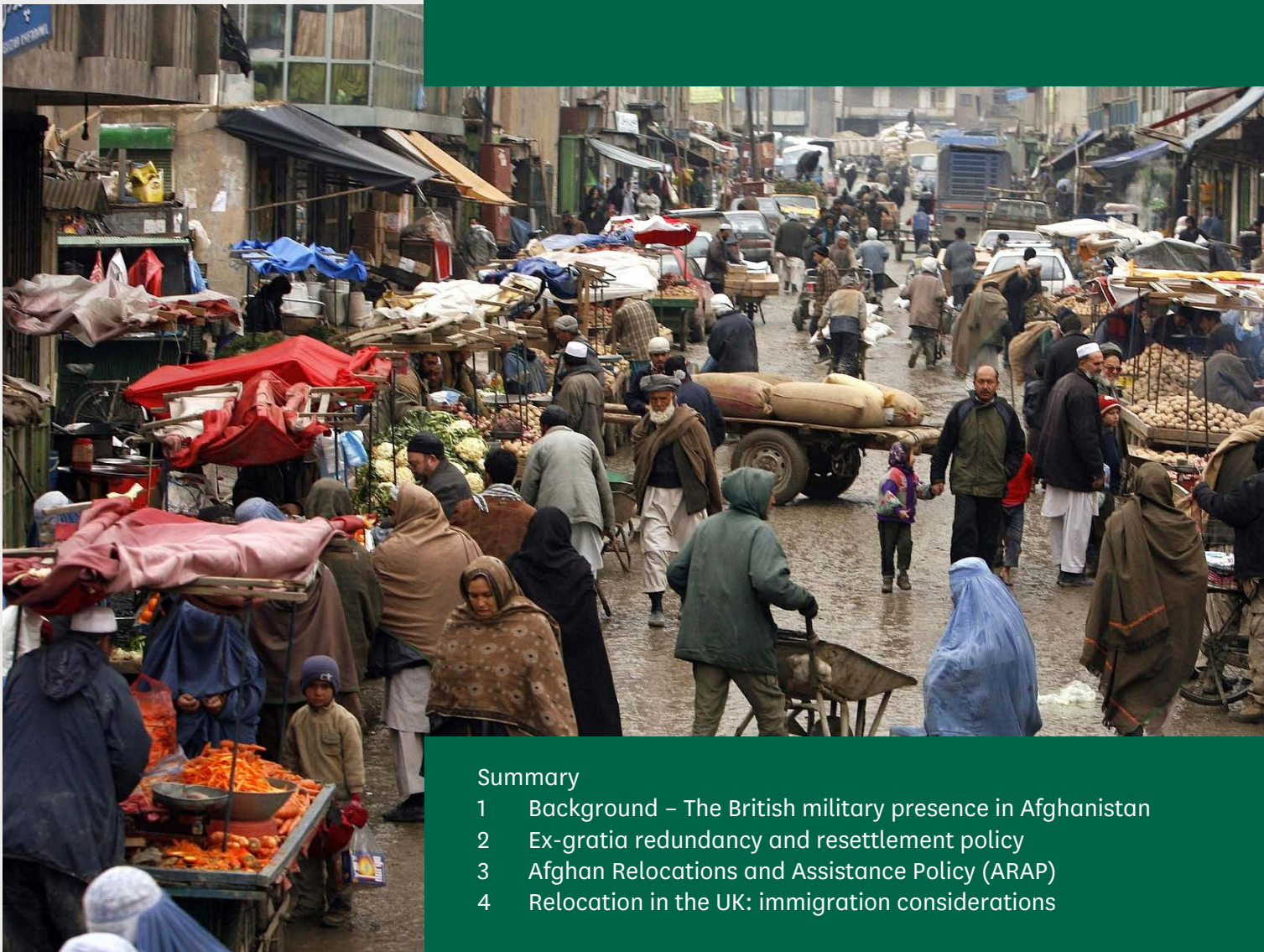


By ,
Claire Mills,
Melanie Gower

15 December 2021

Resettlement scheme for locally employed civilians in Afghanistan



Summary

- 1 Background – The British military presence in Afghanistan
- 2 Ex-gratia redundancy and resettlement policy
- 3 Afghan Relocations and Assistance Policy (ARAP)
- 4 Relocation in the UK: immigration considerations

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Contents

Summary	4
1 Background – The British military presence in Afghanistan	8
1.1 Employment of local Afghan civilians	10
2 Ex-gratia redundancy and resettlement policy	12
2.1 Intimidation policy	13
2.2 Criticisms of the scheme	14
2.3 Revision of the ex-gratia scheme	16
3 Afghan Relocations and Assistance Policy (ARAP)	18
3.1 The impact of coalition withdrawal from Afghanistan	20
3.2 Revisions to the ARAP (summer 2021)	23
3.3 Evacuation from Afghanistan	24
3.4 Changes to ARAP Immigration Rules (December 2021)	25
4 Relocation in the UK: immigration considerations	30
4.1 Immigration Rules requirements	30
4.2 The relocation process: local authority involvement	33
4.3 How many people have been relocated to the UK?	36

Summary

Sections 3.4 and 4.3 of this briefing were updated on 15 December 2021. Other sections have not been substantively updated since 10 September 2021.

The UK had a military presence in Afghanistan since October 2001. First as part of the US-led Operation Enduring Freedom (the UK's Operation Veritas) and then as part of the International Security Assistance Force (Operation Fingal/Herrick). In October 2014, the UK withdrew all combat troops from Afghanistan and the UK's role transitioned to one of training and support under NATO's Resolute Support Mission (Operation Toral).

During Operation Herrick (2003-2014) the UK employed approximately 7,000 local Afghans to assist British forces in overcoming language and cultural barriers and to help them forge relationships with local communities in areas they were deployed in. Of those 7,000 locally employed civilians, 2,850 worked as interpreters and translators for British forces on the frontline, largely in Helmand province. Some of these people are entitled to relocation in the UK, or elsewhere in Afghanistan, and financial support.

Ex-gratia redundancy and resettlement scheme

In December 2012, the UK Government announced the withdrawal of British combat forces and shortly afterwards established an ex-gratia redundancy and resettlement scheme for locally employed civilians. To be eligible, individuals had to be in post working directly for the UK Government on 19 December 2012 and had to have served more than 12 months.

Those whose employment ended before this date, had resigned, or were dismissed for disciplinary reasons, were not eligible. Resettlement in the UK was also only available to local staff, including interpreters, that had worked in "[particularly dangerous and challenging roles in Helmand](#)".

At that time, it was estimated that around 1,200 local staff would qualify for a redundancy package, and around half of those people would be eligible for resettlement in the UK.

The UK also operated an intimidation policy for locally employed civilians who faced threats to their safety, regardless of their role or length of service. Under this policy various support measures were available to local staff,

including funded relocation within Afghanistan, and in the most serious of cases, resettlement in the UK.

The ex-gratia scheme and the intimidation policy were widely criticised, however. The criteria for eligibility of the ex-gratia scheme [were labelled as “arbitrary” by MPs](#), Peers and ex-military chiefs, and the scheme was criticised for failing to take account of those who may have resigned because of safety fears. The focus of the intimidation policy on relocation within Afghanistan was also questioned.

Revisions to the scheme

Acknowledging that the eligibility criteria for resettlement in the UK were inadequate, revisions were made in 2018, and again in October 2020. Under the revised scheme individuals are now eligible for relocation if they have been made redundant, or resigned, on or after 1 May 2006 and had 12 months or more continuous service on the frontline in Helmand.

Afghan Relocations and Assistance Policy

In December 2020 increasing instability and insecurity in Afghanistan prompted the UK Government to announce a new scheme that would replace the intimidation policy from 1 April 2021.

Whereas the previous policy only provided for relocation to the UK “in the most serious cases”, the [Afghan Relocations and Assistance Policy](#) offers relocation to any current or former employees who face intimidation or threat to life because of their employment by the UK Government. The scheme will operate indefinitely and run alongside the ex-gratia scheme until November 2022, when that scheme closes.

