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The Afghan Refugee Crisis:

How to Resurrect the Global Refugee Resettlement Coalition

Rory Stewart





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Cover photo: Afghan nationals are seen behind barbed wire as others protest outside the United Nations High Commissioner for Refugees (UNHCR) office to urge the international community to help Afghan refugees, in New Delhi, India, August 27, 2021. REUTERS/Anushree Fadnavis.

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Contents

Preface	1
Executive Summary: The Needs of Afghans and the Pressure for Asylum	3
Introduction	5
Definitions and International Refugee Law	8
Background on Refugee Resettlement (1975-2020)	9
Afghanistan and Refugees since the Taliban Capture of Kabul	14
The Political Context	26
An Opportunity for Multilateralism?	27
A Plan	28
Conclusion	33
About the Author	34

Preface

Though the world has seen many crises and millions of refugees seeking safety over the past decade, events in Afghanistan have produced a particularly disastrous mix of tragedies: economic collapse, starvation and suffering on a massive scale, a return of enormous political and social repression, and an uncontrolled coronavirus pandemic.

Ordinary Afghans are not to blame for the horrors we see. Responsibility for them most directly has to rest at the feet of the Taliban. Nonetheless, the United States and the international community also have a profound responsibility for—and self-interest in—assisting Afghans inside the country who are seeking help at a time of famine. We also have a responsibility—indeed, a moral obligation in tens of thousands of cases—to those whose lives are at risk because of their work alongside our men and women in uniform on the ground and those seeking asylum from persecution.

No country is exempt from this responsibility. As representatives, former diplomatic staff, and military veterans of countries that participated in the war in Afghanistan and have accepted Afghan refugees previously—United States, Canada, United Kingdom, Germany, France, Australia, and others—we recognize our duty to assist. By acting together, our nations can help to address the root causes of Afghan migration and ensure that the most vulnerable Afghan refugees can be resettled in a managed manner.

This clarity of this moment of crisis also opens an opportunity to build a new sustainable global coalition for the future, in which countries commit to share the burden of providing shelter for the most vulnerable.

This report offers a challenging first draft of a new agenda for global cooperation on refugee policy.

The historical record of leadership on asylum goes back to the foundation of the principles and systems established in the aftermath of the Nazi genocide, runs through the international response to the Hungarian crisis of the 1950s, and was demonstrated in its most developed form in the joint programs designed for the Vietnamese boat people in the mid-1970s.

Yet the shared tradition of democracies, acting in concert to address refugee issues, is now being questioned and challenged by authoritarianism abroad and populism and isolationism at home.

This is the moment to address some of those challenges. A practical, thoughtful, and international response to the Afghan refugee crisis through a credible resettlement system, with careful security provisions, would help revive the values that formed the multilateral system in the wake of the horrors of World War II.

Afghanistan thus presents an opportunity to draw on the best of our shared political traditions and to demonstrate that we can still offer the inspiration of leadership in a fractured world. Afghanistan provides a challenge and a chance to show that cooperation can produce practical and ethical results.

Afghanistan is, therefore, an opportunity, not only to live up to the traditions of our predecessors, but also to do what they did not fully do: design a system that is realistic and resilient enough to be sustained, predictably, into the future.

More immediately, and most importantly, we need to work together to save and transform the lives of some of the most vulnerable people on earth—those to whom we promised so much in Afghanistan.

The following individuals have endorsed this preface:

Michael Roth,
Chair of the Bundestag Foreign Affairs Committee

Tom Tugendhat, MP,
Chair of the UK Foreign Affairs Select Committee

Tobias Ellwood, MP,
Chair of the UK Defence Select Committee

Petras Auštrevičius, MEP,
Chair of the EU Delegation to Afghanistan

Hon. Michael Chong, MP,
Vice-Chair of the Canadian Special Committee on
Afghanistan

General David Howell Petraeus, USA, Retired

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James B. Cunningham

Former US Ambassador to Afghanistan
Michael McKinley

Former US Deputy Ambassador to Afghanistan
Earl Anthony Wayne

Sir Mark Lowcock,
former Under-Secretary-General for Humanitarian
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Representative Andy Kim,
Member of the US House Committee on Armed Services

Hon. Ratna Omidvar, Senator of Canada,
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Dr. Tineke Strik, MEP,
Member of the European Foreign Affairs Committee

Eric Marquardt, MEP,
Member of the EU Delegation to Afghanistan

Executive Summary:

The Needs of Afghans and the Pressure for Asylum

Afghanistan has brought into sharp relief and public focus the horror long facing refugees and asylum seekers around the world. It echoes many of the problems encountered by communities from Syria, Yemen, Somalia, South Sudan, Venezuela, and Myanmar, and it poses with particular clarity the challenges of resettlement.

Many Afghans are at threat from the Taliban government and from terrorist groups. All now face collapsing incomes, the cessation of the most basic services including health-care and electricity, food insecurity, and a rising level of starvation. The UN World Food Programme estimates that a severe drought has killed forty percent of crops. Wheat prices have risen by a quarter. Drastic cuts to development funding and activity, driven by bureaucratic timidity and anxiety about how to work in a country controlled by the Taliban, have led to widespread unemployment, loss of incomes, and to the collapse of much of the healthcare system. A recent estimate has projected that deaths among women and children will rise by a third over the coming year. Food insecurity will impact at least 22.8 million people in Afghanistan, or 55 percent of Afghanistan's population, this coming winter.¹ This desperate situation will only get worse, as the Afghan economy collapses, budgetary support ceases, taxation revenue vanishes, and development aid is redirected.

All of this is compounded by political instability and conflict. The Taliban government is new and fragile, lacks few international allies or donors, has few resources, and faces opposition both from Afghans committed to a more open society and from terrorist groups such as the Khorasan

Province affiliate of Islamic State of Iraq and al-Sham (ISIS), known as ISIS-K. There is a significant risk of increasing civil conflict and political repression.²

Many Afghans are uniquely vulnerable. This group includes many members of the previous government and security forces, women's rights activists, journalists, artists, human rights defenders, lawyers, political opponents of the Taliban, and groups including the Hazara Shia minority that have historically faced repression from the Taliban. It also includes Shia groups that have been targeted by ISIS-K terrorists who are not controlled by the Taliban. All these individuals face the risk not simply of discrimination but of political reprisals, violence, arbitrary detention, and even death.³

All of these factors have driven many Afghans to leave when routes became available. By the end of 2020, Afghans already made up ten percent of the global refugee population and had driven considerable internal displacement. By mid-September 2021, a staggering three and a half million people were displaced within Afghanistan: 675,000 by the Taliban advance alone.⁴

At the moment, however, refugee flows have largely ceased because vulnerable Afghans find it very difficult to leave the country. Iran and Pakistan, already collectively hosting more than two million Afghan refugees, have resisted accepting more Afghans. They and other neighbors, including Turkmenistan and Uzbekistan, are using security forces to prevent Afghans from crossing their borders, and are detaining and in some cases abusing and repatriating those that are caught evading the border controls.⁵

- 1 Apoorva Mandavilli, "Health Care in Afghanistan Is Crumbling, Aid Groups Warn," *New York Times*, September 12, 2021, <https://www.nytimes.com/2021/09/12/health/afghanistan-health-taliban.html>; and "Afghanistan: IPC Acute Food Insecurity Analysis, September 2021-March 2022," World Food Programme and Food and Agriculture Organization, October 2021, http://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Afghanistan_AcuteFoodInsec_2021Oct2022Mar_report.pdf.
- 2 Thomas Gibbons-Neff and Wali Arian, "ISIS Bomber Kills Dozens at Shiite Mosque in Northern Afghanistan," *New York Times*, October 9, 2021, <https://www.nytimes.com/2021/10/08/world/asia/afghanistan-mosque-attack.html>.
- 3 "Afghanistan: At-Risk Civilians Need Evacuation, Protection," Human Rights Watch, August 13, 2021, <https://www.hrw.org/news/2021/08/13/afghanistan-risk-civilians-need-evacuation-protection>.
- 4 Stefanie Glinski, "Another Drought Looms. Is Afghanistan Better Prepared?," *New Humanitarian*, June 2, 2021, <https://www.thenewhumanitarian.org/news-feature/2021/6/2/as-drought-looms-afghanistan-faces-another-migration-crisis>; "Global Trends: Forced Displacement in 2020," UNHCR, June 18, 2021, <https://www.unhcr.org/flagship-reports/globaltrends/>.
- 5 Lindsay Maizland, "Where Will Afghan Refugees Go?," Council on Foreign Relations, September 8, 2021, <https://www.cfr.org/in-brief/where-will-afghan-refugees-go>; and "Afghanistan Situation: Regional Refugee Preparedness and Response Plan," UNHCR, August 2021, 1-2, <https://reporting.unhcr.org/sites/default/files/RPRP%20Afghanistan%20-%204-pager%20Summary%20of%20Plan.pdf>.



Taliban soldiers are seen during a snowfall in Kabul, Afghanistan, January 22, 2022. REUTERS/Ali Khara.

Meanwhile, the broader international community is fragmented, unfocused, and in many cases paralyzed in its response. This reflects the scars of the recent withdrawal.

It is eminently possible for the international community to develop a more thoughtful, sustainable, and coordinated response to this developing crisis and other refugee crises around the world. The United States and its allies provided such a response to the tragedy of the Vietnamese boat people.

A multilateral coalition should be formed to provide and sustain humanitarian and development assistance to Afghanistan to reduce migration pressures. A global summit should be held, where countries would be called upon to commit to receiving a certain number of refugees through resettlement programs, with the aspiration of taking the equivalent of 0.05 percent of a host country's population on an annual basis. The members of the coalition should commit to strengthening and expanding their own

internal capacity to assist in resettlement; studying and learning from the each other's best practices; aiming as far as possible to recognize each other's processes and eligibility criteria; supporting nongovernmental and other organizations in the work of identifying the most vulnerable individuals; and increasing support for UNHCR with the aim of assisting with in-country processing (as well as processing in neighboring states).⁶

The Afghan crisis is both a tragedy and a unique opportunity to build a better international system. The Afghan refugee crisis is still in its early stages. There is no need to relive the apathy, hostility, and division that has often characterized refugee responses. We have a chance to honor our humanitarian commitments, live up to the example of our predecessors, and avert a horrifying tragedy for Afghans.

Perhaps by doing so, we can begin to develop a broader, more realistic, more humane, and more sustainable approach to other tragedies in the future.

6 Gerald Knaus, "Action Plan for Migration and Foreign Policy", German Council on Foreign Relations, September 20, 2021, <https://dgap.org/en/research/publications/action-plan-migration-and-foreign-policy>.

Introduction

It is August 2021 and the Taliban have just taken Kabul. Soldiers stand on the concrete blast walls of the airport, looking down on ten thousand Afghans. The women and men in the crowd made it through Taliban checkpoints three days earlier, and some of them have not been robbed of their money and documents. They have remained in this alley in defiance of a curfew and have held firm as US and British soldiers and Taliban fighters—the allies from the airport side, the Taliban from the city side—have tried to clear the crowd or force a path through to the gate. The people are tired. They have not slept, eaten, or drunk water for a long time, and they no longer react when soldiers fire shots over their heads. More are joining the back of the crowd, but no one can navigate this impenetrable mass. Since everyone is pushing toward the gate, they fight to stay on their feet. It is difficult for those at the front to avoid standing on that dead body by the wall, and no one is certain whether he died of dehydration or suffocation.

Some women, at the front, are passing their infants to the foreign soldiers, and watching them carried out of sight. At the other side of the crowd, perhaps twenty yards and a hundred people away, are a group of women activists who are believed to be on a Taliban hit list. There is a plane waiting for them on the runway, chartered by a foreign foundation. They have managed to get a US senator on the phone, who is telling them to shout to the soldiers that they have a right to come through. No path will take them through the crowd, and the large plane will take off—half empty and without them.

Civil servants from the United States and allied nations are trying at this stage, still, to run a transparent, rules-based system, designed to prioritize citizens, and direct military and embassy personnel. Such categories far exceed their capacity to evacuate (though the United States, for instance, is moving ten thousand people a day). Most Afghans do not meet the requirements. The Gurkha guards who have manned the British embassy gate, for example, make it to the perimeter, through all the checkpoints, but are turned away on the grounds that they do not have the correct signatures. They were technically employed as private subcontractors, not direct employees, and don't qualify for any existing scheme, although they have protected the embassy for ten years. The same goes for the Afghan interior minister who led the security campaign against the Taliban, who are searching for him.

Many people outside Afghanistan are trying to help those who do not meet the government criteria. Two million

foreign civilians and soldiers have served in Afghanistan over the last twenty years—repairing dams, training police, developing agriculture, fighting, running businesses and nonprofit organizations—and developing relationships with Afghans. Some foreigners help because they feel guilty (“Ahmed is in danger because I employed him as a translator”); some because they feel it is a shared liability (“Our governments caused this mess”). Others aren't concerned with the question of blame or even relative risk: they simply want to get as many people out, as quickly as possible. There are some extraordinary acts of generosity from philanthropists, committing resources to chartering planes. Organizations like the Open Society Foundation and Rockefeller Foundation focus hundreds of their staff on working through every obstacle to evacuation, right through to preparing care packages on the ground in North Macedonia for arriving groups.

Journalists, humanitarians, writers, and retirees are improvising their own evacuation systems to bypass rigid government rules. They are investigating offers of sanctuary from Uganda and following up Facebook rumors that, for example, “the Canadian scheme is no longer confined to women”; “the British will now take NGOs”; and “the Afghan Leadership Academy [students] were sponsored by Rwanda.” Above all, they are collecting contacts: “Ted” in Centcom (as the US Central Command is known), “Bill” at the gate, or this Special Forces guy who can pull people in. This is the man who writes the passenger manifest; the senator you should call. The Ukrainian Special Forces, they are told, escort convoys. There is a scam, pretending to evacuate women over a mountain pass and asking for donations to an offshore account. Half a million should get you a charter plane—if you can get insurance and a call sign.

Those outside Afghanistan who do not have a direct relationship to the evacuations see the horror at the airport gate in newspapers, on TV, or on Facebook and Twitter. They watch a nineteen-year-old Afghan grabbing onto the side of a US plane as it took off, and the aftermath of the bomb attack on the evacuation line. They sense that there was reason to be scared of the Taliban. Many contribute financially to Afghan causes, and take to social media to campaign for particular cases. Some offer their homes.

There are, however, a thousand different views abroad. Some people are bitterly opposed to the war, and view the collapse as unavoidable; others feel something deeply valuable has been betrayed. Some feel that we should support humanitarian aid and development in the



Taliban fighters guard a street leading to the Hamid Karzai International Airport in Kabul, Afghanistan, August 29, 2021. REUTERS/Stringer.

Taliban-ruled Afghanistan, others that we should leave it well alone. Some argue for open borders—and believe that any attempt to exclude refugees with fences and walls and patrols is immoral; they suggest that all the potential refugees could be easily accommodated, and that all fears and anxieties about the issue are simply prejudice, ignorance, and racism.

A larger number oppose large-scale Afghan immigration, fearing that Afghans would be a cost to the welfare state or impose a burden of nonnative speakers on struggling schools. Many believe that their cities are already too crowded, that there has been too much immigration and cultural change, and that their historical culture is under threat. Others think that the Afghans would be involved in crime, or even terrorism. More *think* this than *say* this. Even people who have been campaigning for individuals and are keen to reach out, perhaps even to host the director of the Kabul Museum in their homes, are less sure about fifty thousand young Afghan men arriving in Britain, and are troubled by questions about the difference between economic migration and political asylum. Little of this is

necessarily always consistent and clear. A single individual might feel some of all these things.

