

## Background

1. [Afghanistan is in a humanitarian, displacement and refugee crisis](#). In the wake of the withdrawal of international troops from the country, the security and human rights situation has quickly deteriorated. The Taliban has taken control of an increasing number of districts, provincial capitals and now Kabul. The desperation of so many people and the chaos evident at Kabul Airport, in particular, conveys the searing reality of refugee flight. People have to make survival decisions, often life or death ones. Irregular routes are often the only way out of immediate danger. Unauthorised arrival is frequently the only way into countries of refuge, especially those with no safe routes in.

2. The UK government has been in Afghanistan for at least 20 years. As the Prime Minister said, it owes a [debt of gratitude](#) to many Afghans. However, mere gratitude is not commensurate with the [severity of threat](#) facing people in Afghanistan now: death, rape and systemic human rights violation, gender discrimination, and poverty and destitution aggravated by this crisis. People in Afghanistan, especially women systemically targeted in the past by the Taliban, need safety. Right now, the priority is safe pathway out of Kabul via emergency relocations or even humanitarian visas.

3. The displacement crisis in Afghanistan also carries a wider message of the [cruelty and wrong-headedness](#) of a UK government ploughing on with its Nationality and Borders Bill. That draft legislation, if passed: (a) severs the UK from the Refugee Convention, (b) renders the right to asylum of those who necessarily arrive irregularly, inadmissible, and c) institutes a refugee punishment regime including criminalisation. The Bill systemically denies safety to refugees, including Afghans fleeing the Taliban if arriving irregularly, with the UK then penalising them for that mode of travel.

4. [UNHCR](#) estimate that, presently, there are 3.5m people internally displaced in Afghanistan, with 550,000 since the start of 2021 alone. 80% of those displaced are women and children. At the end of 2020, there were [2.6m Afghan refugees globally](#): 85% or 2.21m of which are in the neighbouring countries, Iran and Pakistan. These numbers are likely to increase rapidly in the coming months.

5. At the end of 2020, UNHCR also estimated the [UK had 9,000 Afghan refugees](#). At the end of March 2021, there were 3,117 asylum applications pending decision or further review in the UK, from Afghan nationals<sup>1</sup>. The UK government's relocation schemes, eligible to certain locally employed staff (with immediate family) who worked with the UK and its armed forces in Afghanistan, had from 2010 to 12 August 2021 relocated only 3,100 persons<sup>2</sup>. That is a grand total of 15,100 persons. The UK has taken around 0.58% of the world's 2.6m Afghan refugees, a minute fraction of that total.

6. Afghan citizens are now left in a dreadful humanitarian predicament. The UK and other governments must act swiftly, ideally coordinated, and it must be decisive and truly adequate to the needs of people displaced and those who are refugees. In this note, we confine our recommendations to refugee protection measures, principally resettlement and asylum policy, that it is in the gift and responsibilities of the UK government to take, and urgently so. We do so, as the focus should be on what the UK government can practically do, now, to help. That is the priority.

## **The UK Government must safeguard protection for refugees, including Afghans fleeing the Taliban**

7. The UK Government can do a lot to help Afghan refugees. The test is do they have the political will to do so. We urge them to take responsibility and act swiftly to protect refugees, Afghani and all.

## Resettlement

8. *Activate a global resettlement scheme that is inclusive of refugees most in need, across all groups*

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<sup>1</sup> Pivot table – Afghanistan, [ASY\\_D03](#)

<sup>2</sup> [Resettlement scheme for locally employed civilians in Afghanistan - House of Commons Library](#)

## Scottish Refugee Council note on Afghanistan crisis and regressive shift in UK refugee protection policy

The UK must activate a *global and inclusive resettlement scheme* that focuses on the protection needs of some of the most vulnerable refugees in the world. This scheme should be an established part of UK refugee protection policy. It is a failure that the Home Office has left dormant its [UK Resettlement Scheme](#), after the Syrian programme closed in 2020. Such a scheme must include but not be confined to Afghans fleeing from the Taliban regime. It must have an annual target. One that is commensurate with a prosperous country like the UK. [UNHCR estimate at least 10,000 a year is an appropriate resettlement target](#) for such countries. If the Home Office had a functioning global resettlement system, there would have been no need for rushed “bespoke” programmes. Afghan refugees, in coordination with UNHCR, IOM and the UK Government could be more swiftly resettled.

### 9. Expand + front load the new Afghan citizen resettlement scheme

The new [Afghan citizens’ resettlement scheme](#) is welcome. It may be a life-saving route to safety. It can prevent the suffering of vulnerable Afghan refugees in temporary camps or in destitution in neighbouring countries. Afghans need this scheme to be adequate to the scale of need. 5,000 in the first year and a promise to resettle 15,000 in the “long-term” is not good enough. Afghan refugees fleeing the Taliban need help now, otherwise it may be too late. In line with UNHCR methodology for 10,000 per year in a UK resettlement scheme, the Afghan programme, especially given the scale of need, should aim for around 50,000 Afghan refugees in 5 years, with an effort to front-load arrivals.

### Asylum

*Expedite outstanding and new asylum applications from Afghans in the UK, to grant Refugee leave*  
10. The UK Government has the power to institute an expedited process to swiftly provide all Afghan asylum seekers in or arriving in the UK with Refugee leave. Circumstances have clearly changed with the Taliban taking widespread control of Afghanistan. Therefore, any expedited process should also encompass those who have been refused asylum, including those on asylum support or who are in detention. Based on the latest available official figures<sup>3</sup>, we estimate such a comprehensive expedited process could provide 3,453 Afghan nationals with Refugee leave. That status would in turn enable Afghani new refugees to exercise family reunion rights and bring over, if applicable, their partner or children, safe from the Taliban. This expedited process may also be open to Afghans who are undocumented who had, historically, been refused protection. The expedited process must also be underpinned by bans on enforced returns and, for those in asylum accommodation, evictions. All this must be supported by (urgently needed) [Afghanistan: country policy and information notes](#).

### **The Nationality & Borders Bill is a clear and imminent danger to Afghani and, indeed, all refugees**

11. Finally, there is an underlying connection between the plight of many fleeing Afghanistan today and the Nationality and Borders Bill. That draft legislation is in its [regressive anti-refugee protection clauses](#), would effectively close off the UK’s asylum procedure, to the vast majority of refugees who seek safety in the UK. That will include Afghans escaping the Taliban, who often, like many desperate refugees from other nations, have necessarily to arrive in the UK via irregular channels. This is not least as the UK has few safe and legal routes open for refugees. The Refugee Convention itself regards irregular routes with equanimity to official entry to a territory. That is for the simple, real-world reason that refugee flight is commonly in an emergency when people are desperate to be safe again. The chaos at Kabul Airport has viscerally reminded the world, of that fact. It has reinforced why the Refugee Convention has endured, precisely as it reflects an acute understanding of why people have to leave danger and seek to build new and safer lives. The Nationality and Borders Bill severs the UK from the Refugee Convention, institutes a refugee penalisation regime on irregular arrivals seeking safety, including criminalising them, in effect for being refugees. If the Bill passes, refugees including Afghans fleeing the Taliban will be punished too, but this time by the UK.

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<sup>3</sup> [Pivot tables – Afghanistan](#) for: ASY\_D03; ASY\_D09 and [Pivot table - Afghanistan](#) for DET\_D02