Relocation was not initially offered to people who had been dismissed from employment or were based outside of Afghanistan. Both decisions were widely criticised, particularly by senior ex-military personnel.

Impact of coalition withdrawal

Shortly after the ARAP scheme was announced, the UK Government confirmed that, in line with the United States and NATO, all remaining British service personnel in the country would withdraw by 11 September 2021. The withdrawal of international forces was, however, accompanied by the launch of a major Taliban offensive against Afghan Government forces. Since mid-July 2021 the Taliban has taken control of significant areas of the country, including strategic supply routes, border crossing and a number of provincial capitals. On 15 August Kabul was captured and Afghan President, Ashraf Ghani, left the country.

The security situation on the ground increased concerns over those locally employed civilians, and their families, who remain in Afghanistan.

On 1 June 2021, the UK Government announced that applications through the ARAP would be expedited. In August, the MOD confirmed that eligibility for relocation would now also apply to those dismissed for minor administrative offences, and that applications could be made from a third country.

The Government's decisions reflect that of the United States, which has accelerated its own relocation programme. In early July 2021 the US administration confirmed that existing applicants for relocation considered at risk would now be moved to a third country while their applications are processed. The US decision led to calls from campaign groups for other coalition nations to follow suit.

In early June 2021 the Taliban issued a statement suggesting that interpreters and others who worked for coalition forces had nothing to fear, if "[they show remorse](#)". However, many Afghans continue to fear Taliban reprisals for their role in assisting coalition forces. [Taliban fighters have reportedly been conducting house to house searches](#) looking for former coalition employees and have executed several former interpreters.

Deployment of British military personnel

The UK Government has consistently maintained that it would review its plans for the ARAP scheme should there be "a rapid deterioration in the security situation in Afghanistan".

On 12 August the Ministry of Defence confirmed that 600 military personnel would deploy to Afghanistan to assist in the evacuation of diplomatic staff and other British nationals in the country and to assist with the acceleration of the ARAP scheme.

December 2021: Changes to ARAP Immigration Rules

Statement of changes to the Immigration Rules HC 913 was laid on 14 December and came into effect on the same day.

The changes put more detailed information about the eligibility criteria for ARAP cases into the Immigration Rules. Previously, some of the scheme's details had only been set out in policy guidance, and the Immigration Rules did not reflect some extensions announced over summer 2021.

The Government intends that the changes will provide greater clarity over the eligibility criteria for ARAP cases and ensure consistent decision-making across different Government departments. It acknowledges that the new wording of the rules narrows the grounds on which some cases qualify for relocation under ARAP.

Relocation in the UK

The ex gratia and ARAP schemes offer relocation in the UK to eligible Afghans and their pre-existing partners and minor dependent children. There is also some scope for additional family members to be eligible for relocation, depending on the facts of the case.

Following a policy change, in effect from September 2021, Afghans relocated to the UK are now being given indefinite (i.e. permanent) permission to remain in the UK immediately. The previous policy had been to grant permission to stay for up to five years initially with the possibility of subsequently applying for indefinite leave.

Accommodation and integration support in the UK are provided by participating local authorities, with some funding from central government. The Government confirmed a detailed package of funding and support, called '[Operation Warm Welcome](#)', on 1 September 2021.

How many people are eligible for relocation in the UK?

It is not known exactly how many Afghans and family members might be eligible for relocation in the UK under the relocation scheme for locally employed civilians.

As of 12 August 2021, almost 3,100 former staff and family members had been relocated to the UK since 2014.

As of 7 December 2021, around 7,500 people had been relocated under the ARAP scheme since 1 April 2021. Of these, around 5,000 people were evacuated in August as part of Operation Pitting.

311 ARAP eligible individuals who had been called forward during Operation Pitting were not been evacuated before the operation ended. As at 10 December, 166 of those people remained in Afghanistan. Some people have been relocated to the UK from third countries.

A separate Library briefing considers additional immigration categories potentially relevant to Afghan nationals: [CBP 9307 UK immigration routes for Afghan nationals](#).

1 Background – The British military presence in Afghanistan

In the aftermath of 9/11, the United States led a coalition of the willing into Afghanistan to conduct counterterrorism operations (Operation Enduring Freedom). British forces were part of that initial military action, considered self-defence under the UN Charter (Operation Veritas).¹

In December 2001 the UN authorised the deployment of a 5,000-strong International Security Assistance Force (ISAF) to deploy to the region in, and immediately around, Kabul, to provide security and to assist in the reconstruction of the country.² The British deployment to Afghanistan became part of that UN-mandated International Security Assistance Force (Operation Fingal/Herrick).³

In August 2003 NATO assumed command of ISAF. Over the next decade, and bolstered by a renewed and expanded UN mandate,⁴ ISAF operations expanded into the whole country and evolved from security and stabilisation, into combat and counterinsurgency operations, and then to the transition of security responsibility to the Afghan National Security Forces (ANSF).

The expansion of ISAF operations saw the UK assume responsibility for operations in southern Afghanistan in May 2006 and a significant increase in the number of British forces deployed in the country. By October 2006 there were approximately 5,845 British personnel in Afghanistan, with 4,500 of those troops deployed as part of the Helmand Task Force in the south.⁵

In early 2007 further deployments were announced and over the course of 2007 British force levels reached 7,700 personnel.⁶ The Ministry of Defence also indicated that on current planning assumptions that force level would be maintained until 2009.

At its height the British contribution to ISAF peaked at 9,500 personnel in 2011/12, making the UK the second largest contributor to ISAF, after the United States.

¹ NATO had also invoked its [Article V](#) collective defence clause on 12 September 2001.

² Counter terrorism operations under Operation Enduring Freedom also continued but as a distinct US operation in parallel.

³ Although UN mandated, ISAF was not conducted under the guise of the UN. It was initially conducted as a coalition of the willing, until NATO assumed command responsibility in August 2003.

⁴ UN Security Council Resolution 1510 (2003)

⁵ From a previous force level of 1,000. HC Deb 10 July 2006, c1134

⁶ [UK forces: operations in Afghanistan - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

In 2011 ISAF began a three-year period of transition that would see primary security responsibility across the country transferred to the Afghan National Security Forces.

In 2012 the UK began a process of gradual drawdown of personnel from Afghanistan and in October 2014 the UK's combat mission formally ended. ISAF formally withdrew from the country in December 2014.

On 1 January 2015, the ANSF assumed security responsibility for Afghanistan and NATO transitioned to a new, non-combat, mission called [Resolute Support](#). The core mission of Resolute Support has been to support the ANSF. Since January 2015 approximately 1,100 British personnel have been deployed in Afghanistan purely as part of that non-combat training mission (Operation Toral).

In April 2021, and in line with the US and wider NATO decision to withdraw their troops from Afghanistan, Defence Secretary, Ben Wallace, confirmed British troops would also withdraw. ⁷

In a statement on Afghanistan on 8 July 2021 the Prime Minister, Boris Johnson, confirmed:

All British troops assigned to NATO's mission in Afghanistan are now returning home. For obvious reasons, I will not disclose the timetable of our departure, but I can tell the House that most of our personnel have already left. ⁸

Over the last 20 years, 150,610 British service personnel have served in Afghanistan. ⁹ Over 600 personnel have suffered life changing injuries, and 457 personnel have been killed.

1 Suggested reading

The Library has several papers charting the progress of the Afghanistan campaign, including:

- [The withdrawal of military forces in Afghanistan: will it bring peace?](#), 2021
- [Troops in Afghanistan – July 2018 update](#), 18 July 2018
- [Troops in Afghanistan](#), July 2017
- [The International Security Assistance Force](#), last updated 9 February 2009

⁷ [Ministry of Defence press release](#), 14 April 2021

⁸ [HC Deb 8 July 2021](#), c1104

⁹ [HC Deb 20 April 2021](#), c851

- [Operation Enduring Freedom and the conflict in Afghanistan](#), 31 October 2001

See also:

- British Army, [Twenty years in Afghanistan](#)

1.1

Employment of local Afghan civilians

To overcome language and cultural barriers and help British forces forge relationships with the local community in areas they were deployed in, the UK employed 7,000 Afghan interpreters, translators and other locals in a variety of support roles during Operation Herrick (2003-2014).¹⁰

Around 2,850 Afghans worked as interpreters and translators for British forces on the frontline.¹¹ The majority were employed after May 2006, following the expansion of ISAF and the UK's assumption of command in the southern provinces.

