

TWO YEAR ANNIVERSARY OF WITHDRAWAL

Afghanistan Impact Report



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Introduction

Since the announcement of the withdrawal of U.S. forces from Afghanistan in April 2021, Human Rights First has led civil society's efforts to evacuate, resettle, and protect our Afghan allies and other at-risk Afghans. Over the last two and a half years, Human Rights First has undertaken an organization-wide effort to provide legal assistance, pass legislation, set administrative priorities, and move the culture to welcome Afghans.

Moving into the third year of this endeavor, Human Rights First continues to help lead and coordinate Evacuate Our Allies, a coalition of Afghan American organizations, veterans groups, refugee resettlement organizations, legal services providers, human rights organizations, law firms, and individual volunteers, all focused on the relocation and resettlement of Afghans in the United States. This work encompasses all aspects of efforts to support Afghans seeking safety in the United States, including legal and social services, family reunification, and access to ongoing relocation.

In partnership with our colleagues in Evacuate Our Allies, we continue to advocate to Congress for legislation to provide permanent protections for Afghans left vulnerable by the U.S. withdrawal from their country. Human Rights First fosters relationships with decision makers in the Biden administration and continues to work directly with U.S. government agencies to further relocation and resettlement policies.

Our attorneys and their *pro bono* peers represent Afghans in the United States, helping them secure permanent Immigration status and other benefits they are due.

Finally, we provide resources and work to find safe pathways to the United States for Afghans who remain in Afghanistan and in third countries. We recognize the urgency of this work as human rights abuses increase under the Taliban regime, particularly for women and girls but also those at risk because of their human rights advocacy, ethnicity or religious affiliation, or sexual or gender identity.

Key Recommendations

Human Rights First continues to support Afghans who have resettled in the United States and those who need protection abroad, as much remains to be done. Issues that remain at the forefront of our advocacy include:

Pass the Afghan Adjustment Act:

The bicameral, bipartisan Afghan Adjustment Act (AAA) will ensure that Afghans evacuated to the United States have lasting protection and a pathway to legal permanent status. The AAA addresses many of the issues that arose from a hasty U.S. withdrawal: it provides additional vetting of Afghan evacuees already in the United States, creates an Interagency Task Force on Afghanistan to coordinate relocation for the next ten years, expands Special Immigrant Visa (SIV) eligibility, and provides an avenue for consular services for those who remain in Afghanistan. Congress should pass this vital legislation immediately.

Establish Interagency Coordination with Affected Communities and Civil Society:

While the last two and a half years have seen improvement in collaboration between the U.S. government and civil society, the 2021 withdrawal was marked by civil society groups and individuals, particularly from the Afghan American community, filling enormous gaps left by the U.S. government's poor planning and execution of the withdrawal. Recommendations from Afghan community groups, refugee advocates, foreign policy practitioners, and Afghanistan experts were largely ignored before evacuations began in July and in August 2021. These groups should be recognized for their work in mobilization, and efforts should be made to engage and prioritize the voices of Afghans as relocation and resettlement continues. In future major foreign policy shifts and crisis situations, the White House and relevant government agencies should have protocols to ensure internal coordination as well as early and meaningful stakeholder engagements.

Build Durable, Replicable, and Expansive Pathways for Continued Relocation:

Advocacy organizations estimate that [hundreds of thousands of U.S. allies](#)—including those in the SIV pipeline, those eligible for the U.S. Refugee Admissions Program (USRAP), and family members who were separated in the hasty evacuation effort—remain in Afghanistan or in third countries like Pakistan where they lack necessary processing support. With narrowing pathways out of Afghanistan and its deteriorating human rights and humanitarian situation, especially for women and girls who are now proscribed from movement, the U.S. government must be innovative in processing SIV, refugee, and family reunification petitions to ensure that Afghans make it to safety. The U.S. government should build capacity to process Afghans in neighboring Pakistan, where at least [8,600 Afghans await U.S. refugee processing](#), and other third countries like Brazil that are common routes Afghans use to reach the United States.

Resolve Delays in Immigration System:

Backlogs throughout the immigration system block Afghans from relocating to the United States, receiving permanent status, and reunifying families.

- **Asylum and Adjustment of Status:** United States Citizenship and Immigration Services (USCIS) must reprioritize and provide timely adjudication of asylum and Adjustment of Status (AOS) applications for Afghans. As of [May 2023, only 24% \(8,127\)](#) of the combined 34,032 asylum and AOS applications were adjudicated. Thousands of Afghans seeking asylum wait well past [Congressionally mandated periods](#) for their protection claims to be adjudicated. This leaves them in legal limbo

and delays their ability to petition for family members in need of protection who are stranded in Afghanistan or abroad. The Biden administration should work with Congress to ensure there is appropriate funding for the Asylum Office to process these claims within Congressionally mandated timelines.

- **The Special Immigrant Visa Program:** The SIV program is an avenue to protect our Afghan allies, but due to extreme backlogs it is currently inefficient and ineffective. The average processing time by the Department of State extends to over [10 months](#) (314 days), although there is a legal requirement that State adjudicate SIV applications in 9 months. Congress should authorize sufficient visas to account for the entire Afghan population, ensure that applications are adjudicated within legally-mandated timelines, and create a permanent program that does not need reauthorization every year.
- **U.S. Refugee Admissions Program:** While over [45,000 Afghans](#) have been referred to P1 and P2 programs through USRAP, they are not relocated to the United States quickly or in appreciable numbers. While there is limited public data on USRAP, [nearly 20% \(8,600\) of these Afghans relocated to Pakistan](#) where they have yet to start any processing. Because the vast [majority of principal applicants to the SIV program are male](#), a functioning P2 program is a crucial avenue to access resettlement for Afghan women who are [targeted for reprisal by the Taliban based on their previous employment and systematically stripped of their rights](#). Investments in refugee processing centers, expedited refugee processing, virtual processing capacity, and expanded relocation eligibility are essential to provide Afghans meaningful pathways to safety through USRAP.

