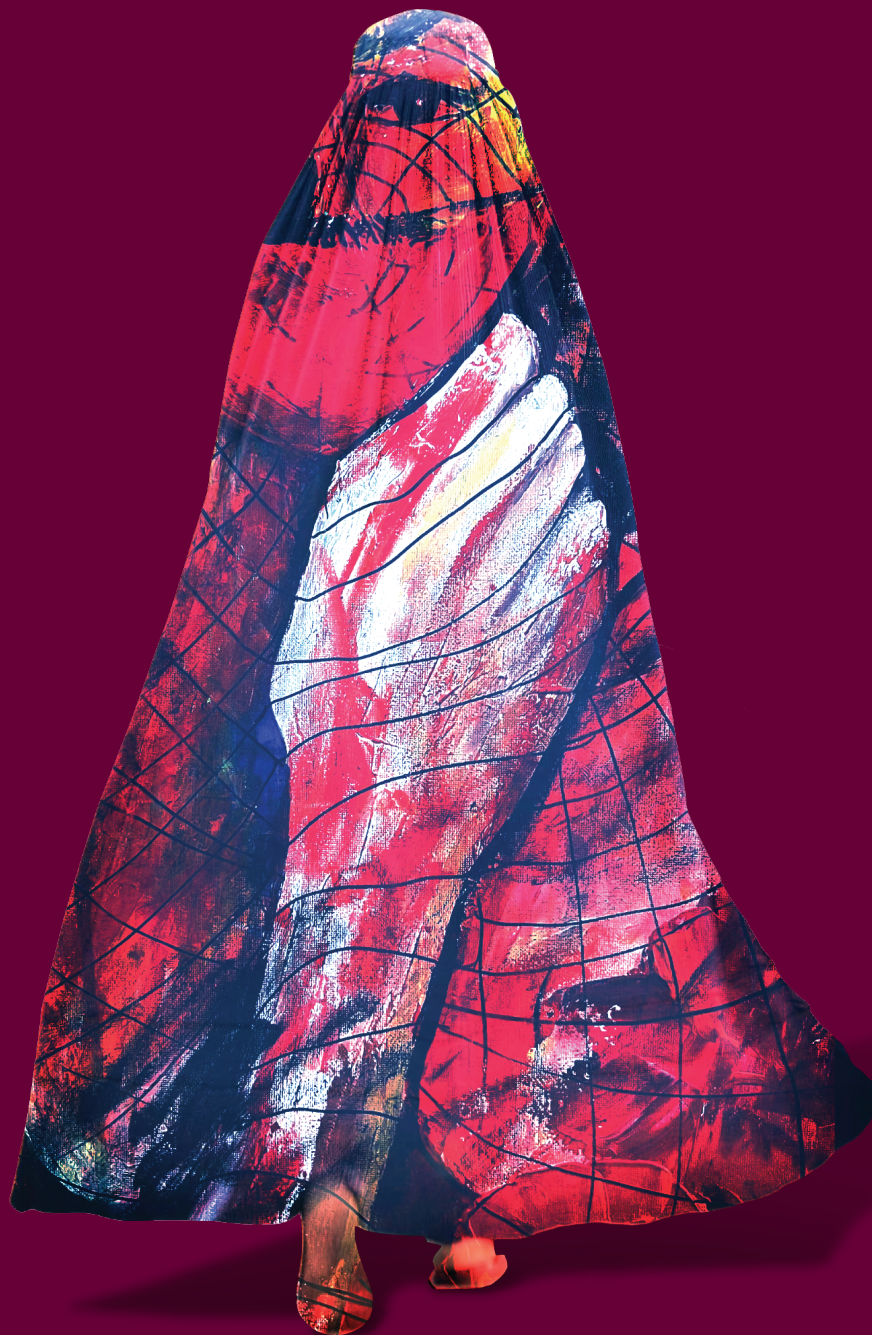


# ARTISTIC EXODUS

AFGHAN ARTISTS FLEEING TALIBAN RULE



ARTISTIC  
FREEDOM  
INITIATIVE





# ARTISTIC FREEDOM INITIATIVE

Led by immigration and human rights attorneys, Artistic Freedom Initiative (AFI) facilitates pro bono immigration representation and resettlement assistance for international artists at risk.

Dedicated to safeguarding the right to artistic freedom, AFI was founded on the notion that artists are uniquely situated to positively and powerfully effect change, provided their voices can be heard. As artists are increasingly censored, imprisoned, restricted from moving freely across borders, tortured, or even killed, it is more critical than ever that we safeguard the right to artistic freedom and zealously champion the courageous artists who exercise it.

To this end, AFI directly assists artists who have experienced persecution, censorship, or other restrictions on their freedom of expression, and supports artists who have demonstrated a commitment to advancing progressive social change and fundamental human rights.

We work with immigrant artists to champion art produced in exile, advance creative cultural exchange, improve conditions for artists in their home countries, and safeguard their ability to express themselves creatively through the arts.

## AFI'S ARTISTIC FREEDOM MONITOR

The Artistic Freedom Monitor (AFM) is a research and advocacy project of AFI. Our reports are evidence-based tools to advocate for the protection of free artistic expression and the expansion of artists' rights around the world.

Building on our research, AFM engages in advocacy to create new opportunities for the realization of artistic expression and to strengthen existing rights protection mechanisms related to artistic freedom.

For more information about AFI, or to read the Artistic Freedom Monitor's past work, please visit our website: [www.artisticfreedominitiative.org/projects/artistic-freedom-monitor](http://www.artisticfreedominitiative.org/projects/artistic-freedom-monitor)

**LIST OF ACRONYMS**

Academic Student Visa **(F-1)**  
Afghan Artists Protection Project **(AAPP)**  
Afghanistan National Institute of Music **(ANIM)**  
Afghanistan National Museum **(ANM)**  
Afghan Presidential Palace **(the Arg)**  
Artistic Freedom Initiative **(AFI)**  
Artistic Freedom Monitor **(AFM)**  
Artist or Entertainer Coming to Be Part of a Culturally Unique Program Visa **(P-3)**  
Center for Contemporary Arts Afghanistan **(CCAA)**  
Cultural Rights Defender **(CRD)**  
Employment Authorization Document **(EAD)**  
Employment-Based Immigration Visa **(EB-1)**  
European Union **(EU)**  
Exchange Visitor Visa **(J-1)**  
Humanitarian Admission Program **(HAP)**  
Individuals with Extraordinary Ability or Achievement Visa **(O-1)**  
International Covenant on Civil and Political Rights **(ICCPR)**  
International Covenant on Economic, Social and Cultural Rights **(ICESCR)**  
International Organization for Migration **(IOM)**  
Lesbian, Gay, Bisexual, Trans, Queer, and other **(LGBTQ+)**  
Ministry for the Propagation of Virtue and the Prevention of Vice **(the Ministry)**  
North Atlantic Treaty Organization **(NATO)**  
Non-Governmental Organization **(NGO)**  
Non-Immigrant Visa for Dependents **(J-2)**  
Office of the High Commissioner for Human Rights **(OHCHR)**  
Priority 1 **(P-1)**  
Priority 2 **(P-2)**  
Post-Traumatic Stress Disorder **(PTSD)**  
Refugee Status Determination **(RSD)**  
Specialty Occupations, DOD Cooperative Research and Development Project Workers,  
and Fashion Models Visa **(H-1b)**  
Special Rapporteur **(SR)**  
Swiss-German Pen Center **(DSPZ)**  
United Kingdom of Great Britain and Northern Ireland **(UK)**  
United Nations Education, Scientific, and Cultural Organization **(UNESCO)**  
United Nations High Commissioner for Refugees **(UNHCR)**  
United Nations **(UN)**  
United Nations Secretary General **(UNSG)**  
United States Citizenship and Immigration Services **(USCIS)**  
United States Customs and Border Protection **(CBP)**  
United States Department of Homeland Security **(DHS)**  
United States Refugee Admissions Program **(USRAP)**  
United States **(US)**

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# JAHAN ARA RAFI



# ABOUT THE ARTIST

AFI is pleased to feature the work of Afghan visual artist Jahan Ara Rafi throughout Artistic Exodus. Her five paintings, featured at the close of each of the main chapters of Artistic Exodus, speak to some of the key themes of our research: censorship, suppression, and forced migration.

Rafi is an Afghan visual artist and advocate for the rights of Afghan women and girls. She co-founded the Shamama Arts Gallery and the Centre for Women Artists in Kabul, which aim to foster community for Afghan women professionals in arts and culture and to provide training for young women interested in developing their artistic skills. As Rafi described in her interview with AFI, featured in Chapter Four of Artistic Exodus, her artwork and advocacy made her particularly vulnerable to censorship and persecution under Taliban rule. As such, she fled Afghanistan in August 2021, days after the takeover of Kabul. With AFI's legal and resettlement support under our Afghan Artists Protection Project (AAPP), Rafi resettled in the United States of America (US) in 2022. Since moving to the US, she continues to work as a visual artist and a women and girls' rights advocate.

Rafi collaborated with AFI to create the series of five images featured throughout Artistic Exodus. Drawing on the themes of suppression and forced migration, the female figures in her five works are depicted with bent or contorted necks and closed eyes, symbolizing the process of Afghan women sinking into themselves under suppressive structures and in degrading circumstances. A number of the figures have their mouths covered or obscured, a reference to the limitations and "silence" imposed on women throughout history and into the present in Afghanistan. Rafi paints in deep crepuscular shades of red, gold, blues, and purples to evoke the twilight hour following a sunset, a symbol of the shrinking horizons of Afghan women under Taliban rule. Speaking to the toll that the political crisis and subsequent flight have taken on Afghan women, Rafi says that her figures' expressions demonstrate the range of "cold feelings" that Afghan women experience through forced migration.

To learn more about Jahan Ara Rafi's work, please see her website at: [www.jahanart.com](http://www.jahanart.com)

To learn more about AFI's Afghan Artists Protection Project (AAPP), please visit our website at: [www.artisticfreedominitiative.org/projects/aapp](http://www.artisticfreedominitiative.org/projects/aapp)



Red Woman, Jahan Ara Rafi, 2023



“Kabul did not fall once for us, it fell three times: The first was when the Taliban took it, the second was when they destroyed our paintings, and the third was when they banned our girls from going to school.”

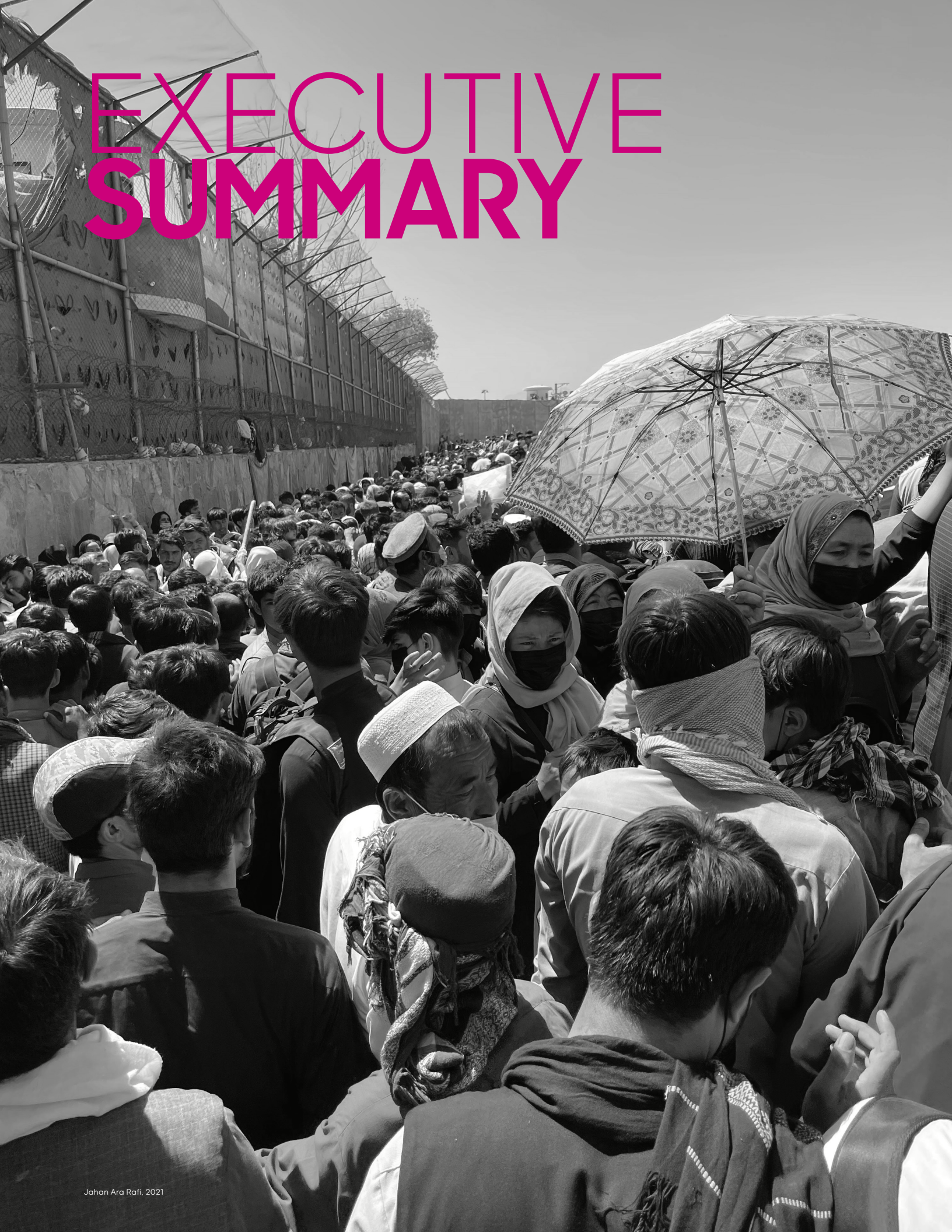
- Yama Farhad,  
Afghan visual artist and muralist for Artlords

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# EXECUTIVE SUMMARY



## EXECUTIVE SUMMARY

In August 2021, the world watched in dismay as the Taliban regained control of Afghanistan following the departure of American security forces. Fearing the violent and repressive nature of the Taliban regime, hundreds of thousands of Afghans immediately attempted to flee the country. The threat of persecution was particularly acute for one group of Afghans: artists and cultural workers. During their first period of rule from 1996 to 2001, the Taliban brutally suppressed the arts and cultural sector, destroying paintings, banning music, detonating ancient cultural heritage sites, and targeting independent artists through disappearances, arrests, imprisonment, and public executions. Aware of their inherent vulnerability at the onset of a second period of Taliban rule and the likelihood that they had only days or weeks before authorities would seek them out, many independent Afghan artists immediately ceased producing art and/or went into hiding, while others attempted to flee Afghanistan.

While many countries and non-governmental organizations (NGOs) sought to evacuate their own personnel and some states prioritized resettling Afghans who aided their government's efforts to democratize Afghanistan, immigration and resettlement assistance has been limited for Afghans at risk of persecution and even more scarce for arts and cultural workers. Some artists that faced the most immediate risk have fled into neighboring countries—most frequently Pakistan and the Islamic Republic of Iran—hoping to secure refugee status and potential resettlement to a third country. However, substandard living conditions and indeterminate refugee processing times have provided little stability to Afghan artists attempting to restart their lives and careers in bordering countries. A smaller group of artists—often with the aid of NGOs and activists—have applied for and been granted short- or long-term visas to resettle in developed countries in Europe and North America. Unfortunately, structural welfare system inadequacies, the lack of opportunities for professional development, and the absence of a general program designed to integrate refugees into host societies have left many exiled Afghan artists without the support structure needed to continue their work.

Afghanistan's rich artistic tradition stretches back millennia and is fundamental to Afghan cultural identity. Given the hostile environment for creatives at home and lack of institutional support for Afghan

artists abroad, Afghanistan's arts and cultural sector now stands on the brink of erasure. As a group of human rights lawyers dedicated to supporting at-risk art and artists around the world, the Artistic Freedom Initiative (AFI) is intimately aware of the unique difficulties that Afghan artists and cultural workers face when attempting to migrate and resettle. AFI has provided legal and resettlement assistance to more than 1,100 Afghan artists and their family members since the beginning of the crisis and has communicated with hundreds of other artists in distress as they struggle for personal and professional survival. AFI has published this report to highlight the ongoing risks that Afghan artists and cultural workers face in Afghanistan and to share the serious systemic problems facing refugee artists during migration and resettlement in host countries. AFI's goals for this report are to denounce the disenfranchisement and abuse of Afghan artists by the Taliban regime, draw renewed international attention to the support needs of Afghan artists at risk, offer critical analysis of the legal constraints on Afghan artists' mobility, and identify areas where Afghan artists experiencing forced migration and resettlement can be better supported by host governments, international organizations, NGOs, and arts institutions. In particular, we emphasize the importance of cultural rights, including the right to take part in a cultural life and the right to cultural preservation, in supporting displaced artist resiliency in host societies. We hope that our work will influence these stakeholders to take action to support the needs of Afghan artists at risk at every stage of their migration journeys.

## METHODOLOGY

In order to provide comprehensive policy recommendations regarding the support needs of artists that remain in Afghanistan, AFI researched the Taliban regime's position on free expression and cultural rights and their treatment of artists and cultural workers since they seized power in August 2021. To advocate for expansive support and protections for Afghans that have migrated abroad, AFI also researched the legal migration pathways available to artists fleeing Afghanistan, resettlement practices in countries that host Afghan migrants, and the cultural rights framework. A variety of resources were consulted, including human rights reports, legal and policy briefs on international migration and resettlement, news articles, and other media. As a group of human rights lawyers with extensive experience in facilitating the temporary or permanent resettlement of artists at risk, we used our team's expertise to provide analysis of

the legal constraints on Afghan artists' mobility in crisis situations. We also interviewed nine Afghan artists and cultural workers in AFI's network who have experienced forced migration and resettlement as a result of the crisis. The participants were asked to speak about their experiences working in Afghanistan's arts and cultural sector before the August 2021 political crisis, enduring that crisis, and ultimately migrating and resettling abroad.

