

The Situation in Afghanistan

The Centre for Military Justice does not provide immigration law advice. We are a tiny charity that works to reform the British Armed Forces and we cannot advise people in Afghanistan needing immigration/refugee law advice.

We have however been inundated with requests for help from people inside Afghanistan – many with British military connections or otherwise connected to the British mission in Afghanistan – who are absolutely desperate at the current situation and are terrified for their lives.

This brief information sheet aims to provide some extremely basic information about potential sources of information or help. We will try and update it as further information becomes available from the UK Government or other sources, but at present there is very little useful information available and it seems that there is a lack of clarity as to what the UK Govt proposes to offer and how the schemes will work in practice.

UNHCR – the UN Refugee Agency

Here is the link to the UNHCR website page with information for people seeking information or support inside Afghanistan. It includes a link to a Protection Hotline 0790691746 and 0704996168 and an email address afgkaprt@unhcr.org

https://help.unhcr.org/afghanistan/#_ga=2.98949276.345043350.1629445871-2117507795.1629445871

<https://help.unhcr.org/afghanistan/support/>

It also states that there is an inter-agency service via the Awaaz website: <https://awaazaf.org/>

It is not at all clear that any of these links are currently working or providing useful information due to the rapidly changing situation. Please check the websites directly.

UK Ministry of Defence

Here is the link to the UK Ministry of Defence's information page about its relocation scheme for formerly Locally Employed Staff: <https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance>

The page states that the MoD offers relocation or other assistance to current and former Locally Employed Staff in Afghanistan. However, it was offered through the British Embassy in Kabul and currently there is no available information on the MoD website as to how the scheme is being managed. As of 20 August 2021, the website still includes the link to the online relocation form here: https://forms.office.com/Pages/ResponsePage.aspx?id=7WB3vINZS0iuldChbfoJ5fowYYw5QINLoVC T4OM_uPIUN0ZNVdJURVMzMUtKNjJRJUWwXSUJZMjdIVSQQCN0PWcu

MOD representatives can apparently be contacted for further advice at localstaff-afghanistan@mod.gov.uk or on 0792 907 303. We have heard that the embassy is still providing some sort of service at the airport in Kabul.

There is also an Ex Gratia Scheme for locally employed staff who have been or will be made redundant as a direct consequence of the UK's military drawdown from Afghanistan. <https://www.gov.uk/government/publications/afghanistan-locally-employed-staff-ex-gratia-scheme/afghanistan-locally-employed-staff-ex-gratia-scheme-further-information-on-eligibility-criteria-and-offer-details>

More detailed guidance on these schemes is here (dated 1 April 2021):

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971252/afghan-locally-employed-staff-relocation-schemes-v2.0-gov-uk.pdf

The Govt has recently announced that there will be a new 'Afghan Citizen's Resettlement Scheme' that will take up to 20,000 people over a number of years. No guidance on the operation of this scheme has been published at the time of writing and it is not yet open.

<https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme>

When the scheme is opened and guidance published, it is likely to be available at the above link. A little more Govt information is here: <https://www.gov.uk/government/news/bespoke-resettlement-route-for-afghan-refugees-announced>

The Govt has not announced any updated guidance on the handling of existing Afghan asylum claims either so it is not known how those applications will be processed given the enormous changes in Afghanistan in recent weeks.

A Govt 'factsheet' on the current 'routes for Afghan nationals' is here: <https://homeofficemedia.blog.gov.uk/2021/08/19/factsheet-resettlement-routes-for-afghan-nationals/>

Once further information or updated guidance is available we will update this page.

Joint Council for the Welfare of Immigrants (JCWI)

The JCWI is a UK charity that provides advice and information to people seeking help with immigration issues. Their website is here <https://www.jcwi.org.uk> and their recent statement on Afghanistan is here <https://www.jcwi.org.uk/stand-with-afghan-refugees>

JCWI is urgently preparing more detailed information fact sheets so please keep checking their websites as these should be available soon via the above links.

The JCWI is urging the Home Secretary to:

- Abandon the 'resettlement-only' plans set out in the Nationality and Borders Bill, that would criminalise or deny full refugee status to those who make their own journeys to seek asylum in the UK
- Grant immediate asylum to Afghans already waiting for status in the UK
- Release all Afghan nationals from detention
- Expand the family reunion route so that Afghans can be joined by other members of their family, such as parents and siblings
- Join the international effort to evacuate and resettle Afghan nationals

Their recent letter to the Home Secretary (in English and Pashto) is here:

<https://www.jcwi.org.uk/Handlers/Download.ashx?IDMF=ed3b0cd9-14cd-4565-b22e-69b180424de7;>
<https://www.jcwi.org.uk/Handlers/Download.ashx?IDMF=9eb76f84-e901-444e-8662-53044211a513>

The Afghanistan and Central Asian Association (UK)

The ACAA provides support, skills and knowledge to help Afghan communities live and prosper in the UK. They have an advice and referral clinic.

<https://aca.org.uk/>; and <https://aca.org.uk/sample-page/services/advice/>

Tel: 0208 572 0300; [07414 993 450](tel:07414993450)

admin@afghanistan-central-asian.org.uk

Liberty

The UK human rights organisation Liberty has a page that signposts people seeking immigration law advice. It is however directed to people already inside the UK. The link is here:

https://www.libertyhumanrights.org.uk/advice_information/i-need-immigration-advice/

Contact your MP

If you are in the UK and worried about relatives or friends in Afghanistan, you should send basic information about your loved one to your MP, including name, date of birth, passport or other identifying information. Colleagues in other charities have been told that MPs will raise the case with the Foreign Office and you should ask your MP to do this.

The UK Government's position

The UK has been heavily criticised for its response to the crisis in Afghanistan which is widely considered to have been complacent and inadequate. Despite stating that it will accept 20,000 refugees for resettlement, the Home Secretary has confirmed that this will not be acted upon quickly and the scheme is not yet open. There is widespread criticism that this figure is far from adequate in any case: <https://news.sky.com/story/afghanistan-20-000-refugees-to-resettle-in-the-uk-under-pms-plan-but-critics-say-its-not-enough-12384055>; <https://www.politicshome.com/news/article/priti-patel-says-uk-cannot-take-20000-afghan-refugees-all-in-one-go>

Even prior to the takeover by the Taliban, the UK Govt was facing serious criticism for failing to offer sufficient protection to Afghans that had supported the work of the British Armed Forces over the last 20 years.

Many charities, organisations and individuals in the UK are continuing to work hard to press the UK Government to honour its commitment to the Afghan people, to provide safe legal routes to all people fleeing the Taliban and to stop denigrating innocent people taking desperate measures to flee persecution. In particular it will be important to expand the scope of the current schemes to all those that could be perceived to have supported the British mission in Afghanistan and to bring the scheme into effect immediately.

As more information becomes available we will update this page.

22 August 2021