

# LIKE AN OBSTACLE COURSE:

FEW ROUTES TO SAFETY FOR AFGHANS TRYING TO FLEE THEIR COUNTRY

Six weeks after the end of the Kabul airlift, what options are left open to those Afghans trying to flee the country, including thousands who are at risk of reprisal? This briefing provides information on the situation and challenges Afghans may find in 27 countries around the world. The picture emerging is bleak.

*Members and supporters of New York's Afghan community hold placards as they attend a march and protest aiming to raise awareness of Afghanistan's refugee crisis following the Taliban takeover. New York, 28 August 2021. © ED JONES/AFP via Getty Images.*



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# EXECUTIVE SUMMARY

The re-establishment of Taliban rule over Afghanistan is opening a new human rights crisis within the country, with reports of systematic violations of the rights of women, girls and members of the LGBTI community, among others.

At this critical time, some six weeks after the end of the Kabul airlift, what options are left open to those Afghans trying to flee the country, including thousands who are at risk of reprisal?

This briefing takes stock of the airlift operation that took place from Kabul during the second half of August 2021 and provides information on the situation and challenges Afghans may find in 27 countries around the world, including Afghanistan's neighbors and other countries that took part in the evacuation efforts (Albania, Bulgaria, Colombia, Croatia, Denmark, Finland, France, Germany, Greece, Iran, Ireland, Italy, Kosovo, Netherlands, North Macedonia, Pakistan, Poland, Rwanda, Spain, Tajikistan, Turkey, Turkmenistan, Uganda, Ukraine, United Kingdom, United States of America, Uzbekistan). The picture emerging is bleak.

After the end of the airlift, many of these countries promised not to abandon the thousands of at-risk Afghans who had been unable to escape the country, including those named in the evacuation lists that they had put together during the operation. However, since then, only few of these countries, including Canada and Ireland, have actually kept their word, for example by offering additional resettlement and community sponsorship places and opening new safe routes to protection.

The problems begin on Afghanistan's own borders. None of its neighbours has kept the borders open to Afghans seeking refuge. Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan have essentially closed borders to Afghans without passports, visas and other travel documents. While these would be legitimate travel requirements in normal times, they are not in light of the current situation within Afghanistan and the real risk of serious human rights violations faced by certain groups.

As a result of the restrictions at these borders, many Afghans who want to flee the country have no options left but to attempt irregular journeys using smugglers. This briefing documents several policies and practices towards Afghans travelling irregularly that result in pushbacks, rejection at the frontier or consignment to border areas. These include Tajikistan's refusal to admit 80 Afghan families stuck in the no man's land at the Tajik-Afghan border, Turkey's plans to extend a wall at the border with Iran and pushbacks at the Poland-Belarus border. Amnesty International notes with concern the practice of Bulgaria, Croatia and Poland, which have closed their borders or otherwise pushed back Afghans, while at the same time cooperating with their military allies for the transfer of Afghan evacuees to the United States or other third countries.

Iran, Pakistan and Turkey are still carrying out deportations or other transfers of Afghans back to Afghanistan, despite the situation there, thereby violating the obligation of *non-refoulement*. Several European countries have halted deportations to Afghanistan as a matter of either policy or practice. At the same time, however, France is still issuing deportation orders and detaining Afghans in deportation centres; and Denmark is still hosting Afghan deportees in return centres, where their freedom of movement is severely restricted.

The United States' *Operation Allies Welcome* is unique among the efforts to airlift Afghans at risk. The US government airlifted Afghan nationals not only to its own territory, but also to US military facilities abroad and to third countries. This briefing provides information on the transit of Afghan evacuees via Denmark, Germany, Italy, Tajikistan, Ukraine and Uzbekistan, including through transit sites that US authorities call "lily-pad sites". It also discusses the role of eight countries in the US "relocation efforts for at-risk Afghans": Albania, Canada, Colombia, Kosovo, North Macedonia, Poland, Rwanda, and Uganda.

Although the Operation's geographical reach might have been overstated during its early stages, the ability of the US authorities to organise in a few weeks an extra-territorial transit and processing system for Afghan evacuees spanning several regions is proof of the country's political and financial power. Amnesty International notes that US authorities have stated the intention to resettle 95,000 Afghan evacuees to the US. The model of *Operation Allies Welcome*, however, raises some serious

human rights questions in light of reports of restrictions on freedom of movement for Afghan evacuees in US military bases and detention and transfer to third countries of Afghan evacuees who have not cleared the very stringent US security checks. What mechanisms are in place to ensure that US authorities respect, protect and promote the rights of the evacuees affected by *Operation Allies Welcome*? How can possible abuses be reported, investigated and addressed? These questions have not yet been answered.

While the situation in Afghanistan remains volatile, all countries must take immediate measures now to enable exit from Afghanistan, offer international protection both to new arrivals and to those Afghans who are already on their territories and support neighbouring countries and other countries in the region. In particular, efforts must be urgently stepped up to secure the evacuation of women activists, human rights defenders, civil society activists, academics, journalists, and marginalized groups, and others who are at heightened risk of retaliation from the Taliban. The lives of thousands of women and men who had worked to promote and defend human rights, gender equality, rule of law and democratic freedoms in their country are now, more than ever, hanging by a thread.

## METHODOLOGY

This briefing is based on research conducted by 23 Amnesty International country and thematic specialists, working in 13 countries (Albania, Belgium, Canada, Denmark, Finland, France, Germany, Kosovo, Spain, Sri Lanka, Ukraine, United Kingdom, United States of America). They obtained and verified information during September 2021, interviewing Afghan nationals and their lawyers, contacting government officials and staff of international and non-governmental organizations, reviewing audio-visual material, government documents and media sources. This briefing includes and updates the information Amnesty International already published on the Kabul airlift and on specific situations affecting Afghan refugees after August 2021.<sup>1</sup> Efforts were made to update the figures as of 15 September 2021, unless otherwise stated.

**Chapter 1** provides background information on plight of Afghans seeking to flee the country in the wake of the collapse of the Kabul government and rapid departure of US and other foreign troops.

**Chapter 2** illustrates the situation of Afghans in neighbouring countries (Iran, Pakistan, Tajikistan, Uzbekistan and Turkmenistan). **Chapter 3** provides information on the United States' *Operation Allies Welcome* and the situation of Afghan refugees in Canada. **Chapter 4** discusses the situation of Afghan refugees in Turkey, Ukraine, the European Union and 12 of its member states and the United Kingdom. A final section draws conclusions and offers recommendations.

Amnesty International would like to thank all those who provided information for this briefing, as well as Benjamin Parker for his support.

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<sup>1</sup> Amnesty International, *The fate of thousands hanging in the balance: Afghanistan's fall into the hands of the Taliban*, 21 September 2021, Index Number: ASA 11/4727/2021; *Poland-Belarus border: a protection crisis*, 30 September, <https://www.amnesty.org/en/latest/research/2021/09/poland-belarus-border-crisis/>; *Digital investigation proves Poland violated refugee's rights*, 30 September, <https://www.amnesty.org/en/latest/news/2021/09/poland-digital-investigation-proves-poland-violated-refugees-rights/>; *Afghanistan: Taliban must allow girls to return to school immediately – new testimony*, 13 October 2021, <https://www.amnesty.org/en/latest/press-release/2021/10/afghanistan-taliban-must-allow-girls-to-return-to-school-immediately-new-testimony/>.

# 1. BACKGROUND

The evacuation operation that accompanied the completion of the withdrawal of US and NATO forces from Afghanistan during the second half of August 2021 airlifted 123,000 people from Kabul airport,<sup>2</sup> including tens of thousands of Afghan nationals at risk of reprisals from the Taliban.<sup>3</sup>

Yet the airlift operation was chaotic. As the Afghan government and its security forces collapsed, its main backer, the US, and other states, struggled to respond to the calls for help of all the Afghans seeking to flee the country. Getting to the airport and managing to board a plane to safety was a matter of luck as much as a matter of need. Even for those with visas and travel documents, the crowd of people trying to get into the airport made reaching it difficult.<sup>4</sup> Four people interviewed by Amnesty International described how the Taliban, who manned checkpoints at the entrance of the airport, prevented some people with travel documents from accessing it.<sup>5</sup> Many of those who needed to be evacuated were left behind.

A month later, the re-establishment of Taliban rule over Afghanistan is opening a new human rights crisis within the country, with reports of systematic violations of the rights of women, girls and members of the LGBTI community, among others.<sup>6</sup> Although leaving the country is currently possible in principle, those who wish to flee from Afghanistan face immense challenges, both through the airports and through land borders.

On 24 August 2021 the Taliban announced that Afghans would no longer be able to leave the country after the end of the airlift operation.<sup>7</sup> Five days later, more than a hundred countries, as well as the European Union and NATO, stated that they had received assurances from the Taliban that any Afghan citizen with travel authorization would be allowed to “proceed in a safe and orderly manner to points of departure” and travel outside the country.<sup>8</sup>

After the final withdrawal of US troops from Afghanistan on 30 August, Kabul airport was temporarily closed. At the time of writing, direct commercial flights had resumed to Pakistan only. Internal travel through land to reach border points can be risky. According to information collected by Amnesty International, the Taliban set up checkpoints on the route to the Pakistan border, searching vehicles for government employees.<sup>9</sup>

Travelling on an Afghan passport has been difficult at the best of times: Afghanistan often ends up last in international rankings based on the number of countries allowing passport holders to travel without a prior visa.<sup>10</sup> After the Taliban takeover, passports and other documents necessary to obtain visas have been difficult or impossible to obtain. Authorities currently do not deliver passports; as a result, Afghans who did not have passports before the Taliban takeover cannot leave the country through official border crossings.<sup>11</sup> At the time of writing, the Taliban had announced that issuance of passports would resume within a week.<sup>12</sup>

Many of those who would be entitled to foreign visas cannot obtain one because the documents they would need to prove their link to foreign countries have been destroyed. According to media reports,

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<sup>2</sup> US Department of State, *Secretary Antony J. Blinken's Remarks on Afghanistan*, 30 August 2021, <https://www.state.gov/secretary-of-antony-j-blinken-remarks-on-afghanistan/>

<sup>3</sup> Among the at-risk groups there were security officials, government officials, members of parliament and senate, journalists, human rights defenders, members of civil society, other women who worked in the security, justice and judicial sectors, members of minority groups, etc. All of these groups included both men and women.

<sup>4</sup> Amnesty International, *The fate of thousands hanging in the balance*, cited, p21.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> MSN, *Taliban spokesman says Afghans will no longer be allowed to leave their country*, 24 August 2021, [www.msn.com/en-us/news/world/talibanspokesman-says-afghans-will-no-longer-be-allowed-to-leave-their-country/ar-AANGUOT](http://www.msn.com/en-us/news/world/talibanspokesman-says-afghans-will-no-longer-be-allowed-to-leave-their-country/ar-AANGUOT).

<sup>8</sup> *Joint Statement on Afghanistan Evacuation Travel Assurances*, 29 August 2021, <https://www.state.gov/joint-statement-on-afghanistan-evacuation-travel-assurances/>

<sup>9</sup> Amnesty International, *The fate of thousands hanging in the balance*, cited, p23.

<sup>10</sup> Henley & Partners, *The Henley Passport Index: Q3 2021 Global Ranking*, <https://www.henleyglobal.com/publications/global-mobility-report/2021-q3/travel-mobility-trends/henley-passport-index-q3>.

<sup>11</sup> Amnesty International, *The fate of thousands hanging in the balance*, cited, p25.

<sup>12</sup> Afghan Ministry of Interior, Twitter, 5 October 2021, <https://twitter.com/moiafghanistan/status/1445394378839764999>.

the US government ordered its embassy in Kabul to destroy “sensitive materials” before the Taliban entered the city; as a result, visa application files and passports of Afghan applicants were also destroyed.<sup>13</sup> The UK government stated it made similar efforts to destroy all information about its embassy staff details.<sup>14</sup>

The following Chapters provide information on the situation and challenges Afghan refugees may find once they manage to reach and cross the border.

