

## INDIA

**This information sheet outlines key information for people seeking legal help who are impacted by the crisis in Afghanistan.**

This includes people who are currently:

1. In India seeking asylum/protection;
2. In Afghanistan (or another country) and want to relocate to India.

This information is collated by a collective of legal actors to support legal needs arising from the crises in Afghanistan. Should you have any updates or resources you would like included please contact: [grfpledge@pilnet.org](mailto:grfpledge@pilnet.org)

PILnet, APNOR, APRRN, and AMERA are unable to provide direct legal assistance or referrals, but if you are an asylum seeker, refugee or stateless person in need of legal assistance please see the list of local legal aid providers and their contact details [below](#). In addition to this contact information, you can find further details about local legal aid providers in the countries covered on the country pages of [UNHCR Help](#) or AMERA's [Rights in Exile](#) platform.

## PEOPLE ALREADY IN INDIA

**People who are in India and wish to remain can find information about their options here:**

### Refugee Status

- In India, applications for refugee status for Afghan nationals are determined by the **UN Refugee Agency (UNHCR)**.
- Information about the process – **Registering with UNHCR**
  - Persons seeking to register will receive an appointment letter for a remote or in person registration interview after they contact UNHCR and/or the partner office in their locations.
  - You can contact UNHCR through email to [indne@unhcr.org](mailto:indne@unhcr.org) or call the UNHCR toll free number: 1800 103 5635 or helpline: 9810173130; 7303154009. You can also contact SLIC, UNHCR's implementing partner, at 9910238605 and 9910238471 or email them at [reg.rii@hrln.org](mailto:reg.rii@hrln.org). If you are in locations mentioned below, please follow these instructions.
  - In **Goa, Maharashtra**: For all new registration requests, please call GNMS: 020-26699460 or write to [gnmspune@gmail.com](mailto:gnmspune@gmail.com).
  - In **Telangana**: For all new registration requests, please contact SCI: 9100319411 or write to [rrhelpdesk@savethechildren.in](mailto:rrhelpdesk@savethechildren.in).

- In **Tamil Nadu, Kerala, Andhra Pradesh and Karnataka**: For all new registration requests, please contact UNHCR Chennai: 04424461732, 04424461735.
  - If you are called for an in-person registration interview, you will need to visit the UNHCR Vikas Puri office in New Delhi. The address is: C-543A, Vikas Puri, New Delhi-110018. The closest metro station is Janakpuri West.
  - During the Registration interview, UNHCR will collect basic information of all family members, including names, age, date of birth. Depending on whether the registration interview is conducted remotely or in-person, they may also take screenshots of each member's face for their records or click photos, respectively. The UNHCR will also briefly want to know the reasons for your flight from Afghanistan as well as any vulnerabilities you may have, including if you are a single woman or have a serious health condition etc. They will also take a look at your documents (passport, visa, national ID, education and employment, etc.) and may require you to send photographs of the same. Subsequent to this, you will be provided with an appointment to collect your Under-Consideration Certificate from the office in New Delhi.
  - Those who already have the Under Consideration Certificate and are seeking to renew it, will be required to contact the aforementioned numbers, based on their location, after which they will be provided with an appointment to collect their renewed document from the office in New Delhi.
- Information about the process – **Refugee Status Determination (RSD) Interview**
    - After Registration, you will be issued an Under Consideration Certificate (UCC/blue card) as well as an appointment letter which will mention your interview date and time. This interview is your RSD First Instance Interview, based on which the UNHCR will decide whether to recognize you as a refugee or not.
    - RSD interviews are currently being held remotely through video/phone calls until further notice.
    - At the RSD interview, you will be asked in detail about the reasons you left Afghanistan and why you cannot return. The interview lasts approximately 3 hours but can be longer. All family members above the age of 11 will be interviewed at this stage.
    - Currently, UNHCR's timelines are long and it takes at least a year for any newly registered asylum seeker to have an RSD interview. Furthermore, the decision timelines are also long and it may take at least a year before you receive a decision on your application.
  - For further information about the asylum process please see [here](#).