All citizens have, at least within reasonable limits, ideas about the Afghan crisis that are worth considering. Politicians have a duty to be generous to views that are not fully articulated and show imagination and empathy for the voter in Delaware, for example, as well as for Afghans. If they are to sustain any support for asylum, the politicians need to be open about the roughness and contradictions of this process.

This means discussing individual stories, clearly, patiently, and above all honestly. Leaders should all be talking to voters about people like Fakraia, for instance. She is from the Shia Hazara community of central Afghanistan. There were no schools for her when she was young. When her hometown of Shaidan was burned by the Taliban in 2001, she fled to a refugee camp in Iran. Returning to Afghanistan in 2002, she was able to attend a school run by a highly driven, inspirational head teacher. She made it to Kabul University, joined the government, and rose quickly in the

civil service. She studied abroad on a scholarship, was given offers to work in London and Connecticut, but chose to remain in Afghanistan—until the moment of the fall. She is elegant and funny, brilliant at managing Afghan men as well as women, and skilled at framing projects for international donors. She is a wry and loyal friend.

Voters should hear about Aziz, who drove a battered Land Cruiser for an international nongovernmental organization for fifteen years, ferrying generations of French, American, British, and Indian volunteers and employees. He has seen them fall in love and get married. He has invited them to his own wedding. He has stepped out of the car at checkpoints to convince angry armed police to refrain from detaining his foreign passengers. He has taught them much of the Dari language they know, although his English has improved far more than their Dari. He has helped keep them alive—and he is now afraid.

They should hear about Fatima too. Fatima is less jovial, but persistent. To make it into the Afghan parliament, she had to navigate warlords and money men, win over foreign governance consultants, placate her family, canvas voters, and deliver on her promises. She has been the target of four assassination attempts. Unlike her friends—governors of Kandahar, the police chief of Jalalabad, and the first Afghan Supreme Court justice, all of whom were killed by the Taliban—she has survived. She has traded on every connection and introduction, cried, cajoled, and charmed to build her own business and then to be elected. She is now applying the same relentless pressure to escape Afghanistan. She lacks the charm of Fakria, or the friendships of Aziz. She has never been directly employed by a foreign organization, and she has no close foreign friends—but the West shaped the constitution, the

development plan, the economy, society, government, and the role of women in society in a way that led her to parliament. That is precisely why the Taliban want to kill her.

All this can be understood easily enough at an individual level. Although not everyone who gets out may have a story as simple or as moving as Fakria's, voters in Britain or the United States, concerned about immigration, can see how our sudden and bewildering departure has dropped people into horror. These are individuals who have made a contribution in their country and are likely to make a contribution abroad as well.

This is a proposal on a policy for Afghan refugees. It aims to remain truthful to granular realities in Afghanistan and abroad, while acknowledging the impossibility of perfectly judging vulnerability and need. While it seeks to provide a model that can be extended beyond this particular moment in Afghanistan to the future of the global refugee movement, the policy is rooted in this current crisis—in what is happening in Afghanistan, in the experiences of the individuals who are stepping off the planes in Doha or Denver, and in the political culture that awaits them. More realistic views of borders, more practical routes through domestic politics, and more enduring structures of assistance and resettlement can never become unmoored from this ground reality. The challenges can only be understood and sustained as part of a relationship between humans.

This is not the first such horror, nor will it be the last. Right now, caught in the very moment of remembering our common humanity—remembering a crowd hit by a suicide bomb at an airport wall—there is again the opportunity to create the architecture, to share the burden of this tragedy, and to prepare for the many others to come.

Definitions and International Refugee Law

The primary instruments governing refugee law and associated definitions are the 1951 Global Refugee Convention and the 1967 Refugee Protocol. Parties to the instruments are meant to grant asylum to asylum seekers who qualify for refugee status, and observe the rights of refugees while they stay in their host countries. The 1951 Convention was originally limited to the rights of refugees in Europe, but the 1967 Refugee Protocol extended these principles to cover the rest of the world.⁷

“Refugees are people who have fled war, violence, conflict, or persecution and have crossed an international border to find safety in another country. The 1951 Refugee Convention defines a refugee as someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”⁸

“An asylum seeker is a person who has left their country and is seeking protection from persecution and serious human rights violations in another country, but who hasn’t yet been legally recognized as a refugee and is waiting to receive a decision on their asylum claim.”⁹

This proposal focuses particularly on **resettlement**, which is the selection and transfer of refugees to a state that has agreed to admit them and provide them with permanent residence status. Resettlement countries generally have regular refugee resettlement programs, targeted at refugees in third countries, and agree to consider a certain number of submissions by UNHCR each year. Twenty-seven countries ran resettlement programs with UNHCR in 2019, of whom the largest were the United States, Canada, and United Kingdom.¹⁰

Refugees who take the resettlement route must generally have registered as a refugee with the UNHCR and undergone the Refugee Status Determination process, based on the 1951 Refugee Convention refugee definition. Background checks are conducted on applicants and biometrics are taken.¹¹ If the individual agrees to be resettled and if they are identified as

being at a high level of risk and vulnerability by UNHCR or other organizations, they are suggested by those organizations to one of the suitable countries that run resettlement programs.

Each receiving government can then select from the referrals, often through an interview with the refugee, and generally by applying their own criteria (prioritizing women for example against single males). Following additional government interviews and health and security checks, the refugees are assisted to travel, usually by plane directly to the receiving country. These refugees will generally be met at the airport on arrival in their final destination country and be provided with some assistance on integration and orientation. Upon arrival in the country, refugees have the right to reside in the country and do not need to apply for asylum. (A Syrian might, for example, move as a refugee to Jordan, register with UNHCR, be selected for resettlement, be accepted by the UK as one of the 20,000 Syrian refugees which the UK government offered to resettle, and then be taken directly by air to the UK, where they would automatically receive permanent residence).

This proposal focuses initially on screening and selecting vulnerable Afghans in Afghanistan itself or in neighboring countries and then transporting them directly to receiving states. Next, it focuses on building a larger and more sustainable coalition for resettlement. Yet resettlement is only one aspect of the refugee crisis. The issue of resettlement is distinct from the issue of refugees who cross borders directly from neighboring states, such as those who undertook hazardous journeys across the Mediterranean Sea in 2015 and claimed asylum on arrival in European states. According to UNHCR, the number of refugees worldwide increased from 11 million in 2013 to 20 million in 2019, leaving aside the descendants of the Palestinians who fled Israel before 1948; and Venezuelans, which UNHCR has so far considered a special category of displaced. One third of these additional refugees—3 of 9 million—are in just one country, Turkey. Another 4 million are in four countries: Germany, Uganda, Sudan and Bangladesh.¹² These broader and larger issues of refugee policy are, however, beyond the scope of this paper, which is focused on growing the coalition committed to resettlement.

7 “The 1951 Refugee Convention,” UNHCR, September 2021, <https://www.unhcr.org/1951-refugee-convention.html>.

8 “What’s the Difference between a Refugee and an Asylum Seeker,” Amnesty International (website), January 24, 2019, <https://www.amnesty.org.au/refugee-and-an-asylum-seeker-difference/>; and “Refugee Status Determination,” UNHCR (website), accessed December 9, 2021, <https://www.unhcr.org/refugee-status-determination.html>.

9 “What’s the Difference between a Refugee and an Asylum Seeker”; and “Refugee Status Determination.”

10 “Resettlement Data Finder,” UNHCR (website), accessed December 31, 2021, <https://rsq.unhcr.org/en/#DR7v>.

11 “In-Country Refugee Processing: In Brief,” Congressional Research Service, May 7, 2015, <https://crsreports.congress.gov/product/pdf/R/R44020/3>.

12 “Alex Hawke Says Australia’s Resettlement of Refugees Ranks Third-Highest Globally,” ABC News (Australia), September 13, 2021, <https://www.abc.net.au/news/2021-09-14/fact-check-does-australia-s-resettlement-of-refugees-rank-third/100436334>; “World Migration Report 2020,” *International Organization for Migration*, November 27, 2019, 59, https://www.un.org/sites/un2.un.org/files/wmr_2020.pdf; “The promise and the agony – saving the refugee convention,” European Stability Initiative, May 2021, <https://www.esiweb.org/newsletter/essay-1-promise-and-agony-saving-refugee-convention>.

Background on Refugee Resettlement (1975-2020)

Resettlement and Vietnam

The most compelling historical precedent for resettlement of refugees is provided by the case of the boat people in the 1970s. These Vietnamese were among millions who suffered persecution and horror after the end of the Vietnam War in 1975. Many were individuals whom the United States had undertaken to evacuate but had failed to assist due to a variety of bureaucratic and political obstacles.¹³ It was a very testing environment. No Southeast Asian states in 1975 were signatories to either the 1951 Refugee Convention or the 1967 Refugee Protocol. As a result, any rescue attempts for Vietnamese had initially been on an ad hoc basis. As the US political system shifted its focus from Vietnam following the US evacuation, there was little bureaucratic appetite to address the refugee crisis in the Carter administration.¹⁴

The late Richard Holbrooke, then-assistant secretary of state for East Asian and Pacific affairs, took the initiative, effectively outmaneuvering Secretary of State Cyrus Vance and President Carter to move the US Seventh Fleet into the region to take the boat people in, and doubling the number of refugees the United States was accepting. This initiative was ultimately formalized when President Carter signed the 1980 Refugee Act, greatly increasing the number of US resettlement cases.¹⁵

The US initiative shaped and inspired an international Orderly Departure program sponsored by the United Nations (UN) and designed to facilitate the legal immigration of people directly out of Vietnam itself.¹⁶ This was followed, in 1989, by the Comprehensive Plan of Action (CPA) for Indochinese Refugees, which was in place until 1996. It screened for refugee status under a streamlined application process, resettled those granted refugee status, and

repatriated those denied refugee status. Vietnamese people were made aware of the CPA's provisions by a mass information campaign.¹⁷

Meanwhile, UNHCR increasingly affirmed the importance of resettlement, arguing that resettlement was consistent with its existing mandate and could both protect refugees and offer a durable solution. The international community maintained refugee resettlement programs after the peak of the refugee crisis in Southeast Asia even as the rate of resettlement went down.¹⁸

In the years following 1975, according to UNHCR, the United States took in over a million refugees from Southeast Asia. Those who were resettled have gone on to be highly successful and productive members of the nations to which they have emigrated.¹⁹

The parallels with Afghanistan are striking. In both cases, a long military intervention created very unique bonds of obligation and shared responsibility, and left behind millions, who through their association with the United States and its allies were at risk from the next regime. In both cases, continuing risk and crisis drove the movement of hundreds of thousands of vulnerable people. Again, in both cases, the combined resources of the international community were easily sufficient to absorb the potential flows of people.

Refugees from Other Conflict Zones

In the 1990s, global refugee attention was increasingly dominated by the crisis in the former Yugoslavia, with UNHCR resettling more than fifteen thousand refugees from what had been the Yugoslav Republic of Bosnia.²⁰ At the time, it was argued that European states were more accepting of Yugoslav refugees because they were not “visibly” foreign,

13 UNHCR, Division of Communication and Information, *The State of the World's Refugees 2000: Fifty Years of Humanitarian Action*, ed. Mark Cutts (Oxford: Oxford University Press, 2000), 79-91, <https://www.unhcr.org/en-us/publications/sowr/4a4c754a9/state-worlds-refugees-2000-fifty-years-humanitarian-action.html>.

14 UNHCR, *The State of the World's Refugees 2000*, 79-91; and Fred Kaplan, “When America Took Responsibility for Refugees,” *Slate*, May 9, 2019, <https://slate.com/news-and-politics/2019/05/richard-holbrooke-refugees-vietnam-our-man.html/>.

15 UNHCR, *The State of the World's Refugees 2000*, 79-91; Kaplan, “When America Took Responsibility for Refugees; and Refugee Act of 1980, Pub. L. 96-212, 94 Stat. 102 (1980).

16 “States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol,” UNHCR, June 28 2011, 79, <https://www.unhcr.org/protect/PROTECTION/3b73b0d63.pdf>; and UNHCR, *The State of the World's Refugees 2000*.

17 Alexander Casella, “Managing the ‘Boat People’ Crisis: The Comprehensive Plan of Action for Indochinese Refugees,” *Desperation Migration Series 2* (October 2016), 1, 7-8; and UNHCR, *The State of the World's Refugees 2000*, 87.

18 “The History of Resettlement: Celebrating 25 Years of ATCR,” UNHCR, 2020, 7-9, <https://www.unhcr.org/en-us/protection/resettlement/5d1633657/history-resettlement-celebrating-25-years-atcr.html>.

19 “The History of Resettlement,” 7-9.

20 “The History of Resettlement,” 7-9.

and because their higher skill levels allowed them to integrate more easily into their new home countries.²¹

Then, beginning in 2003, refugees became increasingly a Middle Eastern, Asian, and African phenomenon, often shaped by zones of conflict. Ten countries of origin accounted for 90 percent of all UNHCR submissions between 2003 and 2018: Myanmar, Syria, Iraq, Democratic Republic of the Congo, Somalia, Bhutan, Afghanistan, Sudan, Eritrea, and Iran.²²

In 2015, the death by drowning of a three-year-old Syrian, Alan Kurdi, from his family's failed attempt to cross the Mediterranean in a fragile boat became the strongest international symbol of the refugee crisis and of the 1.3 million people who came to Europe to claim asylum in 2015.²³

Figure 1: UNHCR-Mandated Resettlement Abroad (2003-2018)

Refugees' Countries of Origin	Number of Refugees
Myanmar	281,100
Syria	223,400
Iraq	207,400
Democratic Republic of the Congo	141,800
Somalia	139,900
Bhutan	119,400
Afghanistan	58,900
Sudan	45,100
Eritrea	43,400
Iran	35,100

Source: UNHCR, "The History of Resettlement," 27.

EU and National Resettlement Policies

The 2015 European refugee crisis had a profound impact on the European Union (EU) and other European countries, shaping among other things an EU-Turkey pact, with strong pro- and anti-asylum positions taken by leading politicians, a dramatic decision by Angela Merkel, then-chancellor of Germany, to accept over a million asylum seekers, and shifts in public opinion. Certain right-wing parties and governments, such as in Hungary, led highly publicized campaigns against migrants and refugees.

However, the countries traditionally committed to resettlement continued to sustain, and in some cases increase, the number of refugees they were prepared to accept through UNHCR resettlement programs during this period.

United Kingdom

Britain is a signatory of the 1951 Refugee Convention and 1967 Refugee Protocol. In 2014, the UK government announced the expansion of the Vulnerable Persons Resettlement Programme (VPR) to allow twenty thousand refugees to be resettled to the UK from Egypt, Iraq, Jordan, Lebanon, and Turkey. The VPR scheme accounted for more than three-quarters (4,408) of the 5,612 refugees resettled in the UK in 2019.²⁴ This program was suspended in response to the COVID-19 outbreak in 2020, by which time the International Organization for Migration, part of the UN system, calculated on the basis of Home Office data that 14,945 people had been resettled under the program.