## KEY FINDINGS

Following a preliminary introduction of the sociopolitical context, AFI has structured this report in four chapters which we hope will shed light on the nature of the resettlement process for Afghan artists seeking refuge abroad and call attention to their support needs at different points of their journeys: (1) the ongoing crisis facing Afghan artists and cultural workers under Taliban rule, (2) challenges related to identifying and applying for immigration status outside of Afghanistan, (3) difficulties related to resettlement and integration in a host country, and (4) the shared experiences of artists that have fled Afghanistan, migrated, and resettled abroad. We summarize the major findings and takeaways from each chapter below.

### Arts and culture in Afghanistan under Taliban rule

Under the restored Taliban rule, speech and expression are heavily repressed and artists and cultural workers are at risk of physical harm for their work. In September 2021, the Taliban reinstated an infamous institution from their previous regime, the Ministry for the Propagation of Virtue and the Prevention of Vice (the Ministry), and charged it with enforcing the Taliban's orthodox moral and behavioral strictures, including in the area of arts and culture. To effectuate their aims, the Ministry has adopted stances and policies antithetical to freedom of expression, including removing non-compliant art and culture from public view, censoring artistic expression through bans, closing art centers, destroying instruments, and arresting artists.

In chapter one of this report, we outline how the Ministry has undermined Afghan arts and culture through harsh censorship and rampant attacks on artists. In particular, we discuss their treatment of music, visual art, the performing arts, film and television, literature, museums, cultural heritage sites, and arts education. We highlight instances of Taliban abuses against artists and arts institutions to demonstrate the Taliban's categorical persecution

of Afghan arts and cultural workers. Among these instances of abuse are the near-complete or total closure of arts and cultural institutions, the banning of women and girls from pursuing arts education and careers, the destruction and removal of art from public spaces, and the criminalization of artistic expression, the punishments for which include arbitrary detention, public humiliation, arrests, and extrajudicial killings of artists.

Fearing harassment, detention, imprisonment, and even death at the hands of Taliban authorities, Afghan artists across all disciplines have stopped creating and sharing their art. Unable to safely use their skill sets in Afghanistan's disappearing arts and cultural field, many artists that remain in Afghanistan are in dire financial situations. Further, their status as artists and cultural workers makes them targets for the Taliban, who continue to seek out and threaten those that worked in arts and culture before August 2021. Through our research and interviews with Afghan artists, AFI has found that many artists and cultural workers remain in hiding, have destroyed or hidden their artworks and tools, and live in constant fear of Taliban persecution. Unsurprisingly, many Afghan artists and cultural workers wish to leave Afghanistan if they can identify a safe pathway out of the country.

### Uncertain pathways to safety: The struggle for Afghan artists' legal resettlement

The humanitarian crisis in Afghanistan has been especially dangerous for artists and cultural workers who have had to contend with a regime that has been actively hostile towards them. Unfortunately, creative workers seeking to leave Afghanistan have struggled to identify viable options to emigrate to another country; for many, the path out of the country has been prospectively more dangerous than remaining in Afghanistan. Our findings examine four pathways out of Afghanistan that have emerged for artists and cultural workers. These pathways involve seeking (1) refugee or asylum status in another country, (2) a humanitarian visa to a state willing to consider artists as an at-risk group in need of urgent protection, (3) a short-term visa based on a professional or academic opportunity in another country, and (4) permanent residency based upon the career achievements of the artist.

Artists and cultural workers seeking safety from persecution after fleeing Afghanistan can apply for refugee status with the United Nations High Commissioner for Refugees (UNHCR) or asylum within a host country where they are physically

present. Both processes deploy a refugee status determination (RSD) process, whereby a state or international body decides whether the applicant has a well-founded fear of persecution. Afghan artists are at an elevated risk of persecution by the Taliban, so individualized RSDs for these artists should generally result in a positive finding. However, asylum and refugee cases are still evidence dependent, with the outcomes determined by the subjective biases of individual decision-makers conducting RSDs. As such, there are significant substantive and procedural variations between states adjudicating claims for refugee status, and Afghan artists are far from guaranteed to gain legal recognition as a refugee. Given that the Taliban has overtly targeted artists as a group for persecution, it is AFI's position that Afghan artists should be given *prima facie* recognition as refugees, meaning that they should be considered as refugees unless there is evidence to the contrary. Another potential pathway for creatives to leave Afghanistan is through a discretionary humanitarian visa, which can be used by states to aid groups and individuals who are at a heightened risk of persecution but can neither exit their country securely nor obtain an ordinary visa for entry into the destination country. This report examines variances in humanitarian visas regimes, focusing specifically on the US and Germany. While the US offers the option of "humanitarian parole" to bypass the RSD process and accommodate the urgent humanitarian needs of Afghans at risk of persecution, to date only a small fraction of Afghans have benefited from this relief. On the other hand, Germany effectively deployed its humanitarian admission program in response to the crisis in Afghanistan. By including culture as a protected category, the German federal government created a special pathway for artists and creative workers to seek humanitarian admission into Germany. From August 2021 to October 2022, Germany approved humanitarian visa applications for more than 37,000 Afghans. AFI has successfully helped 81 Afghan artists and their families, a total of 265 people, to relocate and settle in Germany under this program.

For Afghan creatives, the conventional visa process represents an important alternative to the refugee and asylum process. Artists can pursue both non-immigrant visas, which are temporary in nature, and immigrant visas, which confer permanent residency. In obtaining a visa, Afghans can avoid the lengthy and uncertain asylum and refugee process and find a more direct route to resettlement to a country of their choice. However, there are also several significant substantive and procedural hurdles to securing a visa, including getting an exit permit

from Afghanistan, securing an unexpired passport, finding a sponsor in a host country, establishing the professional or academic qualifications for a visa itself, and scheduling an interview in an embassy or consulate. This chapter touches upon the different classification of visas that Afghan artists and cultural workers could prospectively apply for when seeking the safety of another country.

Considering the multitude of immigration regimes, it is understandable that Afghan artists need assistance in ascertaining viable options for immigration, if any indeed exist. Ultimately, the answer will likely be different for each artist depending on their personal situation, their desired country of destination, their knowledge of the legal options, and their level of trust in government officials.

## ARTISTIC AND CULTURAL RESILIENCE OF DISPLACED AFGHAN ARTISTS

Afghan artists who have successfully navigated the protracted immigration processes to reach a host country enter into the next important phase of their journeys: temporary or permanent resettlement. Through a combination of our in-house resettlement work for artists and cultural workers and extensive research into the resettlement experiences of Afghan artist refugees, AFI has identified common challenges that migrant artists and cultural workers encounter after relocating abroad, including securing housing and social services, obtaining the tools necessary to continue producing art, gaining access to professional opportunities in the local arts scene, and incorporating into the Afghan diaspora.

Afghan artists are often dependent on the host country's prioritization of refugee resettlement as a matter of policy. However, in advocating for an improved resettlement process, Afghan refugee artists can invoke their right to a cultural life, as well as the host country's obligation to preserve Afghan culture. First, under Article 15 of the International Covenant on Economic, Social and Cultural Rights, all groups and individuals have the right to take part in a cultural life. Afghan artists can claim that the right to a cultural life entitles creatives access to the materials and resources necessary to enable their vital cultural and artistic expressions to continue in their host countries. The most immediate barriers to humane resettlement for migrant artists involve a lack of access to basic services such as safe

housing and healthcare, the ability to legally work in their country of resettlement, and language learning support. Professionally, migrant artists also face considerable challenges, including the loss of access to their own works, production and supply tools (such as cameras, easels, paints, manuscripts, or looms), income sources from their artistic practice, and vital professional networks. Access to basic services and professional development opportunities is not only vital for migrant artists' well-being, but it also enables creatives to exercise their right to take part in the cultural life of their host countries. This chapter highlights how governments, NGOs, and arts institutions can all support displaced Afghan artists in their efforts to transition into a new professional environment. It particularly emphasizes improving the resettlement process through the creation of specialized opportunities for at-risk artists, including fellowships, residencies, research positions, and employment opportunities.

Second, artists can assert that by facilitating their ability to create, host countries are also fulfilling the group right of Afghan refugees at large to access critical forms of cultural expression within their host countries. Included in the right to a cultural life is the ability to access and enjoy cultural heritage. Afghan artists and cultural workers can also assert that by preserving their cultural practices, host societies are fulfilling their obligation to safeguard the intangible heritage of the Afghan people. This chapter highlights how governments, NGOs, universities, and art institutions can better protect Afghanistan's intangible cultural heritage by creating participatory programming that foregrounds Afghan artistic and cultural traditions.

## LIVED EXPERIENCES: AFGHAN ARTISTS AND CULTURAL WORKERS SHARE THEIR JOURNEYS

Having facilitated legal and relocation assistance to more than 1,100 artists through our Afghan Artists Resettlement Project, AFI is intimately aware of the personal and professional challenges that the experience of crisis, forced migration, and resettlement poses for artists and cultural workers and their families. With the intention of highlighting the real-life impact of the August 2021 political crisis and subsequent forced migration on Afghans, AFI interviewed nine artists and cultural workers from within our network that have resettled in the United States of America

(US) and Canada. Based on the unique stories of our interlocutors, we outline four temporal phases of the political crisis from the perspective of Afghan artists and cultural workers: working conditions in the creative sector from 2001 to 2021, the onset of the political crisis in August 2021, flight and migration, and resettlement and integration abroad. Through the retelling of their journeys, we aim to draw attention to the issues related to forced migration that our interlocutors emphasized as the most pressing for themselves, their families, and their peers and to share their insights into how the migration and resettlement process may be improved for the benefit of at-risk artists.

The artists with whom we have spoken described the fall of Kabul and the irreplaceable losses they incurred as they fled the second Taliban regime. All of the artists were forced to leave behind, hide, bury, or destroy their art or instruments following the Taliban takeover for fear that the works would be used to justify harm or imprisonment against themselves or their family members. Such losses are not only personal for artists, but they also represent the loss of thousands of dollars in potential income and equipment, making it difficult for Afghans to restart their careers in the arts once settled abroad. Afghan cultural workers similarly expressed deep concern for the preservation of the irreplaceable Afghan cultural objects they left behind at museums, archives, and heritage sites.

Our interlocutors shared the difficulties associated with their distinct immigration experiences, including navigating complex immigration eligibility and application processes, shouldering the financial burdens associated with migration, overcoming gender-related barriers to mobility, coping with uncertain and protracted legal processes, as well as enduring indefinite separation from spouses, children, and other family members. All of our interlocutors said that family reunification was the most important priority for Afghans experiencing forced migration.

Finally, our interlocutors also identified several areas of need for Afghan migrant artists resettling abroad, including free language courses; grants, fellowships, or other financial support; professional mentorship programs; and free or low-cost mental health services during the resettlement period. They emphasized how increased support in these areas can help Afghan artists and cultural workers integrate more successfully, restart their careers abroad, and make important contributions to the field of arts and culture in their host countries.



# POLICY RECOMMENDATIONS

Following the Taliban's political takeover of Afghanistan in August 2021, thousands of artists and cultural workers have been effectively silenced due to the Taliban's imposition of anti-democratic laws, regulations, and policies aimed at suppressing free artistic expression. Those who continue to create or perform art do so at the risk of incurring severe consequences from the Taliban, including imprisonment or death.

AFI, together with Afghan artists at-risk, calls on the international community to maintain pressure on the Taliban to implement critical recommendations by UN special procedures and bodies and to press governments to provide immigration relief and implement best practices aimed at supporting artists at risk. In addition, AFI calls on all state and non-state actors to offer additional support to Afghan artists seeking asylum, including essential humanitarian aid, temporary or permanent housing, and humane resettlement options that facilitate the integration of migrant artists into local communities.

AFI concludes our report by proposing recommendations to relevant stakeholders in the field, including international bodies, national governments admitting Afghan refugee and other migrant artists, and arts and cultural NGOs, institutions and networks. Given the severity of the ongoing crisis, AFI would like to highlight the following subset of our recommendations as in need of urgent address:

## **I. Recommendations to international bodies, including the UN General Assembly, the UN Secretary General (UNSG), UN Economic and Social Council, UN Educational, Scientific and Cultural Organization (UNESCO), UN High Commissioner for Refugees (UNHCR), and the Office of the High Commissioner for Human Rights (OHCHR):**

1. Renew the mandate of the UN Special Rapporteur (SR) on the situation of human rights in Afghanistan for another three year period to ensure the continued independent monitoring of the situation there. Encourage the SR to include reporting on the persecution of artists and cultural workers in the country and update the Human Rights Council (HRC) and other relevant bodies on the dire situation.

## **II. Recommendations to migration and resettlement facilitators, including the UNHCR and the International Organization for Migration (IOM):**

1. Accord *prima facie* recognition of refugee status to Afghan artists and cultural workers, whereby they would be presumed to meet the legal definition of a refugee unless rebutted.

## **III. Recommendations to national governments, including their respective immigration agencies and officers, that adjudicate asylum and visa applications from Afghan artists and cultural workers:**

1. Recognize Afghan artists and cultural workers as a distinct social group targeted for persecution in Afghanistan.
2. Ensure that the principle of non-refoulement is respected and all Afghan artists and cultural workers claiming asylum, or any form of relief from persecution, are not returned to Afghanistan before a fair and impartial hearing on their claims.

## **IV. Recommendations to all governments resettling already admitted Afghan artists and cultural workers:**

1. Reform national immigration policies for the wellbeing and safety of Afghan migrant communities, including by:
  - a. Ensuring pathways to permanent residence and citizenship for Afghans who entered the country on temporary humanitarian visas.
  - b. Preventing family separation whenever possible, expediting reunification for immediate family members, and providing opportunities for reunification for extended family members.
2. Support Afghans artists and cultural workers' successful resettlement in the host state by:
  - a. Providing free or low-cost educational opportunities and resources to migrant communities, including language support.
  - b. Increasing access to free or low-cost healthcare and ensuring access to healthcare providers specializing in care for migrant communities.

c. Expanding access to free or low cost mental health services to promote migrants well-being during resettlement and help them navigate the effects of forced migration.

3. Protect Afghan cultural heritage, including intangible cultural heritage, by:

a. Facilitating access to Afghan art and cultural heritage by allocating more financial support to arts and cultural institutions that prioritize such programs.

b. Funding public programming to introduce the artistic and cultural traditions of diaspora and at-risk artists to the public.

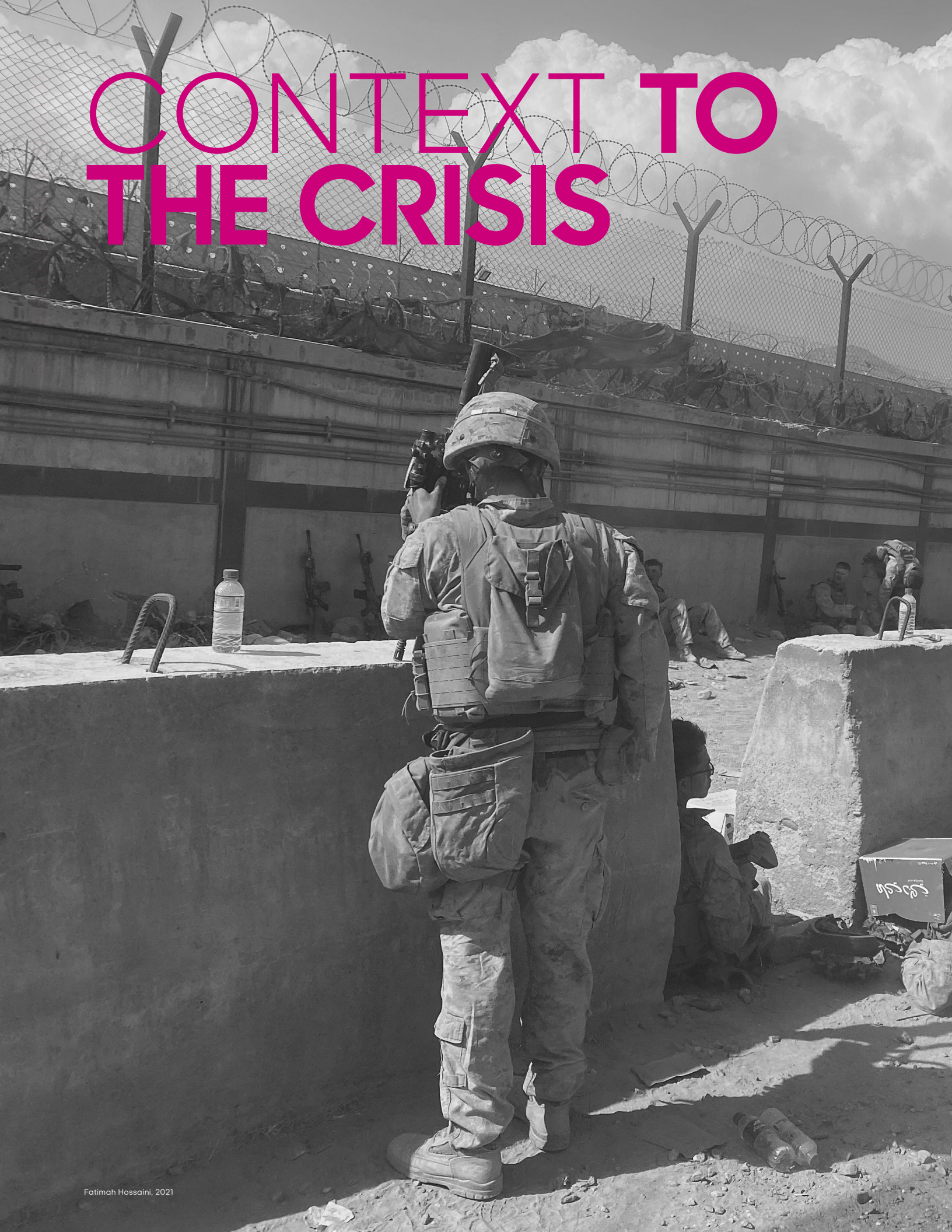
**V. Recommendations to the international arts and culture community, including arts institutions, galleries, university arts programs, music venues, members of the artist safety housing network, and other stakeholders dedicated to cultural programming and the performing arts:**

1. Support at-risk Afghan artists and cultural workers and demonstrate a commitment to diversity in the arts, by:

a. Establishing specialized residencies, fellowships, academic placements, internships, and other professional development programs for Afghan artists and cultural workers at risk.