Do Not Detain or Deny Asylum to Afghans at the Southern Border:

Due to the barriers to obtaining protection through the SIV program, USRAP, and other channels, some Afghans undergo long journeys to seek asylum at the southern U.S. border. These Afghans should be paroled at the border to seek asylum from within the United States, not subjected to unnecessary and harmful immigration detention. People seeking asylum from Afghanistan who have arrived after evacuation, like others seeking refuge in the United States, should not be subjected to, denied asylum by, or prevented from seeking asylum by the new U.S. bar on asylum, which should be rescinded.

Establish an Afghan Parole Program:

USCIS collected nearly \$20 million in fees from an estimated 45,000 Afghans who filed for humanitarian parole during and immediately after the Non-combatant Evacuation Operation (NEO) in 2021. While information on the program is limited, [no more than 1%](#) of humanitarian parole applications have been approved; thousands of vulnerable Afghans remain at risk in country or are stranded abroad. USCIS has launched innovative parole programs for other nationalities like Ukraine that do not always require fees or inaccessible processing requirements. DHS should learn from efforts like "Uniting for Ukraine" to create a similar, more accessible [parole program for Afghans](#) and return to Afghans the millions of dollars they expended on filing fees.

Background

Long before President Biden announced the withdrawal of U.S. forces from Afghanistan, Human Rights First and our veterans' grassroots organizing arm, Veterans for American Ideals (VFAI), were deeply involved in policy, advocacy, and promoting public awareness around issues facing the people of Afghanistan and American military veterans who served in that country.

Special Immigrant Visas

The Special Immigrant Visa (SIV) program for Afghans, created in 2009, was designed to [provide an immigration pathway for Afghans who had served with U.S. missions](#) and their dependents. The program was beleaguered by practical and political problems. It left applicants vulnerable and beholden to an often years-long process.

In 2013, a [Congressional amendment](#) mandated that the Department of State complete within nine months their reviews of SIV applications. Seven years after that mandate, in 2020, applicants were likely to [wait more than four years](#) for visas.

Human Rights First has a long record of advocating for the Afghan SIV program, often working alongside the International Refugee Assistance Project (IRAP) on advocacy coordination. The SIV program was initially authorized from 2009 through 2013 and has been subject to annual Congressional reauthorizations since 2014. Since 2015, VFAI mobilized each year to ensure that the SIV program is renewed and additional visas are authorized in that process.

The Withdrawal Announcement (April - June 2021)

After nearly 20 years of military engagement in Afghanistan, on April 14, 2021, President Biden [announced the drawdown of all U.S. troops remaining in that country](#). The withdrawal was set to start on May 1 and conclude by September 11.

In response to the withdrawal announcement, Human Rights First and VFAI ideated and began using administrative advocacy and grassroots engagement to urge an early and inclusive evacuation of at-risk Afghans from Afghanistan. A small coalition of organizations and independent advocates with expertise on the Afghan SIV program, including IRAP, the Association of Wartime Allies, Lutheran Immigration and Refugees Services, and the Truman National Security Project devised recommendations for [conducting such an evacuation](#).

From these convenings, a broader coalition of refugee resettlement groups, human rights advocates, Afghan American organizations, and veterans organizations founded the [Evacuate Our Allies coalition](#) (EOA) in June 2021.

Human Rights First and the other founding members of EOA worked closely with Congressional partners in the [Honoring Our Promises Working Group](#) to release a plan in June 2021 for Afghan evacuation through the summer. The human-rights centered proposal, [Operation Promises Kept](#), was modeled on successful prior military evacuations.

Operation Promises Kept recommended evacuating the approximately 18,000 principal SIV applicants and their immediate families to Guam for initial processing, and then to other military installations in the United States for further processing of their SIV or asylum claims.

This U.S. territory was previously used as a staging base to screen Vietnamese refugees during their evacuation in 1975, and used again in 1996 and 1997 for Iraqi Kurds and others who had assisted American agencies. The plan earned [support from the Governor of Guam](#). Through July 2021, activation of this plan was the focus of our administrative advocacy.

Human Rights First and our partners engaged in a paid media campaign to urge swift action. We commissioned a digital front-page and section-cover takeover of *The Washington Post* with the message, "President Biden: evacuate all our allies. Read our plan at [EvacuateOurAllies.org](#)." We also placed ads adjacent to policy shows on Nashua, NH and Wilmington, DE television to reach the President and National Security Advisor when they were at their homes over the Independence Day weekend.



Members of Evacuate Our Allies speak at a rally for the evacuation plan outside the White House.

Human Rights First also partnered with allied organizations to lead several public media events in Washington, DC, including a [Capitol Hill press conference](#) with Congressman Seth Moulton and a rally in front of the White House with Moulton and members of the Afghan community, veterans groups, labor organizations, and others.

