difficulties sourcing larger accommodation in the UK, eligibility for pathway 2 is generally limited to families of six people or fewer, although there is some scope to make exceptions.<sup>25</sup>

People resettled under pathway 2 have refugee status as well as indefinite leave. This makes them eligible to sponsor relatives' applications under the refugee family reunion rules. This route can be helpful for people who had become separated from family members prior to travel to the UK.<sup>26</sup> [The rules allow for adult refugees to be joined in the UK by immediate family members](#) (partner and dependent children) who formed part of their family unit before they claimed asylum. Partners must show their relationship pre-dated the refugee's exile and is still subsisting, and that the two parties intend to live together as partners in the UK. Children must show they are related to the refugee relative as claimed, are under 18, are unmarried and are not leading an independent life. Children over 18 are only eligible if there are "exceptional circumstances", such as a financial or emotional dependence on a parent and absence of available support from other relatives.<sup>27</sup>

The refugee family reunion visa eligibility criteria are less onerous than equivalent family visa routes available to British citizens and permanent residents but can still be difficult for some applicants to satisfy.<sup>28</sup> The Home Office's [asylum policy guidance on Family Reunion](#) contains further information about how applications should be assessed, including cases that don't satisfy the usual eligibility criteria where refusal might result in unjustifiably harsh consequences for the applicant or UK-based relative.

### Pathway 3: Eligible at-risk individuals in Afghanistan or the region

This pathway is intended to cater for some people who are still in Afghanistan or the surrounding region and are at risk.

Pathway 3 launched in summer 2022. It initially offered up to 1,500 resettlement places in its first year. Places were available to eligible British Council and Garda World contractors, Chevening alumni, and their eligible family members. The cap on the number of places available was later

<sup>25</sup> Independent Chief Inspector of Borders and Immigration, [An inspection of the Home Office's Afghan resettlement schemes \(October 2022-April 2023\) \(PDF\)](#), 29 February 2024, para 5.52

<sup>26</sup> [Immigration rules \(HC 395 of 1993-4 as amended\), Appendix Family Reunion \(Protection\)](#)

<sup>27</sup> [Immigration rules, Appendix FR\(P\), para FRP 6.1-2](#)

<sup>28</sup> For example, the refugee sponsor doesn't have to demonstrate that they will be able to adequately accommodate and maintain the family members without recourse to public funds, and the family members aren't required to have any English language skills before coming to the UK. Also, refugee family reunion applications are free of charge.

abolished, in favour of offering resettlement to every eligible case who had submitted an expression of interest.<sup>29</sup> The government hasn't indicated how many extra people it expects will be resettled, although the number of arrivals so far remains fewer than 1,500 people.

Interested individuals had an 8-week window to [submit an expression of interest form](#) (until 15 August 2022). The Foreign, Commonwealth and Development Office (FCDO) received over 11,400 expressions of interest.<sup>30</sup>

The FCDO is responsible for assessing initial eligibility for resettlement. Potentially eligible people must provide biometric information and satisfy Home Office immigration and security checks before their eligibility to come to the UK is confirmed.

Successive governments said that in the longer term the pathway would cater for wider groups of people at risk “who supported the UK and international community effort in Afghanistan, as well as those who are particularly vulnerable, such as women and girls at risk and members of minority groups.”<sup>31</sup> In October 2023 the Minister for Immigration said the government still intended to widen eligibility for pathway 3, but that this would happen in the second “stage” (rather than “year”) of pathway 3, and “where capacity allows”.<sup>32</sup> The scope or timeframe for opening the second phase of pathway 3 is unconfirmed.<sup>33</sup>

### How many people have arrived so far?

1,495 people had arrived in the UK under pathway 3 as of 30 September 2024.<sup>34</sup>

### Family members' eligibility for resettlement

Immediate family members (spouse/partner and dependent children under 18) are eligible. Additional family members may be eligible “where there are specific vulnerabilities or in specific circumstances ... which have led to an exceptional level of dependence on the Principal.”<sup>35</sup> The policy guidance refers to an assessment of whether the additional family member would be unable to obtain the required level of care or protection even with practical or financial help from the principal applicant or from another person. Eligibility is assessed by FCDO decision-makers. Applicants were given an opportunity to provide details of family members during the application process. Once a person has been resettled in the UK, any family members who wish to join them must apply under the separate [family visa rules](#).

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<sup>29</sup> [HC Deb 17 October 2023 c54-55WH](#)

<sup>30</sup> PQ 83542 [on [Afghanistan: Refugees](#)] answered on 15 November 2022

<sup>31</sup> [HC Deb 6 January 2022 c186](#)

<sup>32</sup> [HC Deb 17 October 2023 c55WH](#)

<sup>33</sup> PQ 7007 [on [Refugees: Afghanistan](#)], answered on 11 January 2024

<sup>34</sup> Immigration statistics quarterly release, [table ASY\\_DQ2](#), 28 November 2024

<sup>35</sup> Home Office, [Additional family members under pathway 3 of the Afghan Citizens Resettlement Scheme](#) v2.0, 17 October 2023

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## 3 Afghan Relocation and Assistance Policy (ARAP)

### 3.1 Background to the scheme

Some Afghan civilians (and their families) who had been locally employed by the UK Government and fear reprisals from the Taliban can apply to be relocated in the UK.