Australia

Australia is a signatory to both the 1951 Refugee Convention and 1967 Refugee Protocol. Australia is a country dominated by immigrants, with almost 30% of its population born overseas,²⁵ and its public remains notably receptive in opinion polls to immigration. Australia was also a central player in the response to the Vietnam boat crisis, resettling almost 260,000 Vietnamese refugees.²⁶

Since the 2000s, successive Australian governments have pursued a policy of forcibly intercepting migrant boats, refusing them landing on Australian territory and instead

21 Catherine Baker, "Why Were Bosniaks Treated More Favourably than Today's Muslim Refugees?," London School of Economics (blog), March 7, 2017, <https://blogs.lse.ac.uk/europpblog/2017/03/07/why-bosniaks-treated-more-favourably-than-todays-refugees/>.

22 "The History of Resettlement," 16.

23 Justin Huynh, "Tales of the Boat People: Comparing Refugee Resettlement in the Vietnamese and Syrian Refugee Crises," Columbia Law School, January 2018, 198, <http://hrir.law.columbia.edu/files/2018/01/JustinHuynhTalesoftheBoat.pdf>.

24 "Resettlement," International Organization for Migration, accessed December 14, 2021, <https://unitedkingdom.iom.int/what-we-do/resettlement>.

25 "Migration, Australia," Australian Bureau of Statistics (website), April 23, 2021, <https://www.abs.gov.au/statistics/people/population/migration-australia/latest-release>.

26 Katherine Murphy, "Australian Voters Rethinking Immigration in Wake of Extended Border Closures, Poll Suggests," *Guardian*, October 25, 2021, <https://www.theguardian.com/australia-news/2021/oct/25/australian-voters-rethinking-immigration-in-wake-of-extended-border-closures-poll-suggests>; and Max Walden, "Australia's 'Boat People': Then and Now," *Diplomat*, June 21, 2016, <https://thediplomat.com/2016/06/australias-boat-people-then-and-now/>.

sending them to detention centers in island states or forcing them to go to Southeast Asian states.²⁷

Australia combines this approach with a resettlement scheme, in which it works with the UNHCR to identify vulnerable refugees in third countries and transport them directly to Australia.

Sometimes refugees who are not permitted to resettle in Australia are resettled in other countries. The United States, for example, agreed in 2016 to resettle up to 1,250 refugees that Australia had rejected for resettlement (but could not be sent back to their home country if they were at risk there), and had resettled 968 of these refugees by 2020, as the scheme drew to close. Canada, Norway, Finland, and France have all accepted some refugees from Australia's offshore detention centers without any official arrangement with the Australian authorities. UNHCR also has participated in this resettlement scheme, although it refuses to comment on the extent of its participation or why it has kept its participation unknown until late 2020.²⁸

Canada

Canada is a signatory to both the 1951 Refugee Convention and 1967 Refugee Protocol.²⁹

In 2004, Canada signed the Canada-US Safe Third Country Agreement with the United States, preventing asylum seekers from coming in from the other country to apply for refugee status. In 2012, the Canadian Parliament passed Bill C-31, the Protecting Canada's Immigration System Act, creating a list of designated countries of origin, or "safe countries," which denied appeal procedures. This meant that an asylum seeker deemed safe in their country of origin could be returned there, significantly shortening the timeline for processing.³⁰ The Conservative government of Stephen Harper also cut down healthcare access for refugees.

However, by 2016, the safe country designation was overturned and healthcare for refugees was reimplemented by the succeeding Liberal government of Justin Trudeau.³¹ In 2018, it overtook the United States and every other country in resettling refugees, accepting 28,000 people in that year.

United States

The United States remains a signatory of the 1967 Refugee Protocol. Between 1975 and 1979, some 300,000 Vietnamese and Cambodian refugees were able to come to the United States through presidential action.³² The law at the time, however, restricted refugee admissions. The Refugee Act, garnering unanimous support in the Senate, was passed by Congress in 1980 and signed into law by President Jimmy Carter. It raised the annual ceiling for refugees and created a process for reviewing and adjusting the refugee ceiling to meet emergencies, and required annual consultation between Congress and the president.³³

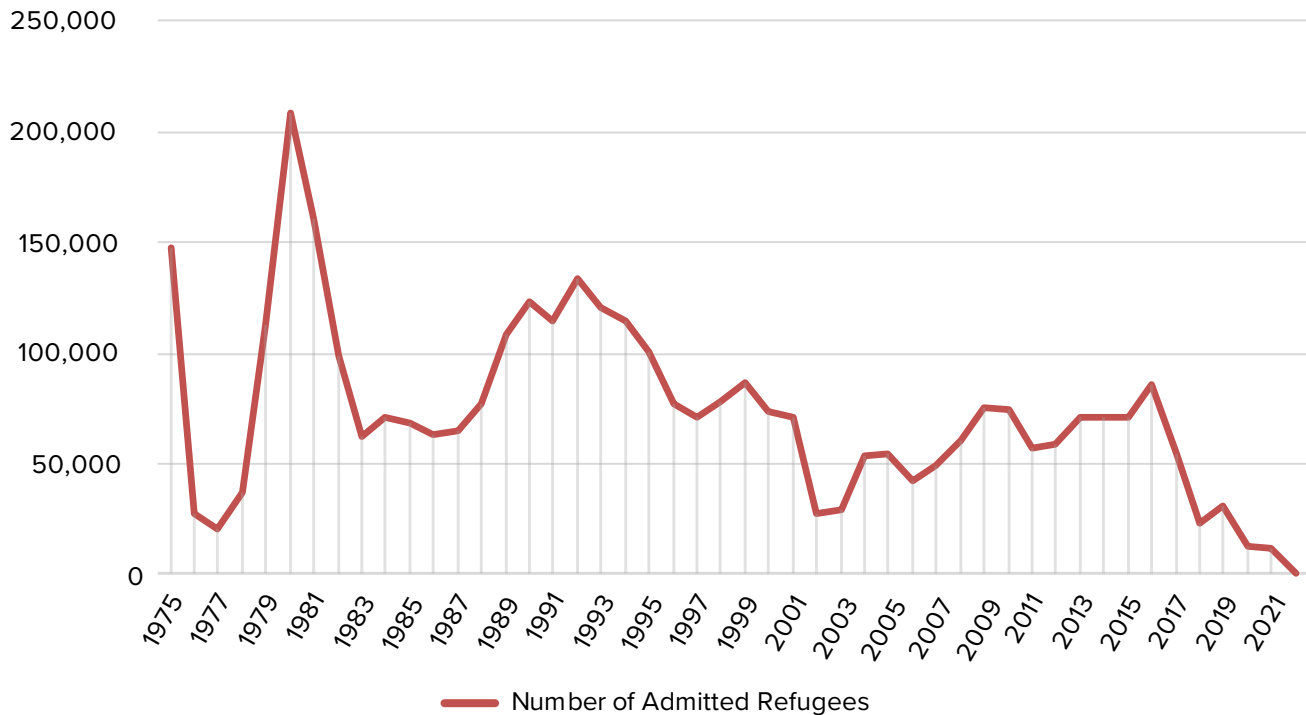
The act altered the definition of "refugee," notes the National Archive Foundation, to a "person with a 'well-founded fear of persecution,' a standard established by United Nations conventions and protocols, and funded a new Office of US Coordinator for Refugee Affairs and an Office of Refugee Resettlement and built on already existing public-private partnerships that helped refugees settle and adjust to life in their new country."³⁴

The Center for American Progress summarizes the details of the program as follows:

Refugees are typically referred for resettlement to the United States via international partners such as the UNHCR and occasionally by a US embassy. Following a referral, refugees undergo a series of interagency security checks and vetting coordinated by the US Department of State and the US

- 27 "Australia's Offshore Processing Regime: The Facts," Refugee Council of Australia, May 20, 2020, <https://www.refugeecouncil.org.au/offshore-processing-facts/>; Louise Yaxley, "Kevin Rudd Contradicts His 2013 Pledge to Ban Asylum Seekers as Part of Papua New Guinea Deal," ABC News (Australia), July 20, 2017, <https://www.abc.net.au/news/2017-07-20/kevin-rudd-png-asylum-seekers/8726470>; "Operation Sovereign Borders," Australian Government, Department of Home Affairs, accessed November 3, 2021, <https://osb.homeaffairs.gov.au/>; and Bryony Lau, "Will Afghan Refugees Stranded in Southeast Asia Be Resettled?," *Foreign Policy*, September 28, 2021, <https://foreignpolicy.com/2021/09/28/will-afghan-refugees-stranded-in-southeast-asia-be-resettled/>.
- 28 "Australia–United States Resettlement Arrangement," University of New South Wales Law, Kaldor Centre for International Refugee Law, August 10, 2021, <https://www.kaldorcentre.unsw.edu.au/publication/australia%E2%80%93united-states-resettlement-arrangement>; and Hannah Ryan and Michael Green, "'Suffered More than Many': How Canada and Europe Are Resettling Australia's Refugees," *Guardian*, December 16, 2020, <https://www.theguardian.com/australia-news/2020/dec/17/canada-europe-resettling-australia-refugees>.
- 29 "States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol."
- 30 "Canada-U.S. Safe Third Country Agreement," Canada Border Services Agency, July 3, 2007, <https://cbsa-asfc.gc.ca/agency-agence/stca-etps-eng.html>; and Jason Kenney, "Bill C-31 Historical," openparliament.ca, September 2013, <https://openparliament.ca/bills/41-1/C-31/>.
- 31 Leslie Young, "Asylum Seekers Get Health-Care Benefits First, Eligibility Questions Later," *Global News*, <https://globalnews.ca/news/3690481/asylum-seekers-benefits-eligibility/>.
- 32 Michael Lomio and Sandra Shim, "A Look Back at America's Commitment to Helping the Most Vulnerable," White House (Barack Obama Archive), December 3, 2015, <https://obamawhitehouse.archives.gov/blog/2015/12/3/americas-commitment-to-help-the-worlds-most-vulnerable>.
- 33 "States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol"; and Refugee Act of 1980, Refugee Act of 1980, Pub. L. 96-212, 94 Stat. 102 (1980).
- 34 "Refugee Act of 1980," National Archives Foundation (webpage), accessed December 15, 2021, <https://www.archivesfoundation.org/documents/refugee-act-1980/>.

Figure 2: US Annual Number of Admitted Refugees, Fiscal Years 1975 - 2021



Source: Migration Policy Institute (MPI) Data Hub

Department of Homeland Security (DHS), including medical screenings and in-person interviews.³⁵

Upon arrival, refugees receive financial assistance from the reception and placement program in the form of a one-time payment—currently \$2,175 per refugee—intended to cover the cost of basic necessities such as food and housing during the first thirty to ninety days as well as the administrative cost that the sponsoring agency incurs during the resettlement process. Following reception and placement assistance, a refugee is eligible for services provided by state-sponsored or state-alternative programs funded by Refugee Support Services through the [Office of Refugee Resettlement] ORR. These services, along with the ORR’s Matching grant program, are primarily focused on helping refugees and their families find employment opportunities

and become economically independent.... Refugee individuals and families also have access to short-term health insurance through the Refugee Medical Assistance program for up to eight months.³⁶ If they qualify, they are eligible to receive federal means-tested benefits such as Temporary Assistance for Needy Families, Medicaid, Children’s Health Insurance Program, as well as Supplemental Nutrition Assistance Program.”³⁷

Political pressure over many decades has resulted in a lowering of the maximum resettlement limit. The 1980 maximum resettlement limit was 231,700 (approximately one thousandth of the population of the United States at the time).³⁸ Under the Obama administration, the limit had fallen to 80,000 a year (in per capita terms, only a quarter of the previous level). Under the Trump administration the annual presidential determination of maximum

- 35 Silva Mathema and Sofia Carratala, *Rebuilding the U.S. Refugee Program for the 21st Century*, Center for American Progress, October 26, 2020, <https://www.americanprogress.org/article/rebuilding-u-s-refugee-program-21st-century/>.
- 36 “Health Insurance,” US Department of Health and Human Services Office of Refugee Resettlement, accessed December 15, 2021, <https://www.acf.hhs.gov/orr/health>.
- 37 Michael Fix, Kate Hooper, and Jie Zong, “How Are Refugees Faring? Integration at U.S. and State Levels,” Migration Policy Institute, June 2017, <https://www.migrationpolicy.org/research/how-are-refugees-faring-integration-us-and-state-levels>; and “Rebuilding the U.S. Refugee Program for the 21st Century.”
- 38 “States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol”; Refugee Act of 1980, Pub. L. 96-212, 94 Stat. 102 (1980); Jean Ollis, “An Examination of the Global Refugee Crisis: How Have We Hurt? How Can We Help? With Special Emphasis on Enhancing Resilience in the Somali Population Resettled in Columbus, Ohio,” (Doctor of Ministry diss., Portland Seminary, George Fox University, February 2020), pg. 12-4, <https://digitalcommons.georgefox.edu/cgi/viewcontent.cgi?article=1382&context=dmin>.



Afghan citizens wait to board their flight, after being granted visas by Australia, at the Eleftherios Venizelos International Airport in Athens, Greece, January 23, 2022. REUTERS/Stelios Misinas.

resettlements fell to 30,000 in 2019 and then 18,000 in 2020. Only 11,814 refugees were actually resettled in the United States in the 2020 fiscal year.

The Trump administration also developed a reputation for increasingly strict and often inhumane measures against asylum seekers. Syrian refugees were banned from settling in the United States indefinitely and all refugee arrivals were stopped for 120 days after a ban on immigration from seven Muslim-majority countries, which was referred to as a ban on “Muslim” immigration by the American Civil Liberties Union.³⁹ From 2016 to 2020, the number of refugees admitted to the United States dropped by 86 percent. Between October 1, 2020, and August 31, 2021, 7,637 refugees were recorded as being resettled in the United States (with Alaska accepting as comparatively few as six people compared to California,

which accepted 691 people, and Texas, which accepted 605 people).⁴⁰

In October 2021, President Biden fulfilled an electoral commitment by increasing the cap to 125,000 for fiscal year (FY) 2022.⁴¹

Global resettlement spaces went down by 50 percent between 2016 and 2019. In the period, the number of people who received protection worldwide, following a refugee status determination process, dropped from 900,000 to 530,000. The UNHCR has experienced the lowest number of refugee resettlements in almost twenty years (due to a combination of the lower quota numbers and the coronavirus pandemic). According to UNHCR, out of 1.44 million refugees in urgent need of resettlement globally, only 22,770 were resettled through the agency.⁴²

39 “Timeline on the Muslim Ban,” ACLU Washington (webpage), February 10, 2020, <https://www.aclu-wa.org/pages/timeline-muslim-ban>.

40 Mathema and Carratala, “Rebuilding the U.S. Refugee Program for the 21st Century”; and “Refugee Arrivals by State and Nationality,” Refugee Processing Note, August 31, 2021, <https://www.wrapsnet.org/documents/Refugee%20Arrivals%20by%20Nationality%20and%20State%20as%20of%2031%20Aug%202021.pdf>.

41 “Memorandum for the Secretary of State on Presidential Determination on Refugee Admissions for Fiscal Year 2022,” whitehouse.gov (webpage), October 8, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/08/memorandum-for-the-secretary-of-state-on-presidential-determination-on-refugee-admissions-for-fiscal-year-2022/>.

42 The International Rescue Committee, “Written Statement for the Record,” Submitted to the U.S. House Committee on the Judiciary Subcommittee on Immigration and Citizenship Hearing on the Current State of the U.S. Refugee Program, February 27, 2020, 2, <https://docs.house.gov/meetings/JU/JU01/20200227/110569/HHRG-116-JU01-20200227-SD023.pdf>.