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<sup>13</sup> CNN, *US Embassy in Afghanistan tells staff to destroy sensitive materials*, 13 August 2021, <https://edition.cnn.com/2021/08/13/politics/afghanistan-embassy-72-scramble/index.html>; *US destroyed some Afghans' passports as they prepared to evacuate embassy in Kabul — but it's unclear why*, 17 August 2021, [https://edition.cnn.com/world/live-news/afghanistan-taliban-us-news-08-17-21/h\\_dc5170c607274abd2a398dca39f213a3](https://edition.cnn.com/world/live-news/afghanistan-taliban-us-news-08-17-21/h_dc5170c607274abd2a398dca39f213a3)

<sup>14</sup> BBC News, *Afghanistan: Every effort was made to destroy Kabul staff details, says Foreign Office*, 27 August 2021, <https://www.bbc.co.uk/news/uk-58351938>

## 2. THE SITUATION OF AFGHANS IN NEIGHBOURING COUNTRIES

Afghanistan's neighbouring countries host the vast majority of Afghan refugees around the world. According to UNHCR, the UN Refugee Agency, Pakistan and Iran host 1.4 million and 780,000 registered Afghan refugees respectively, from previous waves of violence, plus a further 3 million Afghans of varying status, including many undocumented persons.<sup>15</sup>

**“As the situation in Afghanistan remains fluid and uncertain, UNHCR calls on all countries to allow civilians fleeing Afghanistan access to their territories and to ensure respect for the principle of non-refoulement at all times. UNHCR notes the imperative to ensure that the right to seek asylum is not compromised, that borders are kept open and that people in need of international protection are not consigned to areas inside their country of origin that could potentially be dangerous. In this context, it is important to bear in mind that states have obligations, including under customary international law, to preserve cross-border access for civilians fleeing conflict and not to [forcibly return] refugees. The principle of non-refoulement includes non-rejection at the frontier.”**

UNHCR, *Position on returns to Afghanistan*, August 2021<sup>16</sup>

In light of the events of August 2021, UNHCR has called on neighbouring countries to keep their borders open to those seeking safety and not to carry out forced returns of Afghan nationals.<sup>17</sup> Yet, as of September 2021 both Iran and Pakistan had closed their border to Afghan nationals, either completely or partially to those who do not hold valid passports, visas and other travel document, with few exceptions.<sup>18</sup> Both countries are also still conducting forcible transfers to Afghanistan (see below). Despite a few discussions about hosting Afghan refugees, Central Asia countries including Tajikistan and Uzbekistan have closed most of the land border-crossing points to those without visas, passports and other valid travel documents. In addition to the countries discussed more in detail below, **Turkmenistan** has not allowed Afghan asylum seekers in since the Taliban took control of districts on

<sup>15</sup> UNHCR, *Afghanistan Situation Regional Refugee Preparedness and Response Plan*, 27 August 2021, <https://data2.unhcr.org/en/documents/details/88385>

<sup>16</sup> UNHCR, *Position on returns to Afghanistan*, August 2021, <https://www.refworld.org/pdfid/611a4c5c4.pdf>

<sup>17</sup> UNHCR, *Afghanistan Situation External Update - 20 September 2021*, <https://data2.unhcr.org/en/documents/details/88763>

<sup>18</sup> UNHCR, *Afghanistan: Weekly border situation updates - 16 September 2021*, <https://data2.unhcr.org/en/documents/details/88741>

the Afghanistan-Turkmenistan border in July 2021.<sup>19</sup> According to UNHCR, its borders are closed to all pedestrian movements.<sup>20</sup>

## 2.1 IRAN

Iran is a party to the 1951 Refugee Convention. UNHCR recorded that 16,300 Afghans “potentially in need of international protection” had newly arrived in Iran between January and September 2021.<sup>21</sup> In mid-September, Afghans needed passport and visas to cross into Iran, with a few exceptions for medical reasons.<sup>22</sup> As a result, UNHCR reported increased movements of undocumented Afghans resorting to irregular land border crossing into Iran.<sup>23</sup>

IOM figures show that Iranian authorities deported 58,279 undocumented Afghans between 27 August and 9 September 2021.<sup>24</sup>

## 2.2 PAKISTAN

According to UNHCR, the land border with Pakistan has been mostly closed to Afghan nationals fleeing the country without a passport and visa, except for a few exceptions including people in need of medical treatment, or with a proof of residency.<sup>25</sup> Despite that, at the Spin Boldak-Chaman border crossing, people with Tazkira (National ID Card) from the Afghan provinces of Kandahar, Helmand, Zabul, and Uruzgan were allowed to cross the border.<sup>26</sup> At the time of writing, the Pakistani government announced that they would remove the requirement of a gate pass for Afghans with visas to enter the country by land at the Torkham border.<sup>27</sup> A few days later, however, they also announced that a letter from the Pakistani Ministry of Interior would be necessary to enter Pakistan by air.<sup>28</sup>

Afghan nationals who are in Pakistan without a visa or a residency permit allowing their stay in Pakistan must provide an exit permit when traveling to a third country.<sup>29</sup> Refusal of the Pakistan authorities to deliver an exit permit will prevent Afghan nationals to reach countries that have granted them visas.<sup>30</sup>

Pakistan is not a party to the 1951 Refugee Convention. According to IOM figures, between 27 August and 9 September 2021 Pakistani authorities deported 230 undocumented Afghans.<sup>31</sup>

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<sup>19</sup> The Diplomat, *Greater coordination in Central Asian responses to border troubles*, 19 July 2021, <https://thediplomat.com/2021/07/greater-coordination-in-central-asian-responses-to-afghan-border-troubles/>; UNHCR, *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>20</sup> UNHCR, *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>21</sup> UNHCR, *Flash External Update: Afghanistan Situation #6*, 20 September 2021, p2, <https://reporting.unhcr.org/sites/default/files/AFG%20Situation%20Emergency%20Update%202020%20September%202021.pdf>.

<sup>22</sup> UNHCR, *Afghanistan situation: Emergency preparedness and response in Iran*, 19 August 2021, [https://reliefweb.int/sites/reliefweb.int/files/resources/Situation\\_Update\\_2\\_Afghanistan\\_situation\\_preparedness\\_in\\_Iran\\_19\\_Aug\\_2021.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/Situation_Update_2_Afghanistan_situation_preparedness_in_Iran_19_Aug_2021.pdf); *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>23</sup> UNHCR, *Flash External Update: Afghanistan Situation #6*, cited, p2.

<sup>24</sup> IOM, *Return of undocumented migrants*, *Weekly situation report*, 03-09 2021.

[https://afghanistan.iom.int/sites/afghanistan/files/Reports/iom\\_afghanistan-return\\_of undocumented\\_afghans\\_situation\\_report\\_03-09\\_sep\\_2021\\_psu\\_1.pdf](https://afghanistan.iom.int/sites/afghanistan/files/Reports/iom_afghanistan-return_of undocumented_afghans_situation_report_03-09_sep_2021_psu_1.pdf)

<sup>25</sup> UNHCR, *The Refugee brief*, 3 September 2021. <https://www.unhcr.org/refugeebrief/the-refugee-brief-3-september-2021/>; *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>26</sup> Amnesty International, *The fate of thousands hanging in the balance*, cited, p23.

<sup>27</sup> ANI, *Pakistan orders elimination of gate pass at Torkham border with Afghanistan*, 1 October 2021, <https://www.aninews.in/news/world/asia/pak-orders-elimination-of-gate-pass-at-torkham-border-with-afghanistan20211001003852/>; Khaama Press, *Pakistan may eliminate gate pass at Torkham crossing point*, 30 September 2021, <https://www.khaama.com/pakistan-eliminates-gate-pass-at-torkham-crossing-point-876876/>.

<sup>28</sup> Pakistan Civil Aviation Authority, letter dated 1 October 2021, quoted in Taahir Khan, Twitter, [https://twitter.com/taahir\\_khan/status/1444621346651222019](https://twitter.com/taahir_khan/status/1444621346651222019)

<sup>29</sup> Phone interview with a French NGO assisting refugees, 30 September 2021.

<sup>30</sup> Id.

<sup>31</sup> IOM, *Return of undocumented migrants*, *Weekly situation report*, 03-09 2021, cited.

## 2.3 TAJIKISTAN

UNHCR recorded that 5,300 Afghans “potentially in need of international protection” had newly arrived in Tajikistan between January and September 2021.<sup>32</sup> In July 2021 the government reportedly announced that it was ready to shelter up to 100,000 refugees from Afghanistan.<sup>33</sup> In September, however, the Interior Minister said that the country would be unable to host Afghan refugees without help from the international community to build the necessary infrastructure.<sup>34</sup>

Media reports indicate that Tajikistan suspended cross-border travel since the end of August and at least until 20 September.<sup>35</sup> As of 1 September 2021, 80 Afghan families were stuck in the no man’s land at the Tajik-Afghan border, seeking to enter Tajikistan.<sup>36</sup> However, others have reported that Tajik authorities allowed entry of 100 Afghans who had crossed the border overnight on 13 September, while another 100 that were part of the same group were returned.<sup>37</sup>

Tajikistan has agreed to allow the temporary transit of evacuees from Afghanistan on their way to a third country (see below). Local media reported that over the last two weeks of August the airlift operation flew 2,000 evacuees (Western countries personnel and Afghans at risk) from Kabul to Kulob.<sup>38</sup> According to local administration officials, international organisations set up a camp near the airport, with stays lasting for no more than a week.<sup>39</sup>



*Camp for Afghan refugees in Kulob, Tajikistan. Photo taken on 29 August 2021. © Radio Free Europe/Radio Liberty*

<sup>32</sup> UNHCR, *Flash External Update: Afghanistan Situation #6*, 20 September 2021, cited, p2.

<sup>33</sup> RFE/RL’s Tajik Service, *Tajikistan Says It’s Ready To Shelter Up To 100,000 Refugees From Afghanistan*, 23 July 2021, <https://www.rferl.org/a/tajikistan-afghanistan-refugees-taliban/31373565.html>

<sup>34</sup> Khoval, Рамазон Рахимзода: На территории Таджикистана нет возможности принимать большое количество беженцев и лиц, ищущих убежища, необходима помочь Верховного комиссара ООН по делам беженцев, 2 September 2021, <https://khoval.tj/rus/2021/09/ramazon-rahimzoda-na-territoriu-tadzhikistane-net-vozmozhnosti-prinimat-bolshoe-kolichestvo-bezhentsev-i-lits-ishhushhih-ubezhishha-neobhodima-pomoshh-verhovnogo-komissara-oon-po-delam-bezhentsev/>

<sup>35</sup> Eurasianet, *Tajikistan temporarily takes in around 1,000 Afghan refugees*, 30 August 2021, <https://eurasianet.org/tajikistan-temporarily-takes-in-around-1000-afghan-refugees>. According to UNHCR, on 16 September the border was open only for passport and visa holders, but registered no movement. UNHCR, *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>36</sup> Khoval, Рамазон Рахимзода: На территории Таджикистана нет возможности принимать большое количество беженцев и лиц, ищущих убежища, необходима помочь Верховного комиссара ООН по делам беженцев, 2 September 2021, <https://khoval.tj/rus/2021/09/ramazon-rahimzoda-na-territoriu-tadzhikistane-net-vozmozhnosti-prinimat-bolshoe-kolichestvo-bezhentsev-i-lits-ishhushhih-ubezhishha-neobhodima-pomoshh-verhovnogo-komissara-oon-po-delam-bezhentsev/>

<sup>37</sup> RFE/RL’s Tajik Service, *Tajikistan Accepts Around 100 Afghans Fleeing The Taliban, But Sends 100 Back*, 13 September 2021, <https://www.rferl.org/a/afghanistan-refugees-tajikistan-taliban/31457626.html>

<sup>38</sup> Radio Ozodi, *Около тысячи афганских беженцев размещены в аэропорту Куляба и ждут эвакуации в третьи страны – источники*, 29 August 2021, <https://rus.ozodi.org/a/31433586.html>

<sup>39</sup> Ibid. International organizations provided evacuees with food, water and medical care.

## 2.4 UZBEKISTAN

Uzbekistan has contributed to the airlift efforts allowing the transit of 2,000 Afghans and nationals of Western countries and the use of Tashkent airport.<sup>40</sup> It also had talks with the governments of Germany and Italy about possibly helping further evacuations.<sup>41</sup>

While open to allow short-term transits, Uzbekistan has been reluctant to host Afghan refugees in the medium and long term.<sup>42</sup> The government has urged the United States to transfer out of the country a group of around 585 Afghan pilots, other military personnel and their families, who had left Afghanistan on aircrafts and helicopters and landed in Uzbekistan.<sup>43</sup> They were later transferred to a US military base in UAE.<sup>44</sup> Human Rights Watch expressed concern at the return of 150 Afghans back to Afghanistan in August 2021, following an agreement with the Taliban.<sup>45</sup>

On 30 August 2021 the Ministry of Foreign Affairs stated that the land border with Afghanistan was closed, that entry through the Termez checkpoint was not allowed and that any attempts to cross the border “regardless of their reasons” would be suppressed in line with Uzbek legislation. It added that “*the Republic of Uzbekistan does not accept Afghan refugees on its territory, [but] provides assistance in transit, which provides for their strictly limited time in the country*”.<sup>46</sup> At the time of writing, the Afghan-Uzbek land border was reportedly open only for certain categories of visa holders, but closed for everyone else, including those with onward visas.<sup>47</sup>

Uzbekistan is not a party to the 1951 Refugee Convention and does not have an asylum system. Afghans with temporary visas are threatened with fines for violating the visa regime and remain at risk of deportation to Afghanistan. Amnesty International received reports that Afghans are also discriminated against: the visa fees for Afghan nationals are higher than for other nationalities and, in absence of any provision of basic needs by the state, they are asked to pay exorbitant amounts for housing and food by private providers.<sup>48</sup>

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<sup>40</sup> Узбекистан, Ministry of Foreign Affairs, Пресс-релиз Министерства иностранных дел Республики Узбекистан, 20 August 2021, <https://mfa.uz/ru/press/news/2021/press-reliz-ministerstva-inostrannyyh-del-respubliki-uzbekistan---30159>

<sup>41</sup> RFE/RL, *Maas Says Uzbekistan Ready To Help Germany With Afghan Evacuations*, 30 August 2021, <https://www.rferl.org/a/afghanistan-maas-uzbekistan-evacuations/31434808.html>; Uzbekistan, Ministry of Foreign Affairs, *Abdulaziz Kamilov meets with Italian FM*, 4 September 2021, <https://mfa.uz/en/press/news/2021/abdulaziz-kamilov-meets-with-italian-fm---30356>.