AFI recommends migration and resettlement agencies to accord *prima facie* recognition of refugee status to Afghan artists and cultural workers.

# CONTEXT TO THE CRISIS



## CONTEXT TO THE CRISIS

Afghanistan's current political climate is characterized by religious tyranny and suppression of the basic human rights of Afghans by Taliban authorities, who seized power in Kabul on August 15, 2021. For Afghan artists and cultural workers, many forms of expression are heavily censored and incur significant risk of harm or imprisonment. Such a bleak political situation is the result of decades of foreign military intervention, incomplete democratization, an underdeveloped civil society, economic decline, and the rise of militant religious extremism.

## THE AFGHAN WAR AND THE BIRTH OF THE TALIBAN

The invasion of Afghanistan by the Soviet Union in 1979 marked the start of a prolonged and complex series of conflicts between the Soviet-installed communist government and militant opposition groups backed by the US.<sup>1</sup> During this time, the US provided covert support to Afghan rebel groups known as the Mujahideen in the form of weapons, training, and financial assistance in order to undermine Soviet influence in the region during the Cold War.<sup>2</sup> The conflict became a protracted and brutal civil war, with heavy casualties on both sides.

Aiming to put an end to the civil war and establish a political system based on orthodox interpretations of Islamic law, the Taliban first emerged as an Islamic militia in 1994.<sup>3</sup> They governed Afghanistan from 1996 to 2001, imposing a harsh regime known for its disregard for human rights and violence against marginalized groups and political dissidents. During their short reign, the Taliban ordered the near total disenfranchisement of women, a genocide against ethnic minorities, and the wrongful imprisonment and murders of many of their political opponents.

The Taliban were also known for their hostility towards secular art and artists, which they believed dissuade people from the teachings of Islam. They placed severe restrictions on freedom of expression, ordered the destruction of art and cultural heritage, and persecuted artists and cultural workers.<sup>4</sup> To enforce their strict policies, the Taliban created the Ministry for the Propagation of Virtue and Prevention of Vice (the Ministry), a now-infamous symbol of the Taliban's tyranny, to monitor Afghan citizens for violations of moral and social behavior.<sup>5</sup>

## US OCCUPATION OF AFGHANISTAN

Following the September 11 terror attacks, the US military launched a series of successful counter-attacks on the Taliban in Afghanistan, leading to the group's defeat by US forces and Afghan partners in December 2001. Over the next two decades, the US focused on rebuilding Afghanistan's key democratic institutions and suppressing Taliban forces.<sup>6</sup> These efforts were supported by the United Nations (UN) and the signing of the Bonn Agreement, which established an interim government led by Hamid Karzai and created an international peacekeeping force.<sup>7</sup>

Liberated from the Taliban's repressive regime, Afghan artists and cultural professionals strove to rebuild the sector and pressed for the expansion of free expression.<sup>8</sup> They restored key arts and cultural institutions and universities, rebuilt creative communities, and successfully advocated for the adoption of expansive protections for freedom of speech and the media in the national constitution. Additionally, Afghan women defied social norms by pursuing careers in arts and culture, receiving international recognition and awards for their contributions to the field, becoming professors and managers at arts and cultural institutions, and advocating for social change through their critical work.<sup>9</sup>

## US WITHDRAWAL IN 2021 AND THE RETURN OF THE TALIBAN

Though the US and North Atlantic Treaty Organization (NATO) security missions formally concluded in 2014, US military forces remained in Afghanistan as peacekeepers until 2021.<sup>10</sup> On April 14, 2021, the newly-elected Biden administration announced plans for a complete US withdrawal from the country by September 11, 2021.<sup>11</sup> Emboldened by the announcement of the US's departure, Taliban forces took control of dozens of districts. In response to the rapidly escalating political situation, US military forces abandoned their bases on July 2, 2021, leaving the standing Afghan government and military forces vulnerable to takeover.<sup>12</sup> Just over one month later on August 15, 2021, Afghan officials, including President Ashraf Ghani, fled Kabul as the Taliban seized power.<sup>13</sup>

The political upheaval instigated severe economic

decline and humanitarian crises; at present, a majority of Afghan households lack access to basic services and face extreme food insecurity and poverty.<sup>14</sup>

Since their return to power, the Taliban have reinstated a judicial system based on orthodox interpretations of Islamic law that severely limit personal freedoms and human rights. The Taliban have disenfranchised women and girls by placing restrictions on their access to education, employment, and participation in public life.<sup>15</sup> They have also formally banned women and girls from pursuing an education after the age of 12,<sup>16</sup> and restricted the movement of women and girls to no more than 44 miles without the accompaniment of a male guardian.<sup>17</sup> The regime now requires women to be covered from head to toe in public, has limited their work eligibility, and has banned them from gyms, parks, malls, beauty salons, and other public spaces. The UN denounced these policies as “large scale and systematic gender-based discrimination and violence against women and girls.”<sup>18</sup> The ruling Taliban regime has been heavily criticized for its use of violence against opponents, dissidents, and minorities.

The regime’s repressive approach to law enforcement has been marked by violent punishments, such as public executions and amputations, for individuals who violate their strict interpretation of Islamic law, further violating their right to a fair trial and protection from cruel, inhuman, and degrading treatment. Dissent against the Taliban’s rule has also resulted in grim consequences, with numerous cases of activists, intellectuals, and government officials disappearing or facing extrajudicial killings, illustrating a stark infringement on the right to life and due process.

Since their return to power, the Taliban have reinstated a judicial system based on orthodox interpretations of Islamic law that severely limit personal freedoms and human rights.

# ARTS AND CULTURE IN AFGHANISTAN UNDER TALIBAN RULE





# ARTS AND CULTURE IN AFGHANISTAN UNDER TALIBAN RULE

Following the Taliban's seizure of power in August 2021, its regime began implementing a near total ban on art and culture through the use of extensive censorship, harsh punishments on free speech, and the persecution of artists and cultural workers. Embedded in Taliban ideology is an intolerance of secular art and cultural expression. Such intolerance has led to the violent suppression of thousands of creatives workers, largely led by the Ministry for the Propagation of Virtue and Prevention of Vice (The Ministry). Re-established by the Taliban in September 2021, the Ministry had gained widespread negative coverage during the Taliban's prior period in power for its brutal enforcement of censorship and socially conservative policies, leading many to describe it as the regime's most feared institution.<sup>19</sup>

The Ministry's purpose is to ensure that all Afghans comply with the moral and behavioral strictures of Islamic law as interpreted by the Taliban.<sup>20</sup> To accomplish this, the Ministry adopts positions and policies antithetical to freedom of expression. Since 2021, the Ministry has led the charge to remove non-compliant art and culture from the public.<sup>21</sup> It has also had an active role as an enforcement mechanism for the Taliban to censor artistic expression through bans, the closure of art centers, the destruction of instruments, and arrests of artists. According to reports from Afghanistan, the only art deemed acceptable by the Ministry's standards are paintings about religious topics that do not depict human figures with faces, essentially limiting artistic themes to Islamic calligraphy and landscapes.<sup>22</sup> The Ministry also established a public complaints procedure through which citizens can report their neighbors when they believe them to be in breach of the law or the Ministry's policies.<sup>23</sup> Such forms of community policing create an atmosphere of fear and paranoia that effectively ensure a high degree of self-censorship among Afghans. The Ministry is also responsible for the enforcement of restrictions on Afghan women, including the ban on women's education and limitations on their career options. Consequently, thousands of Afghan women artists and cultural workers have lost their jobs and are unable to make valuable contributions to the field.

Three years into the Taliban's resurgence, the Ministry has had an active role in the cultural unraveling of Afghanistan through harsh censorship

and rampant attacks on artists. Below, we outline the Taliban's policies towards music, visual and performing arts, film and television, literature, museums, cultural heritage sites, and arts education. In doing so, we provide evidence of the Taliban's categorical persecution of Afghan arts and cultural workers.

## MUSIC

As of 2023, the Taliban have not issued a formal ban on music, but they have imposed such severe restrictions on the medium that music in effect is prohibited. They have taken measures including the closure of musical performance institutions, the destruction of instruments, the banning of live and broadcast music, arrests of musicians, and in a few cases, the murder of musicians by Taliban authorities.<sup>24</sup>

Afghanistan's musical institutions, which faced threats from the Taliban and other religious extremists for decades, have been silenced by the re-established Taliban regime. The Afghanistan National Institute of Music (ANIM), which was famous for both its traditional Afghan music and Western music program, as well as for supporting the musical education of girls, was a longtime target of the Taliban from 2001 to 2022. After their ascension to power in August 2021, ANIM was among the first arts institutions targeted by the Taliban, who ransacked the institution, destroyed its instruments, and forcibly closed the school before finally turning the building into a command center.<sup>25</sup> Following the fall of Kabul, many music students chose to store their instruments at ANIM rather than leaving them at home for fear that the Taliban would find them during house searches and punish them and their families.<sup>26</sup> Because of their status as musicians and association with ANIM, a group of 273 students and faculty members decided to flee Afghanistan. Through the heroic work of Lesley Rosenthal, the Chief Operating Officer of The Juilliard School, the group was evacuated to Lisbon, Portugal in December 2021.<sup>27</sup> There they were able to re-establish ANIM at the invitation of the Portuguese government.<sup>28</sup>

Taliban officials have also resorted to violence to stop public music performances. At a wedding in the Nangarhar province in October 2021, three Taliban officials barged into the venue of the ceremony to stop a music recording and smash the music speakers.<sup>29</sup> The officials opened fire on the wedding attendants, killing two and injuring ten.<sup>30</sup> This retaliation occurred despite the fact that the couple had been given an approval to play the

recorded music by local Taliban officials prior to the event.<sup>31</sup> Musicians have been subjected to public shaming and penalties, including lashing, slapping, and harassment. In January 2022, an undated video went viral on Twitter that showed a group of men, presumably Taliban officials, burning the drums and harmonium of a local musician as he looked on.<sup>32</sup> The video shows the musician with torn clothes and jaggedly cut hair, likely indicating that the officials cut the man's hair and beard in a show of public humiliation, a common Taliban punishment.<sup>33</sup> As the musician watched the instruments burn, he was forced to repeat "I am scum" to the crowd.<sup>34</sup> In March 2022, two local singers from a wedding ceremony in Kunar province were captured by the Taliban and humiliated by being forced to hang their musical instruments around their necks as they endured public punishment.<sup>35</sup>

Under Taliban rule, both the creation of music or the mere possession of it can lead to arrest or other forms of punishment. In January 2023, an Afghan singer was arrested twice by the Taliban for singing songs about Panjshir, a province that is one of the main bases of the resistance forces against the Taliban, and was only released after several days of torture.<sup>36</sup> In one instance at another event, a musician was arrested for keeping music videos on his cellphone, held in jail for four nights, and suffered lashings on his back.<sup>37</sup> Fearing arrest or other retribution from the Taliban, musicians that spoke with AFI shared that they and their colleagues destroyed or buried their own instruments at home and deleted evidence of their musical careers, including records, CDs, written music, and recordings and videos of their performances, in case of the now common random house searches by the authorities.<sup>38</sup>

In some severe cases, Afghan musicians have been killed because of their work. Folk singer Fawad Andarabi was murdered by a gunshot to the head on August 31, 2021, after being publicly dragged out of his home by Taliban officials.<sup>39</sup> Afghanistan's former Minister of the Interior, Massoud Andarabi, said of the singer's death, "[the] Taliban's brutality continues in Andarab. Today they brutally killed folkloric singer, Fawad Andarabi, who simply was bringing joy to this valley and its people."<sup>40</sup> At least four other musicians were murdered by the Taliban in 2021.<sup>41</sup>

## VISUAL AND PERFORMANCE ART

Following the Taliban's resurgence, visual artists and performance artists are among the Ministry's largest



Artlords mural in Kabul created in honor of the martyred human rights activist, Hamida Barmaki, who died in an explosion claimed by the terrorist group Hezbe Islami Afghanistan. Image courtesy of Omaid Shariff.

targets for censorship. One such targeted outfit is ArtLords, a group of muralists formerly based in Kabul that use art to advocate for the advancement of human rights.<sup>42</sup> The group spent more than seven years painting roughly 2,200 murals, mainly on blast walls throughout Afghanistan, promoting messages of peace, human rights, and gender equality, among others.<sup>43</sup> When the Taliban seized power in 2021, they quickly labeled all ArtLords murals as propaganda of the previous government and moved to destroy them.<sup>44</sup> Less than three months after seizing power, the Taliban covered most of the blast walls with white paint and replaced them with religious poetry or pro-Taliban messages.<sup>45</sup>

Though some galleries and arts education courses remain open under Taliban supervision, these opportunities are no longer accessible to women and girls over the age of 12 since the Taliban's ban on women's education in December 2021.<sup>46</sup> Following the announcement of the ban, Taliban officials from the



Ministry entered an art center and proceeded to force more than 70 female art students out of the building.<sup>47</sup> The anonymous leader of the center says that they fear for the female students' futures. "I guess most of the girls will get married, have children, [and] take their dreams to the grave," she told *The Art Newspaper*.<sup>48</sup> Another center told the publication that they attempted to follow the strict rules of the Ministry in order to continue teaching art to girls, but were shut down: "We wore long black clothes with masks. We installed a curtain so girls would not be seen...We did it all just so we could continue but they still banned us."<sup>49</sup>

Performance artists have similarly been targeted for imprisonment, harm, and death by Taliban officials. On July 18, 2021, the comedian Nazar Mohammad was filmed being dragged and slapped by Taliban authorities.<sup>50</sup> Shortly afterwards, his dead body was found tied to a tree in a remote location in southern Kandahar province.<sup>51</sup>

## FILM AND TELEVISION

Under the Taliban's rule, Afghan film and television have undergone a profound transformation marked by stringent censorship and a shift towards conformity with the regime's conservative ideology. The once-burgeoning film industry, which had shown promise in capturing the diverse narratives of Afghan society, now faces severe restrictions on content, with filmmakers forced to adhere to narrow guidelines that align with the Taliban's interpretation of Islamic values.<sup>52</sup> Many Afghan films that were produced between 2001 and 2021 are now deemed inappropriate and have been removed from public access or destroyed. In September 2021, the Ministry instructed Afghan television stations to refrain from broadcasting films or TV shows that feature women actors.<sup>53</sup> Consequently, women's roles were severely curtailed, both on-screen and off-screen, reflecting the broader gender-based restrictions imposed by the Taliban.

Afghan television and broadcast news are also subjected to censorship, ideological homogenization, and the suppression of diverse voices. The Taliban banned entertainment, social, and political programs from television, leaving Afghan television with only limited and heavily censored news broadcasts and Islamic programs.<sup>54</sup> One of the few independent media outlets still operating under Taliban rule in Afghanistan, Zhwandoon TV, is facing closure as of June 2023. The station has gone to great lengths to comply with the Taliban's severe restrictions in order to stay in operation and be able to present Afghans with an alternative political voice. They have complied with the Taliban's ban on broadcasting music and foreign entertainment programs and their requirement for female television presenters to cover their faces. Now, having openly criticized the Taliban's undemocratic restrictions on women, education, and the media, Zhwandoon TV claims that the Taliban are trying to pressure them off the air by forcing them to pay arbitrary fines and fees. Such pressure demonstrates a clear effort by the Taliban to force Afghan media outlets to self-censor.<sup>55</sup>

## LITERATURE

The Taliban have created a hostile environment for writers, poets, and journalists through the heavy censorship of both printed literature and digital media platforms, making it increasingly difficult for authors to share their work with a wider audience. As a result, a significant portion of Afghan literary

voices has been silenced. In the early days of the Taliban's new tenure, two prominent

Afghan writers and members of the international literature coalition of writers, PEN Afghanistan, were murdered by officials.<sup>56</sup> On August 31, 2021, renowned poet and historian, Abdul Atefi, was tortured and murdered in his home by Taliban officials. Two days later, Dawa Khan Menapal, journalist and director of the previous government's Media and Information Center, was killed in a targeted attack in Kabul.<sup>57</sup> In another case, journalists Taqi Daryabi and Nematullah Naqdi were brutally flogged and beaten by Taliban guards for covering the women's protests in Kabul following the Taliban's takeover in 2021.<sup>58</sup> After writing a piece for the online outlet Pajhwok Afghan News about the rapid closure of print media in his province in early 2023, journalist Abdul Saboor Sirat also faced threats and restrictions from the Taliban that forced him to cease writing. Such severe censorship came only weeks after Sirat attended an event for Afghan Journalists Day, in which the Islamic State Khorasan (ISK), an armed group rival of the ruling Taliban, set off a parcel bomb that injured eight people and killed 20-year-old journalist Hosein Naderi.<sup>59</sup> On June 1, 2023, Afghan poet and artist, Haseeb Ahrari, was arbitrarily arrested and detained by the Taliban upon his return from Iran, where he had been working following the Taliban's return to power in Afghanistan. While the reason for Haseeb's arrest was unclear, his poems include themes of freedom and patriotism, and he reportedly planned to publish a book of poetry upon his return from Iran.<sup>60</sup>

## MUSEUMS AND CULTURAL HERITAGE SITES

Afghan cultural heritage is at risk under Taliban rule, including both art objects and culturally significant sites. During their previous regime, the Taliban infamously destroyed irreplaceable Afghan cultural heritage. In 1996, Taliban fighters stormed the Afghanistan National Museum (ANM) to destroy and loot more than 70 per cent of the museum's cultural objects<sup>61</sup> and in 2001, they blew up the 1,500-year-old Buddhas of Bamiyan, an important cultural site that featured giant statues carved into the rockface of a cliff in the Bamiyan Valley.<sup>62</sup> Having received ample criticism from the international community for these crimes, the current Taliban regime has pledged to protect the country's museums and cultural heritage sites. The regime has provided security outside of the ANM, as well as outside of many other national cultural institutions,<sup>63</sup> and has

Omaid Sharifi paints a mural in Kabul in 2019.  
Image courtesy of Omaid Sharifi



allowed some cultural workers to keep their jobs at the museums and cultural heritage sites. However, these cultural workers and many other civil servants have reportedly not been paid consistently for their work due to government funding reallocation and cash shortages.<sup>64</sup> The lack of funding makes it difficult for cultural workers to sustain themselves and their families and also makes it challenging to properly care for cultural artifacts. AFI spoke with Afghan visual artist, archivist, and former managing archivist at the Afghan Presidential Palace (the Arg) archive, Sharif Jamal, who shared his concern for the preservation of the huge number of film negatives he had to leave behind. Upon hearing that the Taliban were taking over Kabul, Jamal and the other employees of the archive did their best to secure the negatives in a safe place, but they are uncertain about who will take care of the valuable material and whether they will have the knowledge needed to care for the film, which can easily degenerate if held in the wrong conditions.