Afghanistan and Refugees since the Taliban Capture of Kabul

States should now aim to come together to form a generous and sustainable coalition for resettlement of all refugees. This approach should focus on Afghan refugees, in the first instance, as a way of developing the processes and public support for the system. Developing a practical response to the Afghanistan tragedy has important implications for the likely shape of the future system.

First, the situation in Afghanistan is a particularly extreme example of need. Afghan refugees already made up 80 percent of the global asylum-seeker population in 2020. Drought, an economic slump, aid cuts,⁴³ and a slow vaccine rollout had crippled basic Afghan services, from electricity to healthcare, before the fall of Kabul. Since then, a financial crisis and restrictions to previously large flows of donor funding have crippled the economy and the national budget, turning a long-standing economic crisis into a humanitarian disaster. According to the World Food Programme and the UN Food and Agriculture Organization, nearly nineteen million people (45 percent of Afghanistan's population) currently face severe food insecurity, and this number is projected to reach 22.8 million (a staggering 55 percent of Afghanistan's population) between November and March.⁴⁴

Many Afghans face an additional threat from the Taliban itself. More than two hundred female judges remain in hiding from the Taliban (against whom they applied the law). There have been vicious beatings of women's rights activists and those peacefully demanding their rights. Journalists have been killed, detained, and severely

beaten. Women and girls face several restrictions, including an effective ban on high school education, limited opportunities for women attending university, and a bar on most women working. Ethnic and religious minorities such as the Hazara, have been subject to extrajudicial executions by the Taliban. Other groups have been forcibly evicted and ruthlessly bombed by ISIS-K. The number of internally displaced peoples in Afghanistan has now reached 3.5 million people.⁴⁵

From August 15 to August 31, 2021, NATO countries operated an international air corridor out of Kabul airport. Individual Afghans often struggled to access this corridor. Many did not seem to qualify for international assistance or were unable to confirm their eligibility, secure a final destination, or seats on planes. Others found themselves trapped between Taliban checkpoints and the airport perimeter. Ultimately, however, 114,000 people (including thousands of foreign nationals) were successfully evacuated on this route. The largest number were evacuated by the United States, but there were also major airlifts conducted by NATO allies (with individual countries moving from a few hundred to, in Britain's case, 15,000 people).⁴⁶

After August 31, Afghans were restricted to leaving the country, either by crossing a land border or by boarding irregular civilian flights from the airport. Both routes are very difficult since neighboring countries have largely closed their land borders to Afghans, and it is not possible to board a civilian flight without a valid visa and passport. Most Afghans who were not able to leave before August 30 therefore remain trapped in the country. It seems very

43 Hasib Danish Alikozai, Niala Mohammad, Roshan Noorzai, "Experts: \$1 Billion Cut in US Aid to Afghanistan Will Have Serious Implications," *Voice of America*, March 28, 2020, https://www.voanews.com/a/extremism-watch_experts-1-billion-cut-us-aid-afghanistan-will-have-serious-implications/6186545.html.

44 Stefanie Gliniski, "Another Drought Looms. Is Afghanistan Better Prepared?," *New Humanitarian*, June 2, 2021, <https://www.thenewhumanitarian.org/news-feature/2021/6/2/as-drought-looms-afghanistan-faces-another-migration-crisis>; Rob Garver, "Afghanistan Faces Complex Web of Economic Crises," *Voice of America*, August 27, 2021, https://www.voanews.com/a/south-central-asia_afghanistan-faces-complex-web-economic-crises/6210024.html; Stefanie Gliniski, "Afghanistan's COVID-19 Vaccine Rollout Plans Cross Conflict Front Lines," *New Humanitarian*, April 7, 2017, <https://www.thenewhumanitarian.org/2021/04/07/afghanistan-s-covid-19-vaccine-rollout-plans-cross-conflict-front-lines>; Maite Fernández Simon, "More than Half of Afghanistan's Population Faces 'Acute' Food Crisis This Winter, U.N. Finds," *Washington Post*, October 25, 2021, <https://www.washingtonpost.com/world/2021/10/25/afghanistan-food-crisis/>; "Afghanistan: IPC Acute Food Insecurity Analysis"; and "Afghan Refugees in Race against Winter and Starvation," *BBC News*, September 27, 2021, <https://www.bbc.com/news/av/world-asia-58712212>.

45 Colin P. Clarke, "When Terrorists Govern," *Foreign Affairs*, December 8, 2021, <https://www.foreignaffairs.com/articles/afghanistan/2021-12-08/when-terrorists-govern>; and "Internal Displacement Due to Conflict: Afghanistan," *Humanitarian Response*, October 6, 2021, <https://www.humanitarianresponse.info/en/operations/afghanistan/idps>.

46 Steve Gorman, "Last of San Diego-Area Students Stranded in Afghanistan Make It Out," *Reuters*, November 3, 2021, <https://www.reuters.com/business/cop/last-san-diego-area-students-stranded-afghanistan-make-it-out-2021-11-03/>; and David Milliken, "Last UK Military Flight Leaves Afghanistan After Evacuating 15,000 People," *Reuters*, August 30, 2021, <https://www.reuters.com/world/asia-pacific/britain-end-evacuation-afghanistan-saturday-2021-08-28/>.



Border guards are seen at a checkpoint at the Uzbekistan-Afghanistan border in Ayritom, Uzbekistan, August 15, 2021. REUTERS/ Abror Kurbonmuratov.

unlikely that they will now be able to find asylum within the region. Their best remaining hope is resettlement in Europe, the Americas, or Australia.⁴⁷

Neighbors and the Region

Central Asian States

Afghanistan has northern borders with Turkmenistan, Uzbekistan, and Tajikistan. All these states are signatories to the 1951 Refugee Convention and the 1967 Refugee Protocol. Nevertheless, the Collective Security Treaty Organization (CSTO), an intergovernmental military alliance in Eurasia consisting of post-Soviet states, has developed

a common position on nonadmission of Afghan refugees and has conducted military operations on its borders to oppose Afghan refugee movement.⁴⁸

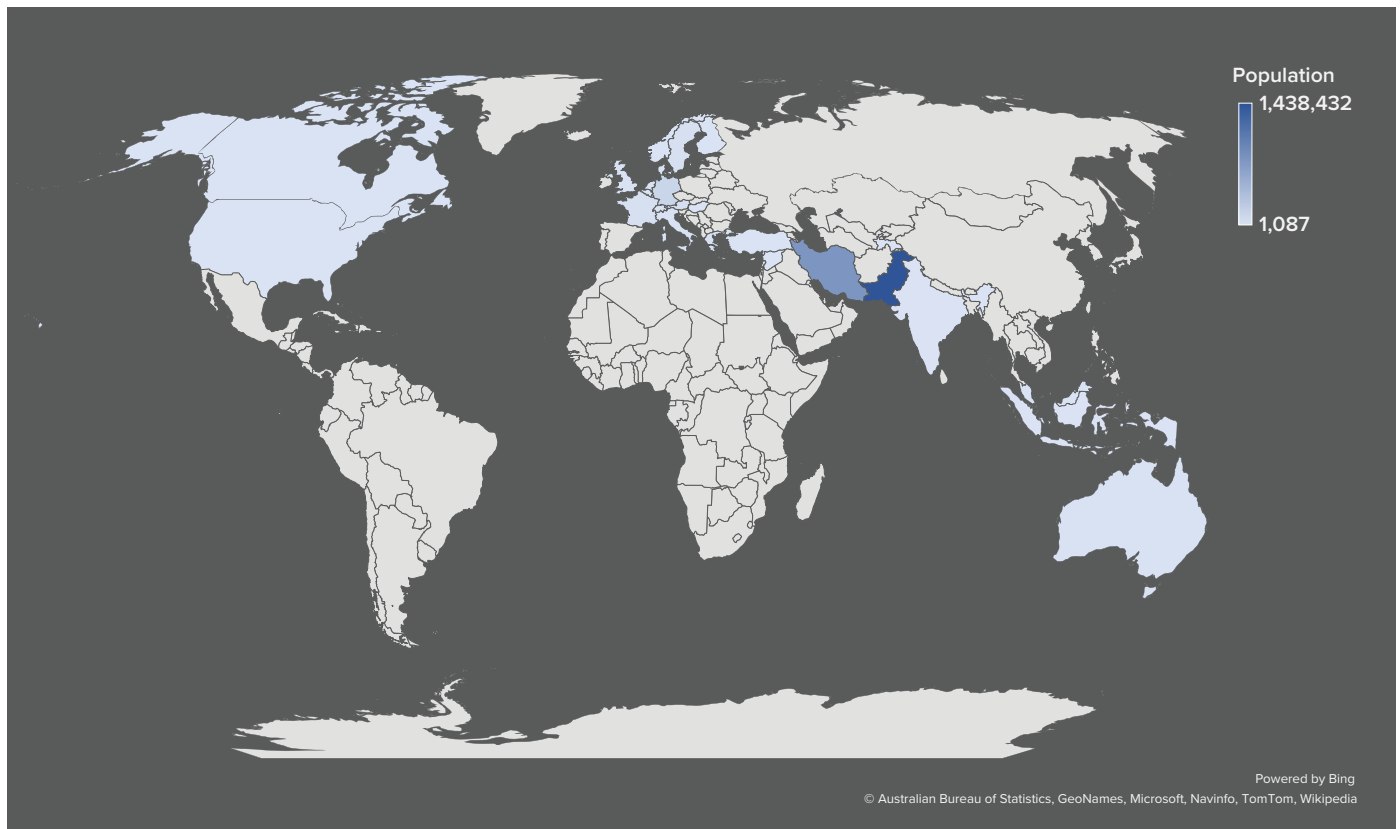
Kazakh President Kassym-Jomart Tokayev announced his support for the CSTO ban, and Kyrgyz President Sadyr Japarov proposed a security belt in the region to prevent encroachment. Russian President Vladimir Putin, who has significant influence over CSTO, has spoken against even temporarily placing Afghan nationals in Central Asia for processing to receive visas to the United States and Europe. The Russian ambassador to Uzbekistan said that refugee admittance would be “akin to opening the flood gates.”⁴⁹ Partly as a result, even Tajikistan, which had

47 Abubakar Siddique, “‘No Reason To Stay’: Taliban Repression, Economic Collapse Accelerate Exodus from Afghanistan,” Gandhara, Radio Free Europe/Radio Liberty (RFE/RL) Reporting on Afghanistan, December 2, 2021, <https://gandhara.rferl.org/a/afghanistan-exodus-taliban-repression-economy/31590988.html/>.

48 RFE/RL, “Russia-Led CSTO to Hold Military Drills in Central Asia Due to Situation in Afghanistan,” Radio Free Europe/Radio Liberty, August 27, 2021, <https://www.rferl.org/a/russia-csto-afghanistan-exercises/31431223.html>.

49 Umida Hashimova, “What Explains Tajikistan’s Evolving Position on Afghan Refugees?,” *Diplomat*, September 22, 2021, <https://thediplomat.com/2021/09/what-explains-tajikistans-evolving-position-on-afghan-refugees/>.

Figure 3: Number of Afghan Refugees Abroad (as of December 2020)



Source: UNHCR: Global Trends in Forced Displacement, 2020 - Full Annexes

offered to temporarily shelter up to 100,000 Afghan refugees with international assistance, has admitted very few Afghans in recent weeks.

As a result, most Afghans seeking resettlement are likely to aim for neighboring Iran and Pakistan, which before 2021 were already collectively hosting more than 2.2 million refugees. Pakistan hosts 1.5 million refugees alone. Conditions are very tough in both countries.⁵⁰

Pakistan

Pakistan has hosted Afghan refugees since the 1979 Soviet invasion of Afghanistan despite not being a signatory to either the 1951 Refugee Convention or the 1967 Refugee Protocol. The previously open policy of the 1980s (which enabled more than three million Afghans to take refuge

in Pakistan) has, however, been replaced with severe restrictions. In 2018, the government of Pakistan pressured Afghans to return to Afghanistan. A month before the fall of Kabul, Pakistan's interior minister announced that Afghans would be confined to camps, and any Afghans who recrossed the border would be barred from cities. During the last days of the Taliban campaign to topple the Afghan government, Pakistan closed its border with Afghanistan. It has since reopened some border checkpoints, but border crossings remain heavily restricted. Those Afghans who have succeeded in illegally crossing the Pakistan border face a risk of detention and deportation. Partly for this reason, Afghans are rarely succeeding in registering as refugees with UNHCR.⁵¹

Air travel to Pakistan for Afghans currently requires a passport and a valid Pakistani visa. However, the visas

⁵⁰ "Afghanistan Situation: Regional Refugee Preparedness and Response Plan."

⁵¹ "States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol"; Yara Bayoumy and Jyoti Thottam, "Pakistan's Imran Khan Talks About U.S. Ties, Afghanistan," *New York Times*, November 3, 2021, <https://www.nytimes.com/2021/06/25/opinion/imran-khan-pakistan-interview.html>; Donna Kay Corcoran, Mohammad Nader Farhad, and Eva Schwoerer, "Returns to Afghanistan: Joint IOM-UNHCR Summary Report," ReliefWeb, UN Office for the Coordination of Humanitarian Affairs (portal), May 2019, 8, https://reliefweb.int/sites/reliefweb.int/files/resources/iom_unhcr_2018_joint_return_report_final_24jun_2019english.pdf; and Syed Irfan Raza, "Govt Won't Let Afghan Refugees Reach Cities This Time," *Dawn*, July 13, 2021, <https://www.dawn.com/news/1634705>.