We organized a grassroots campaign to build public support for Afghan evacuation. Volunteers from many backgrounds – Afghans already resettled in the U.S. through the SIV program and other members of the Afghan American diaspora, American veterans, human rights advocates, refugee protection and resettlement advocates, and religious leaders -- urged the inclusion of Afghan allies in the U.S. military's withdrawal from Afghanistan. This mobilization was an early example of our approach to the evacuation and its aftermath: bringing together individuals and organizations to fill gaps left by the U.S. government to support the relocation and resettlement of Afghans.

VFAI's [grassroots action](#) provided thousands of Americans a way to call on the President and their representatives in Congress to evacuate SIV applicants and other at-risk Afghans. VFAI led [fifteen other veteran-led organizations](#) in urging the Biden administration to include Afghan allies in the military withdrawal. Human Rights First, leading the civil society effort, used EOA to organize [70 humanitarian](#) and [57 faith-based organizations](#) in complementary letters of support for protecting our Afghan allies.

International advocates were concerned about NATO withdrawing from Afghanistan concurrent to the U.S. military's departure. Ahead of NATO's June 2021 summit in Brussels, Human Rights First, with partners like IRAP and the British-based Sulha Alliance organized an international coalition that encouraged NATO member countries to plan relocation efforts for their Afghan partners. This effort culminated in a letter to NATO's Secretary-General and NATO countries' governments from 16 international advocacy groups calling for the [protection of Afghan locally-engaged civilian staff](#).

Operation Allies Refuge (July - August 2021)

On July 14, 2021 the Biden Administration [announced Operation Allies Refuge](#) (OAR), a plan to relocate Afghan SIV applicants and their families alongside the U.S. withdrawal from Afghanistan. Influenced by our Operation Promises Kept proposal and ongoing administrative and grassroots advocacy, OAR airlifted Afghans in the final stages of their SIV processes [to Fort Lee](#) (now Fort Gregg-Adams), a U.S. Army post in Virginia. OAR started at the end of July and was intended to run through the end of August 2021.

Human Rights First engaged directly with OAR from the moment the first flights landed at Dulles Airport on July 28, 2021. As would be the case throughout the evacuation, OAR's Afghan SIV applicants were largely paroled into the United States, granting them temporary permission to remain in the U.S. for one to two years without conferring them legal permanent residence.

Afghans who made it to the United States during OAR were initially housed at [eight military installations known as "safe havens"](#) throughout the country. At these locations, they received additional security screenings, medical screenings and any additional vaccinations, received legal orientations, applied for work authorizations, and were connected to resettlement services.

Human Rights First legal experts started at Fort Lee and joined efforts at five of the eight military bases where Afghans were housed to answer legal questions, offer basic legal orientations, assist with Afghans' SIV petitions, and screen parolees in need of legal assistance with their asylum and family-based applications. Our legal experts also provided regular recommendations and feedback to OAR officials on operations at the military bases.

Advocacy efforts continued to evolve to best support relocation and resettlement. While OAR focused on relocating Afghans in the final stages of their lengthy SIV application processes, Human Rights First and our partners urged the administration to broaden Afghans' access to OAR to bring to safety more vulnerable Afghan allies. These groups included those most at risk from reprisal under a Taliban regime including women's rights leaders, human rights defenders, religious and ethnic minorities, Afghans who supported the U.S. mission but did not qualify for SIVs, LGBTQ persons, and more.

To address the needs for material support of Afghans who arrived in the United States on temporary parole status, and those remaining in Afghanistan, Human Rights First and other organizations successfully advocated for \$25 million for refugee and entrant assistance and \$100 million for migration and refugee assistance for Afghans through the Afghan Allies Protection Act ([H.R. 3237](#)). For those in the SIV pipeline, the Act extended the program for another year, allowed the granting of an additional 8,000 SIVs, and protected more at-risk Afghans by reducing from two years back to one the time-in-service requirement for SIV applications.

At this time, the security situation in Afghanistan was quickly deteriorating. The Taliban began a military offensive in May 2021 that brought significant territorial gains in its first three months. By the beginning of August, the Taliban had captured provincial capitals and by mid-August controlled all of Afghanistan but Kabul.

By August 15, 2021, when Kabul fell to the Taliban, nearly 1,200 Afghans had arrived at Fort Lee -- [around 1%](#) of the allies who needed evacuation.

Advocates at Human Rights First, in partnership with a broad coalition of civil society organizations and passionate individual volunteers, filled the gaps left by fragmented U.S. government coordination and continued to demand the government do more for at-risk Afghans, and for those efforts to be more expeditious.

The Non-Combatant Evacuation Operation (August 15 - 31, 2021)

After the Taliban's takeover of Kabul on August 15, the U.S. military initiated a non-combatant evacuation (NEO) to airlift embassy personnel, U.S. citizens and legal permanent residents, SIV applicants at the final stages of their visa processes, and additional eligible Afghans out of Afghanistan.

The U.S. military deployed 5,000 troops to Kabul's Hamid Karzai International Airport (HKIA), while the [Taliban controlled checkpoints](#) surrounding the airport. Lack of coordination, the absence of clear demarcation of responsibilities at and between U.S. government agencies, and other issues led to chaos. Without a well-designed plan for the evacuation, the U.S. government did not identify eligible Afghans or locate and transport them to the airport.

Afghans who passed through checkpoints and reached HKIA were met with disarray. U.S. troops had no system to [prioritize entry](#) for specific categories of evacuees. Consular officers were forced into split-second decisions on whom to admit or deny safety. Airport gates closed seemingly at random, because of terror threats or unmanageable crowds. Last ditch attempts were made to streamline the evacuation, but [inboxes set up by the Departments of State and Defense](#) to collect information on Afghans seeking evacuation were quickly overwhelmed and "gate passes" given at the last minute to eligible SIV applicants did little to help allies enter the airport or reach evacuation flights.