**Note:** India's Home Ministry on September 2, 2021 said that Afghan nationals living in India on any category of visa will be granted extension of visa by the Foreigners Regional Registration Office (FRRO) on gratis basis until further orders. They will not be granted exit or issued leave India notice by FRRO/FRO concerned without prior approval of the Ministry of Home Affairs. In

light of this, Afghans in India under any visa should approach the FRRO for the extension of their visas if they do not wish to register with UNHCR India. In a [December 09, 2021 response](#) in the Rajya Sabha, to the number of Afghans who had been granted protection under the aforementioned order, the Ministry of External Affairs representative stated that 4557 Afghan nationals had been granted a stay visa. A Stay Visa is granted to Afghan nationals who have a well founded fear of persecution on grounds of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion in Afghanistan. It is highly likely that at present, there would be a higher number of Afghan nationals on a stay visa.

For help with the application process please see the 'free legal help' section [below](#).

## PEOPLE WISHING TO RELOCATE TO INDIA DUE TO RISK OF HARM

People who are currently in Afghanistan (or other countries) and are at risk of harm can apply for:

### Visa

- Application criteria – The Indian government on 17 August, 2021 announced a new category of electronic visa called “**e-Emergency X-Misc Visa**” for Afghan nationals to fast-track visa applications for entry into India. The processing time for this visa is 72 hours or more.
- You may also get in touch with the Indian embassy nearest to you for the latest information on how to get an Indian visa and secure safe passage out of the country.
- The form for the e-Emergency X-Misc Visa can be found [here](#).
- Guidance on the process: A **Special Afghanistan Cell** to coordinate requests from Afghanistan has also been set up by India's Ministry of External Affairs. Please call +919717785379 or email them at [MEAHelpdeskIndia@gmail.com](mailto:MEAHelpdeskIndia@gmail.com) for assistance. You can also visit <https://eoi.gov.in/kabul/> for more information.

For help with the application process please see the 'free legal help' section [below](#).

**Note:** The Ministry of External Affairs representative reported in a [December 09, 2021 response](#) in the Rajya Sabha that 200 Afghans had been granted an e-Emergency X-misc. However, due to no flight operations between Afghanistan and India, those with the visa have not been able to benefit from the same protection.

## FREE LEGAL HELP

The following organizations or legal service providers can support with free legal help:

**Migration and Asylum Project (M.A.P)**



**Leitner Center**

for International Law and Justice

AT FORDHAM LAW SCHOOL, NEW YORK CITY

- **Types of services or specialization:** M.A.P provides pro bono legal representation and legal counseling in the UNHCR RSD system from the registration stage onwards.
- M.A.P can help asylum seekers get in touch with UNHCR in case they are unable to contact them through their given addresses or phone numbers.
- M.A.P can counsel asylum seekers on how to fill up forms such as a Registration form, an Appeal form and write reopening applications.
- M.A.P can counsel you on all RSD processes; First Instance, Appeal and Reopening.
- In cases where M.A.P can help with particular asylum claims, M.A.P can provide complete legal representation. This means that if M.A.P takes on a case, M.A.P will work with asylum seekers to prepare them for the RSD interview, and prepare documents for UNHCR in support of their case. M.A.P will also accompany asylum seekers to the UNHCR during the interview and follow up with UNHCR on the behalf of clients.
- M.A.P can provide full representation at any stage of the RSD process.
- Upon first contact, M.A.P can also link asylum seekers with other service providers. These include those who provide Sexual and Gender Based Violence (SGBV) related mental health counseling (MSF), those who provide psycho social counseling, education and healthcare related services (BOSCO), those assisting asylum seekers in locating their loved ones in their country of origin or third countries (ICRC), those who can assist asylum seekers with detention and deportation related matters (SLIC) and finally, those who may be looking to reunite with families in third countries like the USA, Sweden, France, etc (IRAP).
- M.A.P can communicate with UNHCR on behalf of an asylum seeker at any stage of the RSD process. They can communicate on behalf of asylum seekers matters, including expediting RSD interviews, enquiring about results after an RSD interview, intervention on urgent protection needs including on healthcare, education, psycho-social needs, or communicating on matters such as exit fees.
- **Criteria for referrals:** Afghan nationals wanting to register with UNHCR
- **Website:** <https://www.migrationandasylumproject.org/>
- **Email:** [cases@aratrust.in](mailto:cases@aratrust.in) / [office@aratrust.in](mailto:office@aratrust.in)
- **Contact number:** + 91 9711128603/ +91 11 41325108
- **Hours:** 930 AM to 530 PM