Different relocation schemes have operated over the years.<sup>36</sup> The only scheme still in operation is the [Afghan Relocation and Assistance Policy \(ARAP\)](#). This launched in April 2021 and is open-ended.<sup>37</sup>

Changes have been made to ARAP eligibility rules and conditions. For example, in summer 2021 eligibility was extended to include Afghans dismissed from service for minor administrative offences and interpreters who supported the UK military as contractors.<sup>38</sup> A further set of changes in effect from mid-December 2021 then narrowed the grounds for qualifying for relocation under ARAP. The Home Office said that this was necessary “to remove the uncertainty that emerged during and after ... the evacuation of Afghanistan in August 2021 around who would qualify” and to ensure consistency between government departments taking initial eligibility decisions.<sup>39</sup> The narrower rules restricted ARAP eligibility to people who had furthered the UK’s military and national security objectives.<sup>40</sup>

The specific requirements for ARAP cases are provided for in the immigration rules, [Appendix ARAP](#). Home Office [policy guidance on Afghan Relocations and Assistance Policy \(ARAP\)](#) provides an overview of the rules and

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<sup>36</sup> For background see Justice, [Reforming the Afghanistan Resettlement Schemes: the way forward for ARAP and ACRS](#), August 2023, p.11-15 and Commons Library briefing [Resettlement scheme for locally employed civilians in Afghanistan, CBP 9286](#)

<sup>37</sup> The [ex gratia scheme](#) closed on 30 November 2022. It applied to locally employed staff who worked directly for the UK government on 1 May 2006 and had served continuously for at least 12 months on the frontline. Eligibility for relocation in the UK was based on recognition of service rather than future risk: relocation was offered to people considered to have put themselves in the most danger whilst serving the UK government in Afghanistan.

<sup>38</sup> Ministry of Defence, [A letter from the Home Secretary and the Defence Secretary](#), 3 August 2021; Home Office, [Afghan Locally employed staff – relocation schemes](#), v3.0, 1 September 2021, p. 4

<sup>39</sup> Statement of changes to the immigration rules, HC 913 of 2021-22, [Explanatory Memorandum](#)

<sup>40</sup> Statement of changes to the immigration rules, [HC 913](#) of 2021-22

application process.<sup>41</sup> [Information and guidance for applicants](#) is also available from gov.uk, including Dari and Pashto translations.

## 3.2 How to access the ARAP scheme

ARAP is open to any current or former staff employed directly by the UK Government in Afghanistan since 2001 (and some contractors), who are assessed to be at serious risk of threat to life. People approved for relocation (“principal applicants”) can bring their partner and minor dependent children with them, and eligible additional family members.<sup>42</sup>

Afghans who think they are eligible must apply to the Ministry of Defence to be considered for relocation.

### Who is eligible for relocation?

Eligibility for ARAP is regardless of employment status, rank or role, or length of time served. There is no limit or quota on the number of people eligible.

There are four different categories of eligible case, three of which may be relocated in the UK.<sup>43</sup>

- **Category 1** is for people who were directly employed in Afghanistan by a UK Government department on or after 1 October 2001 and because of that employment there is a high and imminent risk to their life. They are eligible for urgent relocation.
- **Category 2** is for people who were directly employed by the UK government or were contracted to provide linguistic services in support of the UK’s armed forces, on or after 1 October 2001. The applicant must have performed a role of a nature that meant the UK’s operations in Afghanistan would have been materially less efficient or materially less successful if it had not been performed, and which exposed the person to being publicly recognised as having performed that role and, as a result of that public recognition, the person’s safety is at risk. They are eligible for routine relocation.
- **Category 3** cases are ineligible for relocation. In theory they are eligible for other forms of assistance, but this part of the scheme is dormant because the UK doesn’t have a presence in Afghanistan.<sup>44</sup>
- **Category 4** is for special cases considered on a case-by-case basis.

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<sup>41</sup> Home Office, [Afghan Relocations and Assistance Policy \(ARAP\) v5.0](#), 30 November 2022

<sup>42</sup> Immigration rules, [Appendix ARAP](#), para ARAP 8.1 – 17.2.

<sup>43</sup> Immigration rules, [Appendix ARAP](#), para ARAP 3.1-3.7

<sup>44</sup> PQ 203309 [on [Afghanistan: Refugees](#)], answered on 23 October 2023

It applies to people who:

- At any time on or after 1 October 2001 were directly employed by a UK Government department, provided goods or services under contract to a UK Government department, or worked in Afghanistan alongside a UK Government department, in partnership with or closely supporting and assisting it [condition 1]; and
- in the course of that employment, work or provision of services, made a substantive and positive contribution towards the achievement of the UK's military or national security objectives with respect to Afghanistan [condition 2]; and
- because of their employment, work or services under condition 1, is or was at an elevated risk of targeted attacks and a high risk of death or serious injury [condition 3]; or
- hold information which would give rise to or aggravate a specific threat to a UK Government department or its interests if disclosed [condition 4].

### **Family members' eligibility for relocation**

The principal applicant can apply to bring their immediate family (partner and dependent children under 18) and additional family members with them. The additional family member must be a relative of the principal applicant or their partner and must meet at least one of the following criteria:<sup>45</sup>

- the applicant must be at an elevated risk of targeted attacks, specific threats or intimidation (as a result of the eligible Afghan citizen's work for or with a UK Government department), putting them at a high risk of death or serious injury; or
- the applicant must face specific vulnerabilities which have led to an exceptional level of family dependence, and would be unable, even with the practical and financial help of the eligible Afghan citizen or their partner, to obtain the required level of care or protection outside the UK either because it is not available, and there is no other person who can reasonably provide it, or because it is not affordable.

If the additional family member is a child:

- the eligible Afghan citizen or their partner must be their legal guardian; or
- one parent must be a British citizen or have a right to enter or stay in the UK without restriction; and is or will be ordinarily resident in the UK; or

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<sup>45</sup> Immigration rules, [Appendix ARAP](#), para 13.1 – 13.4

- the decision maker must be satisfied that there are serious and compelling reasons to grant the applicant with the eligible Afghan citizen or their partner.