Their role was regarded as vital for achieving the coalition's objectives on the ground, while also protecting British troops. As the MOD has acknowledged, locally employed civilians were "often the eyes and ears of British forces",¹² enabling British troops to "prepare for imminent insurgent attacks or IED [Improvised Explosive Device] threats".¹³

In 2013 Major Jamie Forbes of the British Army's Labour Support Unit said:

I'd say they're absolutely crucial to glue the whole operation together. Effectively there would be no partnership with the ANSF or the ANA [Afghan National Army] if they weren't around.¹⁴

Working alongside British forces, particularly those interpreters accompanying troops on operational patrol, came with significant risk. As well as being in danger on the frontline, individuals, and their families, feared reprisals from the Taliban. In 2011, an interpreter working with British forces commented:

¹⁰ Defence Select Committee, *Lost in translation? Afghan interpreters and other locally employed civilians*, HC572, Session 2017-19, summary

¹¹ PQ101279, [Afghanistan: interpreters](#), 14 October 2020

¹² [Ministry of Defence press release](#), 19 September 2020

¹³ [Ministry of Defence press release](#), 3 June 2011

¹⁴ *ibid*

I do not tell my friends or my neighbours that I'm working in the role that I'm doing because it is a threat to me and my family. Someone I know may have a relation with the enemy, the Taliban.

It worries me, but we have to do it because the troops are here to support our country and we have to help them. They are putting their lives in danger to help us, so we should help them.¹⁵

¹⁵ [Ministry of Defence press release](#), 3 June 2011

2 Ex-gratia redundancy and resettlement policy

In 2012 UK forces began a gradual drawdown from Afghanistan. A smaller UK military footprint was acknowledged as requiring fewer locally employed civilians and in June 2013 the Government announced a redundancy scheme comprising “a generous package of training and support”.¹⁶

Announcing the scheme, then Defence Secretary Philip Hammond said that “Without them, the UK’s contribution to the international mission would not have been possible” and that “the future of Afghanistan lies in the hearts and minds of such people, who have done so much to move their country forward”. As such, he confirmed that the Government:

want to encourage local staff to stay in Afghanistan and to use their skills and knowledge to make it stronger, better able to meet the challenges ahead and to seize the opportunities.¹⁷

The redundancy scheme offered locally employed Afghans two options:

1. Up to five years of training or education in Afghanistan, in a subject of their own choosing and a living stipend for the full period of training based on their final salary.
2. A financial severance payment, representing 18 months’ salary, to be paid in monthly instalments.

To be eligible for the scheme, local staff had to be in post working directly for the UK Government on 19 December 2012, when the drawdown of UK forces was announced, and had to have served more than 12 months.

The MOD confirmed that “Those whose employment ended before this date, and those whose employment was ended voluntarily or for disciplinary reasons will not be eligible”.¹⁸

However, the Government also acknowledged that some local staff, including interpreters, had worked in “particularly dangerous and challenging roles in Helmand” and that in recognition of “this unique and exceptional service to the United Kingdom, these local staff and their immediate families will be offered a third option – resettlement in the UK”.¹⁹

¹⁶ [Ministry of Defence press release](#), 4 June 2013

¹⁷ [Written Statement, 4 June 2013](#), c88WS

¹⁸ *ibid*

¹⁹ *ibid*

To be eligible for resettlement, in addition to the scheme's general criteria, locally employed civilians "must have routinely worked in dangerous and challenging roles in Helmand outside protected bases". The MOD also confirmed that:

Seriously injured staff, who might have qualified had their employment not been terminated due to injuries sustained in combat, are also included. Local staff who were contracted by the UK, but who mostly worked for Danish or Estonian forces and who meet the criteria above, are also eligible. This approach has been agreed with the Danish and Estonian Governments.²⁰

At that time, it was estimated that around 1,200 local staff would qualify for a redundancy package, and around half of those people would be eligible for resettlement, should they so choose.²¹

By the end of December 2017, all local staff had been made redundant.²²

2.1

Intimidation policy

In April 2021 the Intimidation Policy was replaced by the Afghan Relocations and Assistance Policy

Separate to the redundancy package, the Government also recognised its "obligations to any local staff who face real threats to their safety or that of their immediate family as a result of their service to the UK".²³

The Ministry of Defence confirmed that the Government's existing [intimidation policy](#), first established in 2010, would remain in place for any current or former local staff "who have been employed directly by the UK government in Afghanistan since 2001, from the first day of their employment, regardless of their role, job or length of service".²⁴

Under this policy various support measures were available to local staff, including funded relocation within Afghanistan, and in the most serious of cases, relocation to the UK. MOD guidance stated:

Relocation to the UK is only provided in the most serious cases, where there is a significant and imminent threat to safety and all other measures have been exhausted and/or UK relocation is the only way to mitigate the threat to you.²⁵

²⁰ [Written Statement, 4 June 2013](#), c88WS

²¹ [Ministry of Defence press release](#), 4 June 2013

²² PQ 127343, [Afghanistan: Interpreters](#), 20 February 2018

²³ [Written Statement, 4 June 2013](#), c88WS

²⁴ Ministry of Defence, [Supporting locally employed staff in Afghanistan](#)

²⁵ Ministry of Defence, [Supporting locally employed staff in Afghanistan](#)

The policy was administered by a dedicated in-country team, the Intimidation Investigation Unit.²⁶

2.2

Criticisms of the scheme

There was widespread criticism of the ex-gratia scheme and the Government's implementation of the Intimidation Policy.

The criteria for eligibility were labelled as "arbitrary" by MPs, Peers and ex-military chiefs. The failure to take into account those who may have resigned because of safety fears and the focus of the intimidation policy on relocation within Afghanistan were called into question. Many reports in the media went so far as to accuse the Government of abandoning Afghan interpreters to face reprisals from the Taliban.²⁷

In response to such criticisms, then Defence Secretary, Penny Morduant, stated in 2015:

These policies were designed in consultation with other ISAF allies and the Afghan Government to ensure that we recognised the efforts of our local staff, while enabling them to continue to contribute to a brighter future for them and their families in Afghanistan. Indeed, the Afghan Government was keen to see these locally employed staff staying in the country to contribute to its future.²⁸

The Ministry of Defence also called such claims "completely erroneous" and reiterated that "the intimidation policy, which allows for relocation to the UK is open to all, irrespective of date".²⁹

On 8 July 2015 the High Court rejected a challenge to the scheme brought by two Afghan interpreters. Their application for a judicial review of the scheme argued it was unfair and unlawful because of the necessity of being employed on 19 December 2012, and not prior to that date, and because it was not comparable to the scheme offered to Iraqi interpreters in 2007.

The High Court ruled, on the substantive point, that as the provisions of the Equality Act did not extend beyond the United Kingdom, there was no basis

²⁶ The UK is the only coalition member state that has a dedicated team based in Afghanistan.

²⁷ See for example 'Britain owes a lot to its Afghan interpreters', *Daily Telegraph*, 30 August 2015. See also House of Lords debate: Conflict zones: protection of interpreters and translators, 18 March 2015, c1103-20

²⁸ Ministry of Defence, Defence in the Media Blog, 19 August 2015

²⁹ HMG Policy on Afghan Interpreters - Defence in the media (blog.gov.uk), August 2015

upon which the Afghan schemes could be ruled illegal. The High Court ruling was upheld by the Court of Appeal in May 2016.³⁰

Some former interpreters who were unable to satisfy the eligibility requirements for the ex-gratia scheme have travelled independently to the UK and subsequently claimed asylum. There have been some high-profile examples of former interpreters having been initially refused asylum (it is not always possible to confirm the final outcome).³¹ The website of the Sulha Alliance (a group campaigning for the rights of Afghan former interpreters) includes some [examples of cases](#) where its members provided expert evidence in support of successful appeals against refusal decisions involving Afghan former interpreters.