<sup>42</sup> The Diplomat, *Uzbekistan and Tajikistan Hedge on Afghan Refugees*, 31 August 2021, <https://thediplomat.com/2021/08/uzbekistan-and-tajikistan-hedge-on-afghan-refugees/>

<sup>43</sup> The Wall Street Journal, *Uzbekistan Warns U.S. That Afghan Pilots and Their Families Can't Stay*, 30 August 2021, [https://www.wsj.com/articles/uzbekistan-warns-u-s-that-afghan-pilots-and-their-families-cant-stay-11630315800?mod=hp\\_lead\\_pos9](https://www.wsj.com/articles/uzbekistan-warns-u-s-that-afghan-pilots-and-their-families-cant-stay-11630315800?mod=hp_lead_pos9); Human Rights Watch, *Uzbekistan Should Do More to Help Afghans*, 8 September 2021, <https://www.hrw.org/news/2021/09/08/uzbekistan-should-do-more-help-afghans>

<sup>44</sup> Reuters, *Afghan pilots start leaving Uzbekistan for UAE, despite Taliban pressure-source*, 12 September 2021, <https://www.reuters.com/world/asia-pacific/afghan-pilots-start-leaving-uzbekistan-uae-despite-taliban-pressure-source-2021-09-12/>

<sup>45</sup> Human Rights Watch, *Uzbekistan Should Do More to Help Afghans*, 8 September 2021, cited.

<sup>46</sup> Uzbekistan, Ministry of Foreign Affairs, *Информационное сообщение Пресс-службы МИД Республики Узбекистан*, 30 August 2021, <https://mfa.uz/ru/press/news/2021/informacionnoe-soobschenie-press-sluzhby-mid-respubliki-uzbekistan---30215>

<sup>47</sup> UNHCR, *Afghanistan: Weekly border situation updates* - 16 September 2021, cited.

<sup>48</sup> Amnesty International, exchange of information with local NGO partners, September 2021.

### 3. THE SITUATION OF AFGHANS IN THE US' *OPERATION ALLIES WELCOME* AND CANADA

#### 3.1 THE UNITED STATES' *OPERATION ALLIES WELCOME*

In addition to thousands of its own nationals and permanent residents, the United States airlifted tens of thousands of Afghan nationals and their families who had been employed by or on behalf of the US government, and other at-risk Afghans in need of urgent international protection. This was as part of *Operation Allies Welcome*, the US government's effort to relocate at-risk Afghans to the United States.<sup>49</sup> The Biden administration started the airlift of Afghans eligible for Special Immigrant Visas (SIV) and their families in July 2021.<sup>50</sup> A few weeks later, these efforts merged with the broader efforts of the latest stages of the Kabul airlift. US authorities have stated the intention to resettle 95,000 Afghan evacuees to the US by the end of September 2022.<sup>51</sup>

The US government airlifted Afghan nationals not only to its own territory, but also to US military facilities abroad and to third countries. On 20 August the US Secretary of State stated that 14 countries had allowed or would be allowing the transit of American and other nationals, including Afghans, through their territories: Bahrain, Denmark, France, Germany, Italy, Kazakhstan, Kuwait,<sup>52</sup> Qatar, Tajikistan, Turkey, Ukraine, the United Arab Emirates (UAE),<sup>53</sup> the United Kingdom and Uzbekistan.<sup>54</sup> The US administration refers to some of these transit sites as "lily-pad sites". The US Secretary of State also declared that 12 other countries had reached an agreement with the US on the "relocation efforts for at-risk Afghans": Albania, Canada, Colombia, Costa Rica, Chile, Kosovo, North Macedonia, Mexico,<sup>55</sup> Poland, Qatar, Rwanda and Uganda.<sup>56</sup> These sites are supposed to host Afghan evacuees for longer periods. According to the information collected by Amnesty International, however, some of these countries may have agreed to transfer or host Afghan evacuees outside the framework of *Operation Allies Welcome*.<sup>57</sup>

<sup>49</sup> Department of Homeland Security (DHS), *Speech: Secretary Mayorkas Delivers Remarks on Operation Allies Welcome*, 3 September 2021, <https://www.dhs.gov/news/2021/09/03/secretary-mayorkas-delivers-remarks-operation-allies-welcome>.

<sup>50</sup> United States, The White House, *Statement of President Joe Biden on the Arrival of the First Flight of Operation Allies Refuge*, 30 July 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/30/statement-of-president-joe-biden-on-the-arrival-of-the-first-flight-of-operation-allies-refuge/>.

<sup>51</sup> The Washington Post, *White House asks congress to pass emergency funding for disaster aid, Afghan resettlement*, 7 September 2021, <https://www.washingtonpost.com/us-policy/2021/09/07/white-house-budget-request/>

<sup>52</sup> AlArabiya, *Kuwait approves transit of 5,000 Afghan evacuees from Kabul on their way to US*, 23 August 2021, <https://english.alarabiya.net/News/world/2021/08/23/Kuwait-approves-transit-of-5-000-Afghan-evacuees-from-Kabul-on-their-way-to-US>

<sup>53</sup> At least 9,000 Afghans transited through the UAE on their way to a third country. WAM (Emirates News Agency), *UAE welcomes 41 Afghans on humanitarian grounds*, 6 September 2021, <https://www.wam.ae/en/details/1395302967202>; The National, *The UAE's solidarity with Afghanistan*, 29 August 2021, <https://www.thenationalnews.com/opinion/editorial/2021/08/27/the-uaes-solidarity-with-afghanistan/>.

<sup>54</sup> US Department of State, *Gratitude to Our Allies and Partners for Supporting U.S. Efforts to Evacuate U.S. Citizens, Partners, and At-Risk Afghans*, 20 August 2021, <https://www.state.gov/gratitude-to-our-allies-and-partners-for-supporting-u-s-efforts-to-evacuate-u-s-citizens-partners-and-at-risk-afghans/>.

<sup>55</sup> Mexico received several groups of Afghan evacuees. The relationship between these arrivals and *Operation Allies Welcome*, however, is unclear. On 24 August 2021 Mexico received five Afghan women, part of the robotic team *Afghan Dreamers Team*. In a press release, Mexican authorities stated that their accommodation, food and basic services would be covered by an institution. Between 25 and 31 August Mexico received three groups of 124, 86 and 175 Afghans at risk, mostly journalist, staff of media organisations, activists and their families. In all cases, the government stated that their journey and stay would be covered by private sponsors and civil society organizations. Mexico, *México recibió, por razones humanitarias, a jóvenes afganas*, 24 August 2021, <https://www.gob.mx/sre/prensa/mexico-recibio-por-razones-humanitarias-a-jovenes-afganas>; *México brinda protección humanitaria a grupo de afganos en riesgo*, 25 August 2021, <https://www.gob.mx/sre/prensa/mexico-brinda-proteccion-humanitaria-a-grupo-de-afganos-en-riesgo>; *Tercer grupo de nacionales de Afganistán llega a México*, 29 August 2021, <https://www.gob.mx/sre/prensa/tercer-grupo-de-nacionales-de-afganistan-llega-a-mexico>; *Cuarto grupo de ciudadanos afganos arriba a México*, 31 August 2021, <https://www.gob.mx/sre/prensa/cuarto-grupo-de-ciudadanos-afganos-arriba-a-mexico>.

<sup>56</sup> US Department of State, *Gratitude to Our Allies and Partners*, cited.

<sup>57</sup> On 18 August, the Presidency of Costa Rica announced the country was open to receive 48 Afghan women, who had worked for the UN. The request to receive this group of women came from the UN Population Fund. Costa Rica, Office of the President, *Costa Rica dispuesta a dar albergue humanitario a 48 mujeres afganas en coordinación con Naciones Unidas*. <http://www.presidencia.go.cr/comunicados/2021/08/costa-rica-dispuesta-a-dar-albergue-humanitario-a-48-mujeres-afganas-en-coordinacion-con-naciones-unidas/>. In mid-August, Chile's President Piñera announced the reception of ten women human rights defenders and their families in collaboration with Front Line Defenders. Media reports indicate that at the end of August authorities started planning for the reception of around 300 Afghans, who would receive either refugee status, work or family visas. Women, families, journalists and Afghans with family in Chile would be part of the group. La Tercera, *Operativo del gobierno para recibir refugiados afganos: Cancillería concreta gestiones y embajador argentino en Pakistán entregará salvoconducto a profesora para que viaje a Chile*, 7 September 2021, <https://www.latercera.com/nacional/noticia/operativo-del-gobierno-para-recibir-refugiados-afganos-cancilleria-concretara-en-las-proximas-horas-entrega-de-salvoconducto-a-profesora-cuya-hermana-reside-en-chile/GCDKOLA3L5BW7BOJ7YPMMHOBTQ>

The stated purpose of these transit and processing sites is that Afghan evacuees can “wait in safety while they finish their visa applications”.<sup>58</sup> In fact, protecting national security is as much an objective as protecting the evacuees. It is the policy of the US government that Afghan nationals would not board flights to the United States until they have received security clearance.<sup>59</sup> Prior to their arrival to the US, Afghans are subjected to “biometric and biographic screenings conducted by intelligence, law enforcement, and counterterrorism” officials – mostly taking place outside the US territory, in “transit countries” abroad.<sup>60</sup>

According to US officials, only “a very small number” of Afghans prompted security concerns during the airlift.<sup>61</sup> On 10 September 2021 *The Washington Post* revealed that over the previous two weeks the US had flagged 44 Afghan evacuees as potentially posing national security risks: 16 still overseas in transit sites and 28 already on US territory. According to this report, of this second group, 13 remained in U.S. Customs and Border Protection custody awaiting additional screening and review procedures, including interviews with FBI and counterterrorism teams; and 15 had been turned over to U.S. Immigration and Customs Enforcement (ICE), sent back to transit sites in Europe or the Middle East, or in some cases approved for release after additional review. *The Washington Post* quoted the US Homeland Security Secretary as saying that evacuees who are deported (or who withdrew their applications to enter the United States) are not returned to Taliban-controlled Afghanistan but are removed “to a third country”.<sup>62</sup>

Upon landing in the US, Afghan nationals are moved to one of eight US military bases charged with temporarily housing people while being processed, primarily landing at Dulles airport.<sup>63</sup> Media reported that as of 14 September, approximately 64,000 Afghans had arrived in the US, of which 49,000 remained on domestic military bases.<sup>64</sup>

Many Afghans in transit sites are eligible for Special Immigrant Visa (SIV), or under the P1 or P2 programs (see text box). The US government has stated that it intends to grant the majority of individuals arriving to the US or in transit at a “lily-pad site” humanitarian parole to enter the US.<sup>65</sup> Humanitarian parole is being used as a way to expedite entry into the United States, while visa programs have a long backlog of processing times that can take years.

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<sup>58</sup> United States, The White House, *Statement of President Joe Biden on the Arrival of the First Flight of Operation Allies Refuge*, cited.

<sup>59</sup> US Department of Homeland Security, *Secretary Mayorkas Delivers Remarks on Operation Allies Welcome*, cited.

<sup>60</sup> Department of Homeland Security, *Operation Allies Welcome Fact Sheet*, 3 September 2021, <https://www.dhs.gov/allieswelcome>

<sup>61</sup> CBS News, “A very small number” of Afghans prompted security concerns during evacuation, 31 August 2021, <https://www.cbsnews.com/news/very-small-number-afghans-security-concerns-evacuation/>; NPR, *What It’s Like Inside The U.S. Processing Center Welcoming Thousands Of Afghans*, 7 September 2021, <https://www.npr.org/2021/09/07/1034794347/what-its-like-inside-the-u-s-processing-center-welcoming-thousands-of-afghans?t=1632996516339>.

<sup>62</sup> The Washington Post, *U.S. has flagged 44 Afghan evacuees as potential national security risks over the past two weeks, vetting reports show*, 10 September 2021, [https://www.washingtonpost.com/national/afghan-refugees-security-risks/2021/09/09/a0c5d1ac-1194-11ec-a511-cb913c7e5ba0\\_story.html](https://www.washingtonpost.com/national/afghan-refugees-security-risks/2021/09/09/a0c5d1ac-1194-11ec-a511-cb913c7e5ba0_story.html)

<sup>63</sup> CBS News, *US Housing 20,000 Afghan evacuees in 5 states, with another 40,000 overseas*, updated 1 September 2021, <https://www.cbsnews.com/news/afghanistan-evacuees-us-housing-17000-in-5-states-40000-overseas/>

<sup>64</sup> New York Times, *Thousands of Afghans on American military bases await resettlement*, 16 September 2021, <https://www.nytimes.com/2021/09/16/us/politics/afghan-refugees.html>.

<sup>65</sup> DHS, *Operation Allies Welcome Fact Sheet*, cited.

## VISAS FOR AFGHANS IN TRANSIT

**Special Immigrant Visa (SIV)** is a visa a category developed for interpreters and other Afghans whose service to US forces or government put them and their families at risk. Eligibility requirements for the program were expanded in July 2021.<sup>66</sup>

**Priority 1 (P1) and Priority 2 (P2)** programs refer to designations under the U.S. Refugee Admissions Program (USRAP). They are ways for some Afghan citizens to be considered for resettlement as a refugee to the United States.

**Humanitarian parole** is a temporary status, usually granted for one to two years, that enables individuals without a visa to enter the US for humanitarian reasons. On 30 September 2021, US Congress passed a continuing resolution that ensures that Afghans arriving on humanitarian parole have access to refugee resettlement benefits.

Afghan evacuees are particularly affected by the destruction of documents by US embassy officials during the Kabul airlift. Due to the processing backlogs and the destruction of evidentiary documents, Afghans may therefore be at risk of losing status in the United States once their parole period is expired. Amnesty International is calling on the US Congress to establish a pathway to permanent residency/citizenship to Afghans for those who may otherwise not qualify for visa programs or may have difficulty accessing the asylum system without their documents.<sup>67</sup>

What follows provides information on the situation of Afghan evacuees in some of the countries that have agreed to host them in the medium-term, while their documents for the United States are finalised. Information on the short-term transit sites ("lily-pad sites") can be found in the respective country sections.