Family members' eligibility is considered after the principal applicant's eligibility is confirmed. Family members can't apply to ARAP independently of a principal applicant. People wishing to accompany or join a relative already granted immigration permission must apply in a different immigration category, such as the [family visa routes](#).

## ARAP decision-making process

Once eligibility decisions have been taken the Ministry of Defence applies on behalf of the applicants to the Home Office, for immigration permission.

People found to be ineligible for ARAP relocation are notified in writing. They can request an internal review of the decision, if they believe that it wasn't made in line with the policy and/or they can provide new evidence to support their case that wasn't previously available.

### How many people have arrived so far?

According to operational data, 17,956 people have arrived in the UK under the ARAP scheme as of 30 September 2024.<sup>46</sup> 6,468 have been granted indefinite leave to remain.<sup>47</sup>

In total, 96,000 ARAP applications had been submitted by late April 2024.<sup>48</sup> 2,352 applicants were waiting for an initial ARAP eligibility decision. Of these, 632 had applied within the previous three months and the remaining 1,720 were deemed to have complex cases. To compare, in September 2023 the Ministry of Defence had received over 93,000 ARAP applications and had around 1,800 unresolved "complex cases".<sup>49</sup>

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<sup>46</sup> Home Office, Transparency data, [Afghan Resettlement Programme: operational data](#), 28 November 2024

<sup>47</sup> Home Office, Transparency data, [Afghan Resettlement Programme: operational data](#), 28 November 2024

<sup>48</sup> PQ 22470 [on [Afghanistan: Refugees](#)], answered on 26 April 2024

<sup>49</sup> PQ 199357 [on [Afghanistan: Refugees](#)], answered on 20 September 2023

## 4 Policy issues and recommendations for change

### 4.1 Ongoing issues and criticisms

#### Narrow scope of existing schemes

##### Afghan Specialist Units' eligibility for ARAP

There has been controversy over the handling of ARAP applications made by Afghans who worked in specialist units serving alongside UK forces, notably members of Commando Force 333 and Afghan Territorial Force 444 (often referred to as “the triples”).

Although some former members of specialist units were found eligible and evacuated to the UK, others have struggled to be granted immigration permission through the ARAP scheme, despite being at particular risk of reprisals from the Taliban. Former members report living in hiding in Afghanistan or having fled to neighbouring countries; there have also been accounts of some people having been tortured or killed.<sup>50</sup>

The government had initially said assessing their eligibility for ARAP was challenging because it didn't have comprehensive employment or payment records to refer to (since the units reported directly to the Government of Afghanistan), and some applicants had served in their units over twenty years ago when the Afghan state was still in its infancy.<sup>51</sup> However there were also criticisms from stakeholders that decision-makers across government departments had failed to apply eligibility criteria consistently, and in some cases had overlooked compelling supporting evidence.<sup>52</sup> It has also been suggested that it was inappropriate for the UK Special Forces to have a role in assessing individuals' eligibility for ARAP at a time when investigations into alleged war crimes committed by SAS soldiers working in Afghanistan alongside triple units were ongoing.<sup>53</sup>

In February 2024 the Ministry of Defence launched a review of all ARAP ineligibility decisions made for cases with credible links to Afghan specialist

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<sup>50</sup> [“Murdered, tortured or in hiding from the Taliban: The special forces abandoned by Britain”](#), The Independent, 1 November 2023

<sup>51</sup> [HC Deb 1 February 2024 c989](#)

<sup>52</sup> [“Murdered, tortured or in hiding from the Taliban: The special forces abandoned by Britain”](#), The Independent, 1 November 2023

<sup>53</sup> [“Special forces blocked UK resettlement applications from elite Afghan troops”](#), BBC News, 19 February 2024

units.<sup>54</sup> Approximately 2,000 cases are within the scope of the review which was expected to take around three months to complete.<sup>55</sup>

Luke Pollard, Minister for the Armed Forces, gave an update on the status of the review in October 2024.<sup>56</sup> He said one of the reasons why the review is taking longer than anticipated is that it had found evidence of direct payments to members of Afghan specialist units, including the triples, and for some applicants the evidence demonstrates a direct employment relationship. The minister emphasised that although the existence of evidence contradicts statements made under the previous government, he had not found evidence of a conscious effort by the previous administration to cause delay or mislead.<sup>57</sup> Mr Pollard confirmed that around three quarters of cases under review had been reassessed so far and the process of issuing decisions to eligible cases had begun. He said the government is anticipating overturning around 25% of original decisions.

### ARAP eligibility criteria

Stakeholders have said the drafting and interpretation of ARAP eligibility criteria has been unduly narrow.<sup>58</sup> For example, people not directly employed by a UK Government department (covered by ARAP category 4) are only eligible if they “worked alongside” a UK Government department and made a positive contribution towards the UK’s objectives. High-profile examples of ARAP refusal decisions include Afghan former judges and journalists who worked for the BBC.<sup>59</sup> Some have successfully challenged their refusal decisions through judicial review, demonstrating decision-makers had taken the wrong approach such as by applying individual eligibility criteria out of context and failing to consider the person’s position in the round.<sup>60</sup>

### Limited provision for vulnerable groups within the ACRS

There have been criticisms that the ACRS is failing to live up to the government’s pledge to prioritise the most at risk and vulnerable Afghans.<sup>61</sup>

The [Home Office says the ACRS prioritises certain groups](#): those who assisted the UK efforts in Afghanistan and stood up for values such as democracy, women’s rights, freedom of speech, and rule of law; and vulnerable people, including women and girls at risk and members of minority groups at risk including ethnic and religious minorities and LGBT+ people. But the eligibility