The Taliban's record of targeting the country's cultural heritage has also put cultural workers in harm's way. Cultural workers include those whose technical, academic, or administrative work facilitates a specific community's access to arts and culture. They are a broad category that includes librarians and archivists, staff and directors of arts and cultural institutions, staff of cultural heritage NGOs, and academics who research and preserve cultural heritage, among others. Since the resurgence of the Taliban, many cultural workers who had spent years fostering the arts in their

communities and preserving Afghan culture were forced to close their art centers and exhibitions. Fearing the Taliban, cultural workers hid musical instruments, sculptures, paintings, pictures, film, and books before fleeing Afghanistan or going into hiding themselves.<sup>65</sup> For the cultural workers that either chose to stay in Afghanistan or did not have the ability to leave, most have been replaced by Taliban authorities with no expertise in art or cultural heritage. Consequently, many cultural sites, archives, and museum collections in Afghanistan are likely not receiving proper care and attention, which means that priceless objects of Afghan cultural heritage are at risk of deterioration.

## ARTS EDUCATION

In Afghanistan, arts degrees and expertise in arts and culture are disappearing. Kabul University, which had eight arts degrees and more than 1,000 students enrolled before August 2021, has only two degrees left and 250 students enrolled.<sup>66</sup> The music, sculpting, literature, and photography studies departments were closed altogether, and the remaining students have few options for study.<sup>67</sup> Because of the restrictions the Taliban imposed on artists, which include an official ban on music, sculpting, and portrait drawing, as well as their unceremonious firing of the school's longtime chancellor, 55 employees of the university's previous staff of 60 have resigned in protest.<sup>68</sup> When the first Taliban-appointed chancellor of Kabul University began making changes to the curriculum, he stated that "whatever is forbidden in Islam will not be allowed on campus." The ban on music resulted in the closure of the music department, forcing students to continue their education in the department of cinema or drama literature.<sup>69</sup> Additionally, because the creation of human and animal statues is considered sacrilegious under Taliban rule, the sculpture department is now the "department of decorative arts," and students are not allowed to make sculptures of living beings.<sup>70</sup>

Importantly, women are banned from studying or teaching art following the Taliban's ban on women's education. Consequently, many arts universities and institutions face closure because they cannot afford staffing and rent costs following the loss of women students, which in turn further jeopardizes the arts education of the men and the girls under 12 who are allowed to continue their studies. Women who managed to finish their education in the arts before the Taliban takeover may not continue their studies abroad, either, effectively banning them from pursuing careers in arts and culture. Their inability

to contribute to arts academia and the arts and cultural sector more broadly represents a massive loss to Afghan society.

## SUMMARY

Fearing harassment, arbitrary detention, imprisonment, and even death at the hands of Taliban authorities, Afghan artists across all disciplines have stopped creating and sharing their art. Thousands of Afghan artists and cultural workers lost their jobs.

Unable to use their skill sets in Afghanistan's disappearing arts and cultural field, they search for work elsewhere, but face limited options given the country's worsening economic crisis. Consequently, many artists that remain in Afghanistan are in dire financial situations. Further, their status as artists and cultural workers makes them targets for the Taliban, who continue to seek out and threaten those that worked in arts and culture before August 2021. As such, many artists and cultural workers are in hiding, have destroyed or hidden their artworks and their tools, and remain in constant fear of Taliban persecution. Unsurprisingly, many Afghan artists and cultural workers wish to leave Afghanistan if they can identify a safe pathway out of the country. In the next chapter, we examine the limited options available to them to seek safe passage and resettlement.



Vortex, Jahan Ara Rafi, 2023

For artists and cultural workers attempting to leave Afghanistan, the journey to safety was fraught with harsh uncertainties, financial and bureaucratic hurdles, physical dangers, and emotional turmoil.

# UNCERTAIN PATHWAYS TO SAFETY: THE STRUGGLE FOR AFGHAN ARTISTS' LEGAL RESETTLEMENT





# UNCERTAIN PATHWAYS TO SAFETY: THE STRUGGLE FOR AFGHAN ARTISTS' LEGAL RESETTLEMENT

In the immediate aftermath of the Taliban's takeover of Kabul in August 2021, the world watched as tens of thousands of Afghans—among them, human rights activists, aid workers, journalists, and artists—rushed to airports in a widely broadcasted attempt to flee the country.<sup>71</sup> The initial stages of the humanitarian crisis in Afghanistan were especially dangerous for artists and cultural workers who had to contend with a regime that was actively hostile towards them. In just the first few months of the second Taliban regime, more than 2,000 creatives and their family members had been identified by international organizations as requiring protection.<sup>72</sup> From August 2021 to June 2023, AFI fielded over 3,000 requests for assistance from creative workers fearing persecution in Afghanistan. These requests have highlighted the increasingly repressive environment for artists in the country and a deep fear that any creative act could result in arrest or physical harm by the Taliban or their supporters. Public reporting mirrored these artists' distress, as reports emerged of artists being targeted,<sup>73</sup> disappeared,<sup>74</sup> and executed by the Taliban.<sup>75</sup>

For artists and cultural workers attempting to leave Afghanistan, the journey to safety was fraught with harsh uncertainties, financial and bureaucratic hurdles, physical dangers, and emotional turmoil. In fear for their safety, Afghanistan's creative workers searched for migration options out of the country. Those holding dual citizenship or visas to another country were generally able to flee Afghanistan. However, even artists with a secure visa, means to travel, or assurance of employment in a host country remained in crisis in Afghanistan as they searched for pathways to safety.<sup>76</sup>

As AFI and other key organizations began providing legal and resettlement services to Afghan artists at risk, a few potentially viable pathways for resettlement emerged: (1) an application for asylum in a country of resettlement, (2) an application for refugee status outside of Afghanistan with the United Nations High Commissioner for Refugees (UNHCR), (3) securing admission to another country through a humanitarian visa, and (4) successfully obtaining an academic, artist-based, or professional visa to a non-neighboring country.

All of these options, which are covered in greater detail below, present significant challenges to artists at risk, particularly given the exigent nature of the crises in Afghanistan. Calls from the international community to provide Afghan artists under threat with a more streamlined pathway to safety have become increasingly common as obstacles to resettlement continue. This chapter provides context on the existing legal options for the protection of artist refugees, in an attempt to understand how Afghan creative workers fleeing the country can find pathways to safety. It also serves as a guide for NGOs and advocates seeking to facilitate artist resettlement.

## WHETHER TO LEAVE OR STAY IN AFGHANISTAN

Artists and cultural workers at risk in Afghanistan must first reckon with the question of whether to leave the country and, if so, how. While Afghanistan's financial deterioration and increasingly repressive environment are compelling grounds for artists to leave, this decision can also be influenced by a number of factors. To what extent are they able to continue their artistic practice in Afghanistan? Do they have familial, professional, or academic connections in potential destination countries? Are there realistic immigration options to countries with robust artistic communities? Which countries provide adequate housing and social services to refugees? For many artists who are ultimately compelled to emigrate, the emergency nature of the humanitarian crisis frequently means that they cannot choose their destination country and will instead search for and take the only paths available to them. If a choice is available, artists will often flee through the fastest and safest pathways.

Since August 2021, most Afghan migrants have gone to the country's immediate neighbors.<sup>77</sup> To the country's east and south lies Pakistan, which hosts more than 1.4 million registered Afghan refugees and an additional 1.6 million Afghans without refugee or citizenship status.<sup>78</sup> To Afghanistan's west lies Iran, hosting close to 800,000 registered Afghan refugees and 2.3 million undocumented Afghan migrants.<sup>79</sup> Afghanistan also shares borders with Tajikistan and Uzbekistan, which respectively host at least 7,000 and 13,000 Afghan refugees.<sup>80</sup> Also to the north, Turkmenistan hosts an estimated 2,000 refugees from Afghanistan.<sup>81</sup>

In the immediate aftermath of the Taliban takeover, hundreds of artists contacted AFI after having

already crossed into a neighboring country—usually Pakistan or Iran. The vast majority expressed a desire to move to another country out of economic concerns or fear for their continued safety in their host country. Generally, these artists had two options: to seek a route into a third country without securing proper documentation or to apply for a visa to a third country. In either case, artists once again had to find a pathway to safety after already undergoing a harrowing relocation from Afghanistan. The following sections detail the different routes to legal recognition that exist for artists, which ultimately influence decisions to resettle in another country.

## THE REFUGEE AND ASYLUM PROCESS

### (1) The legal definition of a refugee

For artists who have fled Afghanistan based on a fear of persecution, the primary pathways to immigration status are through refugee and asylum processes. Eligibility for both forms of relief depends on whether a migrant can successfully claim to meet the legal definition of a “refugee.” The UN Convention Relating to the Status of Refugees (or the 1951 Refugee Convention), sets forth the essential elements of the term and states that a refugee is someone who, “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such a fear, is unwilling to avail himself of the protection of that country.”<sup>82</sup>

In practical terms, the process of determining whether a person qualifies as a refugee under the Convention is individualized and fact-specific. The threshold question of the status determination process is whether a person can show they have a “**well-founded fear of being persecuted.**”<sup>83</sup> This phrase implies both subjective and objective requirements. On the one hand, an applicant for refugee status must demonstrate a subjective fear of returning to one’s home country.<sup>84</sup> Conversely, the applicant must also show that their fear is objectively reasonable given the facts and circumstances of their case.<sup>85</sup>

**Persecution** generally implies an elevated risk of harm, though there is no universally-accepted definition. Some acts, such as threats to life or freedom, will practically always constitute



Conditions at the Kabul airport in August 2021.  
Image courtesy of Fatimah Hossaini.



persecution; others, such as harassment or discrimination against an individual or group, will rarely rise to the level of persecution.<sup>86</sup> In an attempt to provide greater clarity to the term, the US government has defined persecution as follows: “an intent to target a belief or characteristic, a severe level of harm, and the infliction of a severe level of harm by the government of a country or by persons or an organization that the government was unable or unwilling to control.”<sup>87</sup>

Finally, satisfying the requirements of the 1951 Refugee Convention also means drawing a causal link between the persecution of a specific individual and membership in one of the protected categories: race, religion, nationality, political opinion, or social group.<sup>88</sup> For example, if an applicant for refugee status makes a claim of religious persecution, the applicant must show that the persecution is on account of that person’s religion and not for any other reason.

## (2) Refugee and asylum procedures

It is important to distinguish between a refugee and asylum-seeker, as each category follows different procedures in seeking protection from persecution. Asylum is a general process by which a host country grants protection to a foreign citizen fleeing their country of origin for fear of persecution.<sup>89</sup> An asylum-seeker files an application for asylum either at another country’s port of entry or within the destination country itself.<sup>90</sup> The destination country will then deploy a legal or administrative process known as a refugee status determination (RSD) or asylum hearing. Should this claim be granted, the applicant will be recognized as an asylee and afforded a pathway to permanent residency in the host country. The right to claim asylum is a fundamental human right and under the principle of non-refoulement,<sup>91</sup> no state can expel an asylum-seeker to their place of persecution. Still, in practice there are significant procedural variances between states and each country has considerable latitude in assessing the merits of individual cases of asylum.

A **refugee** has fled their own country for fear of persecution, but seeks to have official recognition as a refugee—typically in a neighboring country—prior to being resettled in a third country. Generally, an RSD is conducted by the UNHCR, although in some circumstances the UNHCR refers refugees to an affiliate third country governmental agency that conducts the RSD on site.<sup>92</sup>

In the event that the RSD results in an approval, the refugee will be resettled in a third country. Generally,

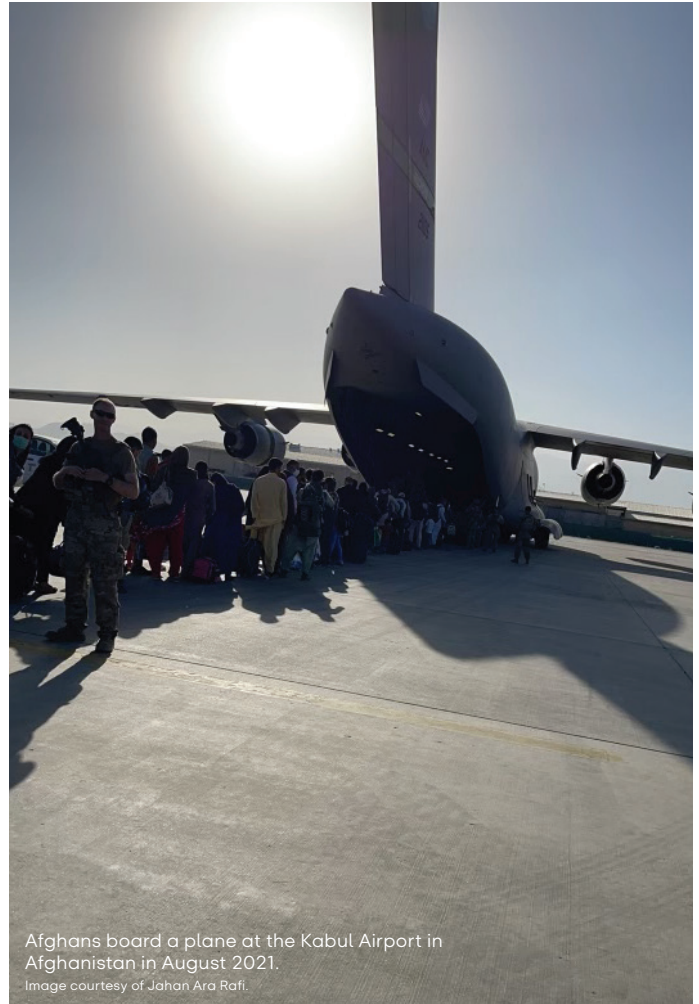
refugees do not play a central role in determining their country of resettlement.

For artists and cultural workers seeking safety from persecution, the asylum and refugee processes each offer distinct advantages and disadvantages. Asylum holds the possibility for creative workers to lodge an application for protection in any country where they are physically present. Further, arts professionals are able to begin the resettlement process in a host country while their asylum applications are pending. However, securing entry into a country offering a supportive environment for migrant artists can be challenging. Most of the artists that have filed applications for legal assistance with AFI expressed a desire to move to Canada, France, Germany, the United Kingdom of Great Britain and Northern Ireland (UK), the US, or other countries with a robust artistic community and/or an Afghan diaspora. The options for legal entry into those countries are very limited, as detailed below, and unlawful entry by land or sea is perilous. Therefore, while the desire to apply for asylum in economically advanced countries is understandable, the difficulty Afghans have in securing entry into those countries limits the viability of this option.

On the other hand, displaced Afghans seeking refugee status through the UNHCR have the advantage of being able to seek legal recognition of their status in a nearby country to which they have fled. This is also advantageous because the UNHCR, an international body, is not subject to potential nationalist or anti-immigrant biases. However, neighboring countries, such as Pakistan, are overwhelmed with the large-scale inflow of refugees; with few opportunities for gainful employment many refugees are compelled either to live in overcrowded camps or face the possibility of securing housing on their own. Furthermore, for those who have secured refugee status, wait times for resettlement in a third country can take years.

