



Home Office

Afghanistan Resettlement and Immigration Policy Statement

13 September 2021

Introduction

1. The Home Office has been at the heart of the UK's response to the fast-moving and challenging events in Afghanistan. Op PITTING was the biggest UK military evacuation for over 70 years and enabled around 15,000 people to leave Afghanistan and get to safety. This is in addition to the families we had already welcomed under the Afghan Relocations and Assistance Policy (ARAP) for those who served alongside our armed forces and worked with the British government. It was established by the Home Secretary and Defence Secretary in April of this year and supplements the existing scheme which had operated since 2013.
2. Following rapid work by the Foreign, Commonwealth and Development Office (FCDO), Home Office and Ministry of Defence (MoD) during Op PITTING, we were able to 'call forward' a number of other people for evacuation, in addition to the ARAP contingent and British nationals. These people were identified as being particularly at risk. They included female politicians, members of the LGBT community, women's rights activists and judges. Those who were called forward will form part of the Afghan Citizens Resettlement Scheme (ACRS) cohort.
3. This unprecedented mission was supported by over 300 dedicated civil servants in the Home Office – from Border Force officers on the ground in Kabul supporting our military and diplomats in extremely challenging circumstances, to UK Visas and Immigration (UKVI) staff in Liverpool – working alongside colleagues from across government, the military, the police and our intelligence agencies. They conducted vital security checks, processed visa and passport applications and welcomed and supported people to begin their new lives in the UK.
4. The evacuation of eligible people from Afghanistan was a humanitarian effort, but at every step of the process the security and safety of the UK and its citizens was front of mind. Individuals evacuated were subject to rigorous security checks. We have world-class police and security and intelligence agencies who work around the clock to keep us safe. Where they identify a threat, it is rigorously investigated. We will not hesitate in taking robust action against anyone who poses a threat to our country.
5. This emergency evacuation is now over. UK military personnel left Afghanistan on 29 August. This policy statement sets out the Home Office's position on the immigration status of those evacuated, as well as providing detail on the UK's ACRS.
6. For those evacuated here, we are determined to ensure they have the best possible start to life in the UK. Given the difficult, exceptional and unique circumstances in which many arrived in the UK, we will be offering indefinite

leave to remain to those Afghan nationals and their family members who were evacuated, called forward or specifically authorised for evacuation, by the government during Operation PITTING. This will apply to those who have already arrived in the UK or arrive after the evacuation. This will give them certainty about their status and the right to work and contribute to society.

7. Given the speed with which decisions were necessarily taken, we need to ensure everyone has the correct status and there may be a small number of groups who do not fit into the category set out above. We will work to ensure their situation is resolved quickly.
8. We are also setting out here the details of the ACRS and the position of those relocated under ARAP; and the position of other groups, for example how the Immigration Rules apply in terms of Family Reunion, the Points-Based System and Asylum.

Operation Warm Welcome

9. On 31 August, the Government announced 'Operation Warm Welcome'¹ to ensure that all those relocated to the UK can access the vital healthcare, housing, education and support into employment they need to fully integrate into our society. This includes English language training for those who need it. The work is being overseen by Victoria Atkins MP, the Minister for Afghan Resettlement.
10. We continue to work with local authorities to source appropriate accommodation as quickly as possible for families already in the UK. So far, over 100 councils have agreed to house Afghans, and we would urge every council across the country to contribute to this national effort.
11. UKVI has established a dedicated case working team, which is working jointly with FCDO and the MoD, to take the necessary steps to bring more people to safety in the UK. This includes those who were called forward for evacuation but remain overseas. Given the difficult, exceptional and unique circumstances in which many arrived in the UK, the Home Office will grant those called forward immediate indefinite leave to remain. This will give them certainty about their status, entitlement and future in the UK to benefits and right to work.
12. The dedicated team will contact individuals in this situation who can also refer to the helpline details at the end of this document.