People wait to cross at the Friendship Gate crossing point at the Pakistan-Afghanistan border town of Chaman, Pakistan August 15, 2021. REUTERS/Saeed Ali Achakzai.

are only valid for two months; the flight, which has been recently suspended, can carry only three hundred Afghans a day; and the ticket costs US\$1,500. Road travel requires traveling hundreds of miles from the capital through dangerous areas of Afghanistan. The Taliban closed the Torkham border crossing in mid-September for an indefinite period. The Pakistani authorities have closed and reopened the Chaman border crossing at irregular intervals.⁵²

Travel by land, when the land borders are open, requires first being allowed through Taliban checkpoints and then requires, on the Pakistan side, a passport, a valid

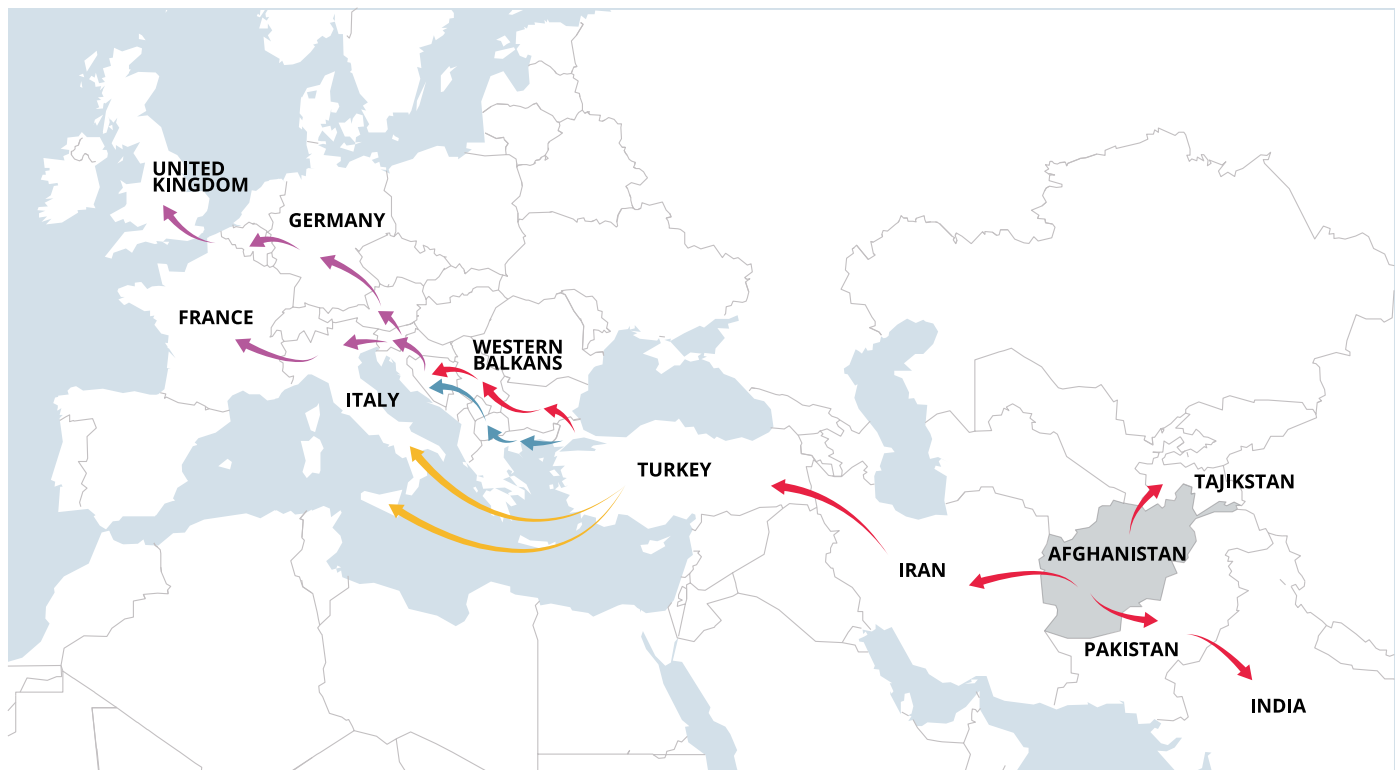
Pakistan visa, and a so-called gate pass issued by the Pakistani Ministry of Foreign Affairs and the Ministry of Interior. Obtaining a gate pass currently requires a foreign embassy to submit a note verbale (i.e., an unsigned diplomatic note) in the name of the individual to the crisis management unit of the Pakistan Ministry of Foreign Affairs. Embassies are reluctant to do this except in the most exceptional cases.⁵³ Meanwhile, the remoteness of the refugee camps in Pakistan has increased the operational difficulties of third countries that have offered to take in some of the asylum seekers based in Pakistan, and the government of Pakistan provides little welfare support to these camps.⁵⁴

52 Arezou Rezvani, Steve Inskeep, and Samantha Balaban, "At Pakistan's Border with Afghanistan, People Wait to Cross from Both Sides," National Public Radio, September 14, 2021, <https://www.npr.org/2021/09/14/1036416213/pakistan-afghanistan-border-taliban-torkham?t=1635353062468&t=1635944205449>; and "UNHCR Welcomes Steps to Ease Movement at Pakistan-Afghanistan Border," UNHCR (Briefing Notes website, released for attribution), October 26, 2021, <https://www.unhcr.org/news/briefing/2021/10/6177b8834/unhcr-welcomes-steps-ease-movement-pakistan-afghanistan-border.html>.

53 Interview by the author with diplomats and with senior civil society staff, October 2021.

54 Sarah Atiq, "Afghanistan: Pakistan Fences Off from Afghan Refugees," BBC News, August 19, 2021, <https://www.bbc.com/news/world-asia-58187983>; Erin Cunningham, Rachel Pannett, Ellen Francis, Karoun Demirjian, John Hudson, Paulina Villegas, and Claire Parker, "Biden Vows Retribution after 13 U.S. Service Members Were Killed in Afghanistan Bombing," *Washington Post*, August 26, 2021, <https://www.washingtonpost.com/world/2021/08/26/afghanistan-kabul-taliban-live-updates/#link-BUNLMOF2S5CIJOBVNSVBQG234Y>; and Saadullah Akhtar, "Fleeing Afghan Hazaras Face Uncertain Future in Pakistan," *Al Jazeera*, September 20, 2021, <https://www.aljazeera.com/news/2021/9/20/fleeing-afghan-hazaras-face-uncertain-future-in-pakistan>.

Figure 4: Refugee flows from Afghanistan



Graphic indicates general refugee flows rather than precise geographical locations.

Iran

The Islamic Republic of Iran is a signatory to the 1951 Refugee Convention and the 1967 Refugee Protocol. Afghans have previously often crossed freely to work in Iran. The 600-mile border with Iran, which consists mostly of desert, is currently less patrolled by the Taliban than other border areas. Iran has established some refugee camps. UNHCR believes that, out of a total of 3.63 million undocumented and refugee Afghans in 2021, over 2.25 million are undocumented and another 1.38 million are refugees.

Notably, Iran continues to pursue a policy of forcibly repatriating undocumented Afghans, regardless of the risk of Taliban reprisals or starvation in Afghanistan. *The New Humanitarian* estimated that the total number of Afghans repatriated to Afghanistan from Iran in 2020 alone was 860,000, most of whom were undocumented. The

International Organization for Migration estimated that Iran was deporting between 20,000 to 30,000 Afghans each week. Iran also insists that documented Afghan refugees could be repatriated once Iran feels the situation has improved, without clarifying what criteria would be used to assess the situation.⁵⁵

Complicating matters further, Iran has a disputed diplomatic status with Canada and the United States. Therefore, any Canadian or US attempts to resettle Afghan refugees from Iranian refugee camps must contend with the diplomatic standoff between them and Iran.⁵⁶

India

Like Pakistan, India is not a signatory to the 1951 Refugee Convention or the 1967 Refugee Protocol. As of 2019, India has accepted more than 10,000 Afghan refugees, although

55 “States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol”; Eric Reidy, “The Shrinking Options for Afghans Escaping Taliban Rule,” *New Humanitarian*, August 30, 2021, <https://www.thenewhumanitarian.org/analysis/2021/8/30/Afghan-refugees-escape-Taliban-rule>; “Refugees in Iran,” UNHCR Iran (webpage), 2021, <https://www.unhcr.org/ir/refugees-in-iran/>; Lee Keath and Mstyslav Cerhnov, “Desperation Drives Thousands of Afghans a Day across Borders,” ABC News, December 7, 2021, <https://abcnews.go.com/International/wireStory/desperation-drives-thousands-afghans-day-borders-81598623>; and Ezzatullah Mehrdad, “As Deportations Soar, Afghan Returnees Struggle on Home Soil,” *New Humanitarian*, January 26, 2021, <https://www.thenewhumanitarian.org/news/2021/01/26/iran-afghanistan-migrant-returns-refugees-conflict-coronavirus-economy>.

56 Sam Khanlari, “It’s Been Nine Years Since Canada Severed Diplomatic Ties with Iran. How Long Can This Go On?,” *Toronto Star*, September 7, 2021, <https://www.thestar.com/opinion/contributors/2021/09/07/its-been-nine-years-since-canada-severed-diplomatic-ties-with-iran-how-long-can-this-go-on.html>; and “U.S. Relations With Iran,” Timeline, Council on Foreign Relations (website), April 2021, <https://www.cfr.org/timeline/us-relations-iran-1953-2021>.

there have been concerns that it discriminates against Muslims when offering asylum in India.⁵⁷

Turkey has long been a destination or transit point for Afghan refugees moving west through Iran. But Turkey, which already hosts at least four million Syrian refugees, is reluctant to take more refugees. Turkish President Erdogan has stated bluntly that Turkey will not become Europe's "refugee warehouse."⁵⁸ In response to increased waves of Afghan refugees, Turkey has, therefore, strengthened its border security with Iran, including building new walls and barbed-wire fences, and increasing border patrols to turn away Afghan refugees.⁵⁹

Western-Style Democracies

European Union and Member States

Refugee policy remains largely a question for individual EU member states, which have divergent attitudes on refugees and migrants in general: the Swedish and German governments, for instance, have typically been more open to refugees and the Hungarian government opposed. There is, however, currently a temporary EU-wide moratorium on the deportation of Afghan asylum seekers, which began just before the fall of Kabul and has remained in place.⁶⁰

The members that had deployed the most troops to Afghanistan all evacuated large numbers of people from Kabul in the last two weeks of August. Germany evacuated 5,347 (including 4,100 Afghans); Italy, 5,011 (including 4,890 Afghan nationals); France, more than 3,000 (including 2,600 Afghans); the Netherlands, 2,500; and Spain, 1,898 Afghans. Sweden, Belgium, Poland, and Denmark each evacuated between 900 and 1,400 people. Based on these tallies and the smaller numbers of people evacuated by other EU member states, it appears around 22,000 Afghans were evacuated to the European Union.⁶¹

EU policy has since focused on "supporting refugee camps in states neighboring Afghanistan," even though very few Afghans have been able to cross into neighboring countries since the Taliban seized power, let alone receive safe asylum in those countries. The poor conditions of the camps and the threat of repatriation among neighbors continues to incentivize Afghans to make their way to Europe, despite the treacherous conditions and threats of violence they face at border crossings.⁶²

In December 2021, fifteen EU member states agreed to take in 40,000 Afghans for resettlement, with Germany taking 25,000, the Netherlands accepting 3,159, and Spain and France each committing to take 2,500.⁶³ However, these commitments are slightly misleading as most of these states, especially Germany, had already committed to these resettlement caps and were merely repeating these existing commitments.

United States

The United States has resettled more Afghan refugees since August 2021 than any other state. However, it is important to distinguish Afghan evacuees who are processed under special visa regimes separate from existing refugee resettlement programs in the United States. At the time of the fall of Kabul, there were two formal visa routes available to Afghans seeking to enter the United States. Special immigrant visas (SIVs) could be obtained by Afghans who had worked with US troops (for themselves and their families). This applied to an estimated 50,000 people. Others are assessed in line with three priority levels for refugee resettlement: the first priority level (P1) is for individual cases in which resettlement was urgently needed, P2 is for groups of particular humanitarian concern, and P3 for family members of already-resettled refugees. In early August, P2 entitlement was offered to Afghans who had worked directly for the US government

57 "States Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol"; and Murali Krishnan, "Are India's Emergency Visas for Afghans Issued Based on Religion?," Deutsche Welle (DW website), August 23, 2021, <https://www.dw.com/en/are-indias-emergency-visas-for-afghans-issued-based-on-religion/a-58957268>.

58 Kemal Kirişçi and Fulya Memisoglu, "Biden's Decision to Pull Troops from Afghanistan Risks a Major Refugee Crisis," Just Security (online forum), Reiss Center on Law and Security, New York University School of Law, April 26, 2021, <https://www.justsecurity.org/75859/bidens-decision-to-pull-troops-from-afghanistan-risks-a-major-refugee-crisis/>; and Elena Becatoros and Suzan Fraser, "Turkish Leader: EU Must Act to Forestall Afghan Migrant Wave," Associated Press, August 20, 2021, <https://apnews.com/article/europe-middle-east-health-migration-coronavirus-pandemic-7790679c2183fc49a2ea0a663f9c4d90>.

59 "Turkish Leader: EU Must Act." and Ali Kucukgocmen, "Turkey Reinforces Border to Block Any Afghan Migrant Wave," Reuters, August 23, 2021, <https://www.reuters.com/world/middle-east/turkey-reinforces-border-block-any-afghan-migrant-wave-2021-08-22/>.

60 Loveday Morris and Denise Hruby, "Europe's Contentious Deportations of Afghans Grind to a Halt as Taliban Surges," *Washington Post*, August 14, 2021, https://www.washingtonpost.com/world/europe/afghanistan-asylum-europe-taliban/2021/08/13/c7118ae4-fabb-11eb-911c-524bc8b68f17_story.html.

61 "Factbox: Evacuations from Afghanistan by Country," Reuters, August 30, 2021, <https://www.reuters.com/world/evacuations-afghanistan-by-country-2021-08-26/>; Priyanka Shankar, "EU, fearful of refugee crisis, delays response on Afghan asylum," *Al Jazeera* (website), October 15, 2021, <https://www.aljazeera.com/news/2021/10/15/eu-fearful-of-refugee-crisis-delays-response-on-afghan-asylum-2>.

62 Katrin Bennhold and Steven Erlanger, "Why Europe's Leaders Say They Won't Welcome More Afghan Refugees," *New York Times*, August 18, 2021, Updated October 12, 2021; and "Statement on the situation in Afghanistan," EU Council, August 31, 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/08/31/statement-on-the-situation-in-afghanistan/>.

63 Agence France-Presse, "EU Countries Agree to Take in 40,000 Afghan Refugees," *Al Jazeera* (website), December 9, 2021, <https://www.aljazeera.com/news/2021/12/9/eu-member-states-agree-to-take-in-40000-afghan-asylum-seekers>.



An Afghan refugee plays with a State Department employee upon arrival at Dulles International Airport in Dulles, Virginia, August 28, 2021. REUTERS/Michael A. McCoy.

or as direct contractors for US government-funded programs. This extended entitlement to an estimated additional 200,000 Afghans. But P2 candidates were advised that they could only apply after leaving Afghanistan—which required being able to enter a third country, and the process was anticipated to take one to two years, with no guarantee of admission. Many other vulnerable Afghans, such as female judges or senior members of the former Afghan government, appeared to have struggled to qualify for any of these schemes.⁶⁴

Much of this system was transformed in practice by the evacuation from Kabul airport between the fall of Kabul to the Taliban on August 15 and the end of August 2021, during which time the United States evacuated about

82,015 Afghans.⁶⁵ This group included US citizens and Afghans entitled to SIVs. Also included were many who had managed to fight their way into the airport and were evacuated without any clear process to determine their eligibility. It is estimated that approximately 250,000 Afghans eligible for US visas remain trapped inside Afghanistan.⁶⁶

By early September, at least 24,000 of the evacuees had already arrived in the United States itself, another 23,000 were on overseas US military bases, and a remaining 20,000 were waiting in other countries. By mid-September, the number of Afghan refugees in the United States increased to 37,00 people. Out of the total number of 82,015 evacuees, only 36,821 people were SIV applicants. The US government appears to be proceeding to assist most of

64 Ted Hesson, "Explainer: Who Are the Afghan Refugees Coming to the U.S. and What Happens When They Arrive?," Reuters, August 26, 2021, <https://www.reuters.com/world/who-are-afghan-refugees-coming-us-what-happens-when-they-arrive-2021-08-26/>; "IRC: P2 Resettlement Pathway for Afghan Civilians Step in Right Direction," International Rescue Committee, August 3, 2021, <https://www.rescue.org/press-release/irc-p2-resettlement-pathway-afghan-civilians-step-right-direction>; and Elizabeth Ferris, "The Evacuation of Afghan Refugees Is Over. Now What?" Brookings Institution, September 10, 2021, <https://www.brookings.edu/blog/fixgov/2021/09/10/the-evacuation-of-afghan-refugees-is-over-now-what/>.

65 Department of Homeland Security Operation Allies Welcome Afghan Evacuee Report, Fiscal Year 2022 Report to Congress, 2 (December 2021).