### **(3) Refugee status determinations: Adjudicating Afghan artists' claims for protection from persecution**

As outlined in the first chapter of this report, Afghan artists are at an elevated risk of persecution by the Taliban, particularly since the withdrawal of US troops in August 2021. Although the Taliban has not formally banned art, they have banned specific content that “promotes foreign cultures,” “provokes immorality,” or even simply features women artists.<sup>93</sup> In asserting these policies, the Taliban have closed music schools, destroyed murals, and harassed artists and artistic venues.<sup>94</sup> Radio and television



Afghans board a plane at the Kabul Airport in Afghanistan in August 2021.  
Image courtesy of Jahan Ara Rafi.

networks have had no choice but to stop airing songs, musicals, and comedy shows.<sup>95</sup> Airing content deemed controversial, including pop music and foreign soap operas, risks provoking a Taliban response.<sup>96</sup> Performers are afraid to be in public and many Afghan musicians have gone into hiding.<sup>97</sup> Throughout the country, Afghan artists have resorted to destroying their work for fear of Taliban retribution.<sup>98</sup>

For national or international bodies adjudicating claims of refugee status, the horrific conditions that Afghan creatives face in their home country should logically infer a well-founded fear of persecution for any artist openly practicing their craft. Regarding artists' membership in a protected category, it can be argued that artists *per se* constitute a protected class under refugee law. The UNHCR defines a particular social group as those:

“who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise

fundamental to identity, conscience or the exercise of one's human rights.<sup>99</sup> As a group, artists stand apart from others in society in several different respects, from entering specialized training and education to joining distinct unions and associations. Furthermore, artists display their creative acts in public through exhibitions, screenings, concerts, and other relevant events. In doing so, artists are publicly identified as the creators of their works and, as such, are recognized as a distinct group by society. Finally, an innate characteristic of an artist's identity is their ability to exercise their fundamental human right to free expression."

Cultural workers, like artists, also receive specialized training and education, organize themselves through professional organizations, and publicly showcase and/or publish their work. In many cases, cultural workers are also cultural rights defenders (CRDs), defined by the UN Special Rapporteur for Cultural Rights as "human rights defenders who defend cultural rights in accordance with international standards."<sup>100</sup> CRDs defend a number of human rights, including the right to free participation in cultural life, freedom of expression, and academic freedom. CRDs come under threat when their work is seen as challenging the dominant or authorized cultural arguments or symbols, primarily when culture is used as an instrument of "domination or discrimination" by "authoritarian Governments, fundamentalists, and extremists, and both States and non-State actors."<sup>101</sup> For instance, museum curators may be targeted by fundamentalist groups for organizing an exhibition of lesbian, gay, bisexual, trans, queer, and other (LGBTQ+) artists, while archaeologists may face threats for researching and preserving the material heritage of persecuted minority ethnic groups.

Many Afghan artists and cultural workers are being targeted for secondary characteristics that could make them eligible for asylum or refugee status. Women artists, for example, have been particularly at risk under the restored Taliban regime. As outlined earlier in the report, the Taliban has placed significant restrictions on women and girls' right to free expression. These conditions likely mean that Afghan women in general, and female artists in particular, constitute a particular social group able to qualify for refugee status, whether or not their claim also stems from another recognized ground.

Similarly, LGBTQ+ persons have a generally substantiated, well-founded fear of persecution for their sexual orientation.<sup>102</sup> Especially since the Taliban's takeover, members of the LGBTQ+

community were forced into hiding for fear for their lives.<sup>103</sup> Numerous reports of threatening phone calls, violent targeted attacks, and even a Taliban "kill list" for certain LGBTQ+ persons have forced individuals to change their appearance and behavior to hide their gender identity or sexual orientation.<sup>104</sup> Artists in the LGBTQ+ community face such threats both for their profession and for their personal identity.

Finally, political artists and creatives are at increased risk of physical harm by the Taliban. It is generally accepted that journalists and media professionals seen by the Taliban as "critical" of them would meet the well-founded fear of persecution standard.<sup>105</sup> Similarly, artists who take political stances in their works are under threat of persecution. Indeed, given the severe restrictions on artists' ability to express themselves, even simply creating and freely publishing a work of art is an inherently political act that opens one up to potential persecution in contemporary Afghanistan.

Given both the targeting of artists by the Taliban and the status of artists as a cognizable social group, individualized RSDs for Afghan artist refugees should generally result in a positive finding. However, asylum and refugee cases are still evidence dependent; outcomes are determined by the subjective biases of individual decision-makers conducting RSDs. As such, there are significant substantive and procedural variations between states adjudicating claims for refugee status, and Afghan artists are far from guaranteed to gain legal recognition as a refugee. Alternatively, there are circumstances where an entire group is threatened in a manner that would make all members of that group eligible for refugee status.<sup>106</sup> Group determination may be especially helpful in urgent crises, where processing individual applications becomes impractical or impossible.<sup>107</sup> In such cases, each member of the group would be given *prima facie* recognition as a refugee, meaning that they are considered a refugee unless there is evidence to the contrary.<sup>108</sup> It is indeed AFI's position that Afghan artists should be given *prima facie* recognition as refugees.<sup>109</sup>

It can also be argued that artists qualify for international protection as human rights defenders. The 1998 Declaration on the Protection of Human Rights defines "human rights defender" as a person "whose work promotes the realization of human rights," and obligates states to aid in their protection and relocation when necessary.<sup>110</sup> It emphasizes that any person can be a human rights defender if they "promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels."<sup>111</sup>

The rights and protections afforded to such defenders by the 1998 Declaration are supplemented by other guidelines from international, regional, and national bodies, including the 2016 European Union Guidelines on Human Rights Defenders<sup>112</sup> and the 2019 Barcelona Guidelines on International Relocation of Human Rights Defenders.<sup>113</sup> These provisions, taken together, clearly demonstrate that artists are entitled to such protections.<sup>114</sup> Freedom of expression and association, both fundamental human rights, are inherent to being an artist; as such, it can be argued that artists should be considered human rights defenders *per se*.<sup>115</sup>

#### **(4) The right to stay**

In the course of providing legal and consultation services to artists at risk who have fled abroad, AFI has spoken with many artists expressing a fear of return to Afghanistan. Article 33 of the 1951 Refugee Convention prohibits the expulsion or return (“refoulement”) of refugees and asylum seekers to a country where there are “substantial grounds for believing that there is a real risk of irreparable harm,” which includes persecution.<sup>116</sup> However, despite clear substantive international legal protection, Afghans refugees and asylum seekers in bordering or third countries cannot be completely assured that they will not be sent back to Afghanistan.

The fear of expulsion to Afghanistan is perhaps most acute from refugee artists in neighboring countries, such as Pakistan, Iran, and Tajikistan. In Pakistan, a main corridor route as well as a principal destination for Afghan refugees, state authorities have cracked down on both legal and undocumented Afghan migrants, forcibly returning roughly 34,000 to Afghanistan in 2021 despite the potential dangers they faced there.<sup>117</sup> It is important to note that Pakistan is neither a member of the 1951 Refugee Convention nor involved in the enactment of national legislation meant to protect refugees or determine the refugee status of individuals seeking international protection within its borders. In order to apply for refugee status in Pakistan, Afghans must instead go through either UNHCR or one of its partners.<sup>118</sup>

Many Afghan asylum seekers arrived in Pakistan on temporary visas, so Afghans have no choice but to overstay as they wait for their asylum claims to be processed by the UNHCR, whose efforts are stifled by bureaucratic hurdles. Unfortunately, the government of Pakistan has aggressively sought the removal of Afghans with expired status and, at the end of 2022, announced that it would not extend a general amnesty permitting undocumented Afghans

to remain in the country. The same year, Pakistan’s government began arresting musicians for lacking proper documentation, prompting protests by both Pakistani and Afghan artists who highlighted the high likelihood of persecution if they were removed to Afghanistan.<sup>119</sup>

The risk of deportation is also severe in Iran.<sup>120</sup> Although a signatory of the 1951 Refugee Convention,<sup>121</sup> the government of Iran is widely criticized for human rights violations against Afghan asylum seekers. The situation has worsened since the start of roundup operations in 2021 meant to target Afghans who lack valid documentation. The UNHCR has estimated that, as of March 2022, 65 percent of all new arrivals by Afghans at Iranian border crossings result in deportation by the Iranian authorities.<sup>122</sup> In light of these difficulties, few of the artists that AFI has spoken with have elected to cross into Iran.

#### **(5) Specialized refugee admissions**

As previously mentioned, some states conduct refugee evaluations outside their country at refugee camps. Several countries recently deployed this process in order to streamline the admissions of Afghans who assisted their government’s efforts to rebuild Afghanistan in the period between Taliban ruling regimes. Most prominently, in 2021, the US committed to resettlement assistance for certain Afghan nationals through the United States Refugee Admissions Program (USRAP). USRAP is an interagency effort between governmental and non-governmental partners that provides a US resettlement pathway for certain refugees. There are currently four USRAP processing priorities, including Priority 1 (P-1) cases referred by designated entities, such as the UNHCR, US embassies, or predetermined NGOs, and Priority 2 (P-2) cases, which are designated for groups identified as being of special humanitarian concern.<sup>123</sup> In August 2021, the Department of State announced a specific USRAP Priority 2 (P-2) designation for specific Afghan nationals who had worked for US-based entities or on US-funded programs. The designation allowed US government contractors, NGOs, and media organizations to refer former Afghan employees and their eligible family members to the program.<sup>124</sup>

Because many arts and cultural initiatives in Afghanistan were funded by the US government or run by US-based NGOs prior to August 2021, the P-2 designation immediately emerged as a primary pathway for at-risk Afghan cultural workers to relocate to the United States. In the weeks immediately following the announcement of the P-2



Afghans wait for flights at the Kabul airport in August 2021. image courtesy of Jahan Ara Rafi.

designation, AFI screened over 150 Afghan artists and cultural workers for P-2 eligibility and referred 44 of them to the program. As of August 2023, none of the artists and cultural workers referred by AFI have gained entry into the US through USRAP. This result is not unique to AFI's case referrals. Although recent data on total referrals are not publicly available, as of July 2022, USRAP had received over 45,000 P-1 and P-2 referrals. Since October 2022, only 3,584 Afghans have arrived in the US through any USRAP Priority program.<sup>125</sup> To date, AFI is aware of only a few Afghan artists admitted into the US through USRAP.

## HUMANITARIAN VISAS AS AN ALTERNATIVE TO ASYLUM

For artists who face persecution in Afghanistan but cannot flee due to financial, logistical, or safety considerations, a humanitarian visa presents a possible but limited option. Many states offer humanitarian visas for groups and individuals who are at a heightened risk of persecution but can neither exit their country securely nor obtain an ordinary visa for entry into the destination country.

These visas are short term in nature and can provide important relief to forced migrants—and their extended relatives—where no other option is available; however, they are issued at the discretion of the destination country and typically do not automatically confer a path to permanent status.

While it is beyond the scope of this report to highlight every humanitarian visa regime, it is instructive to examine a few examples of how humanitarian visas can be utilized to address the crisis in Afghanistan. The US offers the option of “humanitarian parole” to bypass the RSD process and accommodate the urgent humanitarian needs of Afghans at risk of persecution.<sup>126</sup> While humanitarian parole is entirely discretionary, United States Citizenship and Immigration Services (USCIS) prioritizes cases where the applicant demonstrates “particular vulnerabilities,” a lack of access to immigration relief, and evidence of imminent harm and persecution.<sup>127</sup> Further, the USCIS has specifically given precedence to Afghan applicants with family ties to the US and humanitarian parole can potentially be used in cases where resettled Afghan refugees abroad are seeking to reunite with family members already resettled in the US.<sup>128</sup> However, other discretionary factors, such as the likelihood that parolees can financially sustain

themselves and regularize their immigration status in the US, are considerable barriers to approval. It is also important to note that since the US has no functioning embassy in Afghanistan, it has prioritized assisting applicants that are outside the country.<sup>129</sup> Given the stringency of the criteria, to date only a small fraction of Afghans seeking relief in the US have been granted humanitarian parole.<sup>130</sup>

Germany similarly, and more effectively, deployed its humanitarian admission program (HAP) in response to the crisis in Afghanistan. Germany's HAP is designed to enable "larger groups of refugees who mostly belong to a specific nationality or group" to securely and legally enter the country for the express purpose of protecting them from a humanitarian emergency. As there are no stringent criteria for designating humanitarian admission to Germany, its federal government can designate target groups and set the number of admissions by decree following the announcement of a new HAP. In the context of Afghanistan, the German federal government prioritized the admission of individuals "working in education and academia, policymaking, the judiciary, NGOs, culture, and the media," whose professional activities placed them at risk in Afghanistan.<sup>131</sup> By including culture as a protected category, the federal government created a special pathway for artists and creative workers to seek humanitarian admission into Germany.

From August 2021 to October 2022, Germany approved humanitarian visa applications for more than 37,000 Afghans from the aforementioned groups, with nearly 26,000 Afghans resettling in the country.<sup>132</sup> While there is no precise data on how many artists and cultural workers were admitted under this program, AFI assisted 81 Afghan artists and their families, a total of 265 people, in relocating and settling in Germany through its Afghan Artist Protection Project in 2022. In October 2022, Germany announced the *Bundesaufnahmeprogramm*, or the German federal admission program for Afghans. The program provides humanitarian assistance on the ground to Afghans remaining in the country, and provides an admission process for Afghan nationals who remain in Afghanistan and face particular risk relocating to Germany. Afghans selected for admission to Germany are identified as being exposed to particular risk due to their commitment to human rights or their work in justice, politics, the media, education, culture, sports, or academia by German civil society organizations through a nomination process. Afghans who have experienced violence or persecution due to their gender identity, sexual orientation, or religion are also eligible for the program. After nomination, the German government selects



Afghans sleep at a security process center in Qatar.  
image courtesy of Jahah Ara Rafi.

Afghan nationals for admittance on a monthly basis. Selections are made according to an assessment of the applicant's vulnerability, Germany's political interest in the applicant, and the applicant's links to Germany through previous visits to Germany, family ties, knowledge of German, prior work with German authorities or projects, and support from German employers or organizations for the case.<sup>133</sup> When announced, the program was set to approve approximately 1,000 cases per month.<sup>134</sup> However, the program was temporarily halted in March 2023. At that time, about 14,000 people held admission approval and were waiting for their German visa to be issued. The program suspension created an additional backlog of 1,500 people waiting in Pakistan and Iran for their visas to be processed. After introducing additional security interviews, the German government resumed interviews of approved applicants in Islamabad, Pakistan in June 2023. Case nominations and approvals continued throughout this period but, as of August 2023, those newly approved cases were not yet being processed in Islamabad for admission to Germany.<sup>135</sup>

Humanitarian admissions for at-risk artists are not only reliant on the goodwill of the prospective host governments; they are also dependent on persistent and engaged advocacy by human rights defenders and organizations. AFI's advocacy for Afghan resettlement under the HAP is dependent on multiple organizations in Germany, lobbying the government





for the admission of specific artists and cultural workers. A key example of how individual advocacy can result in a significant impact is taking place in Switzerland, where Sabine Haupt, a writer and literature professor at the University of Fribourg, has been successfully applying for humanitarian parole for Afghan writers under a difficult immigration regime. As per Swiss immigration laws, humanitarian visa applicants must demonstrate that their “life and physical integrity is directly, seriously, and tangibly endangered in their home country.”<sup>136</sup> Belonging to an at-risk group such as artists or cultural workers is not enough to qualify for a Swiss humanitarian visa, since the threat must be individualized.<sup>137</sup> Switzerland’s State Secretariat for Migration has applied the law stringently; only 98 of 1,759 applications for humanitarian visas made by Afghans were granted by the in 2022.<sup>138</sup> In spite of the low approval rate, Ms. Haupt, with assistance from the Swiss-German Pen Center (DSPZ) and other Swiss writers, has aided dozens of Afghan intellectuals and artists in their humanitarian visa application processes.<sup>139</sup> In an effort spearheaded by Ms. Haupt in February 2022, the DSPZ submitted humanitarian visa applications for 43 Afghan writers and their families who have since safely relocated to Switzerland. While not a lawyer, Ms. Haupt prepared a dossier with documents and evidence for every application and sought out the institutional backing of the DSPZ.<sup>140</sup> This individual initiative demonstrates the extent to which one person willing to organize,

advocate, and build a coalition on behalf of vulnerable populations can make a substantial impact.

## ALTERNATIVE PATHWAYS: IMMIGRANT AND NON-IMMIGRANT VISAS

For Afghan creatives, the conventional visa process represents an important alternative to the refugee and asylum process. Artists can pursue both non-immigrant visas, which are temporary in nature, and immigrant visas, which confer permanent residency. By obtaining a visa, Afghans can avoid the lengthy and uncertain asylum and refugee process and find a more direct route to resettlement in a country of their choice. However, there are also several significant substantive and procedural hurdles to securing a visa, including getting an exit permit from Afghanistan, securing an unexpired passport, finding a sponsor in a host country, establishing the professional or academic qualifications for a visa itself, and scheduling an interview in an embassy or consulate. This section touches upon the different classification of visas that Afghan artists and cultural workers could prospectively apply for when seeking the safety of another country.

### (1) Short-term visas

Every country offers a range of non-immigrant visas for individuals seeking temporary residence for a specific purpose. Short-term options that are most relevant for artists include student and academic visas and visas based on performance, talent, and employment. Student visas are most appropriate for early career artists who desire further education to enhance their artistic practice, while academic or scholarly visas provide short-term opportunities for senior artists and cultural workers, often in the form of fellowships. While universities have played an important role providing placements to Afghan artists at risk, there are a number of complicating factors affecting whether this option is truly viable. Securing the necessary documents and evidence for admission is extremely difficult for artists living through a humanitarian emergency. They are often unable to bring personal documents and records with them when they flee persecution, or they may lose documents while in transit. In other instances, artists and cultural workers may be compelled to destroy evidence of their artistic careers out of fear that such evidence will put them at greater risk of persecution. Administrative processes also frequently

break down amidst humanitarian emergencies, making it difficult for artists and cultural workers to obtain records of past education or employment. Furthermore, unless admission includes a scholarship or funding for cost of living, accepting a place at a university could come with a considerably difficult resettlement process. Finally, individuals who have been approved for a student visa generally must demonstrate to the relevant consulate issuing the visa that they do not intend to remain in the host country permanently (as is the case with Germany and the US); should they fail to show “non-immigrant” intent they will likely be denied admission into that country. Afghan artists and cultural workers can have a particularly difficult time showing non-immigrant intent, as the acute risk to their lives in Afghanistan could be used by consulates as evidence of an intention to stay in the host country permanently.