¹ <https://www.gov.uk/government/news/operation-warm-welcome-underway-to-support-afghan-arrivals-in-the-uk>

Support for British nationals

13. The majority of British nationals in Afghanistan were flown out ahead of the emergency evacuation. A small number remain in Afghanistan and the region and the Government is working hard to secure safe passage out of Afghanistan for them and their dependants. Her Majesty's Passport Office (HMPO) is working closely with FCDO, which is providing repatriation and consular support, to assist with the granting of emergency travel documents to allow onward travel to the UK where needed.
14. HMPO is also prioritising consideration of requests for first-time UK passports from people normally or previously resident in Afghanistan, and has a dedicated team focusing on them. Complex cases are being considered by senior decision makers to ensure they are decided quickly.

Afghan Relocations and Assistance Policy

15. In 2013, the then Government put in place a scheme to relocate some interpreters who served alongside our armed forces in Afghanistan. In April this year, in preparation for the withdrawal of British and NATO forces and the changing situation in Afghanistan, the Home Secretary and Defence Secretary launched ARAP. The scheme offers relocation or other assistance to those who served alongside our armed forces in Afghanistan and provided important support to Her Majesty's Government defence and security mission there, predominantly those who were employed directly, or in certain special cases via contractors, and who are assessed to be at serious risk as a result of such work. It is available to people regardless of rank or role, or length of time served, and builds on the long-standing support already available. The policy provides for the principal applicant to bring their close family members (spouse and under 18 children) to the UK and significantly expands the eligibility criteria from the previous scheme. Other family members may be resettled in exceptional circumstances.
16. Since the first ARAP flight on 22 June, around 7,000 Locally Employed Staff and their family members have been relocated to the UK. 1,400 former staff and families were relocated between 2013-2021 under the previous scheme for Afghan locally employed staff.
17. The ARAP scheme remains open to eligible applicants. It is also possible to make an application outside of Afghanistan and if successful will be supported by Embassies and High Commissions. Current or former staff who believe they qualify should check the eligibility criteria and apply by using the online application form². For further advice please use the contact form on the same webpage.
18. Work is underway with the MOD and FCDO to support the logistics of relocation of those accepted as eligible for ARAP who are already in third countries. Where possible, we will contact those who were identified for relocation to the UK but are not yet in the UK.
19. Those who are in the ARAP scheme, regardless of when they arrived, will be given indefinite leave to remain in the UK, rather than limited leave which has been the approach up to now. We believe that ARAP and ACRS should confer the same status. This will enable those relocated under ARAP access to certain

² <https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance>

roles not available to those with limited leave, for example in the police, defence and security sectors.

20. Those already in the UK with limited leave under the ARAP or the previous scheme for Afghan Locally Employed Staff, granted prior to 2 September 2021, can apply for indefinite leave to remain at any time during their period of limited leave (five years). The UKVI case working team will contact all those who recently arrived to discuss their leave arrangements and ensure they get the right form of leave. There will be no charge for changing limited leave to indefinite leave to remain. We will be utilising the 'exceptional circumstances affecting a number of persons waiver' provided by the Immigration and Nationality (Fees) Regulations where required, in advance of making changes in imminent regulations. Those on the ARAP scheme will be able to apply for British citizenship after five years in the UK under existing rules and subject to the appropriate fee.

Afghan Citizens Resettlement Scheme

21. On 18 August 2021, the Prime Minister announced the ACRS. This scheme will resettle up to 20,000 people at risk, with 5,000 in the first year. This is in addition to those brought to the UK under ARAP and is in line with the New Plan for Immigration commitment to expand legal and safe routes to the UK for those in need of protection, whilst toughening our stance against illegal entry and the criminals that endanger life by enabling it.
22. This makes the UK's humanitarian response to the crisis in Afghanistan one of the most ambitious in the world to date and builds on our proud record of resettling more people than any other European country since 2015³.

Eligibility and referrals

23. The ACRS will provide those put at risk by recent events in Afghanistan with a route to safety. The scheme will prioritise:
- a. those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women's rights and freedom of speech, rule of law (for example, judges, women's rights activists, academics, journalists); and
 - b. vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBT).
24. There will be many more people seeking to come to the UK under the scheme than there are places. It is right that we take a considered approach, working with partners to resettle people to the UK. There will not be a formal Home Office owned application process for the ACRS. Instead, eligible people will be prioritised and referred for resettlement to the UK in one of three ways.
25. First, some of those who arrived in the UK under the evacuation programme, which included individuals who were considered to be at particular risk – including women's rights activists, prosecutors and journalists - will be resettled under the ACRS. 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, 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.