Civil society responded to the gaps left by the U.S. government by engaging in an ad-hoc, non-traditional evacuation effort. Members of the Afghan diaspora, veterans groups, faith-based organizations, human rights groups, and individual volunteers worked remotely to help bring Afghans to safety, often working around the clock to guide Afghans to the airport, get them through security checks at gates that were open, ensure they were manifested on flights, and monitor their progress toward destinations outside Afghanistan. Staff at Human Rights First was directly involved in guiding hundreds of individuals through HKIA and on to

flights. EOA met twice a day to understand and communicate the constantly shifting situation in Afghanistan and lead to safety as many Afghans as possible.

Civil society developed resources to help Afghans navigate the chaos. Members of VFAI created [hkia.info](#), a Google Maps application that gave to those at the airport real-time information on Taliban presence, gates to access, and safe zones in the area. Just hours after the Taliban's takeover of Afghanistan, Human Rights First published tools to support and protect Afghans who were still in that country. These included guides on [erasing digital footprints](#), [avoiding online surveillance](#), and [preparing for internet blockages](#).

Human Rights First and EOA built an Operations Center that shared life-saving information with Afghans looking to flee, provided real-time validation of sensitive information, offered around-the-clock situational awareness, and connected the many groups and individuals involved in the ad-hoc evacuation effort.

In our continuing effort to fill gaps in the U.S. government's withdrawal effort, Human Rights First undertook its own data collection. We sourced names of individuals in need of evacuation because they worked with non-governmental organizations or U.S. government contractors. A secure form that Human Rights First and VFAI circulated to our networks and across EOA quickly generated a list of over 60,000 Afghans in need of support during the NEO. These Afghans included SIV applicants, embassy staff, individuals referred to USRAP through the P1 and P2 programs, those at risk due to their human rights advocacy, and others.

This list ultimately grew to over 85,000 referrals of at-risk individuals, based on input from other human rights organizations, NGOs, Congressional offices, businesses, and organizations. Human Rights First conveyed the information on the list to partners in the State Department; they used that data in their ongoing relocation and resettlement process.

At the outset of the evacuation, Human Rights First recognized that recently arrived Afghans in the United States would need pro bono legal assistance and representation. To address this, Human Rights First built a coalition of individuals representing organizations around the country, including legal service providers, resettlement agencies, law firms, universities, and government. These efforts were the foundation of our Project: Afghan Legal Assistance (PALA). During the evacuation and currently, PALA moderates an active listserv where coalition members identify legal challenges, share information, and receive legal guidance.

Because of our work and leadership in this humanitarian crisis, Human Rights First was named by both [The New York Times](#) and [Washington Post](#) as a top resource to help Afghan refugees.

Operation Allies Refuge ended on August 30, 2021, when the last U.S. troops left Afghanistan. The U.S. government [estimates that the operation evacuated 124,000 people](#) from Afghanistan, including American citizens, nationals of other countries, and Afghan evacuees. During the NEO, tens of thousands of Afghans were sent for initial processing to military bases in Europe and the Middle East, others were moved from these overseas installations to processing sites in the United States on their way to being resettled. Some Afghans moved by private charters, outside official channels, to third countries with varying degrees of protection for refugees and asylum seekers, where they often found themselves without legal pathways to the United States.

Evacuate Our Allies Operations Center

When the Taliban seized control of Afghanistan, those caught in the crisis, and those helping respond to it, needed reliable information and legitimate and trusted resources. In August 2021, Human Rights First and EOA set up an Operations Center to help organizations and individuals access accurate information for every stage of the relocation and resettlement process.



In its early days, the Ops Center served as a centralized resource, answering individual queries about the evacuation. These questions helped clarify important patterns in Afghans' journeys from danger to third countries, to the United States, and to safety.

Streams of phone calls, Signal messages, and e-mails to the Ops Center revealed which gates at HKIA were accessible, odds for crossing into neighboring countries, where shelter might be provided, and the third countries to which groups were privately evacuating Afghans.

Through the NEO and beyond, the Ops Center responded to inquiries from U.S. Senators, retired senior military officers, and former ambassadors as they tried to navigate an opaque evacuation process.

While the Ops Center was conceived as a two-week volunteer effort, the demand for a centralized source for information on Afghan relocation and resettlement keeps it open. The Center became a fully staffed, ongoing effort under VFAI supervision. In addition to direct support, the Ops Center:

- Investigates individual and systemic issues flagged by the more than 380 members of EOA;
- Identifies emerging issues, like Afghans entering the United States at its southern border, and leads EOA advocacy and direct support;
- Brings issues identified by Afghans and their advocates to appropriate government agencies;
- Ensures that advocates and service providers understand recent trends and ongoing concerns;
- Shares confirmed information on relocation, movement from third countries, and resettlement;
- Connects humanitarian support organizations with other groups and operators;
- Applies lessons from these events to other vulnerable populations.

From August 2021 to July 2023, the Ops Center answered 6,160 phone calls; responded to 18,895 email inquiries; connected with 3,895 unique individuals via encrypted chat; and directly assisted with food and humanitarian aid over 127 families in Afghanistan.