Afghan artists can also apply for talent- or performance-based visas, which are granted based on the career accomplishments and cultural uniqueness of the applicant. Such visas provide an important opportunity for artists to hold exhibitions, filmmakers to screen their works, and musicians to perform to wider audiences. However, these visas also may require sponsorship, either through an agent, company, or institution, and proof of work engagements in the host country. Building such professional connections can be difficult for Afghan artists who have not already been abroad. Moreover, these artists will still need to demonstrate non-immigrant intent before being issued a visa. Alternatively, artists can seek employment-based visas based on being offered a secure full-time job in the host country, although many artists such as musicians, painters, and writers typically work as freelancers rather than as salaried employees. Finally, for Afghan artists seeking employment abroad, the lack of opportunities domestically can negatively impact their marketability for these visas.

## (2) Long-term visas

Artists can also pursue permanent residency based on their talent and professional accomplishments. While this option has the obvious advantage of conferring permanent residency, the level of achievement required for these visas is so high that typically only artists that have achieved international acclaim qualify.

In response to the constraints and obstacles that emerged for Afghan artists and cultural workers seeking to relocate to the United States, AFI built a US relocation program that encompasses a range of immigrant and non-immigrant visas. Since August



Jahan Ara Rafi waits at a crowded security processing center for Afghan refugees in Qatar.

2021, AFI has assisted in the cases of 35 Afghan creative professionals and their dependent family members, a total of over 90 individuals, who wish to temporarily or permanently travel to the United States to work or study.

The employment-based immigration visa (EB-1) stands out as an ideal option for artists and cultural workers looking to move permanently to the US because it provides a pathway to permanent residence. However, the strict eligibility criteria make the EB-1 visa an unlikely option for most creative professionals. Applicants must demonstrate that they have arguably reached the highest level of achievement in their field, which is an unrealistic barrier to entry for most Afghan artists and cultural workers.

For artists and cultural workers who do not fit the eligibility requirements for the EB-1 visa, AFI has pursued a range of other non-immigrant visa options, including O-1 visas for artists of extraordinary ability, P-3 visas for artists and entertainers who perform culturally unique artforms, F-1 student visas, H-1b visas for individuals traveling to the US to perform a specialty occupation, and J-1 visas for individuals participating in US exchange programs, including as professors or research scholars.

In AFI's experience, non-immigrant visa applications for Afghan nationals have been challenging to

process, including approved non-immigrant F-1, J-1, and O-1 visas for those who have been invited to study or work with renowned arts, cultural, and education institutions in the US. These creative professionals are at the top of their respective fields as artists, cultural workers, and scholars and have been identified by leading American institutions for engagement because of the benefit they would provide to the US. However, because of the humanitarian crisis in Afghanistan, F-1, O-1, and J-1 visas are frequently flagged for immigrant intent and some approved visa holders are either denied entry simply by virtue of their status as a displaced Afghan citizen or are placed in administrative processing for an interminable amount of time. Although there is an understandable need to examine the intent of non-immigrant visa applicants, this issue has created a distinction between visa applicants from Afghanistan and elsewhere. AFI has collaborated with US and international host institutions, including Bennington College, Harvard University, The New School, and the University of Pennsylvania, to find creative solutions in specific cases, including through arranging international engagements abroad subsequent to an applicant's US work or study period. However, these solutions are not always effective and many challenges remain.

As Afghan artists have been forced to flee Afghanistan, many have struggled to find viable routes out of Afghanistan and pathways to legal status in prospective destination countries. Considering the multitude of immigration regimes, it is understandable how Afghan artists need assistance in ascertaining viable options for immigration, if any indeed exist. Many artists grapple with whether they should apply for refugee status in a neighboring country, flee to a third country and lodge an application for asylum, attempt to secure a humanitarian visa while in Afghanistan, or try to secure a visa based on their artistic achievements. Ultimately, the answer will likely be different for each person depending on their situation, their country of destination, their knowledge of the legal options, and their level of trust in government officials. In truth, the reality is that most migrants are simply trying to get to safety, regardless of where that is or what label comes with it. In the next chapter, we discuss the unique challenges and opportunities that migrant artists and cultural workers face after they safely resettle in a host country.



Afghans wait at a security processing center in Qatar.  
Image courtesy of Jahan Ara Rafi.



The nightmare, Jahan Ara Rafi, 2023

Migrant artists have either been forced to destroy or leave behind artistic tools, instruments, equipment, or other objects employed in the creation of art upon fleeing Afghanistan. The loss of such items not only affects migrant artists' ability to create art, but also endangers cultural traditions from being performed, practiced, and passed down.



# ARTISTIC AND CULTURAL RESILIENCE OF DISPLACED AFGHAN ARTISTS

# ARTISTIC AND CULTURAL RESILIENCE OF DISPLACED AFGHAN ARTISTS

After successfully navigating the protracted immigration processes to reach a host country, Afghan artists enter into the next important phase of their journeys: temporary or permanent resettlement. Integration in a new country comes with both unique opportunities and challenges that can be difficult to navigate, including securing housing and social services, gaining access to professional opportunities in the local arts scene, and incorporating into the Afghan diaspora.

While asylum is a fundamental human right, it is important to note that there is no *per se* right to resettlement under international law. Instead, Afghan artists are often dependent on the host country's prioritization of refugee resettlement in its domestic policies, in particular those related to social services. This chapter will propose three specific ways that Afghan refugee artists can invoke cultural rights to advocate for an improved resettlement process. First, under Article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), all groups and individuals have the right to take part in a cultural life. Afghan artists can claim that the right to a cultural life entitles creatives to access the materials and resources necessary to enable their vital cultural and artistic expressions to continue in their host countries. Second, artists can assert that by facilitating their ability to create, host countries are also fulfilling the collective right of Afghan refugees at large to access critical forms of cultural expression within their host countries. Finally, included in the right to a cultural life is the ability to access and enjoy cultural heritage. Afghan artists and cultural workers can assert that by preserving their cultural practices, host societies are fulfilling their obligation to safeguard both the tangible and intangible heritage of the Afghan people.

In this chapter, AFI also identifies common barriers to cultural integration and preservation that migrants encounter during resettlement. Through a critical analysis of cultural rights, we provide recommendations to host governments and arts and cultural institutions with an interest in supporting migrant artists' successful integration into their adopted communities.

## BASIC SERVICES

When artists and cultural workers move to a new country, they need immediate access to basic social services in order to sustain themselves before they begin their cultural integration and restart their professional careers. Artists and cultural workers need access to safe housing and healthcare, as well as the ability to legally work in their country of resettlement. Countries that have welcomed Afghans for temporary and permanent resettlement since 2021 have provided varying levels of resettlement support. The level of support often depends on the extent to which welfare and basic social services are considered rights rather than revocable privileges. The US and Germany, where AFI has facilitated resettlement for more than 1,100 Afghan artists and their family members, represent two divergent approaches on resettlement, which are covered below to illustrate the wide range of outcomes in refugee resettlement.

As there is no right to housing in the US, many displaced Afghan artists must rely on community connections, shelters, or state-based welfare programs for their initial housing needs. Afghan creatives have to navigate through unfamiliar, bureaucratic systems in a foreign language just to determine their eligibility for such programs. Furthermore, shelters and community-based housing programs are by nature temporary, so even if short-term housing is secured there is often little time to find long-term housing. When seeking more permanent options, artists typically covet living in areas with robust arts and culture scenes and work opportunities. Most frequently, hubs for arts and culture are located in major cities that have a high cost of living, making it difficult for artists and cultural workers to live in the places where they could restart their professional careers and connect with US arts communities. The artists that AFI has assisted and interviewed for this report have uniformly expressed continued anxiety about the housing options in the US and cited it as one of the primary obstacles to resettlement there.

While the US also does not offer universal access to healthcare, many Afghan refugees, special immigrant visa holders, and humanitarian parolees are eligible for Medicaid, a government program that provides health insurance to those with limited resources, upon their arrival in the country.<sup>141</sup> Afghans that enter on visas and are not eligible for Medicaid due to their income must find health insurance coverage through their employers or through the private health insurance marketplace,

which can be costly and provide limited coverage. Medicaid also includes limited options for mental health care services, which may be a priority health concern for refugees and migrants. Having recently migrated and often struggling to find full-time work, many Afghan artists lack health care coverage or other means to cover medical costs associated with mental or physical health problems resulting from family separation or other traumas associated with forced migration. AFI spoke with a number of interview participants who shared that indefinite family separation, homesickness, post-traumatic stress disorder (PTSD), financial stress, and culture shock were negatively affecting their well-being and consequently hampering their ability to continue producing art. By offering Afghan refugees and migrants access to free or low-cost mental health services, host governments can promote their well-being during resettlement.

Finally, Afghans have the legal authorization to work in the United States if they enter on non-immigrant or immigrant professional visas, but parolees and asylum applicants must apply for an Employment Authorization Document (EAD) in order to be authorized to work.

All Afghans paroled in the US for urgent humanitarian reasons since July 30, 2021, are eligible to apply for an EAD, with the filing fee waived. Afghans paroled into the US through Operation Allies Welcome and certain Afghans paroled under Operation Enduring Welcome are considered employment authorized incident to parole.<sup>142</sup> It is important to note that asylum seekers must wait 150 days after filing their applications, while the processing time for EAD approvals can extend from six to twelve months. AFI has assisted many Afghan asylees who expressed dismay at having to wait so long before being able to support themselves through gainful employment.

Between August 2021 and August 2023, most Afghan nationals resettled in Germany through humanitarian parole, the German federal admission program for Afghans, or through the asylum procedure. Each of these resettlement pathways provides varying degrees of support for health insurance coverage, housing access, and work permissions. For those who resettled through humanitarian visas or the federal admission program, state-financed health insurance is guaranteed from the first day of arrival in Germany for the visa holder and their eligible children.<sup>143</sup> During the first 18 months of their stay in Germany, asylum seekers are provided only with limited, necessary medical treatment through the government. After this 18-month waiting period, asylum seekers are entitled to standard healthcare

benefits. The process for asylum seekers to access healthcare varies depending on the federal state and municipality concerned and how their social services are administered, which makes healthcare more difficult for some to access simply because of where they are resettled within Germany.<sup>144</sup>

Those who arrive in Germany through humanitarian parole and the federal admission program are permitted to work and seek vocational training or study in Germany upon their arrival in the country. In principle, asylum applicants in Germany are permitted to work after a three-month waiting period. In reality, the regulations are restrictive and complex and they differ depending on the federal state in which the applicant resettled. In general, asylum applicants living in initial reception centers are not allowed to take up employment, curtailing their ability to sustain themselves for months or years after their arrival in Germany. After these waiting periods, asylum applicants must apply for an employment permit each time they want to take up employment, which involves presenting a concrete job offer and description to the authorities. Employment is only granted upon approval by the Federal Employment Agency.<sup>145</sup> Afghan refugees who have been granted permanent residence, along with some Afghan asylum applicants, are eligible to enroll in an “integration course”, which includes German language lessons.<sup>146</sup> While integration courses provide useful language skills and cultural context to refugees, some voice frustration that such courses prolong their job-search.

Housing for those arriving through humanitarian parole and the federal admission program is provided through initial reception facilities. For refugees, accommodations are assigned to Afghans shortly before their entry into Germany. After entry, these individuals are eligible to apply for a three-year German residence permit; however, residence permit holders generally must remain in residence within the federal state to which they have been assigned. Individuals are permitted to move to a different region of the country only if they have been offered an employment or educational opportunity in another region of Germany.<sup>147</sup> Those who apply for asylum in Germany are also housed in initial reception facilities. After they are permitted to leave the initial reception facility, individuals in the asylum procedure are distributed across specific cities or communities, where they live in municipality-provided “community accommodation” for a period of up to two years. In certain cases, asylum seekers are accommodated in an apartment during this period. An individual is entitled to choose their place of residence within Germany after their asylum case



has been approved.<sup>148</sup> Once a refugee is permitted to find an apartment, they can apply for a subsidized apartment permit, although subsidized housing is not guaranteed.<sup>149</sup> As of July 2023, the housing crisis in Germany has made it difficult for many refugees to find housing after leaving initial reception centers.<sup>150</sup>

## CULTURAL INTEGRATION AND RESILIENCE

Through forced migration and resettlement, many refugees have to endure the involuntary loss of their country of origin and, by proxy, many of the cultural practices and traditions they cherished. They also face the jarring experience of having to transition from being a part of a majority linguistic, ethnic, religious, or social group in their country of origin to suddenly becoming part of a minority in one or all of those categories.<sup>151</sup> Such changes can have a strong impact on the migrant's identity and sense of belonging. The process of forced migration nearly always involves a degree of irreplaceable loss, such as the lack of access to beloved landmarks or unique community celebrations.

Forcibly displaced artists not only have to endure these hardships but also face devastating professional losses, including the loss of access to their own works, production and supply tools (such as cameras, easels, paints, manuscripts, or looms), income sources from their artistic practice, and vital professional networks. Simultaneously, migrant artists have to contend with integrating into a new professional landscape and introducing themselves to new audiences in their adopted countries. By understanding the cultural rights framework, displaced Afghan artists and the human rights organizations representing them can better advocate for policies aimed at assisting creative workers in coping with loss and adjusting to new professional environments. Moreover, it can instruct arts and cultural institutions on the role they can play in integrating migrant artists into the artistic and cultural landscape of the host country. Ultimately, facilitating acts of creation will not only help displaced Afghan artists through their professional transition, but will also offer new access points to the Afghan migrant community at large and play an important role in the community's cultural resilience.

### (1) The cultural rights framework

Cultural rights stem from a variety of treaties, regional agreements, and a rapidly-growing body of recommended best practices from international

bodies, national governments, and civil society organizations. While the conceptual and legal meaning of cultural rights has evolved considerably over the last seventy years, at their core these rights include "the right of everyone to access, participate in and enjoy culture, cultural heritage and cultural expressions."<sup>152</sup>

Article 15 of the ICESCR sets forth the foundational elements of cultural rights:

1. The States Parties to the present Covenant recognize the right of everyone:
  - (a) To take part in cultural life;
  - (b) To enjoy the benefits of scientific progress and its applications;
  - (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.
2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.
3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.
4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

In addition to the ICESCR, the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions also obligates state parties to protect cultural expressions, encourage participation of civil society in the creation and proliferation of cultural expressions, and strengthen international cooperation in the field.<sup>153</sup> A number of binding international agreements also contain obligations that complement cultural rights, including the right to freedom of expression guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR)<sup>154</sup> and the right to property restitution for displaced persons laid out in the 2005 Pinheiro Principles.<sup>155</sup>

Several non-binding statements have been issued providing greater definition of the implementation of cultural rights, including the 1980 Recommendation concerning the Status of the Artist<sup>156</sup> and the 2018



Nasrin Belali speaks with a reporter about her archeological work at the National Museum of Afghanistan  
Image courtesy of Nasrin Belali

Global Compact for Safe, Orderly and Regular Migration.<sup>157</sup> It is important to note that cultural rights do not solely emanate from the aforementioned treaties, conventions, and principles. They are also considered binding on all countries under customary international law, meaning any migrant can invoke these rights in their host country.<sup>158</sup>

In her 2023 report to the Human Rights Council entitled *Cultural Rights and Migration*, the UN Special Rapporteur in the field of cultural rights, Alexandra Xanthaki, emphasized that in the context of migration, cultural rights guarantee both the rights of individuals and the community in accessing and participating in the “cultural life of the society in which they live,” as well as ensuring their right to “maintain and develop their own cultural frameworks.” It is this duality that lies at the core of the experience of Afghan displaced artists that AFI has worked with and interviewed for this report. On the one hand, such artists seek to integrate into the arts and cultural apparatus of the host country; on the other hand, they also seek to express themselves within their own cultural framework, one that reflects their “values, beliefs, convictions, languages, [and] knowledge.”<sup>159</sup> Governments, NGOs, and arts institutions holding this view of cultural rights not only enable the individual right to

artistic expression of displaced Afghan artists, but also foster pluralistic expressions that give migrant creatives the opportunity to express and develop their own cultural identity. In doing so, they also support migrant Afghans at large to engage with cultural expressions that advance their integration and cultural resilience.

At the global level, international bodies and civil society organizations can also support in actualizing the cultural rights of migrants. For example, the treaty bodies that implement the ICESCR and the ICCPR are empowered to issue recommendations on artistic freedom.<sup>160</sup> Similarly, the Committee for the Elimination of Racial Discrimination can comment on cultural rights violations and recommend courses of action.<sup>161</sup> In addition, some UN Special Rapporteurs provide support in monitoring artistic freedom and cultural rights in certain jurisdictions through reports and country visits.<sup>162</sup> The United Nations Educational, Scientific and Cultural Organization has a robust monitoring system under the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which requires 149 state parties to submit a report every four years on the state of artistic freedom and diversity of cultural expressions in their jurisdictions.<sup>163</sup> Civil society organizations and advocates routinely contribute to such monitoring

efforts and other means of supporting policymakers in the implementation of cultural rights and artistic freedom. Cooperation among actors in this space can lead to better information sharing and stronger protections for migrant communities.<sup>164</sup>

## **(2) Afghan artist integration: Opportunities and challenges**

Migrants often encounter a multitude of challenges when attempting to integrate into a new culture, including knowledge of the local language, access to professional networks, and the ability to receive grants and funding. As detailed in the interviews below, Afghan artists felt that without specialized programs designed to assist in their professional integration and advancement, they were at a significant disadvantage to domestic artists and cultural workers who, in contrast, were well-situated within their country's cultural apparatus.