³ Eurostat, 2021a

26. Second, the government will work with the United Nations High Commissioner for Refugees (UNHCR) to identify and resettle refugees who have fled Afghanistan, replicating the approach the UK has taken in response to the conflict in Syria, and complementing the UK Resettlement Scheme which resettles refugees from across the world. UNHCR has the global mandate to provide international protection and humanitarian assistance to refugees. UNHCR has expertise in the field and will refer refugees based on assessments of protection need. We will work with UNHCR and partners in the region to prioritise those in need of protection, such as women and girls at risk, and ethnic, religious and LGBT minority groups at risk. We will start this process as soon as possible following consultations with UNHCR.
27. Third, the government will work with international partners and NGOs in the region to implement a referral process for those inside Afghanistan, (where safe passage can be arranged,) and for those who have recently fled to countries in the region. This element will seek to ensure we provide protection for members of Afghan civil society who supported the UK and international community effort in Afghanistan. This category may include human and women's rights activists, prosecutors and others at risk. We will need some time to work through the details of this process, which depends on the situation in Afghanistan.

Further details on eligibility

28. The ACRS will be focused on people affected by events in Afghanistan, who are located in Afghanistan or in the region. While the majority of people resettled will be Afghan, nationals of other countries (for example, in mixed nationality families) will be eligible to be resettled through the scheme.
29. Spouses, partners and dependent children under the age of 18 of identified eligible individuals will be eligible for the scheme. Other family members may be resettled in exceptional circumstances.
30. Unaccompanied children may be offered resettlement where it is determined that resettlement to the UK is in their best interests and they have been identified as eligible for the scheme and. This is an assessment that will be made with expert partners. Where a child is unaccompanied it may be in the child's best interest to remain in the region, where they are more likely to be reunited with their family.
31. All individuals will be security screened as part of the process, including checks against security and other data bases and capturing biometrics. Individuals who have committed war crimes, crimes against humanity, terrorism or other serious crimes will not be eligible.

32. Those resettled through the ACRS will receive fee-free indefinite leave to enter or remain in the UK, the right to work and immediate access to benefits if necessary. They will be able to apply for British citizenship after five years in the UK under existing rules and subject to the appropriate fee.
33. All those resettled will be expected to comply with UK laws. Anyone convicted of a serious criminal offence in the UK will be liable to have their indefinite leave revoked.

Integration support for ARAP and ACRS

34. All those brought to the UK under ARAP and ACRS will have the right to work, access to education and healthcare and be able to apply for public funds. To ensure they will be supported properly, changes will be made to legislation so that, if necessary, people arriving under ARAP and ACRS do not need to meet the habitual residence test.
35. They will also receive comprehensive integration support as they start their new lives in the UK. A package of support to acclimatise to the UK, learn English, and find work, will enable rapid self-sufficiency and social integration in UK communities.
36. We will match the tariff for the successful Syrian Vulnerable Persons Resettlement Scheme (VPRS) to provide a complete package covering health, education and integration support costs for those on the ACRS and ARAP. The core local authority tariff of £20,520 per person will be provided to those who volunteer over a shorter period of three years, enabling more funding in those crucial early years to support resettled Afghans to integrate into British society and become self-sufficient more quickly. Funding will also be provided to support education, English language and health provision (in year one only). We have also agreed a further £20m of flexible funding in the current financial year (2021/22) to support local authorities with higher cost bases with any additional costs in the provision of services.
37. We welcome the commitments already made by many local authorities and would urge all local authorities to participate in welcoming these at-risk Afghan citizens into our communities. The challenge of integrating such a large number of people at pace and supporting them to rebuild their lives in safety cannot be met by central and local government alone. We are actively working with the private, voluntary and community sectors to harness a whole of society effort to address this challenge. As part of this, we have created a Government portal⁴ where people, organisations and businesses can register offers of support. This could

⁴ <https://www.gov.uk/help-refugees>

include volunteering, offers of employment or to provide professional skills *pro bono*, including helping those arriving deal with trauma, or offering donations of mobile phones, mobile credit or data, laptops, access to training, clothes and toys. This will complement the Afghanistan housing portal⁵ which has been set up to collect offers of additional housing support.