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<sup>54</sup> HC WS233 [[Afghan Relocations and Assistance Policy Scheme Update](#)], 1 February 2024

<sup>55</sup> PQ 21043 [on [Afghanistan: Refugees](#)], answered on 17 April 2024

<sup>56</sup> [HC Deb 14 October 2024 cc612-4](#)

<sup>57</sup> [HC Deb 14 October 2024 c613](#)

<sup>58</sup> For example, Human Rights Watch, [Joint UK briefing on Afghanistan](#), August 2022

<sup>59</sup> “[Court allows review of UK visa rejections for ex-BBC journalists in Afghanistan](#)”, The Guardian, 13 February 2023; “[‘I am scared of my shadow’: Afghan judge living in fear of Taliban denied sanctuary in Britain](#)”, The Independent, 21 March 2023

<sup>60</sup> [\[2023\] EWHC 284](#); [\[2023\] EWHC 1795 \(Admin\)](#)

<sup>61</sup> Refugee Council, [ACRS announcement – Refugee Council response](#), 6 January 2022; Human Rights Watch, [Joint Parliamentary briefing on Afghanistan](#), August 2022; Afghan Pro Bono Initiative, [Two years of empty promises: The UK leaves Afghans stranded and at risk](#), August 2023

criteria for the referral pathways don't mirror those ACRS priorities and cater for a more limited range of people.

For example, UNHCR's resettlement submission categories (which determine eligibility for ACRS pathway 2) don't directly match the ACRS priority groups. Similarly, there aren't any open referral pathways explicitly providing for people in Afghanistan who feel at risk due to being part of an ethnic or religious minority, LGBT+, or a pro-democracy activist. Pathway 3 is the only route potentially available to people in Afghanistan, but it doesn't currently cater for those groups and there is no certainty over its future scope.<sup>62</sup>

There have also been calls for the ACRS to include a route for people in Afghanistan who are at risk due to having family in the UK.<sup>63</sup> A related issue is that people in the UK cannot refer relatives for consideration under one of the ACRS pathways (aside from those who are covered by [pathway 1's provisions for separated families](#)).

### Impact on other immigration routes

Various stakeholders warned that delays in opening routes and deciding applications made by people in Afghanistan and neighbouring countries, and difficulties accessing the schemes or other legally sanctioned routes, would increase pressure on the asylum system from Afghans entering the UK through irregular routes.<sup>64</sup> Migration Observatory analysis of Home Office statistics shows that from 1 January 2022 to 30 June 2023, three times as many Afghans claimed asylum in the UK (around 14,700) than were resettled under ACRS, ARAP or another resettlement scheme (around 4,900).<sup>65</sup>

In the year ending March 2024 Afghans were in the top five nationalities for all methods of irregular entry (small boats; inadequately documented air arrivals; detections in the UK; detections at UK ports) and comprised 17% of all irregular arrivals.<sup>66</sup> Afghans have been the most common nationality claiming asylum over the past couple of years (years ending March 2023 and March 2024).<sup>67</sup>

Difficulties satisfying eligibility criteria are also prompting some Afghans to apply for '[leave outside the rules](#)' as an alternative (or in addition to) the ACRS, ARAP or a family migration route. The Home Office has also identified an increasing trend of refugee family reunion applications made on behalf of

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<sup>62</sup> PQ HL6782 [[on Refugees: Afghanistan](#)], answered on 6 April 2022

<sup>63</sup> [HC Deb 6 January 2022 c188](#)

<sup>64</sup> [HC Deb 6 January 2022 c188](#); Refugee Council, [ACRS announcement – Refugee Council response](#), 6 January 2022; Migration Observatory, press, [A tale of two protection systems: Afghan refugees turn to small boats while Ukrainians use “safe and legal routes” to reach UK](#), 25 August 2022

<sup>65</sup> Migration Observatory, [Afghan asylum seekers and refugees in the UK](#), 16 October 2023

<sup>66</sup> Home Office, [Irregular migration to the UK, year ending March 2024](#), 23 May 2024

<sup>67</sup> Home Office, [How many people do we grant protection to?](#), 23 May 2024

family members of (ineligible) Afghan sponsors, related to difficulties accessing other routes.<sup>68</sup>

## The adequacy of a 20,000 quota for ACRS

In summer 2021 the Johnson government said it was aiming to resettle up to 20,000 people under the ACRS over the following few years. It recognised that the level of interest in resettlement under the scheme was likely to greatly outnumber the places available.<sup>69</sup>

The decision to count people evacuated to the UK in August 2021 towards the ACRS quota compounded some stakeholders' criticisms that the quota was set too low.<sup>70</sup> It was reported that the Treasury pressed for places be allocated as much as possible to people already in the UK, due to concerns about the potential costs of a standalone ACRS quota.<sup>71</sup>

Successive governments haven't acted on calls to increase ACRS quotas or introduce additional routes for certain groups of Afghans, citing the UK's limited capacity to resettle people.<sup>72</sup>

Previous International Development and Foreign Affairs committees argued the UK has a responsibility to a wider cohort of people than ARAP currently covers, including workers in the aid sector and people in high-profile roles.<sup>73</sup> The government said it would consider their arguments when planning for future expansion of ACRS pathway 3.<sup>74</sup> But it had some reservations. It said that making very broad commitments would "go well beyond in numerical terms the UK's practical ability to resettle people properly" and could inhibit funding to NGOs and INGOs, if there was an expectation to offer resettlement to anyone working on government funded programmes in states where evacuation might be needed.<sup>75</sup>

### Should some ACRS cases be processed under other schemes?

Given the limited number of ACRS spaces available, it has been suggested that some eligible groups should be processed through alternative, uncapped, immigration routes.