In answer to a question in the House of Lords in May 2016, Minister Earl Howe confirmed that the Government believed it was fulfilling its obligations with regard to Afghan interpreters:

The Government are doing all they reasonably can to help our former interpreters, in addition to our legal obligations under the refugee convention. It is completely wrong to say that treatment has been unfair; we fully accept that we have a responsibility to those who have worked for British forces in conflict zones. We owe them our gratitude and support, and that is why we have offered a redundancy relocation option that does not require local staff to prove that they are at risk, unlike the schemes in other countries. We have an intimidation policy that allows for relocation to the UK, and that scheme is open to anyone who has worked for us.³²

He also pointed out in a letter to Lord Ashdown new measures that had been introduced by the Government to ensure that the policy was working properly:

- An audit of past cases by an independent barrister
- A periodic review of the policy
- An Intimidation Policy Assurance Committee to provide an independent review of the process
- An email address for those concerned about intimidation of any former Afghan employee.³³

In 2017 and 2018 the Defence Select Committee [examined the ex-gratia scheme and the intimidation policy](#). In its report the Committee concluded:

³⁰ The differences between the Iraqi scheme and the Afghan scheme were examined by the Defence Committee in their report [Lost in translation? Afghan interpreters and other locally employed civilians](#), HC572, Session 2017-19

³¹ The Independent, '[Afghan interpreters still threatened with deportation despite government suggesting they could stay](#)', 5 May 2018

³² [HL deb 05 May 2016, cc1516-8](#)

³³ [Letter from Earl Howe to Lord Ashdown](#), 12 May 2016

Despite criticisms of the Scheme for its cut-off date, it has been generous and proportionate in allowing former interpreters and other LECs [locally employed civilians] to settle in the United Kingdom.

However, we recommend that the MoD should still examine whether to extend the in-country options of this Scheme to former LECs who left service before 19 December 2012.³⁴

With respect to the intimidation policy, however, the report went on to state:

It is impossible to reconcile the generosity of the Redundancy Scheme with the utter failure of the Intimidation Scheme to relocate even a single LEC to the United Kingdom. This incompatibility of outcomes leads us to question whether the Afghan Government—which has played an important role in shaping the Scheme—is simply unwilling to admit that the country is too dangerous to guarantee the safety of former interpreters and other LECs.

The ‘no brain drain’ argument, which has dominated UK-Afghan intergovernmental working on the Intimidation Scheme, is [also] completely disingenuous.³⁵

2.3

Revision of the ex-gratia scheme

The ex-gratia scheme will run until November 2022 and operate alongside the Afghan Relocations and Assistance Policy.

In 2018 the Government acknowledged that the eligibility criteria for resettlement in the UK were inadequate. Subsequently the date of employment applicable to relocation was extended.

Under the revised scheme individuals could be eligible for relocation if they had been made redundant on, or after, 1 May 2006³⁶ and had 12 months or more of continuous service on the frontline in Helmand province. Those individuals medically discharged because of injury arising from action whilst on operations during this timeframe were also eligible.³⁷

The extension did not apply, however, to the training and financial support elements of the scheme. It also did not apply to those individuals who were dismissed from employment.

The Government highlighted this change in its response to the 2018 Defence Select Committee report, confirming:

³⁴ Defence Committee, [Lost in translation? Afghan interpreters and other locally employed civilians](#), HC572, Session 2017-19, summary

³⁵ Defence Committee, [Lost in translation? Afghan interpreters and other locally employed civilians](#), HC572, Session 2017-19, summary

³⁶ Reflecting the date on which the UK took command of the southern provinces in Afghanistan.

³⁷ [Letter from the Secretary of State to the Chair of the Defence Committee](#), 9 October 2018

The Government continues to keep under review the policies and the qualifying criteria, amending where we feel it is appropriate and correct to do so in the light of any changes to the security situation in Afghanistan. ³⁸

In October 2020 the Ministry of Defence and the Home Office made further amendments to the ex-gratia scheme. The revised scheme now allows for any locally employed civilian who resigned on, or after, 1 May 2006 and had 12 months or more of continuous service in the frontline in Helmand province to apply for relocation. ³⁹

The amendment addressed previous criticisms that local Afghans who had resigned over safety concerns were not eligible for the scheme as it was initially introduced.

The Ministry of Defence estimated that over 100 former translators were expected to be eligible to come to the UK under the expanded scheme. ⁴⁰

The Department has sought to reiterate that the ex gratia scheme remains distinct from the Intimidation Policy/ ARAP (see below) which remains “open to all our former local staff in Afghanistan, irrespective of date, role or length of service, and it will always move with the threat”. ⁴¹

2 Further reading

- Ministry of Defence, [Afghanistan Locally Employed Staff Ex Gratia Scheme: further information on eligibility criteria and offer details](#), updated 15 January 2021

³⁸ Defence Committee, [Lost in Translation? Afghan Interpreters and Other Locally Employed Civilians: Government Response to the Committee's Fifth Report](#), HC1568, Session 2017-19

³⁹ The previous intention had been to introduce continuous service of 18 months or more.

⁴⁰ [Ministry of Defence press release](#), 22 October 2020

⁴¹ [Deposited Paper 2020-0590](#), 8 October 2020

3

Afghan Relocations and Assistance Policy (ARAP)

Changes in the security environment in Afghanistan prompted the Government to announce a new scheme in December 2020 that would replace the intimidation policy.

Whereas the previous policy only provided for relocation to the UK “in the most serious cases”, the [Afghan Relocations and Assistance Policy](#):

offer[s] relocation to current and former employees such as embassy support staff, those in political or counter-terrorism roles, or cultural advisors who could face threats related to their occupation.⁴²

Under the scheme any individual “facing imminent risk” such as intimidation or threat to life will be offered “priority relocation regardless of their employment status, rank or role, or length of time served”.⁴³

However, when the scheme was first introduced relocation was not offered to those individuals who were dismissed from employment,⁴⁴ a decision which was widely criticised.⁴⁵ In an open letter to the Prime Minister on 27 July 2021, several ex-military chiefs and veterans called on the Government to review this decision:

‘The current policy discriminates against the 35 per cent of staff dismissed from service for various reasons without any due process or ability to appeal their dismissal. We urge the Government to amend the policy so that all former interpreters are offered the chance to be resettled to the UK unless it is proven that they have committed such an offence that constitutes a threat to national security.’⁴⁶

They went on to express the opinion that “‘If any of our former interpreters are murdered by the Taliban in the wake of our withdrawal, the dishonour would lay squarely at our nation's feet”.⁴⁷

⁴² Ministry of Defence press release, 29 December 2020

⁴³ *ibid*

⁴⁴ Ministry of Defence, [Afghan relocations and assistance policy: further information on eligibility criteria and offer details](#), updated 4 June 2021. For figures see PQ101279, [Afghanistan: interpreters](#), 14 October 2020

⁴⁵ See for example: [“Afghan interpreters rejected for resettlement fear death after UK exit”](#), BBC News, 27 April 2021

⁴⁶ [“General’s fury as UK snubs 130 heroic Afghan translators”](#), The Daily Mail, 27 July 2021

⁴⁷ *Ibid*

Under the initial scheme applications were also only considered from people based in Afghanistan. The Government did concede at the time that it “will always consider exceptionally compelling and compassionate circumstances on a case-by-case basis, as demonstrated by a recent relocation from a third country”.⁴⁸

The ARAP operates a tiered approach, whereby:

- High risk local staff who face “imminent threat” will be relocated urgently.
- Local staff who are “in the public eye” and could be at risk as the security situation evolves, will be relocated to the UK on a “routine basis”.
- Those individuals who are not eligible for relocation to the UK will be offered other support such as security advice and relocation within Afghanistan.⁴⁹

The scheme was implemented on 1 April 2021.⁵⁰ It will operate alongside the ex-gratia scheme until November 2022, after which time the ARAP will become the sole relocation scheme relating to locally employed civilians in Afghanistan. It will be administered by a new Afghan Threat and Risk Evaluation Unit in the British Embassy in Kabul and is intended to operate indefinitely.⁵¹

3 Further reading

- Ministry of Defence, [Afghan relocations and assistance policy: further information on eligibility criteria and offer details](#), updated 24 November 2021 (previous version 4 June 2021)

⁴⁸ PQ10391, [Afghanistan: home country nationals](#), 9 June 2021

⁴⁹ [Ministry of Defence press release](#), 29 December 2020

⁵⁰ The Intimidation Policy closed on 31 March 2021.