38. We will also be extending the Home Office Community Sponsorship Scheme (CSS) so that friends and neighbours, charities and faith groups can come together to support a family through the ACRS. We will make it easier and quicker for community groups to become sponsors so that more people can play a direct role in the warm welcome we will extend to these new members of our communities.

⁵ <https://www.gov.uk/government/publications/afghanistan-housing-portal-offers-of-support>

Afghan family members of British nationals, settled persons and refugees already resident in the UK

Close family members of British citizens (and settled persons) evacuated or called forward as part of Op PITTING

39. To facilitate the travel of family members of those who were evacuated as part of Op PITTING, the Home Office waived visas requirements and granted limited permission to stay outside of the Immigration Rules for six months. However, given the exceptional circumstances of their arrival and to ensure they have clarity on their immigration status, we will grant indefinite leave to remain to this group of evacuees. We will waive the settlement fees for this group and they will not be required to meet the usual requirements, such as English language skills or minimum income requirement. Where necessary, we will use the 'exceptional circumstances affecting a number of persons waiver' provided by the Immigration and Nationality (Fees) regulations and seek to make changes in regulations at the next opportunity. This is the same approach as those evacuated under the ARAP scheme and other priority groups relocated to the UK under Op PITTING and eligible for the ACRS. We will also give indefinite leave to remain to those who were called forward by the UK government but were not able to be evacuated, or were evacuated to third countries.

Afghan family members of British citizens and settled persons who were not notified they were eligible for evacuation under Op PITTING

40. For other non-UK family members of British citizens and settled persons who were not called forward as part of Op PITTING, or who are not offered resettlement under the ACRS, they will need to apply to come to the UK under the existing economic or family migration rules⁶. They will be expected to meet the eligibility requirements of their chosen route, which includes paying relevant fees and charges, and providing biometrics. There is currently no option to give biometrics in Afghanistan. The British Embassy in Kabul has suspended in-country operations and all UK diplomatic and consular staff have been temporarily withdrawn. The UK is working with international partners to secure

⁶ Family visas: apply, extend or switch: Apply as a partner or spouse - GOV.UK (www.gov.uk)

safe routes out of Afghanistan as soon as they become available, but while the security situation remains extremely volatile, we recommend people in Afghanistan do not make applications and pay application fees at this time as they will not be considered until biometrics are provided. Those Afghans who are outside of Afghanistan and able to get to a Visa Application Centre (VAC) to provide their biometrics are able to make an application in the usual way.

Afghan family members of refugees in the UK

41. For Afghan refugees in the UK, we already have rules⁷ in place for their close family members to apply to join them in the UK, but we recognise those in Afghanistan will face the same challenges in providing biometrics and so we do not recommend making applications at this time.

⁷ <https://www.gov.uk/settlement-refugee-or-humanitarian-protection/family-reunion>

Supporting Afghans already in the UK as visitors, or on economic or study routes

42. Afghan nationals who are currently in the UK with permission on an economic, work or study route that expires in the near future may face difficulties making a further application if they are unable to obtain the necessary documentation to meet the rules to extend their stay, including having a current passport. We intend to introduce a similar concessionary approach for Afghan nationals as we did in 2015 for Syrian nationals. This concession will apply to any Afghan national who had permission under these routes to be in the UK before 1 September 2021. It will also apply to those who had made an entry clearance application on these routes before 1 September and who have travelled since then. It will allow us to waive certain document requirements, but applicants will still be expected to pay any fees and meet the other requirements of the route.
43. We will also allow Afghan nationals with temporary leave that would normally prevent them from switching, or Afghan nationals who have been given an exceptional assurance by the Home Office under the COVID concessions, to switch into the routes set out above, such as Skilled Worker or Student, where they meet the requirements of the route. Those with leave as a visitor will also benefit from this concession. Individuals must have arrived before 1 September. This will mean they do not have to travel outside of the UK to make an application at one of our global VACs.