Operation Allies Welcome (August 2021 - October 2022)

On August 29, 2021, the Biden administration announced the next phase of the evacuation operation, Operation Allies Welcome (OAW). [The Department of Homeland Security was put at the helm](#) of OAW. Afghans bound for the United States were generally taken to “lily pads” in Bahrain, Germany, Kuwait, Italy, Qatar, Spain, the United Arab Emirates, and other countries, where they underwent biometric and biographic screenings and medical vetting before they were paroled into the United States.

While we continued to advocate for support for Afghans who had been left behind, Human Rights First and other advocacy groups also focused on ensuring that Afghans who arrived in the United States had access to immediate immigration benefits, such as work authorization, and permanent pathways to lawful status.

With our EOA partners, Human Rights First worked with the administration's Unified Coordination Group (UCG)—a group of stakeholders reporting to the Secretary of Homeland Security—to provide legal orientations and direct legal support to Afghan evacuees at several of the safe havens at bases in the United States. This collaboration with UCG engendered an ongoing working relationship between the administration's OAW leadership, Human Rights First, and other leaders in EOA.

Throughout the Operation Allies Welcome effort, Human Rights First and our partners regularly engaged with the interagency team that led OAW, including staff from DHS, USCIS, HHS, the NSC, and the UCG—to highlight issues including:

- Inequities in processing humanitarian parole for Afghans, as compared to Ukrainians processed under the “Uniting for Ukraine” program;
- Challenges in reuniting Afghans evacuated to the United States with immediate family members who remain in Afghanistan;
- Challenges in processing work authorization documents for newly arrived Afghans;
- Ongoing concerns with the U.S. government relocation program, including the slow rate of relocations from Afghanistan, challenges in SIV processing, and passport issues.

Human Rights First and VFAI maintained robust engagement with the U.S. government throughout OAW. VFAI leaders met with the State Department's Coordinator for Afghan Relocation Efforts (CARE) Team more than thirty times and with senior Biden administration officials a dozen times on a wide array of ongoing issues around Afghan relocations and resettlement in the United States.

During OAW, Human Rights First capitalized on our four-decade record of working with Congress, administrations, and federal agencies to lead advocacy efforts for both Afghans resettling in the United States and those left behind. Centering both veteran and Afghan voices and working closely with organizations representing Afghan Americans, veterans, refugee advocates, and others, we helped draft, promote, and pass legislation to help relocate and resettle Afghans.

Project: Afghan Legal Assistance

In August 2021, Human Rights First identified an urgent need for Afghans evacuated to the United States to receive pro bono legal assistance and representation. We quickly created Project: Afghan Legal Assistance (PALA), modeled on Human Rights First's long-successful asylum representation practice.

We publicized our online "[Request for Legal Assistance](#)" and convened a weekly meeting for lawyers across the country to gather, share information, and coordinate the development of resources and provision of legal assistance and representation to arriving Afghans and those seeking pathways to safety. In addition to PALA's coalition building and information sharing, efforts include community engagement, direct legal services, innovative legal representation and pro se plus models.

PALA directly engages newly arrived Afghans. We visited five of the eight safe havens that processed new Afghan arrivals, the National Conference Center in Leesburg, VA that replaced the safe havens, and several of the national Afghan Welcome/Support Centers arranged by USCIS – Welcome Centers in Los Angeles; Lorton and Richmond, VA; College Park, MD; and Afghan Support Centers in Tucson and Phoenix, AZ; Pittsburgh, PA; and Seattle, WA. In each, PALA offered legal information, answered questions relating to immigration status in the United States and on continued evacuation, and assisted with orientation related to resettlement. Outside the United States, PALA visited the U.S. government's processing site in Shengjin, Albania, where Afghans are temporarily relocated while completing consular interviews and background checks for emigration to this country.

To meet the overwhelming need for legal services, PALA reimagined our existing legal services model into a "light-touch mentorship" model, in which our small in-house legal team provides volunteer attorneys timely and topical group training, individual mentorship, and 100 hours of group mentorship to date. Through our various clinic series, we have mobilized hundreds of attorneys and volunteers in projects that include the filing of critical immigration applications.

PALA has received requests for legal assistance from nearly 4,000 Afghans. Of those eligible for our services, we completed 2,000 comprehensive interviews to screen them for eligibility and determine the most effective means to get them the support they need. For Afghans seeking assistance for themselves or family members in Afghanistan, PALA provides resources and guidance on immigration pathways to the United States and other refugee-receiving countries, data protection from the Taliban, and safe houses.

PALA has so far placed over 250 principal applicants with pro bono attorneys for full-scope representation on their asylum cases. PALA has served 77 primary asylum applicants through our 4-part pro se affirmative asylum clinic series. The series were held in collaboration with law firms, corporate counsel, and resettlement agencies in New York, Los Angeles, Dallas, Washington, DC, and the San Francisco Bay Area.

PALA continues to work with clients granted asylum in their family reunification petitions and green card applications. PALA has served nearly 400 SIV applicants through our adjustment of status clinics and continues to monitor and advocate for the cases of 65 SIV-eligible clients so they be placed in future clinics. Additionally, PALA recently began clinic series for those granted asylum on Employment Authorization Documents (EAD), reparole applications, and green card applications

Since its inception, PALA has partnered with 75 law firms and corporate counsel, 1200 pro bono attorneys, and 7 law schools to respond to the legal needs of thousands of Afghans in the United States. Our volunteer partners are involved in every phase of intake and representation: they conduct legal screenings, participate in limited-scope representation clinics, and provide individual Afghans representation.