## AFGHAN EVACUEES IN BALKAN COUNTRIES: ALBANIA, KOSOVO AND NORTH MACEDONIA

On 15 August 2021 the Albanian Prime Minister announced that **Albania** would host 4,000 Afghans fleeing Taliban rule, on a temporary basis as they wait for their US visas.<sup>68</sup> As of the end of September, 866 Afghans had reached the country and were hosted in student accommodation halls in the capital and resorts along the Adriatic coast.<sup>69</sup> According to the government, they are being granted temporary protection status for one year.<sup>70</sup>

**Kosovo**'s Minister of Interior stated that Kosovo agreed to provide temporary shelter to 2,000 Afghans who have collaborated with the US and NATO.<sup>71</sup> As of mid-September 2021, about 1,000 Afghan evacuees were in the country, in the Bechtel-Enka camp run by NATO's international command and at the US military base of Bondsteel.<sup>72</sup> They were granted temporary protection and a one-year

<sup>66</sup> US Department of State, *Special Immigrant Visas for Afghans - Who Were Employed by/on Behalf of the U.S. Government*, <https://travel.state.gov/content/travel/en/us-visas/immigrate/special-immigrant-visa-afghans-employed-us-government.html>; "Afghan SIV Program Update". Perspective SIV beneficiaries must apply and go through the same vetting as refugees, but they choose whether or not to be resettled through partner agencies in the US. They arrive with permanent resident status.

<sup>67</sup> Amnesty International USA, *Ensure protections for Afghans seeking safety in the United States*, 13 September 2021, <https://www.amnestyusa.org/wp-content/uploads/2021/09/091321-Afghan-Legislation-Congressional-Backgrounder.pdf>

<sup>68</sup> Exit News, *Prime Minister Rama Confirms Albania Will Accept Afghan Refugees*, 15 August 2021, <https://exit.al/en/2021/08/15/prime-minister-rama-confirms-albania-will-accept-afghan-refugees/>

<sup>69</sup> Figure calculated by Amnesty International based on figures published by the Ministry of Foreign Affairs. Exit News, *More than 1,200 Afghan Refugees Already Landed in Albania and Kosovo*, 6 September 2021, <https://exit.al/en/2021/09/06/more-than-1200-afghan-refugees-already-landed-in-albania-and-kosovo/>; New York Times, *From Taliban Terror to Beach Resort: A Strange Journey for Some Refugees*, 13 September 2021, <https://www.nytimes.com/2021/09/13/world/europe/afghanistan-refugees-albania.html>

<sup>70</sup> Exit News, *Afghans in Albania Will Receive Temporary Protection Status*, 25 August 2021, <https://exit.al/en/2021/08/25/afghans-in-albania-will-receive-temporary-protection-status/>

<sup>71</sup> Radio Evropa e Lirë, *Sveçla: Afër 700 afganë janë strehuar në Kosovë*, 6 September 2021, <https://www.evropaelire.org/a/xhelal-sveçla-strehimi-i-shtetasve-afgane-/31445814.html>

<sup>72</sup> Kallxo, *Afro 1,000 afganë të strehuar në Kosovë*, 13 September 2021, <https://kallxo.com/lajm/afro-1000-afgane-te-strehuar-ne-kosove/>

residence permit.<sup>73</sup> Amnesty International is concerned that movement outside the camps appears to be restricted and that visits by media and other independent observers are not allowed.<sup>74</sup>

**North Macedonia** also agreed to temporarily host Afghan evacuees. The first group of about 190 reached Skopje airport in September, while the government said it expects to accommodate 780 Afghans.<sup>75</sup>

### **AFGHAN EVACUEES IN AFRICA: RWANDA AND UGANDA**

**Rwanda** has agreed to host some Afghan nationals at the request of the United States. Rwandan officials have confirmed that 250 students and staff of the only boarding school for Afghan girls, School of Leadership, Afghanistan will be hosted in Rwanda for a semester abroad.<sup>76</sup>

On 17 August 2021 **Uganda**'s Ministry of Foreign Affairs declared that the government had been approached by the United States with a request for assistance hosting Afghan evacuees and had expressed its willingness to help.<sup>77</sup> On 14 September, the official account of the Parliament of Uganda tweeted that 51 initial evacuees were received by Uganda, and the US Mission to Uganda was responsible for their processing and onward journeys, which could take a few weeks or months.<sup>78</sup> According to the International Rescue Committee, an implementing partner of the United States, the evacuees will stay in Uganda "whilst applying for asylum to countries of resettlement such as the US".<sup>79</sup>

### **AFGHAN EVACUEES IN THE AMERICAS: COLOMBIA**

On 19 August media reported that the U.S. and **Colombia** were finalizing an agreement that could send as many as 4,000 Afghans who worked with the U.S. government in Afghanistan to Colombia temporarily.<sup>80</sup> President Ivan Duque confirmed the agreement a few days later.<sup>81</sup> According to the Colombian Migration Agency, the stay of Afghan evacuees would last between three and six months (or in some cases longer); and its costs would be covered by the United States.<sup>82</sup> As of 20 September, however, no Afghan evacuee was due to reach Colombia.<sup>83</sup>

## **3.2 CANADA**

On 3 September 2021, the government of Canada indicated that it had evacuated over 3,700 people from Afghanistan as of that date, and that 3,000 had already arrived in the country.<sup>84</sup> In addition, the government had agreed to accept up to 5,000 Afghans whose evacuations were facilitated by the US,

<sup>73</sup> Republic of Kosovo, Decision No. 01/29, 23 August 2021, <https://kryeministri.rks-gov.net/wp-content/uploads/2021/08/Vendim-29-Eng-1.pdf>

<sup>74</sup> Kosovo 2.0, *Afghan evacuees in Kosovo de facto detained*, 16 September 2021, <https://kosovotwozero.com/en/afghan-evacuees-in-kosovo-de-facto-detained/>

<sup>75</sup> RFE/RL's Balkan Service, *More Than 100 Afghan Citizens Offered Refuge In North Macedonia*, 31 August 2021, <https://www.rferl.org/a/afghanistan-refugees-skopje-north-macedonia/31437052.html>

<sup>76</sup> CNN, *All students and staff at Afghanistan's only girls' boarding school flee to Rwanda*, 25 August 2021, <https://edition.cnn.com/2021/08/25/africa/afghan-schoolgirls-semester-rwanda-intl/index.html>

<sup>77</sup> Uganda, Ministry of Foreign Affairs, Press Release 17 August 2021, [mofa.go.ug/files/downloads/CamScanner%2008-17-2021%2016.43.pdf](https://mofa.go.ug/files/downloads/CamScanner%2008-17-2021%2016.43.pdf).

<sup>78</sup> Parliament of Uganda, Twitter, 14 September 2021, [twitter.com/Parliament\\_Ug/status/1437804018756202503](https://twitter.com/Parliament_Ug/status/1437804018756202503).

<sup>79</sup> International Rescue Committee, Press Release: *IRC Uganda supporting newly arrived Afghan evacuees*, 25 August 2021, [rescue.org/press-release/irc-uganda-supporting-newly-arrived-afghan-evacuees](https://rescue.org/press-release/irc-uganda-supporting-newly-arrived-afghan-evacuees).

<sup>80</sup> Wall Street Journal, *U.S. Finalizing Agreement to Send 4,000 Afghans to Colombia*, 19 August 2021, <https://www.wsj.com/livecoverage/live-afghanistan-taliban-news/card/6vFgkldOKIPICxYKNXI>

<sup>81</sup> El Tiempo, *Colombia y EE. UU. ultiman la logística para recibir a afganos en el país*, 21 August 2021, <https://www.eltiempo.com/politica/gobierno/ivan-duque-habla-sobre-los-afganos-que-ilegarian-a-colombia-612059>.

<sup>82</sup> According to the plans, their security records would be checked both by the U.S. and Colombia. Colombia could deny entry in case there is a risk for national security. Migración Colombia, Migración Colombia trabaja en un plan de llegada para migrantes afganos, ante su posible arribo al territorio nacional, 31 August 2021, <https://www.migracioncolombia.gov.co/noticias/migracion-colombia-trabaja-en-un-plan-de-llegada-para-migrantes-afganos-ante-su-posible-arribo-al-territorio-nacional>

<sup>83</sup> El Tiempo, *Pinzón no descarta llegada de afganos, pero dice que esta no es inminente*, 20 September 2021, <https://www.eltiempo.com/mundo/eeuu-y-canada/juan-carlos-pinzon-habla-sobre-la-llegada-de-afganos-619293>

<sup>84</sup> Immigration, Refugees and Citizenship Canada, *More than 3,000 Evacuees Arrive in Canada from Afghanistan*, 3 September 2021, <https://www.canada.ca/en/immigration-refugees-citizenship/news/2021/09/more-than-3000-evacuees-arrive-in-canada-from-afghanistan.html>.

and these evacuees would be part of the maximum number of Afghans who would be resettled in Canada (which was previously 20,000).<sup>85</sup>

According to Immigration, Refugees and Citizenship Canada, special measures have been put in place to prioritize certain applications for Afghans to come to Canada. These include, among others, measures to facilitate family reunification; measures for individuals who assisted the government of Canada and their families; and measures for the resettlement of Afghans who are outside of the country and do not have a durable solution, including women leaders, religious minorities, human rights defenders, journalists, LGBTI individuals, and their families.<sup>86</sup>

On 27 September, Canadian Foreign Affairs Minister Marc Garneau said that Canada would double their initial promise and welcome up to 40,000 Afghans to Canada through resettlement.<sup>87</sup>

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<sup>85</sup> Ibid.

<sup>86</sup> Immigration, Refugees and Citizenship Canada, *Supporting Afghan Nationals: Special measures for Afghan applications*, accessed 28 September 2021, <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/afghanistan/afghans-canada.html>.

<sup>87</sup> Global News, *UNGA 2021: Canada committed to welcoming 40,000 Afghan refugees, Garneau says*, 27 September 2021, <https://globalnews.ca/video/8225421/unga-2021-canada-committed-to-welcoming-40000-afghan-refugees-garneau-says>.

## 4. THE SITUATION OF AFGHANS IN TURKEY, UKRAINE, EU COUNTRIES AND THE UK

### 4.1 TURKEY

Due to its significant role in migration management in the region, and positioning towards the newly installed Taliban regime, Turkey plays a key role in the Afghanistan crisis and in the protection of Afghans on its territory and beyond.<sup>88</sup> Turkey already hosts a population of 3.6 million Syrian refugees and around 320,000 refugees of other nationalities, and it is a key partner of the European Union in migration management.<sup>89</sup> According to UNHCR official statistics, there are 130,000 Afghan refugees and asylum-seekers in Turkey.<sup>90</sup> Based on 2021 data published by the DGMM, Turkey also hosts almost 50,000 Afghans with an alternative residence status, most of whom are under a short-term residence permit or a student visa.<sup>91</sup>

Before 31 August 2021, Turkish forces evacuated around 1,400 people from Afghanistan, the majority of whom were Turkish citizens.<sup>92</sup> Following the Taliban takeover of Afghanistan, Turkish authorities have declared their opposition to possible large arrivals of Afghans to Turkey, stating that the country would not become "Europe's migrant storage unit".<sup>93</sup> In parallel, Turkey adopted a tougher approach to border-control. Already in July, Turkish authorities announced that the existing wall at the country's border with Iran, under construction since 2017,<sup>94</sup> would be extended to 295 km.<sup>95</sup> According to local reports, the authorities' intention is for 64 km of the wall to be completed by the end of 2021.<sup>96</sup> The extension of the wall will further hinder crossing of Afghans coming from Iran.