⁵¹ Ministry of Defence, [Afghan relocations and assistance policy: further information on eligibility criteria and offer details](#), updated 4 June 2021

3.1

The impact of coalition withdrawal from Afghanistan

Shortly after the ARAP came into force, US and coalition forces announced their withdrawal from Afghanistan by September 2021.

Over the last few months US and coalition countries have been drawing down their forces. [The US withdrawal is more than 95 per cent complete](#) and will be concluded on 31 August 2021. The majority of NATO forces have withdrawn, and in a statement on 8 July 2021 the Prime Minister confirmed that “all British troops assigned to NATO’s mission in Afghanistan are now returning home” and that “most of our personnel have already left”.⁵²

The withdrawal of international forces has, however, been accompanied by an escalation in violence as the Taliban has launched a major offensive against Afghan government forces. Since mid-July 2021 Taliban forces have taken a number of [strategic supply roads and several border crossings](#) with Iran, Tajikistan, Pakistan and Turkmenistan and captured all of the countries’ provincial capitals. On 15 August the Taliban captured Kabul and the Afghan President, Ashraf Ghani, left the country.⁵³

Thousands of Afghan civilians have fled their homes, and [hundreds of civilians have been killed](#).⁵⁴

Acceleration of the ARAP

The evolving security situation on the ground increased concerns for those locally employed civilians, and their families who remain in Afghanistan.

On 1 June 2021 the UK Government announced that applications through the ARAP would be expedited. Announcing acceleration of the scheme, the Defence Secretary, Ben Wallace, stated:

We owe a debt of gratitude to our interpreters and other locally employed staff who risked their lives working alongside UK forces in Afghanistan.

We have always made clear that nobody’s life should be put at risk because they supported the UK Government to promote peace and stability in Afghanistan.

As we withdraw our Armed Forces, it is only right we accelerate the relocation of those who may be at risk of reprisals.

⁵² [HC Deb 8 July 2021](#), c1104

⁵³ <https://www.facebook.com/ashrafghani.af>

⁵⁴ The security situation in Afghanistan is examined in greater detail in House of Commons Library paper: [Withdrawal of military forces in Afghanistan: will it bring peace?](#)

The Home Secretary and I are going to do everything to make sure we recognise their services and bring them to safety. It is the right thing to do. ⁵⁵

The Government also stated its intention to “review our plans should there be a rapid deterioration in the security situation in Afghanistan”. ⁵⁶

In their letter to the Prime Minister of 27 July 2021 the ex-military chiefs criticised the number of applications that had been rejected thus far, arguing that the eligibility for the scheme continued to be too onerous and called for the policy to be “reviewed again immediately, to ensure more are given sanctuary”. ⁵⁷

The Government’s decision reflected that of the United States which announced earlier in 2021 that its Special Immigration Visa (SIV) programme would be accelerated. ⁵⁸ In addition to speeding up the application process, in early July 2021 the US administration also confirmed that existing applicants for the SIV programme who are considered at risk would now be relocated to military facilities in the United States, or to a third country, while their applications are processed.

4 The US Special Immigration Visa programme

There are two legislative schemes that allow locally employed civilians to obtain a visa to relocate to the United States.

- [Special Immigrant Visas \(SIVs\) for Iraqi and Afghan translators/interpreters](#) – a permanent scheme which offers up to 50 visas a year for Iraqi or Afghan nationals who have worked with the US military as a translator or interpreter for at least 12 months.
- [Special Immigrant Visas for Afghan Nationals who were employed by/on behalf of the US Government](#) - established by the Afghan Allies Protection Act 2009. To be eligible an individual must be an Afghan national and have been employed in Afghanistan by, or on behalf of, the US government or by ISAF/ Resolute Support in support of US military forces, for at least two years between 7 October 2001 and 31 December

⁵⁵ [Ministry of Defence press release](#), 1 June 2021

⁵⁶ [HL Deb 6 July 2021](#), c1158

⁵⁷ [“General’s fury as UK snubs 130 heroic translators”](#), The Daily Mail, 27 July 2021

⁵⁸ A number of bipartisan bills have been introduced into Congress that will amend the Afghan Allies Protection Act 2009 and speed up the application process.

2022. Applicants must be able to demonstrate experience of an ongoing serious threat as a consequence of their employment.⁵⁹

The process has 14 different steps and takes on average two years to complete.⁶⁰

In December 2020 Congress authorised an additional 4,000 SIV, resulting in a total of 26,500 visas available.

To 31 March 2021, and prior to the acceleration of the scheme, a total of 15,641 visas had been issued.⁶¹ Under current legislative provisions, the programme will end when all visas have been issued.

At a press briefing on 14 July 2021, White House Press Secretary, Jen Psaki, announced Operation Allies Refuge, and confirmed that relocation flights would begin in the last week of July. The intention is “to get individuals who are eligible relocated out of the country in advance of the removal — of the withdrawal of troops at the end of August”.⁶²

President Biden said “our message to those women and men is clear: There is a home for you in the United States if you so choose, and we will stand with you just as you stood with us”.⁶³

The US decision has led to calls from campaign groups such as Human Rights Watch, for other coalition nations to follow suit.⁶⁴

In early June 2021 the Taliban issued a statement suggesting that interpreters and others who worked for coalition forces had nothing to fear, if “they show remorse”.⁶⁵ Many Afghans who assisted coalition forces remain sceptical, however, and continue to fear Taliban reprisals.⁶⁶ Taliban fighters are

⁵⁹ Changes to the programme over the last ten years are examined by the US Congressional Research Service: [Iraqi and Afghan Special Immigrant Visa Programs](#), 21 June 2021

⁶⁰ US State Department, [Status of the Afghan Special Immigrant Visa Program: Quarterly Report](#), April 2021

⁶¹ US State Department, [Status of the Afghan Special Immigrant Visa Program: Quarterly Report](#), April 2021

⁶² [White House press briefing](#), 14 July 2021

⁶³ [Remarks by President Biden on the drawdown of US forces in Afghanistan](#), 8 July 2021

⁶⁴ See [Human Rights Watch](#): “The US and allies have a duty to Afghan interpreters”, Financial Times Editorial, 4 July 2021 and “[Australia says it won’t put Afghans who helped its military on evacuation flights](#)”, SBS News, 16 July 2021

⁶⁵ “[Taliban demands remorse from fearful Afghan interpreters](#)”, Al Arabiya, 7 June 2021

⁶⁶ “[We will find you and we will kill you: Afghan interpreters face threats as US plans mass evacuation](#)”, CBS News, 30 June 2021

reported to have been conducting house to house searches looking for former coalition employees and have executed a number of former interpreters.⁶⁷

3.2 Revisions to the ARAP (summer 2021)

In response to concerns raised, the Government announced a series of changes to the ARAP at the beginning of August 2021. These were reflected in policy guidance rather than the Immigration Rules.

Dismissed personnel

The most significant of those changes was the decision to change the eligibility rules relating to locally employed civilians who were dismissed from service.