PALA has hosted or contributed to 75 original trainings and panels that provided hundreds of advocates and legal representatives guidance on legal issues affecting the Afghan population, cultural context to Afghan asylum claims, and best practices for pro bono attorneys. Finally, we developed an online [resource library](#) that provides technical assistance including procedures, templates, and guides. PALA also mobilized a network of Dari and Pashto interpreters and translators to provide Afghans assistance during the legal representation process.



Pro bono attorneys and volunteers work with an Afghan client.

Legislative Advocacy

In September 2021, Human Rights First and EOA were able to secure a significant legislative victory: additional funding and Congressional authorities for Afghan evacuees in the [Fiscal Year 2022 Continuing Resolution \(CR\)](#). The CR appropriated \$1.68 billion for Afghans arriving with humanitarian parole and ensured Afghans who entered the U.S. with humanitarian parole—including those who arrived through OAR and any future relocations—would be eligible for refugee resettlement benefits. Those benefits include reception and placement assistance, temporary housing and housing assistance, medical assistance, legal assistance, education services, and other entitlement programs like food assistance. It also required the government to expedite these parolees' asylum applications, potentially putting them on a quicker path to permanent status.

Advocacy for Continuing Relocation

With the NEO's end in August 2021, work for Afghans still outside of the United States shifted from responding to an immediate crisis and fostering short-term movement to pushing for a long-term plan for continued relocation.

In October 2021, Human Rights First joined over 100 organizations urging the [National Security Council](#) to provide more support to at-risk Afghans who were left behind. That November, IRAP, InterAction, and Human Rights First released a report outlining long-term relocation options for Afghans still in Afghanistan and in third countries, "[Fulfilling America's Promise: Options to Make U.S. Humanitarian Protection Pathways Viable for At-Risk](#)

Afghans." The report continued our advocacy for protection and safe passage for a range of Afghans – those who may be eligible for SIVs given their service to the U.S. mission, those who had ties to the U.S. through family, and those vulnerable communities in imminent danger from the Taliban.

Because programs like the SIV or USRAP have moved too slowly to provide meaningful protection to people whose lives are immediately at risk, Human Rights First joined a coalition of more than 200 organizations, including members of EOA, to request the designation of a parole program for vulnerable Afghans. In October 2021, December 2021, and February 2022, we called for an Afghan Parole Program to encompass:

- All SIV-eligible Afghans regardless of phase or stage of their process, and their family members, particularly children of Afghan SIV applicants who were born after the parents' visa was originally issued, but before the visa was reissued;
- Refugees referred to USRAP, including P1, P2, P3 and I-730 petitions;
- Afghans separated from their families due to the hasty evacuation;
- Members of Afghan society whose work, such as human rights defenders, and those whose identity, such as LGBTQ persons or ethnic minorities, make them targets for harm;
- Women, including activists, business owners, physicians, or those engaged in any work that the Taliban considers to not conform to its extreme religious views.

DHS has yet to launch an Afghan Parole Program, and details about the review of existing Afghan humanitarian parole applications are sparse. The few publicly available sources of information show that only 11% of the tens of thousands of parole applications filed on behalf of Afghans have been adjudicated.

The Biden administration has proven capable of establishing innovative parole programs to meet the demands of urgent humanitarian crises. Through the "Uniting for Ukraine" program, over 180,000 Ukrainians were approved for entry to the United States on humanitarian parole through an online portal with no filing fee for applications. We urge the administration to apply the same innovation and flexibility for Afghans and establish an Afghan Parole Program.

With our coalition allies, in April 2022 we published "The Long Tail of Afghan Resettlement," documenting the successes and failures in relocating and resettling Afghans. The report called for specific reforms to improve the process: an interagency task force to share information with all U.S. government stakeholders, ongoing investments in the civil society groups that led evacuation and resettlement efforts, and expedient and generous adjudication of all current pending applications.

In October and December 2022, Human Rights First used the report to focus the Biden administration on urgent issues with third country processing of Afghans and family reunification.

The Afghan Adjustment Act

Nearly 76,000 Afghans who arrived in the United States during the evacuation and in the months following arrived under humanitarian parole, a temporary status. They were allowed to enter and work in the United States for two years, but were not provided a pathway to permanent legal status.

The EOA Legislative Advocacy working group, co-led by Human Rights First, spearheaded efforts to craft an Afghan Adjustment Act (AAA), legislation providing a path to lawful permanent residency in the relative safety of the United States for tens of thousands of Afghans. AAA has long been Human Rights First's top legislative priority.



The AAA incentivizes those with temporary parole status to come forward to apply for lawful permanent residence status which will include additional security vetting. Throughout the evacuation and in its immediate aftermath, advocates noted how a lack of interagency collaboration created a vacuum of decision-making that was filled by civil society. To address this, the AAA creates an interagency task force to coordinate relocation efforts. The bill also creates a new SIV program to protect allies who served alongside U.S. forces but are not eligible for the current program, including members of the Afghan National Army Special Operations Command, the Afghan Air Force, the Female Tactical Platoon Teams of Afghanistan, and the Special Mission Wing of Afghanistan.

Members of EOA call for the passage of the Afghan Adjustment Act.

With the AAA's introduction, in September of 2022 Human Rights First again helped lead EOA in mobilizing grassroots Congressional advocacy for the bill. In one week, 498 participants met with 80 Congressional offices to build bipartisan support for the House and Senate versions of AAA. In close cooperation with our colleagues in EOA, we continued to advocate for Members of Congress through the end of 2022 to earn their support for this legislation.