Reports have consistently indicated that Turkey deports Afghans in an irregular migration status and pushes back those who try to enter irregularly from Iran.<sup>97</sup> On 23 August 2021, in the district of Tuzla, in Istanbul, 145 Afghans were rounded up in raids to recycling depots and are said by the Governorate of Istanbul to have been transferred to a return centre.<sup>98</sup> At the time of writing, Amnesty International's request for information to the Turkish authorities regarding the status of the 145 Afghans is without response. In Ankara, Turkish authorities arrested a group of undocumented Afghan nationals on 18 August. At the time of writing, they are in pre-deportation detention.<sup>99</sup>

Data from Turkey's Directorate General for Migration Management (DGMM) indicate that Turkey 'captured' 44,565 Afghan irregular migrants between 1 January and 23 September 2021.<sup>100</sup> Turkey

<sup>88</sup> Business Insider, *Turkey's autocratic leader praises the Taliban's 'moderate statements' and says he's 'open to cooperation'*, 18 August 2021, <https://www.businessinsider.com/turkey-erdogan-says-hes-open-to-cooperation-with-taliban-2021-8?r=US&IR=T>

<sup>89</sup> UNHCR, *Refugees and Asylum Seekers in Turkey*, at: <https://www.unhcr.org/tr/en/refugees-and-asylum-seekers-in-turkey>

<sup>90</sup> UNHCR *Refugee Data Finder*, 2020 data, <https://www.unhcr.org/refugee-statistics/download/?url=TVk5f2>. See declaration of Minister Soleyman Soylu to Al Jazeera, which refers to 182,000 "Afghans registered in Turkey": <https://haber.sol.org.tr/haber/soylu-turkiyede-300-bin-afgan-gocmen-var-312244>

<sup>91</sup> Data from DGMM, at: <https://en.goc.gov.tr/residence-permits>

<sup>92</sup> Reuters, *Factbox: Evacuations from Afghanistan by country*, 30 August 2021, <https://www.reuters.com/world/evacuations-afghanistan-by-country-2021-08-26/>

<sup>93</sup> The Guardian, *Turkey reinforces Iran border to block Afghan refugees*, 23 August 2021, <https://www.theguardian.com/world/2021/aug/23/turkey-reinforces-iran-border-to-block-afghan-refugees>

<sup>94</sup> Yeni Safak, *Turkey completes half of security wall along Iranian border*, 30 December 2017, at: <https://www.yenisafak.com/en/news/turkey-completes-half-of-security-wall-along-iranian-border-2921679>

<sup>95</sup> DuvaR.english, *Turkey plans to expand border wall along entire 295-km Iran frontier*, 27 July 2021, <https://www.duvarenglish.com/turkey-plans-to-expand-border-wall-along-entire-295-km-iran-frontier-news-58321> and images of construction works up to July: <https://www.duvarenglish.com/turkey-building-63-km-monstrous-wall-along-iranian-border-to-stop-migration-gallery-58265?p=2>. Also, Reuters, *Turkey builds wall to stop Afghan influx*, 28 July 2021, <https://www.youtube.com/watch?v=RXyZe0XebpM>

<sup>96</sup> Daily Sabah, *Turkey' eastern Iran border to be safer with modular wall system*, 27 July 2021, <https://www.dailysabah.com/politics/turkey-eastern-iran-border-to-be-safer-with-modular-wall-system/news>. See also satellite images show new construction along the Turkey border with Iran: Planet Labs, 2021: Image on 13 July 2021 compared with image on 8 September 2021, [https://www.planet.com/stories/caldiran\\_turkey-vc28KNsng](https://www.planet.com/stories/caldiran_turkey-vc28KNsng)

<sup>97</sup> Afghanistan Analyst Network, *Afghan Exodus: Migrants in Turkey left to fend for themselves*, 22 December 2020, <https://www.afghanistan-analysts.org/en/reports/migration/afghan-exodus-migrant-in-turkey-left-to-fend-for-themselves/>; EuroMed Rights, *Afghan refugees stuck in limbo at Turkish border need EU protection*, 31 August 2021, <https://euromedrights.org/publication/afghan-refugees-stuck-in-limbo-at-turkish-border-need-eu-protection/>; Human Rights Watch, *Turkey: Soldiers Beat, Push Afghan Asylum Seekers Back to Iran*, 15 October 2021, <https://www.hrw.org/news/2021/10/15/turkey-soldiers-beat-push-afghan-asylum-seekers-back-iran>.

<sup>98</sup> Istanbul Governorate, Press release of 23 August 2021, <http://www.istanbul.gov.tr/bakirkoy-ve-umraniye-ilcelerimizde-izinsiz-ruhsatsiz-atik-toplama-ve-ayirma-yerleri-ile-cekcekci-sahislara-yonetlik-denetim-basin-aciklamasi>; DuvaR.english, *Istanbul waste collectors protest seizure of carts, raids on warehouses*, 7 September 2021, <https://www.duvarenglish.com/istanbul-waste-collectors-protest-seizure-of-carts-raids-on-warehouses-news-58730>

<sup>99</sup> Amnesty International exchange of information with local source, details withheld, Ankara, 5 October 2021.

<sup>100</sup> Data from DGMM, as of 23 September 2021, at: <https://en.goc.gov.tr/irregular-migration>

also continued to deport Afghans to Afghanistan throughout 2020, although the situation in the country did not allow returns. Based on IOM figures, Turkey returned around 6,000 Afghans as of September 2020.<sup>101</sup> NGOs reports however note the lack of accurate data regarding returns through the land borders between Turkey and Iran, from where Afghans are returned in large numbers back to Afghanistan.<sup>102</sup>

## 4.2 UKRAINE

According to media sources citing the Ukrainian government, Ukraine evacuated more than 700 people from Kabul, including journalists from *The Wall Street Journal*, *Stars and Stripes* and *USA Today*.<sup>103</sup> In September the government stated that 66 Afghan nationals had applied for refugee status in the country.<sup>104</sup> It remains unclear to which degree these evacuations took place within the framework of the US' *Operation Allies Welcome*.<sup>105</sup>

At the beginning of September 2021, the government stated that it expected the arrival of about 5,000 Afghans<sup>106</sup> and that it had started preparing to convert and equip a prison colony in Irpen (near Kyiv) as a temporary centre for around 3,000 Afghans.<sup>107</sup>

## 4.3 THE EUROPEAN UNION AND ITS MEMBER STATES

### THE EUROPEAN UNION

At an extraordinary Council meeting of 31 August 2021, the European Union's Ministers of Home Affairs declared their intention to address the issues of "international protection, migration and security" raised by the Afghanistan crisis, including by identifying "targeted solutions for the remaining specific cases of persons at risk in Afghanistan" and strengthening its support to "neighbouring and transit countries hosting large numbers of migrants and refugees". However, they also expressed their determination to "prevent the recurrence of uncontrolled large-scale illegal migration movements" and to "effectively protect the EU external borders and prevent unauthorized entries".<sup>108</sup>

A few days later, the EU's External Action Service and EU Foreign Ministers committed to engage with the new Afghan government according to five agreed benchmarks, which include respect for human rights, in particular women's rights, the rule of law and freedom of the media; and fulfilment of the Taliban commitment about the departure of foreign nationals and Afghans at risk who wish to leave the country. The EU also committed to increase humanitarian aid four-fold to 200 million euro, subject to respect for conditions and procedures for its delivery.<sup>109</sup>

In the aftermath of the Taliban takeover of Kabul, the EU evacuated several hundreds of local staff and others who have been working to support the EU Delegation and mission in Afghanistan and their

<sup>101</sup> Amnesty International, *Report 2020/2021: Turkey*, <https://www.amnesty.org/en/location/europe-and-central-asia/turkey/report-turkey/>

<sup>102</sup> Afghanistan Analysts Network, *Afghan Exodus: Migrants in Turkey left to fend for themselves*, 22 December 2020, <https://www.afghanistan-analysts.org/en/reports/migration/afghan-exodus-migrant-in-turkey-left-to-fend-for-themselves/>

<sup>103</sup> Ukrinform, *Ukraine evacuated over 700 people from Afghanistan – MP Umerov*, 30 September 2021, <https://www.ukrinform.net/rubric-politics/3324891-ukraine-evacuated-over-700-people-from-afghanistan-mp-umerov.html>, New York Times, *How Ukraine Negotiated With the Taliban and Rescued 96 Afghans*, 24 September 2021, [nytimes.com/2021/09/24/world/middleeast/ukraine-taliban-rescue-afghanistan.html](https://nytimes.com/2021/09/24/world/middleeast/ukraine-taliban-rescue-afghanistan.html)

<sup>104</sup> Letter of the Minister of Interior, (date unknown) published in Ukraneus, *МВД рассматривает возможность размещения 3 тыс. беженцев из Афганистана в Бучанской колонии*, 9 September, <https://ukraneus.com/news/799930-mvd-rassmatrivaet-vozmozhnost-razmeshheniya-3-tys-bezhentsev-iz-afghanistana-v-kolonii>

<sup>105</sup> The Twitter account of the US Embassy in Kyiv and the official Twitter account of Ned Price, a spokesperson of the US Department of State, thanked Ukrainian partners for their help in evacuations. [twitter.com/StateDeptSpox/status/1429976159442415616](https://twitter.com/StateDeptSpox/status/1429976159442415616), [twitter.com/USEmbassyKyiv/status/1429797180429197313](https://twitter.com/USEmbassyKyiv/status/1429797180429197313)

<sup>106</sup> Ukraneus, *МВД ожидает, что из Афганистана в Украину прибудет 5 тыс. Беженцев*, 9 September 2021, <https://ukraneus.com/news/799917-mvd-ozhidaet-ctho-iz-afghanistana-v-ukrainu-pribudet-5-tys-bezhentsev>

<sup>107</sup> Letter of the Minister of Interior, (date unknown) published in Ukraneus, cited.

<sup>108</sup> Council of the European Union, *Statement on the situation in Afghanistan*, 31 August 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/08/31/statement-on-the-situation-in-afghanistan/>

<sup>109</sup> European Union External Action Service, *Press Statement by High Representative Josep Borrell at the informal meeting of Foreign Affairs Ministers (Gymnich)*, 3 September 2021, [https://eeas.europa.eu/headquarters/headquarters-homepage/103712/afghanistan-press-statement-high-representative-josep-borrell-informal-meeting-foreign\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/103712/afghanistan-press-statement-high-representative-josep-borrell-informal-meeting-foreign_en).

families. Spain provided a hub to receive these people and other member states the required visa or security on the ground.<sup>110</sup>

Amongst the immediate measures proposed to respond to the situation in Afghanistan, the European Commission envisages continued evacuation, including of specific cases of Afghans at risk, and securing the possibility of humanitarian corridors into Afghanistan.<sup>111</sup> Both Vice-President Josep Borrell and EU Home Affairs Commissioner Johansson convened a high-level Forum on providing protection to Afghans at risk which was held on 7 October and saw participation of US, UK and Canada.<sup>112</sup> At the Forum, the European Commission proposed a specific, multiannual, support scheme for Afghans at risk, with a special task force to be set up and regular fora on resettlement.<sup>113</sup> UN High Commissioner for Refugees, Filippo Grandi, called European governments to consider offering resettlement places to half of the 85,000 Afghan refugees that are likely to be in need of resettlement in the next 5 years.<sup>114</sup>

## BULGARIA

In August 2021 Bulgarian authorities announced that they would grant international protection to up to 70 Afghan nationals who worked for the Bulgarian Embassy, Bulgarian military forces and EU institutions in Afghanistan, and their family members.<sup>115</sup> At the same time, the government announced its intention to send between 400 and 700 soldiers at the border with Greece and Turkey because of concerns over arrivals of Afghan asylum seekers.<sup>116</sup>

Bulgaria is not carrying out any returns to Afghanistan. Yet, the Bulgarian government continues to treat Afghan claims as manifestly unfounded and refuses to consider subsequent applications of Afghan asylum-seekers, even when those were submitted after August 2021.<sup>117</sup>

## CROATIA

On 28 August Croatia received 19 Afghan evacuees who had supported the EU delegation in Kabul.<sup>118</sup> They have all passed security checks before their arrival. All of them have expressed their intention to seek international protection in Croatia and are accommodated in a semi-open asylum centre.<sup>119</sup> Nevertheless pushbacks of Afghan families trying to enter Croatia from Bosnia and Herzegovina or Serbia are a daily occurrence.<sup>120</sup>

## DENMARK

Since the Taliban takeover and as of 15 September, Denmark has evacuated 901 Afghan and other non-Danish nationals, including personnel that had worked for the Danish embassy in Afghanistan,

<sup>110</sup> European Union External Action Service, *Afghanistan: Press remarks by the High Representative Josep Borrell after extraordinary videoconference of the EU Foreign Ministers*, 17 August 2021, [https://eeas.europa.eu/headquarters/headquarters-homepage/103139/afghanistan-press-remarks-high-representative-josep-borrell-after-extraordinary\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/103139/afghanistan-press-remarks-high-representative-josep-borrell-after-extraordinary_en)

<sup>111</sup> Council of the European Union, *Draft Action Plan responding to the events in Afghanistan*, Council document 10472/21 REV 1, 10 September 2021, <https://www.statewatch.org/media/2726/eu-council-afghanistan-com-draft-action-plan-migration-10472-1-21-rev1.pdf>.

<sup>112</sup> Ylva Johansson, #TimeToDeliverMigrationEU No.16 - EU High-level Forum on providing protection to Afghans at risk, 3 October 2021, [https://ec.europa.eu/commission/commissioners/2019-2024/johansson/blog/timetodelivermigrationeu-no16-eu-high-level-forum-providing-protection-afghans-risk\\_en](https://ec.europa.eu/commission/commissioners/2019-2024/johansson/blog/timetodelivermigrationeu-no16-eu-high-level-forum-providing-protection-afghans-risk_en)

<sup>113</sup> European Commission, *Press briefing by Ylva Johansson, European Commissioner, following the High-Level Forum on providing protection to Afghans at risk*, 7 October 2021, <https://audiovisual.ec.europa.eu/en/video/I-211839>

<sup>114</sup> Filippo Grandi, Twitter, 7 October 2021, <https://twitter.com/i/web/status/1446130702047596550>

<sup>115</sup> Novinite, *Bulgaria will grant asylum for up to 70 Afghans and their families*, 25 August 2021, <https://www.novinite.com/articles/210926/Bulgaria+Will+Grant+Asylum++for+up+to+70+Afghans+and+Their+Families>.

<sup>116</sup> RFE/RL, *Bulgaria Sends Troops To Border As EU Braces For Afghan Migrant Flows*, 27 August 2021, <https://www.rferl.org/a/bulgaria-border-migrants-afghanistan-/31430530.html>

<sup>117</sup> Amnesty International, email exchange with the Bulgarian Helsinki Committee, 4 October 2021.

<sup>118</sup> Jutarnjilist, *U Hrvatsku stiglo 19 afganistanskih izbjeglica, među njima deset maloljetnika*. Svi će zatražiti azil, 28 August 2021, <https://www.jutarnji.hr/vijesti/hrvatska/u-hrvatsku-stiglo-19-afganistanskih-izbjeglica-medju-njima-deset-maloljetnika-svi-ce-zatraziti-azil-15098210>.