Under the new policy those individuals were no longer excluded from relocation to the UK provided that the reason for their dismissal from employment was a minor administrative offence. The MOD clearly states that:

we will continue to exclude those whose dismissal was based on serious security concerns at the time, often due to links with the Taliban, as well as those whose dismissal was for offences that constitute a crime under UK laws, such as sexual harassment or sexual assault, violent assault on British troops or fellow LES, theft, and drug abuse. We also exclude those whose dismissal was for non-criminal but serious offences, including breaches of operational security and aggression towards British or Afghan troops.⁶⁸

As the Defence Secretary set out:

The Government has a duty to protect the security of the UK and its citizens, and it would be wrong to make a blanket offer of sanctuary to those who may have committed offences that would be crimes in the UK or pose a security threat to this country.⁶⁹

The Defence Secretary was reviewing the cases of individuals dismissed for non-criminal offences who were rejected for relocation, to ensure that “ministers are content with the justification for those decisions”.⁷⁰

⁶⁷ “Taliban going door to door to hunt down Afghan interpreters”, The Daily Telegraph, 3 August 2021. See also “Afghan interpreter for US Army was beheaded by Taliban. Others fear that they will be hunted down too”, CNN, 23 July 2021 and “[Afghanistan: threats of Taliban atrocities in Kandahar](#)”, Human Rights Watch, 23 July 2021

⁶⁸ Ministry of Defence, [A letter from the Home Secretary and the Defence Secretary](#), 3 August 2021

⁶⁹ *ibid*

⁷⁰ *ibid*

Additional changes

In addition to the changes related to dismissed personnel:

- Interpreters who supported military operations as contractors became eligible for relocation.
- Locally employed civilians and their family members became able to apply for relocation to the UK from outside Afghanistan, either now or in the future.⁷¹

Previous Immigration Rules specified that applications for leave to enter the UK under the ex-gratia or ARAP schemes must be made whilst the applicant is in Afghanistan.⁷² Some former interpreters have fled to third countries due to fears of persecution in Afghanistan and consequently have had difficulties accessing relocation in the UK.

Changes to the Immigration Rules were expected to be introduced in the Autumn, although the policy changes took effect immediately.⁷³

3.3

Evacuation from Afghanistan

The UK Government consistently maintained that it would review its plans for the ARAP scheme should there be “a rapid deterioration in the security situation in Afghanistan”.⁷⁴

On 12 August the Ministry of Defence confirmed that 600 military personnel would deploy to Afghanistan to assist in the evacuation of diplomatic staff and other British nationals in the country and to assist with the acceleration of the ARAP scheme:

UK troops will provide force protection and logistical support for the relocation of British nationals where required and assist with the acceleration of the Afghan Relocation and Assistance Policy (ARAP). This will help to make sure interpreters and other Afghan staff who risked their lives working alongside UK forces in Afghanistan can relocate to the UK as soon as possible.⁷⁵

The MOD went on to state:

In the coming days UK Government will further accelerate work on this scheme to ensure those who are eligible go through the

⁷¹ This also applies to eligible locally employed staff who are already in the UK: Home Office, [Afghan Locally employed staff – relocation schemes](#), v3.0, 1 September 2021, p. 4

⁷² Home Office, [Immigration Rules, para 276BB1](#)

⁷³ Ministry of Defence, [A letter from the Home Secretary and the Defence Secretary](#), 3 August 2021

⁷⁴ [HL Deb 6 July 2021](#), c1158

⁷⁵ [Ministry of Defence press release](#), 12 August 2021

necessary security checks and have the required documentation to travel to the UK.⁷⁶

A core team of diplomatic staff remained in Afghanistan to continue the roll-out of the ARAP.⁷⁷

The Government has said that over 15,000 British nationals and Afghans were evacuated from Afghanistan over the course of the August 2021 evacuation operation.⁷⁸ That figure includes over 8,500 people under the ARAP scheme.⁷⁹

The operation ('Operation Pitting') ended before it had evacuated all eligible cases. There is uncertainty over the number of British and Afghan nationals still in Afghanistan who are eligible for repatriation/relocation in the UK. The Government has confirmed that it is in talks with the Taliban to secure safe passage out of Afghanistan for British nationals and eligible Afghans.⁸⁰

3.4

Changes to ARAP Immigration Rules (December 2021)

Statement of changes to the Immigration Rules [HC 913](#) was laid on 14 December and came into effect on the same day. All ARAP applications decided on or after 4pm on 14 December will be considered under the amended rules (regardless of whether applications had been received beforehand).

Changes affecting eligibility for relocation under ARAP scheme

The changes put more detailed information about the eligibility criteria for ARAP cases into the Immigration Rules. Previously, some of the scheme's details had only been set out in policy guidance, and the Immigration Rules did not reflect some extensions announced over summer 2021.

The Government intends that the changes made by HC 913 will provide greater clarity over the eligibility criteria for ARAP cases and ensure consistent decision-making across different Government departments.⁸¹

What has changed?

The new wording of the rules has been described as narrowing the grounds on which cases qualify for relocation under ARAP. Paragraph 7.4 of the

⁷⁶ *ibid*

⁷⁷ *ibid*

⁷⁸ MoD, [Twitter](#), 28 August 2021

⁷⁹ Home Office, [Twitter](#), 30 August 2021

⁸⁰ BBC News, [Afghanistan: UK and Taliban in talks over further evacuations](#), 1 September 2021

⁸¹ HC 913, Explanatory Notes, para 7.3

[Explanatory Memorandum](#) accompanying HC 913 confirms that “The updated ARAP policy will be narrower than that applied previously including during Operation Pitting in August 2021, insofar as the Rules will limit eligibility to those who furthered the UK’s military and national security objectives.”

Previous rules and policy guidance

[Ministry of Defence policy guidance](#) (as per 24 November 2021 update) provided some detail about each category eligible for relocation in the UK:

Category 1

The cohort eligible for urgent relocation comprises of those who are assessed to be at high and imminent risk of threat to life.

Category 2

The cohort eligible for relocation by default comprises of those who were employed by HMG in exposed meaningful enabling roles. Or those who were contracted to provide linguistic services in support of the UK Armed Forces.

1. Exposed meaningful enabling roles are roles that made a material difference to the delivery of the UK mission in Afghanistan, without which operations would have been adversely affected, and that exposed LES to public recognition in performance of their role, leaving them now at risk due to the changing situation in Afghanistan.
2. Examples of such roles are patrol interpreters, cultural advisors, certain embassy corporate services, and development, political and counter-terrorism jobs, among others. This is not an exhaustive list, nor are all those who worked in such roles necessarily eligible by default.
3. LES dismissed from employment are excluded from relocation by default, unless in exceptional circumstances on a case-by-case basis, without prejudicing their right to other forms of assistance under the scheme.

(...)

Category 4

The cohort eligible for assistance on a case-by-case basis are those who worked in meaningful enabling roles alongside HMG, in extraordinary and unconventional contexts, and whose responsible HMG unit builds a credible case for consideration under the scheme (in some cases this includes people employed via contractors to support HMG defence outcomes).

Where relocation is offered to Category Four individuals, circumstances dictate whether it is urgent or routine, as assessed by the ARAP team.

Paragraph 276BB1 of the [previous version](#) of the Immigration Rules reflected the three categories eligible for relocation, but it did not specify their underlying eligibility criteria:

(iv) if applying on the basis of the Relocations and Assistance Scheme:

(...)

c) qualifies under one of the following categories:

i) imminent risk to life; or

ii) eligible for relocation; or

iii) special cases; and

d) if applying because they qualify under c) ii) above, is or was employed in an exposed, meaningful or enabling role that made a substantive, material difference to the delivery of the UK mission in Afghanistan and without which operations would have been adversely affected;

e) and has been determined by the Secretary of State as being in need of relocation to the UK;

The new Immigration Rules

In the [Immigration Rules as amended by HC 913](#), paragraph 276BB1 has been replaced. See:

- Paragraph 276BB3 for the qualifying criteria for Category 1 (high risk) cases:

276BB3. A person falls within this paragraph if:

(i) the person was at any time on or after 1 October 2001 directly employed in Afghanistan by a UK government department; and

(ii) because of that employment, there is a high and imminent risk of a threat to the person's life.

