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Changes to the Immigration Rules for the Afghan Relocation and Assistance Policy

I am writing to inform you I have today laid a Statement of Changes to the Immigration Rules to clarify eligibility for the Afghan Relocation and Assistance Policy (ARAP).

The main changes to the Rules relate to what is known as Category 4. Since the ARAP was launched on 1 April this year this category has been used for special cases: those who were not necessarily employed by a Government department in Afghanistan, but whose work or profile makes them vulnerable. This category has, until now, not been clearly defined in the Immigration Rules, which has led to inconsistency and legal challenge. These changes define eligibility for the category more clearly and ensure consistency of decision making and certainty for applicants.

These changes also remove the requirement for ARAP dependants to be Afghan nationals and enable the refusal of ARAP dependants if the lead ARAP applicant is refused, in line with the original policy intent and the wider immigration system.

The Statement of Changes has been laid in Parliament today, Tuesday 14 December 2021, and became fully effective at 1600 hrs. Given the urgent need to provide clarity for those in Afghanistan and third countries on their potential eligibility it was necessary for these changes to have immediate effect, waiving the normal 21 day period.

With my very best wishes.

Yours sincerely,

Kevin Foster MP
Minister for Safe and Legal Migration