In the first instance, language barriers pose a significant hurdle for artists and cultural workers, as effective communication is crucial for forming connections, advancing professionally, accessing essential services, and integrating into the new culture. In the US, language learning support for migrants is minimal. While language support varies by state, with some offering free language courses through local schools or community colleges, there is no national initiative to provide language support to migrants. Civil society organizations provide a majority of free social services, like language courses, to recently resettled migrants. Consequently, a majority of migrants lack the opportunity to develop their knowledge of English.

For migrant artists, proficiency in the host country's language is essential for them to be able to participate in events or exhibitions with local venues or institutions, collaborate with peers in their field, take advantage of professional or teaching opportunities, learn about their new country's cultural history and traditions, and connect with new audiences. Afghan artists in AFI's network had varied experiences with language support during resettlement. For those that arrived in the US on work visas for arts or cultural fellowships at universities, language classes were donated by their employer institutions. Nasrin Belali and Sharif Jamal spoke positively of the free language support they received, stating that fluency in English was helping them to expand their network and professional opportunities in the US. For Afghan artists that arrived in the US on humanitarian parole, however, English language courses were generally too expensive and less accessible. Jahid Karimi enrolled in an English-as-

a-second-language course at a community college in the state of Washington when he first resettled in order to improve his professional opportunities in music and his ability to communicate with American audiences; after three months, he had to drop out of the courses because his delivery job—one of the few he could find that did not require English fluency—scheduled him for exceptionally long hours. Ahmad Fanoos said that he was unsure where to find low-cost language courses for adults and that the few options he had found online were too time-consuming and cost-prohibitive.

Host governments can support Afghan artists and cultural workers' language development in several different ways. They can offer free or low-cost language courses at public community colleges, subsidize courses at local schools and universities, and/or support civil society organizations that offer targeted aid to recently resettled refugees. Host governments should be clear about when and where recent migrants can access language support courses so that migrants can enroll and reap the benefits of language instruction as soon as possible.

In addition to language barriers, migrant artists and cultural workers face a number of professional barriers to restarting their careers in their host countries. As mentioned above, many Afghan artists that were forced to flee the Taliban lost access to professional networks, including colleagues, institutions, patrons, and audiences that supported their work. Transferability of professional and academic degrees and other credentials may also pose a challenge for Afghan artists or cultural workers seeking employment at prominent arts and cultural institutions or at universities, which may not recognize the validity or equivalence of their education or experience.

Arts and cultural institutions, including performance venues, museums, and universities, can support Afghan artists by providing opportunities for at-risk artists that have resettled in their countries. Having lost their professional networks, Afghan artists and cultural workers would benefit greatly from residency, fellowship, research, and employment opportunities at arts institutions. By providing specialized consideration for these opportunities, Afghan artists would be able to make important connections with colleagues in the field, gain professional credentials recognizable to future employers or patrons in the host country, be exposed to the host country's cultural traditions and practices, adjust to a new professional culture in a supportive environment, and continue to grow and expand their artistic practice and/or skill sets.



Sharif Jamal is working as an archivist at Bennington College.  
This photo belongs to Archive Day, October 11, 2023,  
at Crossett Library, Bennington College

The host institutions would similarly benefit from the Afghan artists' cultural perspectives, professional expertise, and unique artistic contributions. For example, AFI has partnered with The New University in Exile Consortium to place 10 Afghan artists in one-year fellowships at The New School. So far, fellows have engaged with students and faculty at The New School through short-term courses, artist talks, performances, and events. The fellowship allows artists the opportunity to expand their professional network in the US, while providing the time and space for them to continue their own artistic practice.<sup>165</sup>

At later stages in the migration and integration processes, respect for cultural rights could mean creating opportunities for the host society and migrant communities to engage with one another's cultural expressions.<sup>166</sup> For example, the annual One Journey Festival at the National Cathedral in Washington, D.C. showcases refugee artists from around the world, including Afghan artists, to facilitate cross-cultural connection, learning, and allyship.<sup>167</sup> The existence of "common spaces where interaction happens organically is essential" to both migrant communities and host communities.<sup>168</sup> Spaces like libraries, museums, and schools can facilitate sharing of cultural heritage, personal and collective histories, and more.<sup>169</sup> In many cases, municipal and local authorities may be "best equipped to create meeting places that are conducive to the establishment of a climate of community, trust and proximity between migrants and the host society."<sup>170</sup> Finally, governments at

all levels can actively work to educate the public about migrant journeys, communities, and cultures.<sup>171</sup> When states take these actions in consultation with affected migrant communities, they serve to strengthen the cultural life of society at large, regardless of immigration status.

## CULTURAL PRESERVATION FOR DISPLACED COMMUNITIES

As detailed throughout this report, migrant artists have either been forced to destroy or leave behind artistic tools, instruments, equipment, or other objects employed in the creation of art upon fleeing Afghanistan. The loss of such items not only affects migrant artists' ability to create art, but also endangers cultural traditions from being performed, practiced, and passed down. Under the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage, states are obligated to protect a variety of artistic and cultural traditions. The Convention defines intangible cultural heritage as follows:

"the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage".

With respect to the arts, intangible cultural heritage includes "oral traditions and expressions," the "performing arts," "festive events," and "traditional craftsmanship." The Convention has achieved widespread support and, to date, has been ratified or approved by 180 countries; notably, this does not include the United States.<sup>172</sup>

Host countries that facilitate migrants to continue producing art can fulfill their international obligation to safeguard intangible cultural heritage. Almost immediately upon resettlement, Afghan artists must contend with both the loss of access to their country's cultural heritage and the material loss of their tools of artistic production. Indeed, many forcibly displaced migrant artists must flee with little-to-no notice and cannot bring their creations or their production tools with them. The inability to bring artistic tools, instruments, or other objects from home may also endanger the existence of certain artistic traditions if the artist cannot continue practicing and passing on their knowledge to others without them. Host governments can support the cultural rights of migrant artists by ensuring that they are not deprived

of their personal belongings at the border or at any other stage of the migration process.<sup>173</sup>

Afghan cultural preservation can also be facilitated through the creation of participatory programming that introduces Afghans' artistic and cultural traditions and practices to the host community. Many of the artists and cultural workers that AFI spoke with for this report emphasized that having a new audience was impacting their artistic practice. While some embraced this as an opportunity for growth and to explore new themes, others expressed concern that their more traditional and culturally specific artforms might not have a place in their new society. Host governments can support Afghan artists in this situation by funding programming to introduce the artistic and cultural traditions of diaspora and at-risk artists to the public. Similarly, arts and cultural institutions can support diaspora and at-risk artists by hosting exhibitions and events that feature their work. In doing so, the arts institutions would not only benefit the artists at risk, but would also deepen their commitments to diversity in the arts and cultural preservation.

It is important that host governments and arts and cultural institutions not only create new opportunities for displaced artists, but also support and revitalize existing networks and projects. One successful example is the Center for Contemporary Arts Afghanistan (CCAA) and the CCAA in Exile. In 2004, the CCAA was founded in Kabul by Rahraw Omarzad to foster the visual arts community in Afghanistan, to provide training and exhibition opportunities to young Afghan artists, and to promote free expression, especially by women artists. The CCAA faced many threats throughout its history in Afghanistan and was forced to close down the public-facing side of the organization in 2016.<sup>174</sup> Many of the artists involved with the CCAA have relocated to Europe since August 2021 and are now organizing the CCAA in Exile in Germany, which aims to link exiled artists to each other, coordinate support from European governments and organizations for Afghan arts and cultural initiatives, and provide direct training and support for resettled Afghan artists.<sup>175</sup> Because the CCAA in Exile builds from the existing networks, expertise, and cultural knowledge of displaced Afghan artists, it is well positioned to coordinate international support efforts and to respond to the developing needs of the Afghan artist diaspora community.

Host governments and arts and cultural institutions have already begun to benefit from participatory programming to showcase Afghan art. For example, a digital exhibition project entitled "Hidden



Statement - Art in Afghanistan" at the Nassau Art Association in Wiesbaden, Germany, curated by Yama Rahimi (AFI's resettlement coordinator in Germany and an Afghan-German artist himself), created a valuable space for Afghan artists that are in Afghanistan to share their experiences on the ground.<sup>176</sup> The exhibit establishes a unique virtual space that connects artists in Afghanistan with their peers in the diaspora. At the same time, the exhibit facilitates public discussion and the dissemination of Afghan art in Germany.<sup>177</sup>

Participatory public arts projects also make a positive impact on both the host community and the migrant community hoping to regain access to their culture. For example, in the state of Vermont, local officials and Afghan artists worked together to develop 17 murals throughout the town of Brattleboro to welcome refugees and inspire connections among host communities.<sup>178</sup> In Indiana, locals collaborated with more than 50 Afghans to develop a moving mural at the Indianapolis airport that shares the culture and stories of Afghan migrants.<sup>179</sup> Meanwhile, in Australia, a Sydney exhibit highlighted the stories of 21 Afghan women,<sup>180</sup> while a fundraiser in Melbourne focused on raising money for the Afghan crisis through digital artwork auctions.<sup>181</sup> These collective movements are vital for connecting communities, developing a sense of belonging, and preserving storytelling and traditional forms of expression.

By enabling artists and creative workers to act as vessels of Afghanistan's cultural heritage,

governments, NGOs, and arts and cultural institutions make an important contribution in preserving traditional Afghan artistic traditions while enhancing the resilience of Afghan creative and diaspora communities. Ultimately, programs aimed at improving integration and resilience must account for, and be informed, by Afghan voices, which are best situated to articulate how displaced artists and cultural workers can best be supported.

The next chapter focuses on examples of these voices by charting the journey of nine Afghan artists and cultural workers who fled Afghanistan and have since resettled in other countries.



The Anemone, Jahan Ara Rafi, 2023

A black and white photograph of several hands with intricate henna designs. The hands are positioned in a way that suggests they are being held or shared. The henna patterns are detailed and cover the palms and fingers. The background is dark, making the hands and the pink text stand out. The text is in a bold, sans-serif font and is arranged in a vertical stack, reading from top to bottom: "LIVED EXPERIENCES:", "AFGHAN ARTISTS", "AND CULTURAL", "WORKERS", "SHARE THEIR", "JOURNEYS".

LIVED  
EXPERIENCES:  
AFGHAN ARTISTS  
AND CULTURAL  
WORKERS  
SHARE THEIR  
JOURNEYS



# LIVED EXPERIENCES: AFGHAN ARTISTS AND CULTURAL WORKERS SHARE THEIR JOURNEYS

In the previous chapters, we highlighted how existing immigration pathways both enable and constrain the mobility of artists that find themselves in crisis. Having facilitated the cases of more than 1100 artists through our Afghan Artists Resettlement Project (AAPP), and being aware of the ongoing need for resettlement assistance for thousands more Afghan artists remaining in country, AFI is intimately aware of the personal and professional challenges that the experience of crisis, forced migration, and resettlement poses for artists, cultural workers, and their families. With the intention of highlighting the real-life impacts of the political crisis and subsequent forced migration, AFI interviewed nine Afghan artists and cultural workers from within our network that have resettled in the US and Canada following the political upheaval in Afghanistan in August 2021. We had the privilege to speak with Ahmad Fanoos, *renowned musician and vocalist of the Fanoos Family Ensemble*; Jahan Ara Rafi, *visual artist*; Jahid Karimi, *musician and vocalist*; Nasrin Belali, *archaeologist, curator, and formerly a managing curator at ANM*; Omaid Sharifi, *“Artist” and President of ArtLords*; Sahraa Karimi, *filmmaker, director, and formerly the director general of the Afghan Film Organization*; Shaista Langari, *visual artist and women’s rights activist*; Sharif Jamal, *visual artist, archivist, and former manager of film preservation at the Arg*; and Yama Farhad, *visual artist and muralist with ArtLords*.

Our conversations with the nine selected artists and cultural workers were broad in scope, covering their careers in the arts in Afghanistan, the events of August 2021, their experiences of migration, and the process of resettling and rebuilding their careers abroad. Based on the unique stories of our interlocutors, we outline four phases of the political crisis from the perspectives of Afghan artists and cultural workers: working conditions in the creative sector from 2001 to 2021, the onset of the political crisis in August 2021, flight and migration, and resettlement and integration abroad. Through the retelling of their journeys, we aim to draw attention to the issues related to forced migration that our interlocutors emphasized as having been the most pressing for themselves, their families, and their peers and to share their insights into how the migration and resettlement process may be improved for the benefit of artists at risk.

# WORKING CONDITIONS IN THE CREATIVE SECTOR FROM 2001 TO 2021

Following the Taliban’s ousting by American forces in 2001 and the subsequent establishment of a new Afghan government based on democratic principles, Afghan artists across all disciplines became the vanguard for the development of free expression and human rights. Having been heavily censored and persecuted, and with some having witnessed harm or death befall their colleagues under the previous Taliban regime, Afghan artists courageously re-emerged under the new government to rebuild the country’s decimated arts and cultural sector while simultaneously re-establishing their own artistic practices and careers, which had either been dormant or developed in secret under Taliban rule. The artists and cultural workers that AFI spoke with remembered with pride the strides that were made in Afghan arts and culture in the two decades following the Taliban’s 2001 defeat. They emphasized that the establishment of new arts institutions, the flourishing of artistic practices, and the inclusion of women and girls in arts and culture was only made possible by the legal protections and progressive policies established under the new government. *“There was progress because of the system,”* renowned musician and vocalist, Ahmad Fanoos, shared, *“The system was democratic at the end of the day, and that allowed the progress to happen. For example, the Afghan National Institute of Music was established during that time, and that was a big step forward for Afghan music. During that time, we were still receiving threats [and attacks...] but the system was enabling growth, and [that’s why] more musicians and artists were making performances and artistic collaborations.”*

While the development of the arts and cultural sector and the strengthening of free expression during this period was significant, AFI’s interlocutors also shared that the sector’s overall growth was limited by ongoing societal opposition to secular art and artists, as well as the new government’s inability to offer protection in the face of frequent security threats. According to our interlocutors, extremist groups routinely targeted artists and cultural workers through written and verbal harassment, including threats of harm or death, physical harassment and violent aggression, and bombing attacks. President of the muralist group ArtLords, Omaid Sharifi, said that fear for one’s safety was part of an Afghan artists everyday life during those years.

"When I left my house in the morning," said Sharifi, "I was not sure that I was going to come back alive [...] There were many days when I crossed a road and there were explosions one minute later." Visual artist and muralist with ArtLords, Yama Farhad, echoed Sharifi's sentiments. They shared some examples of harm and threats that they and other members of ArtLords faced for their work: some of their colleagues were wrongfully imprisoned, two were physically attacked by extremists, Sharifi received numerous death threats over the phone, and Farhad once had the laser of a sniper rifle aimed at his head while he was painting a mural—a project that he ultimately abandoned for his safety and that of his crew.

Arts and cultural institutions were also frequent targets of extremists' threats. Filmmaker, director, and former director general of the Afghan Film Organization, Sahraa Karimi, described regularly receiving governments warnings about bomb threats against her and the Afghan Film Organization, "I received [several] written threats [from the Taliban], and they also called the Ministry of Culture to threaten me [...] [government] security always called me and told me 'you shouldn't go to the office, you shouldn't drive your car [...] it's dangerous.' [The Taliban] was killing government employees and artists and filmmakers, so there were many reasons for them to kill me. [...] I never shared this with anyone because I didn't want to discourage my colleagues, especially my female colleagues, but it gave me huge stress." Speaking of the psychological impacts of such harm, Omaid Sharifi said that constant fear for their lives and safety caused many Afghans artists to self-censor to some degree, "Even though we could do this work, most of us were afraid [and we asked ourselves,] 'If I go too far, will I be safe?' This was the fear in our hearts."

While Afghan women saw some success in the arts under the new government, many struggled to establish their careers due to societal prejudices against both artists and professional women. Archaeologist and former managing curator at ANM, Nasrin Belali, described receiving regular criticism for working in the arts, "The older generation always told me, 'you should sit at home, you should not work, you are a mother, you should do your housework and raise your children.' That was the mindset of most people. Every woman in Afghanistan faced this." Similarly, during her time as an arts teacher at a local school for girls, visual artist Jahan Ara Rafi described being harassed by a taxi driver, who said to her, "You women have created lots of problems in Afghanistan. We wish for the time to arrive when we will see all of you women sit at home and stay there."



Nasrin Belali at her new office at Harvard Art Museums  
Image courtesy of Nasrin Belali

Women who managed to establish a career in the arts despite societal and systemic obstacles faced resistance in their work. Sahraa Karimi, who lived abroad for most of her life before returning to her native Afghanistan in 2015, described becoming acutely aware of the role her gender played in a professional setting when she returned and became the first-ever female director general at the Afghan Film Organization. "[Before moving to Afghanistan] I didn't look at myself as a woman, I saw myself as a professional person with a doctorate, with experience, who has lived in Europe and who has different views. [...] I thought they would welcome me, but when I went to Afghanistan, they didn't look at me as a professional filmmaker or an academic, they looked at me [first and foremost] as a woman. My gender became a block for any kind of activities that I wanted to do." She described facing pushback during her time as the director general from male employees who did not want to see a woman in a leadership role, "They didn't do the jobs that I gave them or complete their tasks. [...] some of them even told me 'You are a woman, you cannot tell us what to do.'"

Looking back on the period between 2001 and 2021, Karimi summarizes the challenges that both artists and cultural workers lived with, including societal



prejudices and security threats: “During those past twenty years, we said that we were living, but we were living under really stressful circumstances. The Taliban was with us [all those years] too.”