By December, it became clear that the last best hope for passage of the Afghan Adjustment Act in the 117th Congress was its inclusion in the FY 2023 Omnibus Appropriations bill. Human Rights First and other organizations led another advocacy effort, pushing the hashtag #ISupportAAA across social media and generating op-eds in key Senators' states and Representatives' districts. While we were able to get included in the Omnibus an additional 4,000 SIVs for Afghans and an extension of that program through 2024, the Senate's Democratic leadership had to make difficult choices about a variety of issues' inclusion in the Omnibus. In the end, negotiations left AAA off the bill.

With a new Congress in session in 2023, Human Rights First and our advocacy partners renewed efforts to pass the AAA. EOA hosted a third round of Congressional Advocacy Days for the bill in June, when over 400 volunteers met with their Members of Congress and Senators to push for the reintroduction of the AAA. In mid-July 2023, the AAA was reintroduced to the 118th Congress by a bipartisan group of legislators in both the [House](#) and the [Senate](#). Today, advocates continue to press Congress to pass the legislation through its inclusion in the National Defense Authorization Act (NDAA).

In our advocacy for AAA, Human Rights First's VFAI has conveyed to Congress that securing permanent status for newly arrived Afghans of critical concern to veterans. As part of its coordinating of advocacy among veterans and veterans organizations, VFAI led the effort by 30 [veteran services organizations](#) (VSOs) and [over 40 American commanders of the war in Afghanistan](#) to call for the passage of the AAA.

Enduring Welcome (October 2022 – Present) and Ongoing Work

In October 2022, OAW transitioned to Enduring Welcome, the U.S. government's long-term strategy to continue relocating and processing at-risk Afghan SIV applicants and refugees.

Human Rights First's efforts evolved as well, though we continue to support Afghans trying to relocate to the United States and those who have arrived in the United States. In 2023, Human Rights First remains active in administrative and legislative advocacy, direct legal representation and support, coalition building and U.S. government engagement, and identifying and responding to emerging issues.

Administrative Advocacy

The parole of most Afghans who arrived through the NEO expires in July and August 2023. While thousands of Afghans have applied for permanent status through asylum and adjustment of status, immense backlogs at USCIS mean most applicants still await final adjudication of those applications. As of [May 15, 2023](#), 84% of the nearly 17,000 Afghans who submitted asylum applications are still pending. An additional 17,250 Afghans submitted adjustment of status applications, and 69% of those are pending.

Human Rights First helped shape [an EOA letter](#) calling on the administration to extend parole for Afghans who arrived in the United States through OAW. Re-parole allows these evacuees to keep their jobs; provide for their families; ensure continuity in eligibility for and access to federal, state, and local benefits; and receive vital services to help them find their footing and become integrated in their new communities.

On June 8, 2023 the U.S. government [announced a formal process](#) for re-parole, a victory in our ongoing advocacy. Today, Human Rights First works with partners at EOA to identify and elevate to USCIS issues with the newly-launched process. Human Rights First's PALA leads EOA's efforts to provide re-parole clinics and resources to Afghans in need of that support.

Human Rights First continues to regularly engage with stakeholders in the administration on a range of pre- and post-arrival issues. We worked closely with Amnesty International and other members of EOA to shape an [October 2022 letter](#) urging the U.S. government to increase the pace and scope of Afghan relocation, which became the focus of a December 2022 engagement with the U.S. government.

We have also taken part in several small group engagements with Biden administration officials on specific issues, including SIV and refugee processing in Pakistan, addressing ongoing issues facing women and girls in Afghanistan, and highlighting Afghan populations beyond SIV applicants that should be considered most at-risk from Taliban reprisal and must be provided pathways to seek safety out of Afghanistan.

Afghans at the U.S. Southern Border

Two years after the NEO and with a worsening human rights and humanitarian crisis in Afghanistan, there are few pathways for Afghans to leave their country and reach safety. While there have been modest improvements since 2021 in processing timelines for SIVs, advocates estimate that [on average it takes applicants almost three years](#) to move through the entire process. There [are reported to be over 152,000 principal applicants](#) pending at various stages of the SIV process.

With the slow rate of SIV processing, the current number of applicants, and limited avenues for relocation, Afghans allies may wait years before they can reach the United States. USRAP processing is more difficult to benchmark, as there is no publicly mandated reporting on the P1 and P2 programs, but a 2023 report by the [Special Inspector General for Afghanistan Reconstruction showed](#) that as of July 2022 none of the 8,600 USRAP cases in Pakistan (comprising 19% of Afghan P1 and P2 cases) had begun processing. Relocation programs to other countries, like [Germany](#) and the [United Kingdom](#), seem to exist in name only, as no Afghans are moving through these programs at this time.

As a result of these factors, Afghans desperate to flee danger and seek refuge are increasingly traveling through South America and attempting a perilous trek to try to reach safety in the United States. Instances of Afghans approaching the southern border of the United States markedly increased in late 2022. U.S. Customs and Border Protection data showed a [30-fold increase](#) in Afghan arrivals at the Southern Border over 2021, with nearly half of those arriving in November and December 2022.



A PALA volunteer works with an asylum seeker.

Afghans face the same risks that other people seeking asylum at our borders do, including detention, improper criminal prosecutions, and the imposition of a new [bar to asylum](#) that can deny asylum and a path to citizenship to people who otherwise meet the refugee definition.