- Paragraph 276BB4 for the qualifying criteria for Category 2 (default) cases:

276BB4. A person falls within this paragraph if:

(i) at any time on or after 1 October 2001, the person:

(a) was directly employed in Afghanistan by a UK government department; or

(b) provided linguistic services to or for the benefit of members of the UK's armed forces in Afghanistan under contract to a UK government department (whether as, or on behalf of, a party to the contract); and

(ii) the nature of the role in which the person was employed was such that the UK's operations in Afghanistan would have been materially less efficient or materially less successful if a role or roles of that nature had not been performed; and

(iii) the nature of the role exposed the person to being publicly recognised as having performed that role; and

(iv) as a result of that public recognition, the person's safety is at risk.

- Paragraph 276BB5 for the qualifying criteria for Category 4 (special) cases:

276BB5. A person falls within this paragraph if the person meets conditions 1 and 2 and one or both of conditions 3 and 4. For the purposes of this paragraph:

(i) condition 1 is that at any time on or after 1 October 2001, the person:

(a) was directly employed in Afghanistan by a UK government department; or

(b) provided goods or services in Afghanistan under contract to a UK government department (whether as, or on behalf of, a party to the contract); or

(c) worked in Afghanistan alongside a UK government department, in partnership with or closely supporting and assisting that department;

(ii) condition 2 is that the person, in the course of that employment or work or the provision of those services, made a substantive and positive contribution towards the achievement of:

(a) the UK government's military objectives with respect to Afghanistan; or

(b) the UK government's national security objectives with respect to Afghanistan (and for these purposes,

the UK government's national security objectives include counter-terrorism, counter-narcotics and anti-corruption objectives);

(iii) condition 3 is that because of that employment, that work or those services, the person:

(a) is or was at an elevated risk of targeted attacks;
and

(b) is or was at high risk of death or serious injury;

(iv) condition 4 is that the person holds information the disclosure of which would give rise to or aggravate a specific threat to the UK government or its interests.

Changes affecting dependant family members

The eligibility criteria for dependant family members have been widened, by removing the requirement that dependant family members also be Afghan nationals. Previously, households including non-Afghan nationals could not be relocated under ARAP.

The rule changes also clarify that dependant family members are only eligible under ARAP if the main applicant is. The Government says that this has always been the policy intention, but that it has not been explicitly provided for in the rules.

4 Relocation in the UK: immigration considerations

4.1 Immigration Rules requirements

Locally employed civilians' eligibility for the ARAP or ex-gratia scheme is assessed by the Government department responsible for their employment.

People assessed as eligible for one of the schemes and offered relocation in the UK must then apply for immigration permission to come to the UK.

UK Visas and Immigration, a part of the Home Office, is responsible for assessing the visa application. [Part 7 of the Immigration Rules](#) (paragraphs 276BA1 – 276BD1) set out the requirements for granting, refusing, and cancelling entry clearance for people assessed as being eligible for relocation under the ex gratia scheme or ARAP. Paragraphs 276BC1- 276BD1 specify grounds for refusing applications or curtailing a previous grant of leave to enter. Grounds for refusal or cancellation relate to character, conduct and public security considerations.

What immigration status is given?

The original policy was to give successful applicants five years' limited leave (i.e., temporary permission) to stay in the UK. At the end of the five years they could apply for indefinite (i.e. permanent) permission to stay (subject to satisfying certain requirements concerning criminal convictions etc).⁸² Applications for limited or indefinite leave were free of charge for ex gratia and ARAP scheme beneficiaries.

On 1 September 2021 the Government announced a policy change.⁸³ People relocated in the UK under the schemes for locally employed Afghans are now given indefinite leave to remain immediately. The Government has explained that “this will give Afghans the certainty and stability to rebuild their lives.”⁸⁴ People who have already been given limited leave can apply to convert their immigration status free of charge.

⁸² Home Office, [Immigration Rules, para 276BS2-4, last updated 2 July 2021](#)

⁸³ GOV.UK, Press release, [‘Operation Warm Welcome’ underway to support Afghan arrivals in the UK](#), 1 September 2021. The change was formalised by [HC 617](#).

⁸⁴ Ibid.

Family members

Afghan interpreters' pre-existing partner and minor dependent children can be included in the application for limited leave to enter the UK.

Paragraphs 276BE1 – 276BS5 of the Immigration Rules specify the grounds for granting, refusing and cancelling leave as the dependant of an Afghan citizen offered relocation in the UK.

- **“Partner”** means the main applicant’s spouse or civil partner or someone who has been living together with the main applicant in a relationship akin to marriage/civil partnership for at least two years prior to the date of application. ⁸⁵
- **“Minor dependent child”** means the child of the interpreter or their partner who was under 18 on 19 December 2012, is not married or in a civil partnership, has not formed an independent family unit and is not leading an independent life. ⁸⁶

Until April 2019 the Immigration Rules did not allow pre-existing family members to travel to the UK separately from the lead applicant. Rather, they could only be granted limited leave to enter under these rules if they travelled to the UK at the same time as the lead individual.

If a family member could not travel with the lead applicant, they had to apply in a different immigration category to join them later. Typically, that would have meant applying for a family visa, which has significantly more onerous eligibility criteria (discussed further below).

Under the amended rules, the Afghan interpreter must include details of all dependants seeking relocation in their application, including details of people intending to relocate after them. ⁸⁷

The change was intended to make it easier for family members of Afghan interpreters to join them in the UK. ⁸⁸ However, the amended rules on dependants continued to be criticised because they exclude relationships/marriages that began after relocation.

The Daily Mail has been running a [‘Betrayal of the Brave’ campaign](#) in support of Afghan interpreters. It has highlighted the cases of several women who were engaged but not yet married when the relocation offer was made and so are unable to join their husbands in the UK. The women are reportedly

⁸⁵ [Home Office, Immigration Rules, para 276BK1-2](#)

⁸⁶ [Home Office, Immigration Rules, para 276BP1](#)

⁸⁷ [Home Office, Immigration Rules, para 276BG1](#)

⁸⁸ Home Office Press Release, [Afghan interpreters to be able to bring their family to the UK](#), 7 March 2019

preparing a judicial review challenge to the refusal to grant them entry to the UK.⁸⁹

Home Office policy guidance, published on 1 September, addressed the issue:

Marriage after relocation

(...) Where people choose to marry or start a relationship after relocating to the UK, their partner will not be eligible to relocate to the UK under either of the relocation schemes. They can instead choose to apply to come to the UK under the Immigration Rules, or apply under the additional dependents guidance to be considered on an exceptional basis outside the Immigration Rules. They would need to apply for leave to enter at the nearest Visa Application Centre and meet the relevant requirements of the Rules or demonstrate exceptional circumstances to justify granting leave to enter outside the Immigration Rules.

Additional family members: exceptional circumstances

For those cases where the LES would like additional family members to relocate with them due to exceptional circumstances related to the level of risk or the level of dependency, the guidance on ARAP - additional family members must be followed. An applicant must provide sufficient evidence to demonstrate that such exceptional reasons exist to warrant a grant of leave on an exceptional basis.⁹⁰

The Home Office has published additional guidance on the eligibility of additional family members which sets out the position in more detail:

The employing department must include a summary of why they believe leave outside the rules is appropriate including the reasons for the conclusion they have reached.

It is the responsibility of the applicant and dependant to provide sufficient evidence to demonstrate that they are related as claimed.

Key factors when assessing suitability for leave outside the rules (LOTR) include the proximity of the family relationship, the family circumstances of the individuals involved (including the nature and extent of any dependency) and the way in which the LES employment has led to any risk to the family member and what those risks are judged to be.

Documents produced to demonstrate any risk faced by additional family members as a result of the LES employment must be assessed

⁸⁹ Daily Mail, [‘Agony of the Afghan translators’ wives abandoned by Britain](#), 16 July 2021

⁹⁰ Home Office, [Afghan Locally employed staff – relocation schemes](#), v3.0, 1 September 2021, p. 16-17

by the Afghan Threat and Risk Evaluation Unit (ATREU) in the British Embassy Kabul.