<sup>119</sup> Amnesty International, exchange with Centre for Peace Studies, 30 September 2020.

<sup>120</sup> Amnesty International, *EU: New evidence of systematic unlawful pushbacks and violence at borders*, 6 October 2021, <https://www.amnesty.org/en/latest/news/2021/10/eu-new-evidence-of-systematic-unlawful-pushbacks-and-violence-at-borders/>

translators, employees of NATO, the EU and the UN, as well as human rights defenders and their families.<sup>121</sup> Of them, 84 were transferred or otherwise left Denmark after the evacuation.<sup>122</sup> Following a request from the United States, Denmark agreed to use its military planes in the area to help allied countries during the last hectic weeks of August 2021.<sup>123</sup>

In September media revealed the Danish government had paid the United Kingdom to receive 23 Afghans who had worked as interpreters for Denmark in Afghanistan but had their visa applications to Denmark rejected.<sup>124</sup>

The Danish government is planning to submit a special bill to the Parliament for Afghan staff at the Danish embassy in Kabul, which would grant them a 2-year permit to stay in Denmark, without the possibility of extension.<sup>125</sup> If the bill is passed by Parliament, beneficiaries would have to apply for another residence permit under the Alien Act after their 2-years residence permit expires.

Denmark suspended deportations to Afghanistan on 12 August 2021. Despite there are no prospects to lawfully enforce any return to Afghanistan, as of 30 September 78 Afghans remained in return centres, where they do not have access to employment, education or enjoy full access to health services, and their freedom of movement is severely restricted.<sup>126</sup> Their situation remains uncertain.

## FINLAND

Finland has evacuated more than 400 people from Afghanistan, mainly through a military base in Tbilisi, Georgia.<sup>127</sup> According to the information collected by Amnesty International, that figure includes 224 Afghans. The Finnish government has decided to grant evacuees a 4-year residence permit on humanitarian grounds.<sup>128</sup> As of 30 September, 194 Afghan evacuees had already been granted residence permits.

## FRANCE

According to the French government, between 17 and 31 August France contributed to the airlift efforts evacuating French nationals and over 2,600 Afghans, including people that worked with French authorities and the EU delegation in Afghanistan, and at-risk individuals.<sup>129</sup> Evacuations took place via Qatar and the United Arab Emirates.<sup>130</sup> Upon their arrival in Paris, evacuees were accommodated in reception centres, where they could initiate international protection procedures.<sup>131</sup>

<sup>121</sup> Folketinget, *NOTAT til Det Udenrigspolitiske Nævn: Orientering vedrørende evakuerede fra Afghanistan*, 15 September 2021, <https://www.ft.dk/samling/20201/almel/URU/bilag/301/2446610.pdf>.

<sup>122</sup> Ibid.

<sup>123</sup> Reuters, *Denmark to help allies with Afghanistan evacuation*, 17 August 2021, <https://www.reuters.com/world/asia-pacific/denmark-help-allies-with-afghanistan-evacuation-2021-08-17/>

<sup>124</sup> Tv2, *Danmark har betalt Storbritannien for at tage imod tolke*, 8 September 2021, <https://nyheder.tv2.dk/2021-09-08-danmark-har-betalt-storbritannien-for-at-tage-imod-tolke>

<sup>125</sup> Denmark, Ministry of Foreign Affairs, *A new support initiative for locally employed staff in Afghanistan*, 13 August 2021, <https://um.dk/en/news/newsdisplaypage/?newsID=64230A51-6584-42EB-B419-B31B9FE6C472>

<sup>126</sup> Information provided by Hjemrejsestyrelsen" (The Danish Return Agency) to Amnesty International, 30 September 2021.

<sup>127</sup> Finland, Ministry of Foreign Affairs, *The relief work in Afghanistan was a major joint effort*, 9 September 2021, [https://valtioneuvosto.fi-/avustusoperaatio-afghanistan-oli-yhteinen-suurponnisti?languagId=en\\_US](https://valtioneuvosto.fi-/avustusoperaatio-afghanistan-oli-yhteinen-suurponnisti?languagId=en_US)

<sup>128</sup> Helsinki Times, *Evacuees from Afghanistan to receive four-year residence permits in Finland*, 24 August 2021, <https://www.helsinkitimes.fi/finland/finland-news/domestic/19831-evacuees-from-afghanistan-to-receive-four-year-residence-permits-in-finland.html>.

<sup>129</sup> Amnesty International, meeting with the cabinet of the Minister Delegate in charge of Citizenship and the Director General of OPFRA, Paris, 29 September 2021.

<sup>130</sup> France, Ministère de l'Europe et des Affaires étrangères, 13 September 2021, <https://www.diplomatie.gouv.fr/en/country-files/afghanistan/news/article/welcoming-people-evacuated-from-afghanistan-to-france-evacuation-flight-on-13>; Ministère des Armees, *Mise à jour : 30/08/2021] Opération d'évacuation en Afghanistan*, 30 August 2021 ; <https://www.defense.gouv.fr/actualites/articles/mise-a-jour-30-08-2021-operation-d-evacuation-en-afghanistan>.

<sup>131</sup> Info Migrants, *First flights of Afghan evacuees lands in Paris*, 20 August 2021, <https://www.infomigrants.net/en/post/34469/first-flights-of-afghan-evacuees-land-in-paris>

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French authorities informed Amnesty International that international protection procedures are being fast-tracked for Afghan evacuees and that as of 29 September 2021, 2,000 Afghan evacuees had registered as asylum applicants, with the rest scheduled to do it soon.<sup>132</sup>

France has suspended deportations to Afghanistan since the beginning of July, due to the security situation in the country.<sup>133</sup> Yet, as of 29 September 2021 20 Afghans were still detained in deportation centres and Afghans continued to receive expulsion orders.<sup>134</sup>

## GERMANY

Germany has evacuated Afghan nationals to Germany and also contributed to the U.S. evacuation efforts by providing transit to at-risk Afghans bound to the US or another third country via the US Air Base at Ramstein.

At the end of August, 4,129 Afghans had been evacuated by the German armed forces.<sup>135</sup> As of 6 September, media reports indicated that 248 Afghans who were part of the local personnel of German institutions have been evacuated and accepted in Germany.<sup>136</sup> Afghan personnel who worked for Germany in Afghanistan have been granted visas that allow them to reside and work in the country.<sup>137</sup>

While German authorities have expressed their commitment to continue evacuations, they require security clearance for Afghans to be considered. This poses a major obstacle for Afghans at risk, as the process requires applicants to present themselves to German authorities, a condition that cannot be met in Afghanistan due to the absence of diplomatic representation in the country. On 15 September the Federal Ministry of Interior informed that 2,600 Afghans at risk, plus their families, could be expected to get residence permits (*Aufenthaltstite*) in Germany.<sup>138</sup> According to the same report, however, many of them were still outside Germany as of 15 September.



Afghan evacuees at Ramstein Air Base wait for resettlement. September 2021. © Getty Images

<sup>132</sup> Amnesty International, meeting with the cabinet of the Minister Delegate in charge of Citizenship and the Director General of OPFRA, Paris, 29 September 2021.

<sup>133</sup> Euronews, *Germany, Netherlands and France suspend deportations of Afghan migrants*, 12 August 2021, <https://www.euronews.com/2021/08/11/in-u-turn-germany-and-netherlands-suspend-deportations-of-afghan-migrants>

<sup>134</sup> Amnesty International, meeting with the cabinet of the Minister Delegate in charge of Citizenship and the Director General of OPFRA, Paris, 29 September 2021.

<sup>135</sup> Amnesty International, communications with the German government, September 2021.

<sup>136</sup> RND, *248 afghanische Ortskräfte in Deutschland angekommen*, 6 September 2021, <https://www.rnd.de/politik/afghanistan-248-ortskaefte-in-deutschland-angekommen-PVXBMPMYNK77WVX2357KIAL64.html>

<sup>137</sup> Amnesty International, communications with the German government, September 2021.

<sup>138</sup> Süddeutsche Zeitung, *Deutschland will 2600 Afghanen plus Familien aufnehmen*, 15 September 2021, <https://www.sueddeutsche.de/politik/deutschland-aufnahme-afghanen-1.5411494>

According to media reports, more than 25,000 people have been evacuated via the US Air Base in Ramstein.<sup>139</sup> As of 27 September, 10,000 Afghans were accommodated in the base, but figures oscillate, as there are frequent flights arriving and leaving.<sup>140</sup> Evacuees were to stay in Ramstein until further transportation to the US. However, as of 7 September, around 130 Afghans have reportedly left the base and submitted an asylum claim in Germany.<sup>141</sup>

While deportations of Afghan nationals were temporarily suspended in August, the processing of the majority of applications for international protection submitted by Afghan nationals in Germany has been halted, pending a new assessment of the security situation in Afghanistan by the Ministry of Foreign Affairs.<sup>142</sup> In addition to that backlog, there are about 25,000 Afghans in Germany with a precarious “toleration” status.<sup>143</sup> Individuals with a “toleration” status are temporarily allowed to stay due to obstacles to their deportation (lack of valid travel documents, illness, deportation bans, etc). However, they do not hold a residence title as such. Moreover, their movements are usually restricted to the territory of the respective federal state and possibilities to pursue an occupation are limited.

## GREECE

Six female Afghan members of Parliament and their families arrived in Greece on 22 September and will be temporarily hosted in the country pending the completion of procedures for further travel to the U.S.<sup>144</sup> A few days later 26 women lawyers and judges arrived in Greece from Georgia.<sup>145</sup> While the government has expressed support to the evacuation efforts, the attitude towards Afghan evacuees contrasts with the treatment of Afghan asylum-seekers arriving irregularly in Greece, or present in the country before the Taliban takeover. In June 2021, the Greek government decided to designate Turkey as a safe country for Afghans, meaning that their applications for international protection will be considered inadmissible, putting them at immediate risk of return to Turkey and at further risk of chain-refoulement to Afghanistan.<sup>146</sup>

## IRELAND

As of the end of September 2021, Ireland had offered 400 humanitarian access places to Afghan nationals at risk, allowing for the granting of asylum once in the country.<sup>147</sup> The government made clear that this would not affect existing commitments to resettle Syrian refugees from Lebanon and Jordan and a group of 50 refugees arrived in Ireland from Greece following the 2020 fire at the Moria camp.<sup>148</sup> On 28 September 2021 the government also announced an extended family reunification

<sup>139</sup> Swr, *Nach Masern- auch Corona-Impfung für Geflüchtete auf Air Base*, 23 September, <https://www.swr.de/swraktuell/rheinland-pfalz/kaiserslautern/auch-corona-impfung-fuer-gefluechtete-aus-afghanistan-auf-air-base-ramstein-100.html>

<sup>140</sup> CNN, *Situation becoming 'dire' at US airbase in Germany housing Afghan refugees*, 27 September 2021, <https://edition.cnn.com/2021/09/24/politics/ramstein-airbase-afghan-refugees/index.html>

<sup>141</sup> Spiegel, *Afghanen aus US-Schutzprogramm beantragen Asyl in Deutschland*, 7 September 2021, <https://www.spiegel.de/politik/deutschland/ramstein-von-den-usa-evakuierte-afghanen-beantragen-asyl-in-deutschland-a-0b227000-3d8b-4b36-a1b3-806d8f4c41c6>

<sup>142</sup> Amnesty International, communications with the German government, September 2021.

<sup>143</sup> As of 31 December 2020, there were 26,346 Afghans in Germany with a precarious migration status. Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Ulla Jelpke, Dr. André Hahn, Gökay Akbulut, weiterer Abgeordneter und der Fraktion DIE LINKE *Zahlen in der Bundesrepublik Deutschland lebender Flüchtlinge*– Drucksache 19/26863 –zum Stand 31. Dezember 2020, <https://dserver.bundestag.de/btd/19/282/1928234.pdf>

<sup>144</sup> AP, *Greece hosts 6 female Afghan lawmakers on their way to US*, 22 September 2021, <https://apnews.com/article/europe-greece-united-states-taliban-european-union-938268346ae832e52b11f55c54d8ec1b>

<sup>145</sup> Greece, Ministry of Migration and Asylum, *Αφίξη 26 γυναικών δικαστών και δικηγόρων από το Αφγανιστάν στην Αθήνα*, 1 October 2021, <https://migration.gov.gr/en/afixi-26-gynaikon-dikaston-kai-dikigoron-apo-to-afghanistan-stin-athina/>.

<sup>146</sup> Greece, Ministry of Migration and Asylum, *Greek legislation designates Turkey as a safe third country, for the first time. This decision is for asylum seekers from Syria, Afghanistan, Pakistan, Bangladesh and Somalia*, 7 June 2021, <https://migration.gov.gr/en/asfali-triti-chora-charaktirizei-gia-proti-fora-i-elliniki-nomothesia-tin-toyrikia-afora-aitoyntes-asylo-apo-syria-afganistan-pakistan-mpagklantes-kai-somalia/>.