66 Lauren Leatherby and Larry Buchanan, "At Least 250,000 Afghans Who Worked with U.S. Haven't Been Evacuated, Estimates Say," *New York Times*, August 25, 2021, <https://www.nytimes.com/interactive/2021/08/25/world/asia/afghanistan-evacuations-estimates.html>.

these individuals to enter the United States under the humanitarian parole process, which is faster than the regular refugee resettlement process.⁶⁷

Every US state except for Hawaii, South Dakota, West Virginia, and Wyoming has committed to resettling these refugees, with California and Texas taking in the most refugees. (California and Texas have always been leading states in accepting Afghan refugees, followed by Virginia, Washington, and Maryland. Although there is political support for taking in refugees in Hawaii, the state infrastructure does not have the capacity to resettle them.) US resettlement agencies have been warned to expect 75,000 Afghan arrivals over the next few months.⁶⁸

Currently, the Biden administration has only been able to guarantee healthcare for the refugees for up to a month, and there is no safety net for them once that time has run out. Congressional action is vital to provide welfare while these refugees are processed and resettled in the United States.⁶⁹ The White House has proposed easing green card applications for Afghan refugees, as part of a larger request to Congress for \$6.4 billion in funding for the Afghan refugee resettlement process. This is not yet, however, in place.⁷⁰ Resettlement agencies are now overwhelmed by the surge of Afghan refugee requests, requiring the help of private citizens to facilitate their settlement. The US State Department faces a huge backlog of applications.⁷¹

President Biden announced ahead of the fiscal year beginning October 2021 that the refugee resettlement limit would be increased from 62,500 to 125,000 for that year—in line with a campaign pledge.⁷²

United Kingdom

Like the US SIV program, the UK Afghan Relocations and Assistance Policy (ARAP) provided resettlement assistance to Afghans who have worked with British military and government officials and were at risk of Taliban reprisal.⁷³ Operation Pitting, the UK military evacuation from Kabul airport in the second half of August, evacuated 15,000 people (via Dubai to Brize Norton Royal Air Force station in Britain). As part of this evacuation, one thousand people described as individuals particularly at risk including female politicians, members of the LGBT community, women's rights activists and judges, were called forward. Of these, approximately five hundred were able to reach the airport. The remainder included 8,000 British nationals and 5,000 Afghans who had "loyally served" the British government.⁷⁴ The UK's evacuation of Afghans has come under scrutiny after Raphael Marshall, a former UK diplomat, accused the Foreign Office of a chaotic, understaffed, and arbitrary approach to processing Afghan refugees.⁷⁵

The additional Afghan Citizens Resettlement Scheme (ACRS) was announced by Prime Minister Boris Johnson on August 18, 2021. Under the scheme, Britain undertook to accept 5,000 people in the year following the fall of Kabul and 20,000 over an unspecified amount of time. The scheme was intended to prioritize those who have worked with the UK in Afghanistan and promoted democracy, women's rights, freedom of speech, and rule of law. The scheme also was supposed to support vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBTBI). Beyond the five hundred "vulnerable and at-risk individuals"

- 67 Michelle Hackman, "Afghan Refugees in the U.S.: How They're Vetted, Where They're Going and How to Help," *Wall Street Journal*, September 15, 2021, <https://www.wsj.com/articles/afghan-refugees-in-the-u-s-how-theyre-vetted-where-theyre-going-and-how-to-help-11630677004>; Jessica Donati, "Majority of Interpreters, Other U.S. Visa Applicants Were Left Behind in Afghanistan," *Wall Street Journal*, September 1, 2021, <https://www.wsj.com/articles/majority-of-interpreters-other-u-s-visa-applicants-were-left-behind-in-afghanistan-official-says-11630513321>; and "The Evacuation of Afghan Refugees Is Over. Now What?"; Department of Homeland Security Operation.
- 68 Aamer Madhani, "States Learning How Many Afghan Evacuees Coming Their Way," Associated Press, September 15, 2021, <https://apnews.com/article/us-afghanistan-evacuees-262203820a617808f4a40a130e2d179a>; Kaile Hunt, "Will the State of Hawaii Be Assigned to Take in Afghanistan Refugees?," KHON-TV, October 7, 2021, <https://www.khon2.com/local-news/will-the-state-of-hawaii-be-assigned-to-take-in-afghanistan-refugees/>; Braeden Waddell, "States That Have Welcomed the Most Refugees from Afghanistan," *U.S. News and World Report*, September 14, 2021, <https://www.usnews.com/news/best-states/articles/2021-09-14/afghan-refugee-resettlement-by-state>; and Michael D. Shear, "Biden to Raise the Cap on Refugees to 125,000," *New York Times*, September 20, 2021, <https://www.nytimes.com/2021/09/20/us/politics/biden-refugee-cap.html>.
- 69 Shear, "Biden to Raise the Cap on Refugees."
- 70 Michelle Hackman and Siobahn Hughes, "Biden Administration Seeks New Law to Ease Afghan Refugees' Path to Green Cards," *Wall Street Journal*, September 8, 2021, <https://www.wsj.com/articles/biden-administration-seeks-new-law-to-ease-afghan-refugees-path-to-green-cards-11631135128>; and "Afghan Refugees in the U.S.: How They're Vetted, Where They're Going and How to Help."
- 71 Jessica Donati and Michelle Hackman, "Afghan Refugees Can Be Sponsored by Private Citizens Under New Program," *Wall Street Journal*, October 25, 2021, <https://www.wsj.com/articles/afghan-refugees-can-be-sponsored-by-private-citizens-under-new-program-11635197674>.
- 72 Donati and Hackman, "Afghan Refugees Can Be Sponsored."
- 73 Donati and Hackman, "Afghan Refugees Can Be Sponsored."
- 74 Laurence Cawley and Alex Dunlop, "Afghanistan: 'I Got the Chance to Go Out and Help People,'" BBC News, October 8, 2021, <https://www.bbc.com/news/uk-england-essx-58828700>; and Peter Walker, "No One Saw This Coming, Raab Says of Taliban's Rapid Afghan Takeover," *Guardian*, August 17, 2021, <https://www.theguardian.com/world/2021/aug/17/no-one-saw-this-coming-raab-taliban-rapid-afghan-takeover>.
- 75 Aubrey Allegretti, "Whistleblower on UK's Afghan Evacuation: Main Accusations," *Guardian*, December 7, 2021, <https://www.theguardian.com/world/2021/dec/07/whistleblower-on-uks-afghan-evacuation-main-accusations>; Peter Beaumont, "How an Afghan Reporter Was Left to the Taliban by the Foreign Office," *Guardian*, December 7, 2021, <https://www.theguardian.com/world/2021/dec/07/how-an-afghan-reporter-was-left-to-the-taliban-by-the-foreign-office>; and Jessica Elgot, "Fresh Questions Raised about Dominic Raab's Role in Afghan Rescue Debacle," *Guardian*, December 7, 2021, <https://www.theguardian.com/politics/2021/dec/07/fresh-questionsdominic-raab-role-afghan-rescue-debacle>.

who have already been evacuated and arrived in the UK, the scheme intended UNHCR to identify eligible candidates in third countries. This model was based on the UK's previous approach to settling Syrian refugees, in which UNHCR identified eligible refugees in countries such as Jordan, Syria, and Turkey. The UK further committed to working with unnamed international partners in the region to implement a referral process for those inside Afghanistan.⁷⁶

Ten weeks after it was announced, however, the scheme was still not operational. Home Secretary Priti Patel has refused to fully explain why the process is taking so long. Critics have suggested that she is still trying to create a hostile environment for asylum seekers. Regardless, it is clear that the scheme faces very considerable challenges.⁷⁷

It currently refuses, for example, to admit Afghans who have already reached other European countries, arguing that they should seek asylum in those places. Instead, it proposes to take Afghans from refugee camps in the region surrounding Afghanistan. As explained above, however, very few Afghans seeking asylum from the Taliban are currently able to settle or register in countries in the region.

A third potential route has been suggested via international partners and nongovernment organizations. It is yet to be operationalized and it remains far from clear whether these Afghans also would be required to process in neighboring countries. The UK government currently insists that individuals cannot be processed without prior biometric checks, which are not possible in the absence of a UK mission in Afghanistan. A lack of political focus and bureaucratic confusion in the UK continues to ensure that the scheme remains little more than a sound bite.

"It looks like a politically expedient announcement," said a former British ambassador to Pakistan and career diplomat, Sir Adam Thomson, about the ACRS. "With the media focus having gone elsewhere, the government has lost political will, lost focus, and lost implementation. It's a tried

and tested technique. You announce something, you look good. Then somehow circumstances prevent you from actually achieving your targets."⁷⁸

Canada

Canada originally pledged to take 20,000 Afghan refugees and increased the number to 40,000 following the September 2021 Canadian federal election. This is in addition to the approximately 3,900 Canadian and Afghan citizens removed during the evacuation process. The new number is comparable to the Syrian resettlement program that marked Trudeau's first year in office, which brought in 39,636 refugees from November 2015 to the end of the following year. During the 2021 political campaign, Trudeau's Liberal Party also promised to budget C\$350 million for the resettlement of refugees.⁷⁹

Canada's resettlement program consists of both government- and private-sponsored settlement. Government-sponsored resettlement is conducted for refugees referred to Canada by the UNHCR, Front Line Defenders, or ProtectDefenders.eu. The latter two agencies can only refer human rights defenders to settle in Canada.

The private-sponsored scheme is a large and long-standing Canadian program, which could form an important model for other countries.

The UNHCR's Canadian office describes it as follows:⁸⁰

The Private Sponsorship of Refugees (PSR) program allows Canadians to resettle specific individuals or families who qualify as refugees under Canada's refugee and humanitarian program. Privately sponsored refugees are additional to those resettled by the Canadian government through other programs. Privately sponsored refugees are approved outside of Canada by Canadian visa officers and they become permanent residents upon arrival in Canada.

76 "FACTSHEET: ARCS and Other Routes," *Home Office in the Media* (blog) UK Home Office, September 13, 2021, <https://homeofficemedia.blog.gov.uk/2021/09/13/acrs-other-routes/>; and "Afghan Citizens Resettlement Scheme," UK Visas and Immigration and Home Office message (gov.uk website), Updated September 13, 2021, <https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme>.

77 Ione Wells, "'The More We Wait, the More in Danger We Are,'" BBC News, October 26, 2021, <https://www.bbc.com/news/uk-politics-59036894>; "'I feel free' - LGBT Afghan Refugees Arrive in UK," BBC News, October 31, 2021, <https://www.bbc.com/news/world-asia-59102411>; and Marion MacGregor, "UK: Are Afghans Really Welcome?," InfoMigrants (multilingual news website for migrants), September 8, 2021, <https://www.infomigrants.net/en/post/34923/uk-are-afghans-really-welcome>. InfoMigrants is operated by France Médias Monde, Deutsche Welle, and the Italian press agency ANSA, with co-financing by the EU.

78 Mark Townsend, "Fears Grow That Home Office Has Lost Will to Resettle Afghans Under Threat," *Guardian*, December 12, 2021, <https://www.theguardian.com/world/2021/dec/12/fears-grow-that-home-office-has-lost-will-to-resettle-afghans-under-threat>.

79 "Supporting Afghan Nationals: About the Special Programs," Government of Canada (website), October 18, 2021, <https://www.canada.ca/en/immigration-refugees-citizenship/services/refugees/afghanistan/special-measures.html>; Elian Peltier, "Canada Promises to Resettle 20,000 Refugees from Afghanistan," *New York Times*, August 14, 2021, <https://www.nytimes.com/2021/08/14/world/asia/canada-refugees-afghanistan.html>; and Bryony Lau, "Canada Promised to Take in 20,000-40,000 Afghan Refugees. Where Are They?," *National Post*, October 25, 2021, <https://nationalpost.com/news/canada/canada-promised-to-take-in-20000-40000-afghan-refugees-where-are-they>.

80 "What is the private sponsorship of refugees?" UNHCR Canada (website), accessed January 20, 2022, <https://www.unhcr.ca/in-canada/other-immigration-pathways-refugees/private-sponsorship-refugees/>.

Private sponsors are groups of Canadians or organizations, including faith-based associations, ethnocultural groups, or settlement organizations. They can sponsor refugees as members of one of the following three categories:

- **Groups of Five (G5):** Five or more Canadian citizens or permanent residents with the financial and settlement capacity to fulfill sponsorship requirements who collectively arrange for the sponsorship of a refugee living abroad to welcome them in their community.
- **Community Sponsors:** Organizations, associations or corporations located in the community where refugees will be resettled, with the financial and settlement capacity to fulfill sponsorship requirements.
- **Sponsorship Agreement Holders (SAHs):** Incorporated organizations that have signed an agreement with Immigration, Refugees, and Citizenship Canada (IRCC) and assume overall responsibility for the management of sponsorships. SAHs can also authorize Constituent Groups (CGs) from the community to sponsor refugees under their agreement.

Sponsors often commit to this process for refugees whose stories they have heard from friends, community members, relatives, or overseas contacts. If you wish to sponsor a refugee through the Private Sponsorship of Refugees (PSR) program, you should first consider whether or not the person is eligible under the program. Sponsoring groups are responsible for providing refugees with the settlement assistance, material, and financial support necessary for the duration of the sponsorship period—usually up to one year from the date they arrive in Canada.

The private sponsorship of refugees in Canada has allowed Canadians to welcome more than 327,000 refugees

since the program was established in 1979. Over the past ten years, the PSR program accounted for more than 50 percent of resettled refugee arrivals in Canada.⁸¹

So far, under the current Afghan program, an estimated 3,750 individuals have arrived in Canada. Entry for another 9,400 Afghans has been approved, but they have not yet arrived in Canada.⁸²

Australia

Australia evacuated over 3,200 Australian citizens and Afghans with Australian visas. The nation is committed to receiving up to 3,000 more Afghan refugees. The immigration minister has said that those who came to Australia with temporary visas would be permitted to stay “while the security situation remains dire.”⁸³ Thereafter, in striking contrast to Australia’s historical record of opposition to refugee resettlement, Australian Prime Minister Scott Morrison committed to having no cap on accepting Afghan refugees (overriding the initial figure of 3,000 and the existing limit of 13,750 refugees for resettlement).⁸⁴

The Australian Home Ministry warned, however, against any attempts to come to Australia by boat, affirming Australia’s policy against accepting asylum seekers arriving by sea. Many Afghan refugees who fled Afghanistan to Southeast Asia are unable to travel on to Australia due to this policy. No commitments have been made by Australia or other states to accept them.⁸⁵

Morrison’s new pledge followed a Senate hearing on the more than 26,000 asylum applications that have already been made by Afghans. Noting that these applications are usually for family groups, experts estimate the number of people involved exceeds 100,000. All of these new measures indicate at least some new positive directions in Australia’s position in the refugee resettlement coalition. The Australian ambassador to Iran has promised Australia will resettle Afghan refugees who are currently in Iran.⁸⁶

81 “What Is the Private Sponsorship of Refugees?” UNHCR Canada (website), accessed December 14, 2021, <https://www.unhcr.ca/in-canada/other-immigration-pathways-refugees/private-sponsorship-refugees/>; and “Supporting Afghan Nationals: About the Special Programs.”

82 “Canada Promised to Take in 20,000-40,000 Afghan Refugees.”

83 Rob Harris, “Australia to Resettle ‘Thousands upon Thousands’ of Afghans,” *Sydney Morning Herald*, August 23, 2021, <https://www.smh.com.au/politics/federal/australia-to-resettle-thousands-upon-thousands-of-afghans-20210823-p58l5j.html>; and Daniel Hurst and Ben Doherty, “Afghans in Australia Won’t Be Sent Back While Security Situation Remains Dire, Minister Says,” *Guardian*, August 17, 2021, <https://www.theguardian.com/australia-news/2021/aug/17/afghans-in-australia-wont-be-sent-back-while-security-situation-remains-dire-minister-says>.