## SLIC

- **Types of services or specialization:** Legal counseling and assistance with approaching the police for filing cases on crimes having taken place in India, detentions, threat of deportation and for cases ongoing in Indian courts.
- **Criteria for referrals:** Asylum seekers registered with UNHCR India
- **Website:** [www.hrln.org](http://www.hrln.org)
- **Email:** [contact@hrln.org](mailto:contact@hrln.org)
- **Contact number:** +91 11 243 78 854 or 79 855
- **Hours:** 9 AM to 5 PM

## OTHER USEFUL RESOURCES

### MSF Umeed Ki Kiran Clinic

- An OPD clinic that provides free and confidential medical and psychosocial support to people affected by Sexual and Gender Based Violence (SGBV). They serve people affected by all SGBV without any discrimination of all ages, genders, races, religious creeds or nationalities.
- **Website:** <https://ukkdeldhi.org/>
- **Phone:** 011 27642481/ 1800 102 1075
- **Email:** [delhi-reception@oca.msf.org](mailto:delhi-reception@oca.msf.org)
- **Address:** A 20, Mahindra Park, Jahangirpuri, New Delhi 110033

### International Committee of the Red Cross (ICRC)

- The ICRC can provide assistance with locating family members and loved ones in home or third countries through their 'Trace the Face' Program.
- **Phone:** +91 11 42211000
- **Address:** A-49, Vasant Marg, Vasant Vihar, New Delhi – 110057, INDIA

### BOSCO

- (BOSCO Organization for Social Concern and Operation), New Delhi is an implementing partner of UNHCR (United Nation High Commissioner for Refugees) for the Refugee Assistance Programme. It has 3 centers around Delhi (Bhogal, Malviya Nagar and Viaspuri). Services provided under this program are Health Service, Psychosocial Support, Education and Training Program, Livelihood Support, Youth Club and Community Mobilization.
- **Website:** <https://boscodelhi.in/>
- **Email:** [delhi-reception@oca.msf.org](mailto:delhi-reception@oca.msf.org)
- **Address:** Bhogal Center, 1-1/6A, Shastri Market, Temple Road, Jangpura Bhogal, Phone No. 011 – 24377911
- **Address:** Malviya Nagar Center, 147A, Khirki Village, Malviya Nagar, Landmark: Opposite Select City Walk Mall & near baba mandir Choppal Road Phone No. 011 -2 9542507 , 8287753677
- **Address:** Viaspuri Center, WZ-83, Bodella, Viaspuri, Phone No. 8882971826

### International Refugee Assistance Project (IRAP)

- IRAP provides assistance to Afghans with accessing various complementary pathways including family reunification and humanitarian visas. In the aftermath of the takeover, they developed a legal resources page for Afghans looking to resettle to third countries which can be accessed [here](#).
- You can also contact IRAP for help [here](#) or can also get in touch with M.A.P who will counsel you on whether your case meets the criteria for any of the relevant legal pathways.

## DISCLAIMER

This information sheet outlines key information on Indian asylum and immigration law and does neither intend to provide a comprehensive overview nor replace legal advice in the individual case.

Please note the draft was prepared by Migration and Asylum Project on 5 December 2021 and reviewed by Prabhat Raghavan on 25 September 2022.

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