<sup>147</sup> The Journal, *Ireland has now offered humanitarian access visas to 400 Afghans*, 25 September 2021, <https://www.thejournal.ie/ireland-has-now-offered-humanitarian-access-to-400-afghans-5557357-Sep2021/>. Ireland issued 45 humanitarian visas to Afghan nationals during the first few weeks of the crisis. In mid-August the government announced the provision of up to 150 additional humanitarian visas for Afghans under the Irish Refugee Protection Programme (IRPP). Ireland, Department of Foreign Affairs, *Government calls for an end to the violence in Afghanistan and announces more humanitarian visas*, 16 August 2021, <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2021/august/government-calls-for-an-end-to-the-violence-in-afghanistan-and-announces-more-humanitarian-visas.php>

<sup>148</sup> The Journal, *Ireland has now offered humanitarian access visas to 400 Afghans*, 25 September 2021, <https://www.thejournal.ie/ireland-has-now-offered-humanitarian-access-to-400-afghans-5557357-Sep2021/>

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program, allowing current or former Afghan nationals living in Ireland to bring their close family members to join them in Ireland.<sup>149</sup> These initiatives combined would allow Ireland to welcome about 1,000 Afghan refugees, in addition to the usual resettlement quotas of 600-700 refugees per year.

## ITALY

In August, the Italian government evacuated 5,011 people from Kabul, including 4,890 Afghan nationals.<sup>150</sup> Evacuees included Afghan nationals who had cooperated with Italian forces and the Italian embassy, but also HRDs, journalists, members of institutions and people who had assisted Italian NGOs in Afghanistan (and their families).<sup>151</sup>

The Italian government has stated that it will continue assisting Afghan people who intend to leave the country and have links with Italy or belong to at-risk groups.<sup>152</sup> It declared that it was setting up “humanitarian corridors” for Afghan students (especially female students), starting from students who had already enrolled in Italian universities but have been unable to travel to Italy. The government also stated that it was considering setting up land evacuations from neighbouring countries. While the number of potential beneficiaries has not been officially indicated, government representatives have suggested it would be “in the hundreds”.<sup>153</sup>

In addition, the US Naval Air Station in Sigonella, Sicily, has served as one of the US transit points in *Operation Allies Welcome*. As of the beginning of September 2021, 4,000 Afghans had arrived at the base and 3,000 were still there, waiting for their visas to enter the United States.<sup>154</sup> According to the agreement between the governments of Italy and the United States, evacuees could only stay in Sigonella for 14 days before onward travel.

## NETHERLANDS

The government of the Netherlands has evacuated 1,897 people from Afghanistan.<sup>155</sup> This includes 436 interpreters and their families, other persons that worked for the international military or policy missions in Afghanistan and their families, as well as 370 individuals that worked for Dutch NGOs, human rights defenders, women rights’ activists, journalists and fixers.<sup>156</sup> They follow regular asylum procedures and their applications for international protection are being processed.<sup>157</sup>

The government announced that it will continue supporting evacuation efforts of interpreters and others that worked for the Dutch mission, and authorities travelled to Pakistan, Turkey and Qatar to ensure safe passage for Afghans.<sup>158</sup> However, the Prime Minister has stated that Afghans should stay in the region and the government considers that the identification and protection of other at-risk

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<sup>149</sup> Ireland, Department of Justice, *Government approves Afghan Admission Programme*, 28 September 2021, <http://www.justice.ie/en/JELR/Pages/PR21000233>

<sup>150</sup> Italy, Camera dei Deputati, *XVIII Legislatura - Lavori - Resoconti Assemblea - Dettaglio sedute*, 7 September 2021, <https://www.camera.it/leg18/410?idSeduta=0559&tipo=stenografico#sed0559.stenografico.tit00080>

<sup>151</sup> Ibid.

<sup>152</sup> Ibid.

<sup>153</sup> Ibid. Italy, Ministry of Foreign Affairs, Press point by Vice Minister Sereni - “Afghanistan Coordination Table with Civil Society Organisations”, 9 September 2021, [https://www.esteri.it/mae/en/sala\\_stampa/archivionotizie/approfondimenti/2021/09/punto-stampa-della-vm-sereni-tavolo-di-coordinamento-sull-afghanistan-con-le-organizzazioni-della-societa-civile.html](https://www.esteri.it/mae/en/sala_stampa/archivionotizie/approfondimenti/2021/09/punto-stampa-della-vm-sereni-tavolo-di-coordinamento-sull-afghanistan-con-le-organizzazioni-della-societa-civile.html)

<sup>154</sup> Euronews, *Tra i profughi afghani a Sigonella: 3mila in attesa di un visto speciale per gli Usa*, 2 September 2021, <https://it.euronews.com/2021/09/02/tra-i-profughi-afghani-a-sigonella-3mila-in-attesa-di-un-visto-speciale-per-gli-usa>.

<sup>155</sup> Netherlands, Tweede Kamer der Staten-Generaal, Aan de Voorzitter van de Tweede Kamer der Staten-Generaal, *Stand van zaken Afghanistan*, 13 September 2021, [https://www.tweedekamer.nl/kamerstukken/brieven\\_regering/detail?id=2021Z15516&did=2021D33279](https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2021Z15516&did=2021D33279)

<sup>156</sup> Ibid.

<sup>157</sup> According to the government, as of 13 September, there were about 250 people in Dutch reception facilities that had a country other than the Netherlands as their destination. Ibid.

<sup>158</sup> Foreign Minister Kaag on working visit to Qatar, 1 September 2021, <https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2021/09/01/foreign-minister-kaag-on-working-visit-to-qatar>; Foreign Minister Kaag on working visit to Pakistan, 2 September 2021, <https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2021/09/02/foreign-minister-kaag-on-working-visit-to-pakistan>; Foreign Minister Kaag on working visit to Turkey, 2 September 2021, <https://www.government.nl/ministries/ministry-of-foreign-affairs/news/2021/09/02/foreign-minister-kaag-on-working-visit-to-turkey>

Afghans, like journalists, activists, and human rights defenders, should be done through UNHCR and IOM.<sup>159</sup>

On 12 August, the Netherlands announced it suspended deportations to Afghanistan. Currently, there is a moratorium on decisions and returns to Afghanistan, meaning that applications of Afghan asylum-seekers that were already in the Netherlands are on hold.

## POLAND

Poland has evacuated 937 Afghans, namely individuals who cooperated with the Polish embassy in Kabul and military forces in Afghanistan, employees of the International Monetary Fund, personnel working with the Permanent Representation of the European Union in Kabul, and staff of non-governmental organizations.<sup>160</sup>

In early September authorities announced that 500 Afghans who worked with NATO would be received in Poland, in the cities of Poznań and Lublin, the majority of them for no longer than 3 months, pending further travel to their final destination. Some were expected to arrive from the US Ramstein Air Base in Germany.<sup>161</sup>

In contrast, Afghans trying to reach Poland irregularly, through the land border with Belarus,<sup>162</sup> have been pushed back by Polish border guards. A group of 32 Afghans - four women, 27 men and one 15-year-old girl- have been stranded on the Poland-Belarus border since August. Despite having attempted to seek asylum in Poland, Poland unlawfully returned them without any individual assessment of their protection needs.<sup>163</sup> Polish and Belarusian border guards have been keeping the group trapped in a small strip on the border, as both countries avoid responsibility for them. Without adequate shelter, clean water, food and access to health care, the situation of the group has become even more dire after Poland declared a “state of emergency” at the border on 2 September, restricting journalists’ and NGOs’ access to the area.<sup>164</sup>

## SPAIN

On 21 August Spain and the U.S agreed on a Memorandum of Understanding to receive up to 4,000 Afghans in the US military bases in Spain -located in Rota (Cádiz) and Moron (Seville)- for a maximum period of 14 days.<sup>165</sup> The facilities would be used for Afghans in transit towards the US or a third country.<sup>166</sup>

Over 2,500 people, including US citizens, individuals with permanent residence in the US and at-risk Afghans were temporarily hosted in the U.S military navy base of Rota<sup>167</sup> pending their processing by

<sup>159</sup> Dutch Refugee Council, *Situation in Afghanistan*, accessed 5 October 2021, <https://www.vluchtelingenwerk.nl/forrefugees/belangrijke-informatie-je-eigen-taal?language=en>

<sup>160</sup> PAP, *Poland's evacuation mission from Afghanistan ends*, 26 August 2021, <https://www.pap.pl/en/news/news%2C935600%2Cpolands-evacuation-mission-afghanistan-ends.html>

<sup>161</sup> Polskie Radio, *Poland to admit 500 Afghan evacuees for 3 months: PM's top aid*, 3 September 2021, <https://www.polskieradio.pl/395/7989/Artyku%C5%84/2800176,Poland-to-admit-500-Afghan-evacuees-for-3-months-PMs-top-aide>

<sup>162</sup> Evidence is mounting that Belarusian authorities have organized irregular transits of refugees and migrants from the Middle East and Afghanistan to the EU border, specifically under the guise of tourism. See journalist investigations by The Village, including here: <https://www.the-village.me/village/city/whatsgoingon/289603-gosprogramma>

<sup>163</sup> Amnesty International used digital verification methods to show that on 18 August many of the 32 people, who had entered Poland from Belarus, were on the Polish side of the border, surrounded by Polish border forces. However, one day later they were back on the Belarusian side of the border. This movement could constitute evidence of an unlawful pushback because it appears that the movement occurred as armed Polish border guards surrounded their makeshift camp. Amnesty International, *Poland-Belarus border: a protection crisis*, 30 September, <https://www.amnesty.org/en/latest/research/2021/09/poland-belarus-border-crisis/>. Amnesty International, *Digital investigation proves Poland violated refugee's rights*, 30 September, <https://www.amnesty.org/en/latest/news/2021/09/poland-digital-investigation-proves-poland-violated-refugees-rights/>

<sup>164</sup> Amnesty International, *Poland: 'state of emergency' risks worsening already dire situation for 32 asylum-seekers at border*, 2 September 2021, <https://www.amnesty.org/en/latest/news/2021/09/poland-state-of-emergency-risks-worsening-already-dire-situation-for-32-asylum-seekers-at-border/>

<sup>165</sup> The White House, *Readout of President Joe Biden's Call with President Pedro Sánchez of Spain*, 21 August 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/08/21/readout-of-president-joe-bidens-call-with-president-pedro-sanchez-of-spain/>

<sup>166</sup> US Embassy in Spain and Andorra, *U.S.-Spain Cooperation to Assist Evacuees from Afghanistan*, 23 August 2021, <https://es.usembassy.gov/u-s-spain-cooperation-to-assist-evacuees-from-afghanistan/>

<sup>167</sup> Amnesty International Spain correspondence with the U.S embassy in Spain, 28 September 2021

US authorities, with the first group arriving on 27 August.<sup>168</sup> On 31 August the first group of 350 Afghans were transferred from Rota to a US military base in Virginia. On 28 September, the US embassy in Spain confirmed to Amnesty International that the majority of the evacuees had been transferred to their final destination, and those still in Rota were expected to fly very soon.<sup>169</sup>

Spain also used the military base of Torrejón, in Madrid, as a hub for the transit of personnel of the EU delegation in Afghanistan to other EU countries, and accepted Afghan evacuees who had worked with and for Spanish authorities in Afghanistan and other individuals at risk. Spain has received 420 Afghan families (around 2,181 people) in the military base of Torrejón, Madrid, in 17 evacuation flights.<sup>170</sup> 1,783 people had expressed their intention to seek asylum in Spain and as of 21 September, 699 people had formalized their asylum application. Spanish authorities told Amnesty International that all Afghans would receive international protection, but their status would depend on their individual profile.

## 4.4 UNITED KINGDOM

Before August 2021, the UK operated a visa scheme for Afghan interpreters who had worked with the British Army and their families to relocate to the UK. This scheme was, however, tightly restricted. In the years between 2013 and April 2021, 1,400 people had relocated to the UK under it.<sup>171</sup> In April 2021, the scheme was significantly expanded, including to encompass various Afghan staff employed or formerly employed by the UK in the country, and renamed the Afghan Relocation and Assistance Policy (ARAP).<sup>172</sup> Around 1,400 people relocated to the UK between April 2021 and the beginning of the airlift. People relocated under this scheme were granted leave to remain for 5 years enabling an application for permanent residence to be made after that period.<sup>173</sup>

During the emergency evacuations in August 2021, the UK response included providing military support to secure Kabul airport. The UK evacuated around 15,000 people during this period.<sup>174</sup> The majority of these people were British nationals and family members.<sup>175</sup> Around 5,500 people evacuated were relocated under ARAP. People relocated under this scheme are now granted permanent residence.<sup>176</sup>

During the emergency evacuation period, the UK announced the Afghan Citizens' Resettlement Scheme (ACRS), a targeted scheme to resettle and relocate 5,000 Afghan nationals in the first year of the scheme's operation and up to 20,000 over the coming years.<sup>177</sup> The Home Office indicated that, under ACRS, Afghans may also be relocated directly from Afghanistan. In particular, ACRS aims to prioritise Afghans "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"; "vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and

<sup>168</sup> La Voz Digital, *Refugiados afganos en Rota: dos semanas de campamento, solidaridad y agradecimiento a España*, 10 September 2021, [https://www.lavozdigital.es/cadiz/provincia/lvdi-refugiados-afganos-rota-semanas-campamento-solidaridad-y-agradecimiento-espana-202109101715\\_noticia.html](https://www.lavozdigital.es/cadiz/provincia/lvdi-refugiados-afganos-rota-semanas-campamento-solidaridad-y-agradecimiento-espana-202109101715_noticia.html).

<sup>169</sup> Amnesty International Spain correspondence with the U.S embassy in Spain, 28 September 2021

<sup>170</sup> Data provided by the Spanish Ministry of Inclusion, Social Security and Migration, 2 September 2021 <https://prensa.inclusion.gob.es/WebPrensaInclusion/noticias/ministro/detalle/4094>

<sup>171</sup> Ministry of Defence (UK), Home Office (UK), The Rt Hon Priti Patel MP, and The Rt Hon Ben Wallace, MP, *Government reforms intimidation scheme to relocate more Afghan staff under threat*, 29 December 2020, <https://www.gov.uk/government/news/government-reforms-intimidation-scheme-to-relocate-more-afghan-staff-under-threat>.