The asylum system

44. The details set out above constitute the UK's comprehensive immigration response to the unique and exceptional circumstances of the evacuation and change of situation in Afghanistan. There is no change to our longstanding policy that a person can only claim asylum from within the UK. We will not accept asylum claims at our Embassies, High Commissions or VACs overseas or otherwise; whether by online application or through other correspondence.
45. There are Afghan nationals who are already in the UK asylum system. In light of the fast-moving situation in Afghanistan, we are working to update our country guidance. Once this is complete, all asylum and protection claims will be decided with reference to the updated country guidance and the individual circumstances of the case.
46. Any asylum seekers who would otherwise be destitute are supported by the Home Office, where they are provided with fully furnished accommodation, a maintenance allowance for items such as food and toiletries, and have full access to healthcare services and education for children under the age of 18.

Afghans without status in the UK

47. The government has suspended enforced returns to Afghanistan and there are currently no commercial flights operating to Afghanistan. Those who have previously been refused asylum, who believe their situation has changed, will need to make a further submission to have their case re-considered.
48. We encourage all nationals present but without permission to stay in the UK to contact the Home Office as soon as possible.
49. Whenever we can, we will continue seek to remove from the UK those who have committed serious crimes or who present a threat to national security. We will look to remove them as soon as we are able to do so.

Getting in touch

50. On 20 August, the Home Office set up a dedicated helpline to provide information and support to Afghan nationals on the UK's evacuation efforts. As we move to the next response phase, the line will remain open to offer general information about the relocation schemes. Our call handlers will also provide additional support to those Afghan nationals who have recently arrived and are transitioning from managed quarantine accommodation.

51. The helpline number is +44 2475 389 980 (or 02475 389 980 in the UK).

Summary of immigration routes

Cohort	Description	Eligibility criteria	Immigration Status	Entitlements
1	Afghan Relocations and Assistance Policy	Former Locally Employed Staff in Afghanistan who have been assessed to be at serious risk as a result of their work with HM Armed Forces or the UK Government. It is available to people regardless of rank or role, or length of time served.	Indefinite leave to enter or remain (those already granted five years' temporary leave to remain can upgrade their leave at any time).	Full access to work, benefits and services

Cohort	Description	Eligibility criteria	Immigration Status	Entitlements
2	Afghan Citizens Resettlement Scheme	<p>Referred vulnerable refugees from Afghanistan and those put at risk by recent events in Afghanistan. The scheme will prioritise:</p> <ul style="list-style-type: none"> • those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women’s rights and freedom of speech, rule of law (for example, judges, women’s rights activists, journalists); and • vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBT). 	Indefinite leave to enter or remain (anyone granted temporary leave to remain during the evacuation who is subsequently referred to the ACRS will be able to upgrade their leave).	Full access to work, benefits and services
3	Those who were evacuated or called forward to be evacuated as family members of British citizens or indefinite leave to remain	Called forward by HMG	Indefinite leave to remain	Full access to work, benefits and services

Cohort	Description	Eligibility criteria	Immigration Status	Entitlements
4	Afghan family members of British citizens or those with indefinite leave to remain, or post-flight family members of those granted refugee status who were not called forward under Op PITTING	As set out in the family Immigration Rules	Temporary leave to enter or remain. Can apply for indefinite leave to remain after 5 or 10 years on that route.	Access to work and healthcare (through payment of immigration health surcharge). Normally no recourse to public funds until settled, but can apply to have NRPF condition lifted in certain circumstances.
5	Pre-flight Afghan family members of those granted refugee status	As set out in the family reunion rules	Temporary leave to remain. Can apply for indefinite leave to remain after 5 or 10 years on that route.	Access to work, benefits and services
6	Afghans in the UK as visitors or temporary migrants on economic or study routes	As set out in the Immigration Rules, but will be able to switch into another route for which they qualify and there will be flexibility on approach to documentary requirements.	Temporary leave to remain based on route, with ability to apply for settlement on some routes.	Access to study, work and healthcare (through payment of the immigration health surcharge) as provided for in each route.
7	Afghans claiming asylum in the UK	As set out in current protection rules.	If granted protection, temporary leave to remain for five years. Can apply for indefinite leave to remain after that	Access to work, benefits and services

Cohort	Description	Eligibility criteria	Immigration Status	Entitlements
8	Afghans in the UK without immigration status	N/A	N/A – encouraged to get in touch with the Home Office at the earliest opportunity to resolve their immigration status	No access to work, benefits or services

Note: exclusions apply for those convicted of serious crime, war crimes, or who pose a risk to national security.



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