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<sup>68</sup> Independent Chief Inspector of Borders and Immigration, [A reinspection of family reunion applications](#) (PDF), February 2023, para 9.58

<sup>69</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 13 September 2021, para 24

<sup>70</sup> International Development Committee, [Afghanistan: UK support for aid workers and the Afghan people](#), HC 919, 4 March 2022

<sup>71</sup> "Priti Patel 'fixing the figures' in row over resettling refugees from Afghanistan", The Times, 30 December 2021

<sup>72</sup> For example, PQ 51854 [\[on Refugees: Afghanistan\]](#), answered on 23 September 2022

<sup>73</sup> International Development Committee, [Afghanistan: UK support for aid workers and the Afghan people](#), HC 919, 4 March 2022; Foreign Affairs Committee, [Missing in action: UK leadership and the UK withdrawal from Afghanistan](#), HC 169 incorporating HC 685, 24 May 2022

<sup>74</sup> Foreign Affairs Committee, [Government response](#), HC 630, 29 July 2022, para 75

<sup>75</sup> Foreign Affairs Committee, [Government response](#), HC 630, 29 July 2022, para 76

For example, some stakeholders have argued that it would be more appropriate to relocate British Council workers, Garda World contractors and Chevening scholars under an expanded ARAP scheme.<sup>76</sup> Similarly, the Home Office prioritised 187 Afghan refugees for resettlement under ACRS pathway 2 who had originally applied for resettlement under a different scheme, even though some had never lived in Afghanistan.<sup>77</sup> The Home Office was acting on advice from UNHCR about the urgent need for resettlement, although the Independent Chief Inspector of Borders and Immigration has questioned how that approach fit with the policy intention for pathway 2.<sup>78</sup>

## Family reunion options

The ACRS and ARAP schemes both allow for principal applicants to be accompanied to the UK by their immediate family members. Additional family members are also eligible in certain circumstances. But the arrangements have been criticised as confusing and inadequate.<sup>79</sup> Eligibility, evidential criteria and application processes differ depending on which route the principal applicant comes under.

If a lead family member has already travelled to the UK and been granted indefinite leave, their relatives must apply under the mainstream family migration routes available to all nationalities. Different parts of the immigration rules cater for different relationships, including [Appendix FM](#) (for spouse/partners of British citizens and permanent residents, and parents of children under 18 living in the UK); [Appendix Adult Dependent Relative](#) (for relatives over 18); and [Appendix Child staying with or joining a Non-Parent Relative \(Protection\)](#) (for children joining a non-parent relative who has a protection status). [Part 8](#) of the immigration rules is relevant to some other types of relationship, including refugees' post-flight family members, and adopted and de facto adopted children.

Criticisms commonly made across the family routes relate to their narrow scope and limited provisions for certain types of sponsor-applicant relationship, such as adult siblings. Each route's eligibility criteria are closely defined, particularly those for non-immediate family members. For example, children applying to join a non-parent relative in the UK must show "serious and compelling" reasons that make exclusion undesirable.<sup>80</sup>

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<sup>76</sup> For example, Afghan Pro Bono Initiative, [Two Years of Empty Promises: The UK Leaves Afghans Stranded and At Risk](#) (PDF), August 2023; Human Rights Watch, [Joint Parliamentary briefing on Afghanistan](#), August 2022

<sup>77</sup> Independent Chief Inspector of Borders and Immigration, [An inspection of the Home Office's Afghan resettlement schemes \(October 2022-April 2023\)](#) (PDF), 29 February 2024, para 5.66-5.77

<sup>78</sup> Independent Chief Inspector of Borders and Immigration, [An inspection of the Home Office's Afghan resettlement schemes \(October 2022-April 2023\)](#) (PDF), 29 February 2024, para 5.105

<sup>79</sup> Afghan Pro Bono Initiative, [Two Years of Empty Promises: The UK Leaves Afghans Stranded and At Risk](#) (PDF), August 2023

<sup>80</sup> Immigration rules, [Appendix Child staying with or joining a Non-Parent Relative \(Protection\)](#), para CNP 3.2

Stakeholders say the emphasis on immediate family members and is at odds with Afghan cultural practices and observe that households may struggle to find a route which fits their circumstances. For example, Afghanistan operates a guardianship system rather than adoption, so the UK visa route for adopted children isn't appropriate. Adopted Afghan children can apply under the provisions for 'de facto' adoptions and leave outside the rules based on exceptional circumstances, but the eligibility thresholds are higher.<sup>81</sup> Applicants might also struggle to satisfy evidential requirements, for example if they don't have formal identity documents showing family ties.

## Difficulties satisfying visa application requirements

### Biometrics, fees, English language requirements, etc.

The immigration routes available to Afghans and their family members include various standard application requirements, such as payment of an application fee, submission of specified supporting documents and evidence, and attendance at a visa application centre to provide biometric data (fingerprint and facial image).

The Home Office has policies allowing its decision makers to make concessions to some application requirements in compelling circumstances. However, critics argue that these policies are difficult to access (particularly for applicants without legal representation), have unduly high evidential thresholds, and pose further delay to resolving people's situations.

There have been calls for Afghans to be automatically eligible for concessions and waivers in the current circumstances.<sup>82</sup> For example, there are no approved English language test providers or UK visa application centres in Afghanistan. The UK Government has recognised that Afghans face difficulties obtaining travel documents and immigration permissions necessary for travel to a neighbouring country and that there is a lack of safe travel routes through Afghanistan.<sup>83</sup> Women and other vulnerable groups face additional obstacles to submitting visa applications.