84 Andrew Brown, “No Cap on Afghan Refugees in Australia: PM,” *7News*, October 21, 2021, <https://7news.com.au/politics/afghan-safety-needs-to-be-guaranteed-wong-c-4294832>; and “About the Refugee and Humanitarian program,” Australian Government, Department of Home Affairs (website), February 24, 2021, <https://immi.homeaffairs.gov.au/what-we-do/refugee-and-humanitarian-program/about-the-program/overview>.

85 Yan Zhuang, “Australia Tells Afghan Refugees: ‘Do Not Attempt an Illegal Boat Journey,’” *New York Times*, August 23, 2021, <https://www.nytimes.com/2021/08/23/world/asia/australia-tells-afghan-refugees-do-not-attempt-an-illegal-boat-journey.html>; and Bryony Lau, “Will Afghan Refugees Stranded in Southeast Asia Be Resettled?,” *Foreign Policy*, September 28, 2021, <https://foreignpolicy.com/2021/09/28/will-afghan-refugees-stranded-in-southeast-asia-be-resettled/>.

86 Brown, “No Cap on Afghan Refugees”; Daniel Hurst, “More than 100,000 Afghan Nationals Vying for Initial 3,000 Humanitarian Visas from Australia,” *Guardian*, October 11, 2021, <https://www.theguardian.com/australia-news/2021/oct/11/more-than-100000-afghan-nationals-vying-for-initial-3000-humanitarian-visas-from-australia>; and “Australia Ready to Help Improve Refugee Situation in Iran,” *Tehran Times*, October 27, 2021, <https://www.tehrantimes.com/news/466404/Australia-ready-to-help-improve-refugee-situation-in-iran>.



Evacuees from Afghanistan are seen at their temporary shelter inside the US Army Rhine Ordnanz Barracks in Kaiserslautern, Germany, August 30, 2021. REUTERS/Kai Pfaffenbach.

Smaller Countries

A number of smaller European and Latin American countries have also been generous in welcoming Afghans. This is remarkable given that they mostly lack diplomatic missions in the region, a history of involvement in Afghanistan, or evacuation capacity. They did so largely on the basis of names referred to them by credible international human rights organizations.

The Republic of Ireland has taken one thousand Afghans, almost all of whom were evacuated after August 31, 2021 (by issuing a letter in lieu of an Irish entry visa). New Zealand has issued 1,200 visas to Afghans at risk. Argentina, Chile, Portugal, and Mexico also have issued large numbers of visas to vulnerable Afghans. In most cases, the individuals were referred by human rights activists who managed to evacuate them through the immensely testing and difficult

land and air routes out of Afghanistan, after the end of the US-led August evacuation. The United Arab Emirates (UAE) estimated that 8,200 Afghans arrived at UAE airports. Iraq accepted and enrolled students from the American University of Afghanistan at a university. Albania, North Macedonia, and Kosovo hosted refugees, prior to the identification of final destinations. So, too, did Rwanda, Uganda, Sudan, and Somaliland.

Qatar was a fundamental part of the evacuation mechanisms—both with its own aircraft and escort convoys, and by hosting US planes and refugees. In all, Qatar helped evacuate more than 40,000 people to Doha, investing immense energy and logistical capital in the coordination of the evacuation, the flights, and accommodation of the refugees. Almost all of those received there are intended ultimately to move on to resettlement destinations, overwhelmingly in Europe and North America.⁸⁷

⁸⁷ Alexander Cornwell, “Afghans Speak of Despair, Uncertainty After Evacuation to Qatar,” Reuters, August 21, 2021, <https://www.reuters.com/world/afghans-speak-despair-uncertainty-after-evacuation-qatar-2021-08-21/>.



Men sit on the roof of a van on the highway between Kabul and Bamiyan, Afghanistan, December 21, 2021.

With these few notable exceptions, the international refugee coalition continues, therefore, to be dominated by Europe and North America. According to UNHCR, between 2013 and 2019, Sweden alone gave protection to 223,000 people. Meanwhile, Japan gave protection to 657 people in this period, and China zero. This disparity cannot simply be explained in terms of relative levels of development: Japan is one of the wealthiest democracies in the

world. Sweden gave protection to more individuals than ten high- and middle-income countries, with a combined population of 3.8 billion. Similarly, Austria alone granted asylum to more people in 2019 than granted by states in East and Southeast Asia, which is home to four billion people, or almost half the world's population. Since 2013, tiny Luxembourg has taken in as many refugees through UNHCR resettlement as all of South America.⁸⁸

⁸⁸ "Migration, Border Security, and Asylum," an interview with Jean Asselborn and Gerald Knaus, *The European: Security and Defence Union* (magazine), February 2021, <https://magazine-the-european.com/2021/08/01/migration-border-security-and-asylum/>.

The Political Context

This proposal is intended to rebuild a general resettlement coalition applicable to all future crises. The Afghan crisis, however, is a key starting point, since it represents one of the most positive opportunities to rebuild this international coalition since the Vietnam boat-people emergency, more than forty years ago. This is no coincidence because the structural relationship of the developed nations to Afghans in 2021 is very similar to what existed between those same nations and the Vietnamese in 1976. In both cases, a large-scale, very costly military intervention ended in withdrawal, leaving very particular forms of connection, obligation, and responsibility in the wake.

Two decades of heavy investment and partnership in Afghanistan meant that over two million foreign nationals passed through the country and developed intense personal relationships. Afghanistan was rarely off Western front pages. Citizens in the West are now far more knowledgeable about Afghanistan and its challenges than they are about many comparable states. Many Western citizens feel that their nation's own history in Afghanistan has contributed to the vulnerability that Afghans now experience. In both cases, the dramatic deterioration of the economic and political situation after the departure created intense humanitarian need.

The extraordinary range of countries willing to host Afghans temporarily or permanently after the fall of Kabul illustrates the breadth of global concern about this plight and the willingness of politicians to make public gestures of support.⁸⁹ This is not, however, only an exercise undertaken by states. Instead, a unique combination of citizens,

businesspeople, veterans, and nongovernmental organizations led some of the most difficult and risky parts of the response and drove their governments to do more.

In the United States, philanthropy played a major role. The entrepreneur Reid Hoffman, for example, financed the chartering of planes, paid for the maintenance of refugees from Iraq to the Balkans, and provided direct support to civil society organizations.⁹⁰ Again, the Open Society Foundation dedicated hundreds of staff to unravel the Byzantine visa and flight manifest requirements, used the most extraordinary range of political contacts to convince small countries to accept refugees, and took on the very difficult responsibility of bringing together a list of those at most risk of harm. Veterans' organizations played an extraordinary role, too, in evacuation and even in exfiltration of vulnerable Afghans. The public supported much of this through small donations.

Recipient countries also proved far more resilient and adaptable in processing Afghan refugees than many anticipated, and developed new flexible processing methods (from the United States' innovative use of previously limited parole procedures to Ireland's use of letters of invitation in lieu of visas). In 2021, the domestic political context has become less hostile to asylum. President Biden's election has ushered in a more moderate US position on refugees and asylum, including lifting the annual refugee resettlement ceiling from 17,000 to 125,000. The new German coalition has committed to resettlement of 25,000 Afghans. The UK, Canada, and Australia have announced that they are willing to take more Afghans, in addition to those already evacuated from their homeland.⁹¹

89 "Statement on the situation in Afghanistan."; Dominic Raab, "Afghanistan debate in the House of Commons, 18 August 2021: Foreign Secretary's closing statement," gov.uk (website), August 18, 2021, <https://www.gov.uk/government/speeches/afghanistan-foreign-secretary-speech>.

90 Conversation between the author and Reid Hoffman, January 2021.; Jamie Tarabay and Nick Wadhams, "Facebook and a LinkedIn Co-Founder Funded a Suddenly Packed Afghan Airlift," *Bloomberg* (website), September 24, 2021, <https://www.bloomberg.com/news/articles/2021-09-24/why-155-extra-afghans-boarded-facebook-funded-flight-thanks-to-the-airline>.

91 Paul Taylor, "Has Europe Reached Peak Populism?," *Politico*, September 5, 2019, <https://www.politico.eu/article/europe-reached-peak-populism-far-right-anti-european-government-election>; and Janice Dickson, "German Leaders Offer Mixed Messaging on Afghan Refugees Following Taliban Takeover," *Globe and Mail*, September 2, 2021, <https://www.theglobeandmail.com/world/article-german-leaders-offer-mixed-messaging-on-afghan-refugees-following/>.

An Opportunity for Multilateralism?

The last two decades have seen a steady weakening of confidence in multilateral action, and the West's moral authority and power for many familiar reasons—from the humiliations of Iraq, Afghanistan, and Syria, the rise of populism (and associated isolationist policies), Brexit, the increasing wealth and influence of states such as China, and the policies of former President Donald Trump. Now, however, there is a movement back to multilateralism.

Under President Biden, the **United States** has committed to engaging in more constructive multilateral action. **France** continues to aspire to a global leadership role, as does the **EU**, as does **Germany**, particularly in the field of human rights. The **United Kingdom**, under Boris Johnson, is very keen to demonstrate its global relevance, to reignite the so-called special relationship with the United States, and showcase Global Britain. **Australia** is keen to demonstrate its commitment to international democratic alliances. **Canada's** foreign policy is deeply concerned with international cooperation.

There are, however, relatively few good opportunities currently for multilateral action. Many governments have lost confidence in humanitarian intervention and even international development, reducing their commitments to peacekeeping and their overall development spending. It has proved very difficult to form an international coalition around a response to the COVID-19 pandemic. Despite the immense effort invested in forming a multilateral consensus around climate change, it has proved difficult to emulate the success of the Paris talks.

Reforming the international resettlement coalition around the Afghan crisis, therefore, presents a rare opportunity for key states to demonstrate leadership, form a workable international coalition, and deliver rapid, concrete, ethical results. It is an opportunity, in particular, for the United States

and its allies to demonstrate (despite recent foreign policy setbacks) that they are serious about the commitment to multilateralism, ethical action, and international cooperation, particularly among democracies.

For the new German coalition, now hosting the Group of Seven (G7), it would demonstrate its international leadership on human rights. For Australia and Britain, it would be a chance to demonstrate that orderly resettlement can be a central and humane ingredient in a broader refugee policy, and to demonstrate their commitment to liberal humanitarian values. For many EU states, it would be a chance to demonstrate European values after the 2015 refugee crisis. For Canada, Norway, and Sweden it would be the culmination of their extraordinary historical commitment to the issue, enshrining a target that they have already exceeded.

Perhaps the greatest potential lies with the United States. Helping to form an international resettlement coalition would allow President Biden to fulfil his electoral commitment to reverse the prior administration's refugee policies, and meet his new increased ceiling of 125,000. It would allow the United States to build on the narrative of the successful aspects of the evacuation, and its strikingly rapid and pragmatic approach to processing Afghan claims in the United States. It would demonstrate US moral responsibility and compassion. It also would address the concerns for Afghans expressed across the political spectrum from refugee advocates to veteran organizations.

Crucially it would allow Biden to do so in a way that focuses on an orderly process rather than irregular migration. By creating systems for international cooperation and burden-sharing it would demonstrate that US leadership can convince other countries to commit, and show the US public that other countries are fairly sharing the burden of refugees.

A Plan

Aim and Approach

The aim of the international coalition should be to provide a rapid, predictable, just, and consistent response to refugee resettlement. Members of this coalition should at least include the twenty-seven countries that are already actively resettling refugees processed by UNHCR.⁹² It should begin by addressing the Afghan crisis, but then use this to build a broader resettlement strategy for vulnerable people at risk of persecution in other states. It should seek to establish a fair level of burden-sharing between participating states, focus on those at the most extreme risk of persecution, and build a more robust and predictable system of resettlement processing that could be applied to other crises in the future.

Convening

An international meeting should be convened under the auspices of the leading players. This could be an opportunity for new leadership from the United States. Other participants and potentially convenors, based both on their historic record and their statements, could include Canada, Germany, Sweden, and potentially Australia and the UK. Countries would be invited on the basis of their aspiration to meet the targets and values of the coalition.

Supporting Those Trapped Inside States

The policy should be rooted in a fundamental commitment to continue to address not only refugees but also the conflicts and the humanitarian and development crisis inside countries where persecution occurs. Only a minority of potential refugees will probably ever be able to leave the countries in which they live. A much smaller minority will ever be able to move on from neighboring states to resettlement countries. Our strong—perhaps strongest—moral obligation remains, therefore, toward those people trapped within borders and beginning to suffer from the most extreme effects of crisis at a time when their very suffering and poverty will contribute to extremism, regional instability, and further migration.

This has immediate policy implications for the international approach to Afghanistan. Currently, international actors have frozen or cut funding to Afghanistan for a variety of reasons: concern about the Taliban's record, and a hope that withholding development assistance could be a lever to wring concessions from the Taliban. However,

Figure 5: UNHCR-Mandated Resettlement: Top Five in 2019

Country of Resettlement	Total Number of Refugees Resettled
United States	21,159
Canada	9,031
United Kingdom	5,774
Sweden	4,993
Germany	4,622

Source: Resettlement Data Finder.*

*Some countries have refugee resettlement programs that work outside of UNHCR's existing resettlement mandates. These figures only reflect resettlements made with UNHCR.

the international community should not use the threat of starvation among ordinary Afghans as a lever against the Taliban. Punishing the Afghan people to achieve political change is impractical, imprudent, and above all immoral. The international community should provide aid to Afghanistan and rely on other levers such as diplomatic recognition and broader forms of cooperation to incentivize the formation of a more inclusive Afghan government.

The support should not be simply humanitarian. More general development assistance, including to the private sector, will be vital to save jobs, incomes, and livelihoods and slow the horror of the economic implosion. It is not sufficient for governments to commit to do such things, they need to actually deliver—and that often requires appointing more staff, reworking sanctions restrictions, changing new guidelines, and challenging bureaucracies to demonstrate rapid results.

Defining Numbers

Targets should be set for resettlement. The logistical difficulties of assisting departure are high, and the international community must recognize this when defining the number of people they are willing to take in. The proposal here is for the coalition to aim to follow the example of the 0.7 percent target for international aid, which slowly raised donor commitments over decades—and ultimately were

92 "Resettlement Data Finder."



People who have been evacuated from Afghanistan arrive at Pristina International Airport in Pristina, Kosovo, after Taliban insurgents entered Afghanistan's capital Kabul, August 29, 2021. REUTERS/Florion Goga.

achieved in some Nordic countries, Germany, and the UK (London has announced it will return to this commitment economic conditions permitting).⁹³

In relation to refugees, the proposal is for participating states to fulfil their existing commitments, and then undertake to meet within two years a new target of taking the equivalent of **0.05 percent** of their own population annually. This figure is a modest and realistic proposal, below the amount currently taken by Canada which is aiming to take in approximately 77,000 refugees for 2022,⁹⁴ and only slightly above the amount proposed by President Biden. It is the equivalent of a town of ten thousand people hosting a single Afghan family of five. This target would amount to around 40,000 refugees a year for a state such as Germany; resettlement of 120,000 refugees per year by a European coalition of Germany, France, the Benelux,

the Nordics and the United Kingdom; and approximately 166,000 in the United States.⁹⁵ At the heart of the idea of a proportional figure is a notion of reasonable and transparent burden-sharing between states.