Once ATREU has reached a decision, each additional family member who is to be considered by UKVI under the exceptional criteria must complete an application form and have their biometrics taken. That information is then forwarded to UKVI along with copies of all supporting documents.

UKVI, upon receipt of the application, will then assess the request for additional family members to be included in the relocation in line with both the exceptional circumstances below and the guidance on leave outside the immigration rules. The final decision on whether additional family members can accompany an LES will be taken by UKVI, but they will be strongly guided by the initial assessment made by the employing department and ATREU.

Any decision by UKVI to include additional family members in the relocation must be agreed at senior caseworker level.⁹¹

5 Further reading

- Home Office, [Immigration Rules, Part 7, paras 276BA1 – 276BS4](#)
- Home Office, [Additional guidance on the eligibility of additional family members under the Afghan locally employed staff relocation schemes](#), v1.0, 4 June 2021
- Home Office, [Afghan Locally employed staff – relocation schemes](#), v3.0, 1 September 2021

4.2

The relocation process: local authority involvement

The Home Office is encouraging local authorities to participate in the relocation scheme.

Home Office policy guidance gives some information about how immigration applications are processed, the relocation process and the role of participating local authorities.⁹² Briefly, once a visa has been granted, the

⁹¹ Home Office, [Additional guidance on the eligibility of additional family members under the Afghan locally employed staff relocation schemes](#), v1.0, 4 June 2021

⁹² Home Office, [Afghan Locally employed staff – relocation schemes](#), v3.0, 1 September 2021

Home Office's resettlement team contact local authorities to source suitable accommodation and confirm an arrival date.

Participating local authorities receive funding to provide a 12-month integration support package. This includes help accessing education places for children, health services, National Insurance numbers, and access to mainstream welfare benefits. The Home Office's [funding instruction for local authorities 2021-22](#) has further details.

A December 2021 written answer from the Minister for Afghan Resettlement, Victoria Atkins, detailed the overall funding package for participating local authorities:

Councils who support people through the Afghan Citizens Resettlement Scheme (ACRS) or Afghan Relocations and Assistance Policy (ARAP) scheme will receive £20,520 per person, over 3 years, for resettlement and integration costs. Local councils and health partners who resettle families will also receive up to £4,500 per child for education, £850 to cover English language provision for adults requiring this support and £2,600 to cover healthcare.

A further £20 million of flexible funding will be made available to support local authorities with higher cost bases with any additional costs in the provision of services. In addition, the previously announced Afghan Housing Costs Fund will increase from £5 million to £17 million and run for 2 extra years to help local authorities provide housing and give certainty that funding will be available in the future.⁹³

Accommodation pressures

A key challenge for the Government (and local authorities) is sourcing appropriate accommodation. As a short-term expediency measure, some Ministry of Defence-owned houses have been leased to local authorities to use until appropriate longer-term properties can be found.⁹⁴ The Government established an [Afghanistan housing portal](#) through which property owners or organisations are able to register homes that may be available for at least 12 months, either on a commercial or charitable basis.

The volume and pace of arrivals increased significantly in August 2021 and most recently evacuated Afghans have been put in temporary “bridging” hotel accommodation whilst awaiting an allocation of more permanent housing.⁹⁵

Oral evidence from Victoria Atkins and senior government officials to the Home Affairs Committee in mid-November 2021 provided an update on

⁹³ [PQ UIN 84305](#), answered on 3 December 2021

⁹⁴ [HL Deb 6 July 2021 c1157](#)

⁹⁵ New arrivals [are also required](#) to spend 10 days in a managed quarantine hotel.

progress in securing local authority participation and issues relating to the use of hotel accommodation.⁹⁶

Operation Warm Welcome

A [Government press release](#) issued on 1 September gave some details about ‘Operation Warm Welcome’, the cross-government initiative to support Afghans’ effective integration in the UK.⁹⁷

Actions outlined in the press release which appear specifically related to people relocated under the ARAP scheme include:

- At least £12 million government funding to prioritise additional school places and provide school transport, specialist teachers and English language support
- Funding for up to 300 undergraduate and postgraduate scholarships for Afghans at UK universities
- Free English language courses for adult family members
- Provision of liaison offers to provide tailored support and help families to navigate access accommodation, school places, GP services, etc.
- £3 million additional NHS funding to enable ARAP arrivals to access healthcare and register with a GP after leaving quarantine
- £5 million finding for councils across the UK to support ARAP arrivals and provide a top up to help meet the cost of renting suitable properties
- Expanding the capabilities of [an existing online portal](#) through which members of the public can submit offers of assistance to Afghan arrivals

6 Further reading

- GOV.UK, Press release, [‘Operation Warm Welcome’ underway to support Afghan arrivals in the UK](#), 1 September 2021
- Ministry of Housing, Communities and Local Government, [A guide for arrivals to the UK from Afghanistan on the locally employed staff relocation scheme](#), 16 July 2021
- Home Office, [Fact Sheet for Local Authorities: The Afghan Locally Employed Staff Relocation Scheme](#), May 2021

⁹⁶ Home Affairs Committee, [Oral evidence: Afghanistan: safe routes and resettlement](#), HC 706, 17 November 2021

⁹⁷ GOV.UK, Press release, [‘Operation Warm Welcome’ underway to support Afghan arrivals in the UK](#), 1 September 2021

4.3

How many people have been relocated to the UK?

The Government has provided various snapshots of ex gratia and ARAP applications and relocations.

As at 3 August 2021, almost 2,800 former Afghan staff and their families had been relocated to the UK since 2014.⁹⁸ It is likely that most of these would have been ex gratia scheme cases.

On 12 August 2021 the Ministry of Defence confirmed that over 3,100 former Afghan staff and their families had relocated to the UK, “with more than 1,800 of them arriving over the last few weeks alone”.⁹⁹

ARAP cases

Between 1 April (the start of the ARAP scheme) and 15 August (the start of the Operation Pitting evacuation exercise), 3,946 valid applications had been made to the ARAP scheme.¹⁰⁰

There was a significant increase in the number of people relocated to the UK in August 2021 due to Operation Pitting. The Government originally indicated that over 8,500 people were evacuated by Operation Pitting as ARAP cases (main applicant and dependants).¹⁰¹ However it has since provided a more detailed breakdown of ARAP relocation figures which has significantly revised down that figure:¹⁰²

ARAP eligible principles, including some designated as Category 4, relocated by month are in the table below. This does not include families or dependants:

April	0
May	1
June	24
July	188
August (inc Op PITTING)	981
September	11

⁹⁸ Ministry of Defence, [A letter from the Home Secretary and the Defence Secretary](#), 3 August 2021

⁹⁹ [Ministry of Defence press release](#), 12 August 2021

¹⁰⁰ [PQ UIN 90874](#), answered on 15 December 2021

¹⁰¹ Home Office, [Twitter](#), 30 August 2021

¹⁰² [PQ UIN83241](#), answered on 7 December 2021

October	30
November	70
Total	1,305

The overall total of Afghans (including families and dependants) who have been relocated to the UK since April 2021 is:

Prior to Op PITTING	1,978
During Op PITTING	Approximately 5,000
Since Op PITTING	514

As at 7 December 2021, the Ministry of Defence had received over 90,000 applications to the ARAP scheme.¹⁰³ It has 84 personnel assigned to work on ARAP cases.¹⁰⁴

The Government has confirmed that the ARAP scheme will remain open indefinitely for those that qualify, and that there is no quota or cap on total numbers.

How many people previously identified for evacuation remain in Afghanistan?

311 ARAP eligible individuals who had been called forward during Operation Pitting were not been evacuated before the end of the operation. As at 10 December, 166 of those people remained in Afghanistan.¹⁰⁵ Some Afghans have been relocated to the UK from third countries.

¹⁰³ [PQ UIN 83388](#), answered on 7 December 2021

¹⁰⁴ [PQ UIN 88732](#), answered on 10 December 2021

¹⁰⁵ [PQ UIN 90876](#), answered on 15 December 2021

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