Relevant published policy documents include:

- Policy guidance on [Unable to travel to a visa application centre to enrol biometrics \(overseas applications\)](#), which gives examples of evidence applicants must provide to show it would be unsafe for them to travel to a visa application centre.
- [Policy guidance on the knowledge of English language requirement](#), which gives examples of situations when a language requirement could be waived on the grounds of "exceptional circumstances". These include where there are very severe obstacles to accessing the necessary

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<sup>81</sup> Home Office, [Adopted children and children coming to the UK for adoption](#), v4.0, 1 December 2021

<sup>82</sup> For example, [HC Deb 19 January 2023, c187WH](#)

<sup>83</sup> Gov.uk, [Support for British and non-British nationals in Afghanistan](#), 2 March 2023; [HC Deb 19 January 2023 c196WH](#)

learning resources or it is not practicable or reasonable to travel to another country to take a test.

- [Policy guidance on handling fee waiver requests for overseas human rights-based applications](#), which applies to overseas visa applications based on ECHR Article 8 family/private life routes.<sup>84</sup>
- Policy guidance on [Family life as a partner or parent and exceptional circumstances](#), which explains how cases with exceptional circumstances that don't satisfy the eligibility criteria under Appendix FM are considered.
- A general principle of “evidential flexibility”, which enables Home Office caseworkers to decide applications without the usual supporting evidence or information.<sup>85</sup>

### Comparison with Ukraine schemes

Comparisons have been drawn with the UK's visa routes for Ukrainians, which have broader eligibility criteria and fewer evidential requirements. For example, the [Ukrainian family member visa](#) included non-immediate family members and waived the usual application fee, English language and sponsor minimum income requirements. There have also been criticisms that the Ukraine schemes have been better resourced, and benefit from faster processing and prioritisation.<sup>86</sup>

Ministers have referred to national security advice to explain why Afghan applicants are not being offered the same flexibility as Ukrainians over the collection of biometric data pre-departure.<sup>87</sup> This justification has been upheld by the High Court.<sup>88</sup>

### Issues with application processes and decision-making

Delays processing ARAP initial applications and requests for reviews of refusal decisions were frequently raised by Parliamentarians and other stakeholders in the last Parliament.<sup>89</sup>

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<sup>84</sup> Home Office, [Affordability fee waiver: overseas Human Rights-based applications \(Article 8\)](#), v1.0, 16 June 2022

<sup>85</sup> PQ UIN 132156 [[on Visas: Afghanistan](#)], answered on 7 March 2022

<sup>86</sup> “[Afghan refugees ‘failed’ by government as 12,000 stuck living in hotels seven months on](#)”, ITV News, 6 April 2022; Right to Remain, [What has gone wrong with the Afghan resettlement schemes?](#), 24 January 2023

<sup>87</sup> HL 7699 [[on Visas: Refugees](#)], answered on 22 April 2022

<sup>88</sup> [AB v SSHD & Ors \[2023\] EWHC 287 \(Admin\)](#)

<sup>89</sup> “[Ministers accused of “Failing” Afghan refugees after major delays to resettlement scheme](#)”, Politics Home, 13 May 2022; Human Rights Watch, [Joint UK Parliamentary Briefing on Afghanistan](#), August 2022; “[Around 240 Afghans waiting more than six months for UK relocation](#)”, The Independent, 22 September 2022

There was a surge in initial decision-making between January and November 2023, although a residual caseload of “complex cases” remained.<sup>90</sup> The Ministry of Defence has also been trying to identify in its application lists several hundred ARAP-eligible principal applicants it believes are still in Afghanistan.<sup>91</sup>

Legal representatives have reported lengthy delays to requests to review ARAP refusal decisions and applications for leave outside the rules. The internal review process has been criticised as insufficient and there have been calls for an independent right of appeal.<sup>92</sup> Delays reviewing decisions, and the absence of detailed reasons for refusal, affect applicants’ ability to challenge a refusal decision through judicial review.

Other criticisms include a lack of clarity and absence of published criteria for requests to expedite or prioritise a case, and insufficient communication with applicants about the status of their application.<sup>93</sup>

## Difficulties sourcing accommodation and delays bringing eligible cases to the UK

Difficulties sourcing appropriate accommodation have affected the speed and volume of arrivals under ARAP and ACRS.

The intention was for resettled Afghans to move into long-term accommodation soon after arrival in the UK. But as the speed and volume of arrivals increased in summer 2021 people were placed in [temporary ‘bridging accommodation’](#) (typically rooms in hotels or serviced accommodation). For a variety of reasons, including difficulties sourcing suitable long-term accommodation, many households remained in bridging accommodation for far longer than originally envisaged – in some cases, 18 months.

Limited supply of accommodation and the government’s reluctance to prolong the use of bridging accommodation resulted in an unannounced policy from November 2022 only to bring eligible Afghans to the UK if suitable long-term accommodation was already in place (such as service forces accommodation).<sup>94</sup> In practice, people who had fled Afghanistan and had pending ARAP or ACRS applications were stuck in neighbouring countries (notably Pakistan and Iran), often without a valid immigration status and unable to access work or education.<sup>95</sup> They were provided with hotel accommodation and other support paid for by the UK Government if they

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<sup>90</sup> PQ 6084 [on [Afghanistan: Refugees](#)], 19 December 2023; PQ 22470 [on [Afghanistan: Refugees](#)], answered on 26 April 2024

<sup>91</sup> PQ 198130 [on [Refugees: Afghanistan](#)], answered on 13 September 2023

<sup>92</sup> Human Rights Watch, [Joint UK Parliamentary Briefing on Afghanistan](#), August 2022

<sup>93</sup> PQ 84903 [on [Afghanistan: Refugees](#)], answered on 21 November 2022

