

Options for Afghan people trying to bring family members to join them in the UK

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The options for Afghan people trying to bring family members to join them in the UK depends on several factors including: the situation of the individual in the UK, their immigration status, the relationship to the family member(s) abroad and their circumstances. We have outlined some of the main scenarios below, but this list is not exhaustive and we strongly recommend seeking specialist legal advice.

What is legal aid?

Legal aid can help meet the costs of legal advice and representation. Unfortunately, legal aid is not available for any applications relating to bringing family to the UK, apart from when the Legal Aid Agency (LAA) accepts there are exceptional circumstances after an application to the LAA for Exceptional Case Funding (ECF). Some solicitors and legal charities are willing to help apply for ECF if you are unable to pay for a solicitor privately.

British citizens

What options do British citizens in the UK have to try and bring non-British family members over from Afghanistan?

British Nationals, those with Indefinite Leave to Remain or Settled Status in the UK can apply for family visas for certain family members including their husband, wife, partner

and children under 18. In addition to any solicitor's fees, there is also an application fee. The family member in the UK sponsoring the application would also need to provide evidence of their relationship and meet other requirements. More information can be found [here](#).

British Nationals still in Afghanistan should register their presence with the FCDO via this [website](#) and can contact this helpline +44 1908 516666 for advice.

Refugees or those with Humanitarian Protection

What options do Afghan nationals with Refugee Status or Humanitarian Protection in the UK have to bring family members over from Afghanistan?

Individuals in the UK with Refugee Status or Humanitarian Protection can submit applications for family reunion visas to try and bring over certain family members including their wife, husband, partner and children under 18. The applications are free and the rules are less restrictive than other visas.

Other family members can be brought over in exceptional circumstances and applications, for which a fee is payable, need to be submitted outside of the Immigration Rules.



There is no legal aid available for assistance with family reunion visa applications unless there are exceptional circumstances where ECF might be granted. However, some solicitors are willing to assist with these applications on a pro bono basis (for free). The British Red Cross can sometimes help people with family reunion visa applications including collecting evidence and filling in forms in London, Liverpool, Preston or Plymouth. Find out more [here](#).

The British Red Cross also offers travel assistance to help arrange flights for families whose family reunion visas have been granted to travel to the UK. Unfortunately, this service from Afghanistan is currently suspended. Please check our website for updates.

Individuals on the ARAP and ACRS scheme will **not be granted refugee status** or humanitarian protection apart from those who are referred into the scheme through Referral Pathway 2 of the ACRS (see below).

Asylum seekers in the UK

Are there any options for asylum seekers in the UK to try and bring family members from Afghanistan or neighbouring countries?

Unfortunately, there are no legal routes within the immigration rules for asylum seekers to apply to bring family members to the UK. Occasionally solicitors will be willing to assist with family reunion applications outside of the immigration rules where there are very strong and compelling reasons why exceptions should be made.

Afghan Relocations & Assistance Policy (ARAP)

Which family members are individuals accepted on to the ARAP scheme able to bring with them to the UK?

People who are eligible for ARAP can bring their spouses, partners and dependent children under the age of 18 with them to the UK. Other family members will only be relocated in exceptional circumstances. More information can be found in the rules relating to 'relevant Afghan citizens' within Part 7 of the Immigration Rules [here](#). You can try and contact the Ministry of Defence localstaffafghanistan@mod.gov.uk or use this [ARAP contact form](#) to find out if they can offer any assistance to your immediate family members or try and find an immigration solicitor willing to help you apply..



What about additional family members?

Individuals applying for ARAP can request for additional family members to be relocated with them to the UK. Key factors for assessing the eligibility of additional family members include the proximity of the family relationship, the family circumstances of the individuals involved and the way in which the ARAP individual's employment in Afghanistan has led to any risk to the family members. More detailed [guidance here](#). You can complete this application form and submit it to the MOD email address on the form.



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Afghan Citizens Resettlement Scheme (ACRS)

How do individuals get accepted onto the ACRS scheme?

ACRS differs from the ARAP programme as there is no application process and individuals are referred into the scheme through three pathways.

1. People who are vulnerable and at risk who arrived in the UK under the evacuation programme. Also those who were called forward for evacuation by the UK government but were not able to board flights.
2. From Spring 2022, the UNHCR will refer refugees who have fled Afghanistan and are in need of resettlement.
3. In the first year, the government will offer ACRS places to the most at risk British Council and GardaWorld contractors, and Chevening alumni.



The Foreign, Commonwealth and Development Office (FCDO) will be in touch to support this group through next steps. More information can be found about ACRS [here](#)

For individuals who are accepted onto the scheme what immediate family members can they bring with them?

Individuals accepted onto the ACRS scheme will be eligible to bring their husband, wife, partner and dependent children under the age of 18. ACRS individuals who are already in the UK who were separated from immediate family members can try and contact the FCDO to confirm that their immediate families are eligible and request the Home Office issue them with visas. Alternatively, they can try and find an immigration solicitor who is willing to help with this.

For ACRS individuals already in the UK is there anything they can do to apply to bring additional family members?

There is no application or immigration route for ACRS individuals already in the UK to try and bring additional family members with them. The only option is to try and find an immigration solicitor who is willing to apply for a family visa outside of the immigration rules based on exceptional circumstances.

How do I find a lawyer?

You can search for a solicitor in the UK on the Law Society [website](#) and search “Legal Issue & Changing Countries” and entering your postcode, town or city.

You can search for a legal representative regulated by the UK’s Office of the Immigration Services Commissioner (OISC) through the ‘Find an Immigration Advisor’ search function via this [webpage](#). Appropriate legal representatives will be those authorised in the Asylum and Protection category at Level 2 or 3. Some barristers provide advice directly to the public. A search can be made through the ‘Find a Barrister’ page of the Bar Council on this [webpage](#).

Refugee Legal Support and Safe Passage have set up a pro bono (free) legal advice project called the Afghan Pro Bono Initiative. You can find out more details on this [website](#) and email them via cases@afghanprobono.org.uk.