Afghans' cases at the border are inconsistently handled, which can also impact the benefits they receive once in the United States. Those provided parole at the border are eligible for benefits similar to those of Afghans who arrived through OAW. Others receive a notice to appear in immigration court, end up in DHS custody and can endure [several months or more in immigration detention](#).

PALA is one of the only major legal service providers to support defensive asylum cases for Afghans who recently entered the United States. In July 2023, PALA held a pro se defensive asylum clinic in New York, where 24 primary applicants and their families filing for asylum were served. Future clinics are planned for Washington, DC and Sacramento, CA. Through another clinic series, PALA assisted 30 primary applicants in filing motions to change their immigration court venues. Human Rights First also provided legal support to Afghans held at detention facilities, including the case of a Hazara teacher whom Human Rights First is representing before the Board of Immigration Appeals.

In partnership with Project ANAR, Human Rights First co-convened an ad-hoc working group of immigration experts, resettlement organizations, legal service providers, and organizations from the Afghan American community to ensure the issues facing Afghans seeking protection at the southern U.S. border are reflected in our advocacy efforts. We also collect data on Afghans seeking protection at the southern U.S. border to support advocacy efforts. These efforts intersect with Human Rights First's broader efforts to [document the harms of the asylum ban](#) policy and demand that this policy be [immediately rescinded](#).

Legislative Advocacy

While re-parole ensures short-term continuity of benefits for Afghans evacuees, and PALA's legal efforts provide many parolees with paths to legal permanent status, the Afghan Adjustment Act (AAA) remains the most certain way for Afghan allies in the United States routes to permanent legal residence.

Human Rights First also works with Congressional partners on oversight. We helped develop [EOA's Statement For the Record](#) for the House Foreign Affairs Committee's March 2023 hearing on the 2021 evacuation of Afghanistan. This statement detailed the crucial contributions civil society made to the evacuation of Afghans and the U.S. government's resettlement efforts.

Coalition Building and Leadership

Human Rights First continues to play a leading role in three preeminent coalitions that focus on Afghanistan. The organization is represented on the steering committee of EOA, a coalition that now numbers almost 380 members including veterans, Afghan American groups, immigration experts, refugee agencies, faith leaders and national security experts.

We facilitate the coalition's bi-weekly meetings, and lead or co-lead EOA's working groups on legislative advocacy, communications, legal services, on-the-ground issues, and interagency coordination with the resettlement community. Within EOA, Human Rights First spearheaded ad-hoc groups on coalition governance, legal representation needs for Afghans, and community education.

PALA leads a coalition of nearly 450 individuals who help meet the legal needs of Afghan evacuees. Coalition members identify legal challenges, share information, and receive legal guidance.

Human Rights First is also a founding member and serves on the Executive Advisory Council of the [#AfghanEvac Coalition](#), a sister organization to EOA focused on continued relocation. This 200-member coalition is composed mostly of veteran volunteer groups.

Through [#AfghanEvac](#), Human Rights First participates in advocacy meetings with the U.S. Department of State CARE team, the National Security Council, and the Department of Homeland Security.

Conclusion

In early 2021, Human Rights First started to engage policymakers around issues facing at-risk Afghans. This was believed to be a short- to medium-term project that would both help Afghan allies in the SIV system and push the U.S. government to act responsibly during the withdrawal of U.S. military forces from Afghanistan.

Human Rights First considered worse-case scenarios for the situation as and after U.S. forces left the country; these were exceeded by the sudden humanitarian crisis that unfolded in Afghanistan in August 2021 and continues to worsen. Due to our organizational expertise in direct service, advocacy, and convening allies for common purposes, Human Rights First was well-positioned to help lead the way to solutions.

The evacuation and its aftermath left an indelible mark on our communities of support, especially veterans. Veterans continue to help lead our efforts to pass the critically important Afghan Adjustment Act.

The limited project that started in April 2021 has extended for over two years, impacted events and populations around the globe, and improved the lives of tens of thousands of people, but more work is needed.

Advancements have been made in the support of Afghan allies through U.S. government policy, and there have been positive changes in broader civil society engagement and partnership around refugee admissions and processing. At the same time, the circumstances in Afghanistan remain dire and require urgent action. More action is needed to protect the Afghans who relocated to the United States and those who seek safety at our borders.

Two years into renewed Taliban rule, the human rights abuses facing Afghans, especially Afghan women, have been well documented and continue to escalate. Women and girls are barred from attending high school and university, most professional sectors, even public spaces. They are largely unable to travel without a male chaperone. Afghanistan also faces an ongoing humanitarian crisis, with international assistance cut back and an ongoing food crisis.

In the United States, the tens of thousands of Afghans who relocated here remain without permanent immigration status. Afghans who arrive at our borders in urgent need of protection face inconsistent treatment and immigration processing.

While the public's attention shifted to other crises as they emerge around the world, Human Rights First remains focused on resolving the human impacts of America's longest war and our hasty withdrawal from Afghanistan.

Mission

Human Rights First works to create a just world in which every person's intrinsic human rights are respected and protected, to build societies that value and invest in all their people. To reach that goal demands assisting victims of injustice, bringing perpetrators of abuse to justice, and building institutions that ensure universal rights.

Human Rights First is a nonprofit, nonpartisan international human rights organization based in Los Angeles, New York, and Washington D.C.

Acknowledgements

On the cover: A U.S. military aircraft takes off at Hamid Karzai International Airport in Kabul, Afghanistan, Saturday, Aug. 28, 2021.

Photo courtesy AP/Wali Sabawoon

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