<sup>94</sup> Independent Chief Inspector of Borders and Immigration, [An inspection of the Home Office’s Afghan resettlement schemes \(October 2022-April 2023\) \(PDF\)](#), 29 February 2024, Chapter 6

<sup>95</sup> [“Update: What’s happening with the Afghan relocation legal challenges?”](#) Law Mostly, 24 October 2023

couldn't otherwise support themselves.<sup>96</sup> As of 18 October 2023, around 3,250 Afghans were in UK funded hotel accommodation in Pakistan.<sup>97</sup>

In late October 2023 ministers authorised arrangements to bring eligible Afghans in Pakistan and Iran to the UK as a matter of urgency regardless of whether long-term accommodation was in place.<sup>98</sup> This was prompted by concerns about their security overseas following [threats by the authorities in Pakistan and Iran to deport them to Afghanistan](#). Over autumn/winter 2023 a series of flights, paid for by the UK Government, brought eligible Afghans to the UK.<sup>99</sup>

Some ARAP eligible Afghans evacuated from Pakistan moved directly into long term service family accommodation owned by the Ministry of Defence. Where necessary, others [have moved into “transitional” service accommodation](#), or alternative accommodation.<sup>100</sup>

There remained a broader reluctance within government to use bridging accommodation.<sup>101</sup> This is likely to have an ongoing impact on the timing and volume of arrivals under future stages of the ACRS.

## 4.2 Recommendations for change

Legal representatives and campaigners have identified a range of practical and policy changes they want the government to make to the Afghan schemes.

A joint letter sent to the Prime Minister in early July 2024 made seven recommendations. They were to improve processing times; establish a mechanism for handling cases with exceptional circumstances; introduce a process for challenging delays; improve data collection methods; provide transparency over the decision-making process and timelines; waive biometric evidence requirements; and investigate any equality issues that the schemes might give rise to.<sup>102</sup>

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<sup>96</sup> Ministry of Defence, [Afghan Relocations and Assistance Policy: third country support policy](#) (undated; accessed 7 November 2023)

<sup>97</sup> PQ 203405 [on [Afghanistan: Refugees](#)], answered on 24 October 2023

<sup>98</sup> [HC Deb 8 November 2023 c114-124](#)

<sup>99</sup> PQ 6082 [on [Afghanistan: Refugees](#)], answered on 19 December 2023

<sup>100</sup> [HC Deb 8 November 2023 c114: 118](#)

<sup>101</sup> [HC Deb 17 October 2023 c52 - 56WH: HC Deb 8 November 2023 c118](#)

<sup>102</sup> Refugee Legal Support, Afghan Pro Bono Initiative, ILPA, and others, [Letter to the Prime Minister \(PDE\)](#), 5 July 2024

There have also been calls

- To confirm the plan and timeframe to fulfil the 20,000 ACRS quota, including future years' allocations for pathway 2 and the future scope, quota and timetable for pathway 3.
- To adopt a less restrictive approach to interpreting ARAP eligibility criteria, provide more specific reasons for refusal of eligibility under ARAP, and review the scope of ARAP category 4.
- To consider family members' eligibility at the same time as the ARAP principal applicants.
- To upgrade the immigration status of all resettled Afghans to refugee status (this would give eligibility under the refugee family reunion rules and to apply for a Convention Travel Document).
- To clarify family reunion routes, harmonising eligibility criteria across the Afghan schemes and making broader provision for relatives who are dependent on a main applicant.
- To establish additional safe and legal routes for other groups at risk in Afghanistan.<sup>103</sup>

## 4.3

## Scrutiny in the previous Parliament

### In Parliament

- Safe Asylum Routes: Afghan Refugees, [HC Deb 17 October 2023 c49–57WH](#)
- Afghan Citizens Resettlement Scheme: Pathway 3, [HC Deb 19 January 2023 c175–200WH](#)

The operation of the ACRS and ARAP schemes, and immigration requirements affecting Afghans, were frequent topics for [parliamentary questions](#) to the Home Office, Ministry of Defence and Foreign, Commonwealth and Development Office.

- International Development Committee, [Afghanistan: UK support for aid workers and the Afghan people](#), HC 919, 4 March 2022 and [Government response](#), HC 152, 19 May 2022

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<sup>103</sup> Taken from Afghan Pro Bono Initiative, [Two Years of Empty Promises: The UK Leaves Afghans Stranded and At Risk](#) (PDF), August 2023; Justice, [Reforming the Afghanistan Resettlement Schemes: the way forward for ARAP and ACRS](#) (PDF), August 2023

- Foreign Affairs Committee, [Missing in action: UK leadership and the UK withdrawal from Afghanistan](#), HC 169 incorporating HC 685, 24 May 2022 and [Government response](#), HC 630, 29 July 2022

The Committee held a [follow-up evidence session](#) on 17 October 2023 which considered the Government's handling of the ACRS and ARAP schemes, amongst other issues.

## NGOs and external stakeholders

- Independent Chief Inspector of Borders and Immigration, [An inspection of the Home Office's Afghan resettlement schemes \(October 2022 – April 2023\)](#), 29 February 2024 and [Government response](#), 1 March 2024
- Migration Observatory, [Afghan asylum seekers and refugees in the UK](#), 16 October 2023
- Refugee Council, [Afghan refugees: What happened to the warm welcome?](#) (PDF), August 2023
- Afghan Pro Bono Initiative, [Two Years of Empty Promises: The UK Leaves Afghans Stranded and At Risk](#) (PDF), August 2023
- Justice, [Reforming the Afghanistan Resettlement Schemes: the way forward for ARAP and ACRS](#) (PDF), August 2023
- Human Rights Watch, [Joint UK briefing on Afghanistan](#), August 2022

## 5

## Annex: Evacuation under Operation Pitting

[Operation Pitting](#) was announced on 13 August 2021. Its purpose was to support the evacuation of British nationals and Afghans eligible for repatriation or relocation in the UK, ahead of the departure of UK forces from Afghanistan at the end of the month.