<sup>172</sup> Ministry of Defence (UK), *Plans to bring vulnerable Afghan interpreters to the UK accelerated*, 1 June 2021, <https://www.gov.uk/government/news/plans-to-bring-vulnerable-afghan-interpreters-to-the-uk-accelerated>.

<sup>173</sup> Home Office (UK), *Afghanistan Resettlement and Immigration Policy Statement*, 13 September 2021, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1017133/210912\\_Afghan\\_policy\\_statement\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1017133/210912_Afghan_policy_statement_.pdf).

<sup>174</sup> Ibid.

<sup>175</sup> The Rt Hon Dominic Raab MP, *Oral Statement to Parliament: Afghanistan response: Foreign Secretary's statement*, 6 September 2021, <https://www.gov.uk/government/speeches/foreign-secretary-statement-on-afghanistan-response>.

<sup>176</sup> Amnesty International UK, *UK: Government must invest in all refugees fleeing persecution*, 1 September 2021, <https://www.amnesty.org.uk/press-releases/uk-government-must-invest-all-refugees-fleeing-persecution>

<sup>177</sup> United Kingdom, Home Office, *Afghanistan resettlement and immigration policy statement*, cited. See also: Amnesty International UK, *UK: Afghanistan resettlement scheme is 'too little, too late'*, 18 August 2021, <https://www.amnesty.org.uk/press-releases/uk-afghanistan-resettlement-scheme-too-little-too-late>

LGBT); as well those who despite being called forward for the emergency evacuation “were unable to evacuate before the ceasing of operations in Afghanistan”.<sup>178</sup> Individuals covered by the ACRS scheme will receive permanent residence.

The UK suspended all removals to Afghanistan. The Home Office has announced that it would take steps to enable Afghans in the UK with only short-term leave to remain to extend their stay; and that Afghans in the UK without permission should come forward.<sup>179</sup> However, it did not provide further details.

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<sup>178</sup> UK Home Office, *FACTSHEET: ARCS and other routes*, 13 September 2021, <https://homeofficemedia.blog.gov.uk/2021/09/13/arcs-other-routes/>.

<sup>179</sup> United Kingdom, Home Office, Afghanistan resettlement and immigration policy statement, cited.

# CONCLUSIONS AND RECOMMENDATIONS

## CONCLUSIONS

One month after the end of the Kabul airlift, what options are left open to the thousands of Afghans at risk of reprisals from the Taliban who did not manage to reach the airport during the last two weeks of August, as well as for the girls, women, members of the LGBTI community and other groups who are now suffering systematic human rights violations at the hands of the Taliban? The picture emerging from this briefing is bleak.

## BORDER CLOSURES AND IRREGULAR JOURNEYS

No country has kept its borders open to Afghans seeking refuge. Neighbouring countries (Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan) have essentially closed borders to Afghans without passports, visas and other travel documents. While these would be legitimate travel requirements in normal times, they are not legitimate in light of the situation within Afghanistan and of the real risk of serious human rights violations faced by certain groups.

As a result of the restrictions at the borders with neighbouring countries, many Afghans who want to flee the country have little option left but to attempt irregular journeys using smugglers. Amnesty International strongly condemns all policies and practices towards Afghans travelling irregularly that would result in pushbacks, rejection at the frontier or consignment to border areas, including Tajikistan's refusal to admit 80 Afghan families stuck in the no man's land at Tajik-Afghan border, Turkey's plans to extend a wall at the border with Iran and pushbacks at the Poland-Belarus border.

Amnesty International notes with concern the practice of Bulgaria, Croatia and Poland, which have closed their borders or otherwise pushed back Afghans, while at the same time cooperating with their military allies for the transfer of Afghan evacuees to the United States or other third countries. The imperative to keep the borders open and the prohibition of rejection at the frontier does not apply only to the countries sharing a land border with Afghanistan. It also applies to the countries that Afghans can reach via air or sea or after journeys through other countries. In other words, the obligation of *non-refoulement*, which prohibits states from transferring individuals to a place where they would be at real risk of serious human rights violations, disregards any distinction between regular and irregular arrivals.

## FORCIBLE RETURNS

Iran, Pakistan and Turkey are still carrying out deportations or other transfers of Afghans back to Afghanistan, despite the situation there, thereby violating the obligation of *non-refoulement*. Amnesty International notes that the obligation of *non-refoulement* prohibits forcible transfers not only directly to places where individuals would be at real risk of serious human rights violations, as Afghanistan is now, but also to countries where individuals would not be protected from onward forcible returns (so-called chain *refoulement*). Forcible returns of Afghans to Iran, Pakistan and Turkey would therefore be unlawful.

Several European countries have halted deportations to Afghanistan as a matter of either policy or practice. However, France is still issuing deportation orders and detaining Afghans in deportation centres. Denmark is still hosting Afghan deportees in return centres, where their freedom of movement is severely restricted.

## EVACUATIONS

After the end of the airlift, several countries have promised not to abandon the thousands of at-risk Afghans still in Afghanistan, especially those included in the evacuation lists that they had put together during the operation. However, very few countries have kept their word, like Canada and Ireland, by offering additional resettlement and community sponsorship places and opening new safe routes to protection.

## UNITED STATES OF AMERICA'S *OPERATION ALLIES WELCOME*

The United States' *Operation Allies Welcome* is unique among the efforts to airlift Afghan nationals. Although its geographical reach might have been overstated during its early stages, the ability of the US authorities to organise in a few weeks an extra-territorial transit and processing system for Afghan evacuees spanning several regions is proof of the country's political and financial power. Amnesty International notes that US authorities have stated the intention to resettle 95,000 Afghan evacuees to the US.

The model of *Operation Allies Welcome*, however, raises some serious human rights questions in light of reports of restrictions on freedom of movement for Afghan evacuees in US military bases and detention and transfer to third countries of Afghan evacuees who have not cleared the very stringent US security checks. What mechanisms are in place to ensure that US authorities respect, protect and promote the rights of the evacuees within the framework of the Operation? How can possible abuses be reported, investigated and addressed? These questions have not yet been answered.

## RECOMMENDATIONS

While the situation in Afghanistan remains volatile, all countries must take immediate measures now to enable exit from Afghanistan, offer international protection both to new arrivals and to those Afghans who are already on their territories and support neighbouring countries and other countries in the region. In particular, efforts must be urgently stepped up to secure the evacuation of women activists, human rights defenders, civil society activists, academics, journalists, and marginalized groups, and others who are at heightened risk of retaliation from the Taliban. The lives of thousands of women and men who had worked to promote and defend human rights, gender equality, rule of law and democratic freedoms in their country are now, more than ever, hanging by a thread.

### RECOMMENDATIONS TO ALL COUNTRIES

#### A. Enable exit from Afghanistan

- Ensure safe access to, and passage through, their territory for Afghan nationals by keeping their land and air borders with Afghanistan open and suspending or reducing entry requirements:
  - Suspend all visa requirements for Afghan nationals at least until the security situation allows for embassies and consulates to reopen and for visa-granting processes to function in a prompt, effective and transparent way;
  - Where visa-granting processes for Afghan nationals are functioning in a prompt, transparent, and effective way, expedite humanitarian visas and reduce documentation requirements to a minimum, including issuing *laissez passer*.
- Actively arrange or support safe passage and evacuations from Afghanistan for all those at risk of being targeted by the Taliban, including human rights defenders, civil society activists, journalists, academics, women who worked in the security, justice and judicial sectors, as well as members of minority ethnic and religious groups and other marginalised communities. To this end, urgent steps must be taken to:
  - Issue all necessary documentation (e.g. visa waiver letters, letters exempting from the requirement to hold passports, emergency travel documents for Afghan people without a passport, etc) in local languages to ensure the Taliban allow those at risk to leave Afghanistan and enable onward movement from neighbouring countries;
  - Scale up capacity of embassies, consulates and delegations in neighbouring countries to waive visas or issue humanitarian visas and *laissez passer* to both Afghans in

Afghanistan and Afghans in neighbouring and host countries such as Iran, Pakistan, Central Asian countries and Turkey;

- Seek bilateral and multilateral agreements from neighbouring countries to establish land corridors and allow the safe transfer of people
  - Ensure Afghan nationals evacuated to relevant countries are given adequate reception and status.
- Open new safe and regular pathways to ensure that Afghans who wish to seek international protection can do so as quickly and safely as possible and have unimpeded access to their territory and asylum procedures. In particular:
  - Offer humanitarian visas in numbers adequate to the scale of the crisis to both Afghans in Afghanistan and Afghans in neighbouring and host countries such as Iran, Pakistan, Central Asian countries and Turkey.
  - Expedite the processing of all other complementary pathways, including work, study and family reunification visas for Afghan nationals.

## **B. Welcome Afghans and ensure their protection**

- Immediately stop deportations and other returns to Afghanistan, or to third countries where they might be at risk of being returned to Afghanistan.
- Grant regular migration status to all Afghans currently on their territories in an irregular status and/or awaiting return, to ensure they can fully enjoy their human rights and access basic services.
- Ensure that Afghans reaching their territories independently to seek safety are protected and adequately assisted, whether they travelled by regular or irregular means. In particular:
  - Ensure access to fair and effective asylum procedures and adequate reception conditions.
  - Respect the principle of non-refoulement and refrain from unlawful practices such as pushbacks at borders.
- Extend or renew existing visas to all Afghan nationals who were already out of the country at the moment of the Taliban takeover on student, work, tourist or other visas.
- Where an asylum system is in place, grant international protection to all Afghans, both those who were in Afghanistan and those who were abroad as of 15 August 2021. In particular:
  - Expedite all pending asylum procedures for Afghan nationals;
  - Re-examine *ex officio* all rejected asylum cases and cases for which other forms of protection were revoked or not renewed, allowing for the assessment of emerging protection needs arising *sur place*;
  - Consider all Afghan women and girls as *prima facie* refugees, on the grounds of the risks upon return to Afghanistan and the high probability of recognition as refugees;
  - Ensure that Afghans who do not qualify for refugee status are granted other forms of protection from deportation.

### **C. Support neighbouring countries and other countries in the region**

- Help neighbouring countries and other countries in the region to keep their borders open, by sharing the responsibility for the protection and assistance of refugees from Afghanistan. In particular:
  - Open and increase safe and legal pathways to protection, in particular resettlement and community sponsorship, offering places in numbers adequate to the scale of the crisis.
  - Set up a targeted resettlement and humanitarian admission scheme for vulnerable Afghan refugees in neighbouring and transit countries, which host the vast majority of displaced Afghans.
- Provide meaningful financial, technical and human contributions to meet the humanitarian needs of Afghan refugees.
- Significantly increase resettlement pledges to address ongoing crisis and displacement situations, in line with UNHCR identified priorities.
- In addition to increasing resettlement pledges to address global needs, set up a targeted resettlement and humanitarian admission scheme for vulnerable Afghan refugees in neighbouring and transit countries, which host the vast majority of displaced Afghans.
- Secure the necessary funding from relevant budgets to support resettlement and evacuation needs.
- Refrain from any attempt to outsource the responsibility for the protection of Afghans to third countries.

### **ADDITIONAL RECOMMENDATIONS TO NEIGHBOURING COUNTRIES**

- Keep the borders with Afghanistan open, allowing Afghans without passport and/or visas to seek refuge.
- Open up land routes or border crossings at least for those with visas for onward travel to third countries and lift any exit permit requirements to ensure Afghan nationals can reach their final destination.
- Implement measures to ensure that border crossings are safe.
- Where relevant, ratify the 1951 Geneva Convention relating to the Status of Refugees and establish an effective asylum system.
- Where relevant, lift geographic restrictions to the applicability of the 1951 Geneva Convention relating to the Status of Refugees so to include Afghan nationals.
- Where no asylum system is in place, provide a temporary special protective status to people fleeing Afghanistan.

### **ADDITIONAL RECOMMENDATIONS TO THE UNITED STATES OF AMERICA**

- The Biden Administration should:
  - Ensure that the rights of all Afghans affected by *Operation Allies Welcome* are respected, protected and promoted;
  - Admit at least 200,000 refugees this fiscal year;
  - Designate Afghanistan for Temporary Protected Status;
  - Grant categorical humanitarian parole for Afghans who remain abroad;
  - Waive fees for humanitarian parole applications;

- Leverage all diplomatic channels to press countries neighbouring Afghanistan to provide for the safe and orderly movement of refugees seeking safety.
- Congress must pass legislation to establish a roadmap to citizenship for arriving Afghans to ensure that all those seeking safety in the United States have the ability to adjust their status to stay long-term.

#### **ADDITIONAL RECOMMENDATIONS TO EUROPEAN COUNTRIES**

- Make use of the Dublin provisions on family reunification to facilitate the reunion of separated members of extended families of Afghans who are already in Europe.
- In the event of an increased number of arrivals of Afghan asylum-seekers, ensure fair distribution of responsibility for their protection and adequate reception, through relocation and the provision of humanitarian, financial and technical support to receiving countries. Consider activating the Temporary Protection Directive for this purpose.
- Use the discretion clause in the Dublin Regulation to take responsibility for the examination of international protection claims of Afghans already in the territory of an EU member state.
- Refrain from transferring Afghan asylum-seekers, on the basis of Dublin rules, to any European countries that have not halted returns to Afghanistan, due to the risk of chain of refoulement.
- Refrain from transferring Afghans to Greece.



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