Prior experience (of the failure to achieve EU consensus on this issue in 2015, for example) suggests that this target will need to be achieved through leadership, voluntary commitments, and diplomacy, rather than imposition.

Refugees

At least three major categories of resettlement priority should be targeted within these overall numbers: those who have been evacuated but lack permanent settlement; those who remain in their country having already been promised a right to resettle; and those at risk of

93 William Worley, "UK's 0.7% aid target 'scheduled' to return, but more cuts feared first," October 27, 2021, <https://www.devex.com/news/uk-s-0-7-aid-target-scheduled-to-return-but-more-cuts-feared-first-101903>.

94 Michelle Carbert, "Canada aims to welcome 432,000 immigrants in 2022 as part of three-year plan to fill labour gaps," *The Globe and Mail*, February 14, 2022, <https://www.theglobeandmail.com/politics/article-canada-aims-to-welcome-432000-immigrants-in-2022-as-part-of-three-year/>.

95 Gerald Knaus, *Welche Grenzen brauchen wir? Zwischen Empathie und Angst - Flucht, Migration und die Zukunft von Asyl*, (Munich: Piper, 2020), 1-20.

persecution. This point can apply generally to all states, but its application in relation to Afghanistan is as follows:

1. Tens of thousands of Afghans who managed to leave Afghanistan during the evacuation are currently stranded in fragile temporary situations. There are, for example, thousands in smaller Balkan, African, and Middle Eastern states that generously welcomed them on a temporary basis, but have neither the will nor capacity to retain them for longer. These groups should be a priority for the international coalition. Repatriation of Afghans is out of the question. They should, therefore, not be left in limbo. Instead, international participants should follow the US approach of processing all of the groups that were evacuated between August 15 and August 31 for asylum, almost regardless of their specific histories or claims.

2. Perhaps two hundred thousand Afghans are still trapped in Afghanistan who are already eligible for resettlement under existing international schemes (such as the US SIV and P2 schemes).

3. There are many Afghans trapped in Afghanistan not currently designated for existing schemes, but who nevertheless face extreme threats. This group includes women's rights activists, journalists, artists, human rights defenders, LGBTQI campaigners, lawyers, political opponents of the Taliban, and particular members of minority groups who have been targeted by extremists (and non-Taliban affiliated terrorist groups). These people are in imminent danger of violence, arbitrary arrest, and in some cases, of extrajudicial execution.

The coalition should undertake to accept all these groups.

Identifying the vulnerable

Major international nongovernmental organizations have compiled lists of Afghans at serious risk for persecution. These organizations include well-funded and deeply knowledgeable organizations such as the Open Society Foundation. Impressive lists have also been compiled by bodies such as Freedom House. Different lists are held by volunteers, veterans' organizations, and governments. A coalition should be formed to create a priority list of those who are most vulnerable including: women's rights activists, journalists, artists, human rights defenders, lawyers, political opponents of the Taliban, LGBTQI campaigners, and particular members of minority groups who have been targeted by extremists (and non-Taliban affiliated terrorist groups).

These lists are by their nature imperfect. Yet there are already certain individuals—the two hundred or more

female judges being the most striking example—who can be clearly identified as individuals and who are unambiguously at immediate risk. The responsibility of forming such a list is of course overwhelming. Yet in its absence, in practice, other much less reliable and comprehensive lists will emerge by default, leading to the evacuation of a smaller proportion of genuinely deserving cases.

In-country processing and evacuation

Currently, most countries in the international resettlement coalition seek to process asylum seekers in third countries through UNHCR, not within their country of origin. This reflects the fact that international law traditionally defines a refugee as a person who has *fled* their own country because they are at risk of serious human rights violations and persecution there, and an asylum seeker as a person who has *left* their country and is seeking protection from persecution.⁹⁶ As explained above, however, it is unrealistic and unjust in the Afghan context to focus exclusively on those who have managed to leave Afghanistan, not least because of the formidable barriers that have now been erected to leaving by neighboring states and others. Instead, the coalition, should seize the opportunity to process resettlement cases in Afghanistan itself. This opportunity may not remain for long.

The Taliban government, at least at a central level, is currently willing to allow persecuted groups and political opponents to leave. (This commitment, requested by the United Nations, should be further reinforced by face to face engagement with the Taliban by Western officials). There are, however, many factions within the Taliban system that seek to detain members of the former government. In addition, there are terrorists who are already targeting some of the vulnerable groups (such as Shia Afghans). The fact that an individual might be permitted to leave Afghanistan by the Taliban does not mean that they are not at risk from the Taliban if they remain. Previous historical experience, most dramatically in Nazi Germany, illustrates how a government may be prepared at one moment to allow persecuted groups to leave, but resort at a later moment to attacking those groups who were not able to take the opportunity to leave. A window is open to process in Afghanistan and evacuate with the consent of the Taliban, which may not remain for long. It should be used.

There are a number of current obstacles to processing Afghans inside Afghanistan. They include the closure of the US and most European embassies in Kabul, constraints on UNHCR capacity, requirements to conduct in-person interviews with an official from the resettlement country, and security anxieties, including the challenges of collecting

96 "What's the Difference between a Refugee and an Asylum Seeker?"



People who have been evacuated from Afghanistan arrive at Skopje International Airport in Skopje, North Macedonia, August 30, 2021, after Taliban insurgents entered Afghanistan's capital Kabul. REUTERS/Ognen Teofilovski.

and verifying biometric data. Furthermore, some countries, including the United States, only consider asylum seekers to be refugees once they have left their country of origin, meaning that the legal definition of refugee would need to be amended for them to receive refugee status without leaving their country of origin.

These are serious issues. Yet countries have repeatedly demonstrated their ability to process very large numbers for resettlement despite these challenges. The United States demonstrated in the second half of 2021 that it can be done through its rapid processing of Afghan refugees from US bases. The Canadian government also was able to do so when it set what then seemed the intimidating target of resettling forty thousand Syrians in 2015. Most famously, a large number of countries were able to process hundreds of thousands of Vietnamese directly from Vietnam during the Orderly Departure Program. In all these cases, officials were able to develop pragmatic work-arounds. The central barrier has always been the political unwillingness to meet the resettlement numbers, but the legal and bureaucratic obstacles are surmountable.

There are, however, ways in which the process can be made easier for resettling nations. Each of the resettlement coalition nations should aim to:

- strengthen and expand their own internal capacity to assist in resettlement, and supplement the activities of UNHCR (as Canada often does worldwide on refugees and as the United States has in the past for asylum seekers looking to acquire refugee status in Cuba)⁹⁷
- study and learn from the each other's approaches (including the Vietnam Orderly Departure process)
- share their work and aim as far as possible to recognize each other's eligibility criteria
- support nongovernmental organizations and others in their work to identify the most vulnerable individuals and support them to assist in the background-check process
- increase support and funding for UNHCR with the aim of their processing in-country as well as in neighboring states
- supplement the UNHCR-led process with citizen sponsorship schemes, such as the Canadian Private

97 "Refugee Program," US Embassy in Cuba (website), accessed December 10, 2021, <https://cu.usembassy.gov/embassy/refugee-program/>.

Sponsorship of Refugees program, as schemes done well share the burden of receiving refugees, allow for more rapid processing, increase citizen involvement, build personal and emotional bonds, assist in the integration of refugees, and can increase the popularity and legitimacy of the broader process and thereby make it more politically sustainable

If this is done, evacuation is eminently practicable. Neighboring countries are prepared to offer transit visas and gate passes, provided there is a guaranteed destination for the individual. Likewise, commercial carriers are willing to carry them.

Reviving the Culture of Resettlement

The end of the Trump administration's restrictions on resettlement and the Afghan crisis present a unique opportunity to renew the international coalition. The coalition participants should supplement their technical commitments by prioritizing refugees and resettlement in international development programs over the next five years. They should support the development of sound asylum systems across the world, which are able to safeguard, even in crises, the right to fair adjudication of asylum claims with qualified interrogations and interpreters, quality assessments, and well-founded decisions. They should set a target to determine most asylum applications within eight weeks in both the developed and the developing world. This work should include partnerships with key UN agencies from UNHCR to UNICEF and the leading humanitarian nongovernmental organizations.

Mechanisms

Germany now has the opportunity as the G7 host to convene an ad hoc group meeting on resettlement, drawing on the Afghan crisis. The first G7 meeting should be followed by another convening of the G7 within a month with other potential resettlement coalition members with the aspiration of meeting the 0.05 percent population resettlement standard.⁹⁸

These meetings could be followed by further ad hoc gatherings among foreign ministers with the UNHCR on funding, focused on the logistics of global resettlement, such as

Figure 6: Proposed Resettlement Plan

Country of Resettlement	Number of People to be Resettled Annually under the 0.05% Refugee Resettlement Commitment (Approx.)
United States	166,400
Germany	39,952
United Kingdom	33,026
Canada	18,972*
Australia	12,905

Source: "U.S. and World Population Clock," census.gov (website), accessed January 20, 2022, <https://www.census.gov/popclock/world>.

*Importantly, Canada has already committed to a higher number than 18,972, with its current goal of approximately 77,000 refugees for 2022, "Canada aims to welcome."

ensuring asylum seekers have access to healthcare during their legal processing and resettlement. The aim is to arrive at funding commitments, the full acceptance of the resettlement plan, and actual resettlement of refugees as soon as possible.

Under this plan, an international refugee coalition should be formed and committed to an aspiration of taking refugee numbers annually equivalent to 0.05 percent of its population. The coalition should acknowledge that the model of processing in neighboring countries is largely unrealistic because of the barriers to travel. It should be open to processing claimants in-country. It should aim to use the approach to Afghan refugees to create a model for practical and humane treatment of future asylum seekers, including providing support to improve asylum systems in developing countries. It should draw heavily on the model of the Canadian private sponsorship scheme to build capacity and deepen support and legitimacy for resettlement with the wider population. It should be willing to place more reliance on nongovernmental and other organizations to assist in screening and selection.

98 "U.S. Official: 'Majority' of Afghan Allies Who Applied for Special Visas Left Behind in Afghanistan"; Jen Kirby, "Germany's New Government Has Big Plans. It Might Be a Shock After Merkel," Vox, December 8, 2021, <https://www.vox.com/2021/12/8/22810520/germany-government-olaf-scholz-chancellor-greens-fdp>.

Conclusion



An Afghan woman walks on the street during a snowfall in Kabul, Afghanistan, January 3, 2022. REUTERS/Ali Khara.

Afghanistan presents an opportunity to reshape a much broader global resettlement coalition. Afghans now face an extreme humanitarian crisis. Many face imminent threat of persecution or attack. Our moral obligation to them begins simply as fellow humans watching an unfolding tragedy, but it rests on a much deeper and more personal relationship: nation to nation, and individual to individual. This is a tragedy in which we are involved, and for which we must bear some responsibility. That in itself is not enough. Ought implies can, and too often—not least in Afghanistan—we have tried to do what we could not do, and lacked the power, the knowledge, or legitimacy to succeed. This, however, is not one of those cases. Here we ought to act and we can act. We are called to do something for Afghans that we know how to do, and to do well.

The states leading the resettlement response are all democracies, proud of their liberal values. Their historical record of leadership on asylum goes back to the foundation of the system in the aftermath of the Nazi genocide, runs through their response to the Hungarian crisis of the 1950s, and was demonstrated at its most developed form

in the joint programs designed for the Vietnamese boat people. Yet the shared tradition of such democracies, acting in concert, is now being questioned and challenged by authoritarians on multiple continents, and populism and isolation at home.

This is the chance to answer some of those challenges. A humane and practical international response to the Afghan refugee crisis would allow us to revive the values which formed the multilateral system in the wake of the horrors of World War II. It is an opportunity to draw on the best of our shared political traditions, and to demonstrate that we still can—despite all the costs—deliver on our moral obligations. It is a chance to show that international leadership and cooperation can produce practical and ethical results.

It is an opportunity not only to live up to the traditions of our predecessors, but also to do at last what they failed to do: to design a system realistic and resilient enough to be sustained, predictably into the future. More immediately—and most importantly—it is a chance to save and transform, now and in the future, the lives of hundreds of thousands of the most vulnerable people on earth.

About the Author



Rory Stewart is a writer. He is a Senior Fellow at the Jackson Institute for Global Affairs at Yale University. He was an independent candidate for the Mayor of London and Member of Parliament for Penrith and The Border – the largest geographical constituency in England – between 2010 and 2019.

In May 2019 he was appointed Secretary of State for International Development, having previously been the Minister of State at the Ministry of Justice, Minister of State for Africa in both the Foreign and Commonwealth Office (FCO) and the Department for International Development (DFID) (June 2017-January 2018), and the Minister of State in DFID (June 2016-June 2017) and, prior to that, Minister for the Environment and Rural Affairs at DEFRA (May 2015-June 2016). After the devastating floods of December 2015 – January 2016 Rory was appointed by the Prime Minister as Flood Envoy for Cumbria and Lancashire, overseeing recovery efforts, and was Chair of the Cumbria Floods Partnership. Before becoming a Minister in 2015, he served for four years on the Foreign Affairs Committee, and in 2014 was elected Chair of the Defence Select Committee by all parties in parliament as the youngest ever Select Committee chair.

His previous career was in foreign affairs, particularly focused on military intervention and international development. After a very brief period as an infantry officer (a Short Service Limited Commission in the Black Watch before University) he joined the UK Diplomatic Service, serving overseas in Jakarta, as British representative to Montenegro in the wake of the Kosovo crisis, and was the coalition Deputy-Governor of two provinces in the Marsh Arab region of Southern Iraq following the Iraq intervention of 2003. On leave from the Foreign Service he walked for 21 months crossing Iran, Afghanistan, Pakistan, India and Nepal, staying in 500 village houses on the journey.

From 2005 to 2008 he was the Chair and Chief Executive of the Turquoise Mountain Foundation based in Kabul, which he built from one to three hundred employees, working to restore a section of the old city, establish a clinic, primary school, and Arts Institute, and bring Afghan crafts to international markets.

In 2008 he was appointed as the Ryan Family Professor of the Practice of Human Rights and Director of the Carr Centre of Human Rights at Harvard University's Kennedy School of Government.

He has written four books: *The Places in Between* (a New York Times bestseller, which describes his walk across Afghanistan in the winter of 2001-2002), *Occupational Hazards or The Prince of the Marshes* (which describes his time as an administrator in Southern Iraq), *The Marches* (which describes a walk through Cumbria and the Borders with his father), and *Can Intervention Work?* (with Gerald Knaus, an essay on military intervention). He has presented three BBC television documentaries: *In Search of Lawrence of Arabia*, *Afghanistan: The Great Game*, and *Border Country: The Story of Britain's Lost Middleland*. He has written over seventy articles on parliament, and UK politics (accessible on: www.rorystewart.co.uk).

He has been awarded the Order of the British Empire (for his work in Iraq), the Gold Medal of the Royal Scottish Geographical Society (for his work in Afghanistan), the Ondaatje Prize of the Royal Society of Literature, the Spirit of Scotland award, the Radio France award, the Prize del Camino del Cid (for his books), a Scottish BAFTA (for his documentary making) and honorary doctorates from Stirling University and the American University of Paris. He was educated at Eton and Balliol College, Oxford, and was a Fellow at Harvard from 2004 to 2005 before taking up his Professorial chair in 2008.



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Atlantic Council

1030 15th Street, NW, 12th Floor, Washington, DC 20005

(202) 463-7226, www.AtlanticCouncil.org