Around 15,000 people (generally British nationals and Afghans) were evacuated from Afghanistan to the UK over the following few weeks.<sup>104</sup> There isn't a comprehensive breakdown of the total figure. The government has confirmed it includes approximately 5,000 people (main applicants and dependants) identified as eligible under the Afghan Relocation and Assistance Policy (ARAP) scheme for former locally engaged civilians.<sup>105</sup>

### Who was eligible for evacuation?

People were evacuated under Operation Pitting were primarily:

- **British nationals and family members:** Measures taken to help people leave the country quickly included issuing passports, emergency travel documents, and visa waivers for family members of British nationals.<sup>106</sup> Some Afghans with indefinite leave to remain in the UK were also evacuated.<sup>107</sup>
- **Afghan nationals eligible for relocation under ex-gratia/ARAP schemes:** Operation Pitting accelerated pre-existing measures to relocate Afghans who were eligible under the ex-gratia redundancy and resettlement scheme and the Afghan Relocation and Assistance Policy (ARAP).
- **Particularly vulnerable Afghan civilians:** An unspecified number of vulnerable Afghan nationals (who were not eligible under the ARAP scheme and did not previously have an entitlement to live in the UK) were also 'called forward' for evacuation. The former Foreign Secretary, Dominic Raab, said that the Foreign, Commonwealth and Development Office (FCDO) took responsibility for identifying these 'special cases',

<sup>104</sup> Home Affairs Committee, [Oral evidence: Afghanistan: safe routes and resettlement](#), HC 706, 17 November 2021, Q68-70

<sup>105</sup> PQ 83241 [\[on Afghanistan: Refugees\]](#), answered on 7 December 2021

<sup>106</sup> Home Office in the Media Blog, [Factsheet: Resettlement routes for Afghan nationals](#), 19 August 2021

<sup>107</sup> Home Affairs Committee, [Oral evidence: Afghanistan: safe routes and resettlement](#), HC 706, 17 November 2021, Q68-70

which were granted “leave outside the rules” to be able to come to the UK.<sup>108</sup> The Home Office has said the groups called forward included female politicians, members of the LGBT community, women’s rights activists, and judges.<sup>109</sup>

A [Home Office factsheet for people evacuated from Afghanistan](#), updated on 13 September 2021, stated “We will work with you to secure your long-term UK immigration status over the next six months.” The factsheet didn’t specify the evacuees’ immigration status or length of permission pending the grant of indefinite leave, but did confirm that they were eligible to work, study and receive free healthcare. It also said that they were eligible for financial support and accommodation.<sup>110</sup>

In September 2021 the Home Office confirmed that all Afghan nationals and family members who were evacuated, called forward or authorised for evacuation during Operation Pitting would be offered indefinite leave to remain in the UK (such as under the ACRS, or in a family visa category), due to the “difficult, exceptional and unique circumstances in which many arrived in the UK”.<sup>111</sup>

## Commitment to eligible people who couldn’t travel

In the aftermath of the summer 2021 evacuation exercise, there was some uncertainty over the number of British citizens and Afghan nationals still in Afghanistan or neighbouring countries who were potentially eligible for repatriation/relocation in the UK.<sup>112</sup> Some Afghans were subsequently relocated to the UK from third countries.

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<sup>108</sup> Foreign Affairs Committee, [Oral evidence: Government policy on Afghanistan](#), HC 685, 1 September 2021, Q127

<sup>109</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 13 September 2021, para 2. See also Foreign Affairs Committee, [Oral evidence: Government policy on Afghanistan](#), HC 685, 1 September 2021, Q45; Q54. A more detailed list (no longer publicly available) listed current or former Chevening Scholars, people with existing immigration leave or an open application for a work, student or family visa, journalists, civil society groups for women’s rights, government officials, officials working in counter-terrorism and counter-narcotics, and employees of charities, humanitarian organisations and NGOs (source: Home Office in the Media Blog, Factsheet: Resettlement routes for Afghan nationals, 19 August 2021 (accessed 1 September 2021; subsequently updated and amended).

<sup>110</sup> Home Office, [Next steps in the UK: immigration information for people evacuated from Afghanistan](#), 9 September 2021

<sup>111</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 13 September 2021, para 6

<sup>112</sup> Foreign Affairs Committee, [Oral evidence: Government policy on Afghanistan](#), HC 685, 1 September 2021, Q 17-18; Q35-42

Ministers said that the UK would continue to try to help any remaining people eligible to come to the UK.<sup>113</sup> The government said that vulnerable Afghan citizens who were called forward but could not be evacuated before the UK's withdrawal would be guaranteed a place under the ACRS.<sup>114</sup> In practice some people who thought they had been called forward were subsequently told they were outside the scope of the policy. The Home Office's approach to deciding which individuals can benefit from the policy has attracted legal challenges.<sup>115</sup>

A policy update published in July 2023 offers resettlement to a narrower group of people - specifically, those who had been called forward or authorised for evacuation and do not have permission to stay in a country considered by the UK to be safe.<sup>116</sup>

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<sup>113</sup> Home Office, [Afghanistan update: letter to MPs](#), 27 August 2021

<sup>114</sup> Home Office, [Afghanistan resettlement and immigration policy statement](#), 13 September 2021, para 25

<sup>115</sup> For example, [\[2022\] EWHC 2473 \(Admin\)](#)

<sup>116</sup> Home Office, [Afghanistan Resettlement and Immigration Policy Statement](#), 26 July 2023, para 25



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