## THE ONSET OF THE POLITICAL CRISIS IN AUGUST 2021

The fall of Kabul to Taliban forces in August 2021 marked a moment of profound upheaval and fear for Afghanistan’s artists and cultural community. Remembering the Taliban’s violent persecution of artists under their previous regime, the Afghan artists and cultural workers that we spoke with reported feeling that they were in imminent danger when the Taliban regained control of Kabul.

Nasrin Belali described the day she learned that Kabul had fallen to the Taliban, “It was a very bad experience and they were unforgettable days for all of us. All of the city, everywhere, was just sad. Everywhere you looked, things were not normal. Everyone was afraid, and everyone felt that something bad was going to happen. In the museum, some of the women [didn’t come to work]. Because I was the one that was responsible for the

big collection, I had to come to the museum. We covered ourselves with a long shawl and we went to the museum. Everybody was just talking ‘what will happen, what will happen.’ Especially the girls and the women, everyone was saying ‘this is not fair, we will just have to stay at home, all of our education and all of our work is just destroyed and we are nothing now.’ It was a bad time, everyone was afraid. [My family and I] didn’t know what would happen to us. Where should we go? Where should we hide? How will we [get there]?”

Archivist and visual artist Sharif Jamal, who worked at the Arg film archive, detailed August 15 as a day filled with loss and despair for artists and cultural workers. Given the ousting of the previous government—and aware of the Taliban’s antipathy towards those employed by the previous government—Jamal says he and his colleagues knew that it would be unsafe to return to their jobs. Jamal, like many other cultural workers employed at public institutions, lost their jobs and any salaries that were owed, leaving them with no way to support themselves under Taliban rule. He said, “When Afghanistan collapsed and the Taliban returned to power, on that day I was at the Presidential Palace [...] I couldn’t believe that the Taliban would [take over], but unfortunately, they did. Everyone at the archive was filled with fear [...] On that day I lost everything, I lost my hope, I lost my job, and [...] I fled Kabul.”

According to our interlocutors, many Afghan artists and cultural workers became priority subjects for house searches and arrests. Most of our interlocutors immediately fled their places of work upon hearing the news of the takeover, urgently seeking a place to hide while they searched for a way out of the country. Sahraa and many of our other interlocutors, including Omaid Sharifi and Shaista Langari, learned that their houses had been searched by the Taliban within days or weeks of the takeover. Karimi said, “The second day [after they took over Kabul, the Taliban] came to my house. They went to my brother’s house, and they went to my assistant’s house, but I had taken [them both] with me.” Karimi learned later that her apartment has since been boarded up, leaving her unsure of what remains inside the apartment and what may have been seized. She described the pain related to the loss of her home as a pain felt on both a collective and individual level. “[The Taliban] boarded up my apartment. I was sad, very sad. I left, we all left, this is something that all Afghans did, we left. This was a collective pain. But then I heard that they went after my things [...] and nobody had a right to do that. [...] That was an individual pain.”



Ahmad Fanoos plays in concert with the Fanoos Ensemble in the United States

## CONDITIONS FOR ARTISTS UNDER TALIBAN RULE

Many Afghan artists and cultural workers that wished to leave Afghanistan for their safety when the Taliban returned to power in 2021 faced insurmountable obstacles: they did not know where to search for migration options, they did not meet eligibility criteria for temporary visas and other forms of relief abroad, they were unable to afford expensive visa applications and flights out of the country, or their visa cases pended indefinitely. For those that have been unable to leave Afghanistan, life under Taliban rule is bleak.

Omaid Sharifi described the situation for his peers that have been unable to leave the country, but can no longer safely work as artists, *“Art is banned in a way which makes it impossible for our artists to paint a mural, the only things that can be painted are Islamic calligraphy or verses on Sharia law, so there is nothing else they can do besides that. To be honest, most of our artists are starving because their livelihoods are gone. There are no art organizations to buy their art, there is no money for people to buy art with, because the poverty is very bad. Everyone that I know that is there wants to leave Afghanistan.”*

According to AFI’s interlocutors, creative

professionals that remain in Afghanistan live with a constant sense of fear as reports continue to surface of Afghan artists being publicly shamed, harassed, beaten, imprisoned, and even killed by Taliban authorities since the takeover. Others were directly threatened by Taliban authorities following the takeover, including a colleague of Ahmad Fanoos: *“He was beaten up by the Taliban recently and received threats. They asked him if he was a musician, and he said he wasn’t, but they told him that they saw his pictures on social media playing keyboard in concerts with me, that’s also why they beat him up. They basically threatened him saying that they wouldn’t hold back if they saw him playing music again. “Luckily,” he had already burned his instrument, so that they wouldn’t think he is still making music at home.”* When asked how his musician colleagues are surviving in Afghanistan, Fanoos said that they no longer play music at all out of fear for their safety. Having lost their careers, he said, they are now dependent on help from international aid organizations. Jahid Karimi, another musician, similarly noted that his former colleagues remaining in Afghanistan no longer work as musicians either; instead, they work as taxi drivers or in other service jobs to make ends meet while they search for a safe way to leave the country.

The artists we spoke with expressed profound distress for the well-being of the Afghan women artists that remain in the country. *“Female artists are*



Omaid and Lima, ArtLords board members paint a mural in Washington, DC on the 1<sup>st</sup> anniversary of Kabul falling to the Taliban  
Image courtesy of Omaid Sharifi

confined to their homes," said Omaid Sharifi, "They cannot go out, they cannot go to parks, they cannot go to work, they are literally in a prison right now." Sahraa Karimi, who is still in contact with some of her former cinema students, says that her female students in particular struggle to stay engaged with art in such dire circumstances, but she encourages them to keep studying film and script writing in private, in hopes that someday the regime will change and they will be able to pursue careers in the arts. She shared, "I have hope that some of them will get out, and [even] with the small knowledge that they have, they could go ahead with their dreams and plans to become filmmakers or scriptwriters. My main aim is to help them not to lose their dreams, and [secondly] I want them to know that I am with them and that we are with them."

## IRREPLACEABLE LOSS

For the artists and cultural workers that AFI spoke with who were able to identify and take advantage of safe migration pathways out of Afghanistan, the need to flee quickly resulted in incalculable losses. All of the artists that AFI spoke with were forced to leave behind, hide, bury, or destroy their art following the Taliban takeover for fear that the works would be used to justify imprisonment or harm against themselves or their family members. Such losses come with steep professional and personal

consequences for the artists, as well as invaluable losses for arts and cultural institutions.

Forced to flee without their artwork, many artists lost access to irreplaceable original works and thousands of dollars worth of work products and equipment. Visual artist Jahan Ara Rafi, whose artworks are featured throughout this report, was only able to bring three books with photos of her canvases in them when she left Afghanistan. Rafi reported leaving behind nearly 100 full-size canvases, representing more than 80 per cent of her life's work. For visual artists like Rafi, loss of their canvases and raw materials is not only an intensely emotional loss; it also represents the loss of potentially thousands of dollars in income, of opportunities to participate in exhibitions or gallery events, and the ability to efficiently re-establish their careers abroad. Rafi, who has since resettled in the state of Virginia, described the negative consequences that the loss of access to her artwork has had on her ability to re-establish her career as an artist in the US "[When I arrived here] I wanted to immediately start making art, but I did not have my raw materials here so I could not produce anything. I did not have my paintings with me anymore, so I could not make any revenue on those. [If I had those things with me,] I would have started making art again as soon as I arrived here." Sahraa Karimi similarly left behind most of her professional belongings, including her cameras, hard drives, films,



Sharif Jamal and his wife, Nahida, visit Times Square in New York City after relocating to the US.  
Image courtesy of Sharif Jamal.

filming equipment, and laptops with her work on them. Because filmmaking is a more collaborative artistic medium than others, Karimi still has access to her released films through producers and colleagues with digital copies, but the loss of her cameras and filming equipment set her back by thousands of dollars. Some of the items that she left behind, such as original film or hundreds of hours of additional footage, are irreplaceable.

Artists that had to leave behind, bury or destroy their artworks described it as an emotionally painful and demoralizing process. On an emotional note, Sahraa Karimi described the pain of leaving behind her visual art collection, which she had accumulated over a ten-year period by commissioning young Afghan painters at the start of their careers. She shared her concerns that those works may have been destroyed by Taliban forces when they searched and boarded up her apartment. *“Those artworks, they should not be destroyed. They belong in a museum. My aim was to show them to people, to put them in an exhibition, or to give them to a museum. But I don’t have access to them anymore. It’s not about the financial value of them. It’s about [their inherent value].”* Omaid Sharifi described having to close the ArtLords gallery and destroy artworks for fear that Taliban authorities would find the works and use them as incriminating evidence against their artists. *“On August 15 I was in Kabul”* Sharifi said, *“we were there painting a mural when the Taliban came in, so it was that close that we were still continuing our work. We were forced to*

*close our gallery, and we had to break our sculptures, because we could hide the paintings but we had very big sculptures that we could not hide at the gallery. [...] Some of our artists had to burn down their work, because they were really fearful of what [the Taliban] would do. So our offices closed down, our gallery closed down.”* ArtLords, which created more than 2,200 murals since its inception, also recounted learning of the Taliban’s erasure of their work. Their murals were created through a collaborative process with local communities and, according to Sharifi, a majority of them depicted messages about human rights issues, including poverty, corruption, and equal access to education for women and girls, among other topics. *“When the Taliban came in,”* Sharifi shared, *“even before they announced their de facto government, they started destroying the murals. Now, most of these 2,200 murals are gone; [the Taliban] painted over them in white or with propaganda messages, but the white walls, too, are a message.”*

The erasure of these collaborative works, specifically created as a public good, represents the erasure of thousands of Afghan voices and their messages of hope for their communities. Farhad explained that members of ArtLords, as a socially engaged and progressive group of activists, particularly lamented the censorship of the murals that communicated the importance of women and girls’ equality and access to education, and that they were later devastated by the political attacks on women and girls by the Taliban in the months that followed. *“They destroyed*

*or covered almost all of our art. Kabul did not fall once for us, it fell three times: The first time was when the Taliban took it, the second when they destroyed our paintings, and the third time was when they banned our girls from going to school."*

The cultural workers that AFI spoke with said that most of their colleagues either fled Afghanistan or are in hiding. They shared that most arts and cultural institutions are now directed and staffed by Taliban authorities, as opposed to experts in the field. These abrupt changes in the leadership, administration, and staff represent a loss of invaluable expertise and institutional knowledge in Afghanistan's arts and cultural sector. Cultural workers expressed deep concern for the preservation of the irreplaceable Afghan cultural objects they left behind at museums, archives, and heritage sites. Nasrin Belali, former managing curator at the National Museum of Afghanistan said she fears for the non-Islamic art, sculptures, and other cultural objects in the museum. *"The Taliban is now in control of everything [...] we are afraid for our precious culture. We do not know what will happen to it, if they will destroy it."* Sharif Jamal, former managing archivist at the Arg, expressed concern that the Taliban's campaign to assert ideological control over Afghanistan's major arts and cultural institutions will result in the neglect and deterioration of cultural archives. After receiving news that the Taliban had taken over Kabul, Jamal left the presidential palace as quickly as possible for his safety and now grapples with his worry over the future of the archive, *"I turned off the electricity; I turned off the repository and I checked it; I closed the windows. When I left my office, I locked the door. After that, I don't know what happened. I don't know what the Taliban's plans for the film archive are [...] I'm very concerned about [the film] because now there is no skilled person to manage the repository."* Jamal explained that the film negatives will degrade if the temperature and light exposure are not properly monitored and maintained. Though the new iteration of the Taliban regime has pledged to respect and preserve Afghan cultural heritage, Belali and Jamal doubt that it has the resources and the expertise needed to do so.

## FLIGHT AND MIGRATION

Aware of the Taliban's violent antipathy towards them, Afghan artists and cultural workers had to take immediate action to identify pathways to safety after they learned of the Taliban's takeover of Kabul. As Afghan artists and cultural workers lost access to their jobs, homes, offices, bank accounts, and other assets in the span of mere days, immigration visas

became an invaluable currency for at-risk groups.

Our conversations with creative workers revealed that previous travel experiences abroad contributed to the artists' resilience during the crisis. Artists and cultural workers who had been able to establish their careers internationally were at an advantage when seeking a pathway to safety as they possessed the necessary evidence to secure talent-based or professional visas, including well-documented portfolios of their professional achievements and accolades, and sponsors in the form of arts and cultural institutions. Further, their well-developed English language skills and prior experience living abroad prepared them in advance for the move. Dual citizenship became an immediate ticket to safety for some, like Sahraa Karimi, who is also a Slovakian citizen and was therefore able to flee to Europe immediately. Similarly, pre-existing visa or immigration options became a fast-track option to safety for others, like Shaista Langari, whose husband was in the US on a scholarship program visa on which she was allowed to apply for derivative status. As such, she was able to reunite with her husband shortly after applying for a non-immigrant visa for dependents (J-2) in Islamabad. Artists and cultural workers who had previously held visas—for study, cultural exchange programs, or prior work experience abroad—were able to reapply for visas and get through security vetting processes more efficiently. Many of our interlocutors were listed as priority evacuees with eligibility for humanitarian parole to the US, Europe, and elsewhere because of their connections to humanitarian NGOs, the media, or foreign governments.

When asked how they found and evaluated immigration pathways, many of our interlocutors emphasized how difficult it was to know where to begin. Shaista Langari recounted how she identified a number of options, but was frustrated with how uncertain each of them were; *"I had two possible options to leave the country because of my previous professional background when I worked with two international NGOs. They were trying to support their at-risk colleagues to be evacuated. I could have possibly been evacuated to a country in the EU or North America with their support, but I was not sure how that would be and when it would happen. I had a more certain opportunity from my husband's scholarship program. He had left Afghanistan before everything happened with the Taliban on a Fulbright scholarship. Fulbright generally does not help dependents to come to the US, but due to the extraordinary circumstances in Afghanistan, they made an exception for me. Through this, I was able to apply for a J-2 visa as a dependent. I didn't know*

Sharif Jamal develops monotype and batik works for an exhibition at the Faculty of Fine Arts in Kabul.  
Image courtesy of Sharif Jamal.



*if I could get the J-2 visa from Islamabad, Pakistan but I decided that I had to take the chance. I left Afghanistan [with the intention] of using my first chance to try and get the US visa. If that didn't work, I would have to wait for other opportunities. My other colleagues had pending cases in North American and European countries while they waited in a second country, like India or Pakistan, but a positive outcome wasn't guaranteed. They only had case numbers, which are positive indicators, but the case outcomes are not certain, and the process could take six months, a year, or even more."*

For many Afghan artists and cultural workers, seeking immigration support was a protracted process. Sharif Jamal went into hiding for more than two years before he was able to access an immigration pathway. Having worked and lived in Afghanistan most of his life, identifying immigration options, assessing visa eligibility, and collecting immigration documents was difficult. As mentioned above, Jamal, who previously worked at the Arg, was unable to safely resume work for fear that he would be targeted because of his associations with the old regime or because of his status as a cultural worker, leaving him without a salary and limited resources. Jamal described the two-year period of waiting as emotionally and financially trying, *"Most days I did not leave the house. I changed my appearance because of the Taliban rule. I grew my beard long and changed my clothes just so that I could go to the market sometimes."* Struggling to stay positive under such stressful circumstances, Jamal said that

he was unable to turn even to art as an outlet, *"I wasn't able to work because the situation was so bad. I [was not able to sustain a good enough] mood to produce art, because we had lost everything. The future was so dark. I still see the future as so dark in Afghanistan."* After two years, Jamal received an offer of work sponsorship from Bennington College in Vermont. Due to the Taliban's restrictions on women's movement without a male guardian, Sharif first had to travel to Iran to escort his wife back to Afghanistan in order to get their travel documents approved, a process that he described as dangerous and nerve-racking.

Afghan women artists and cultural workers faced gender-based barriers to mobility. The Taliban's restrictions on women's movements have made it very complicated, dangerous, and expensive for women, and those with women family members, to leave the country. Shaista Langari left Afghanistan days after the Taliban had announced travel restrictions for women without male guardians. *"Leaving the country is a painful feeling, but [figuring out] how to leave was a big challenge for me and I was alone. Three days before I left the Taliban announced that all women should have a male accompany them to leave the country and have a valid reason to leave the country. [Through a connection at the airport] I was able to leave the country without [a male guardian]."*

A number of Afghan artists and cultural workers had to wait indefinitely in a third country while their visa applications were being processed, a process that they described as filled with uncertainty and stress. Archaeologist and former managing curator at ANM, Nasrin Belali, who had worked with Harvard art museums on archeological projects, received a fellowship offer from the Harvard Scholars at Risk Program at the outbreak of the crisis. However, due to ongoing explosions and a lack of flights at the Kabul airport, Nasrin and her family were unable to leave during the initial evacuation window and they had to wait until a neighboring country reopened immigration to Afghans. After one month, Pakistan opened visas to Afghans; after applying and being approved, Nasrin and her family went to Islamabad to try and apply for their visa at the US embassy there. When they arrived, US immigration was still not open to Afghans, so Nasrin waited an additional four months until they reopened, after which she was able to apply for a visa. However, while Nasrin believed that the fellowship offer and sponsorship letter from Harvard would be sufficient, she was initially denied. Nasrin described the process as emotionally taxing on her and her family, especially because she was pregnant at the time, *"We had such a bad time*



*in Pakistan. In my whole life, I never experienced such bad and worrying things. Day and night I was crying [...] We were [nearly] homeless, we didn't have work, we didn't have money. In Pakistan [...] we were worried all the time.*" After giving birth, Nasrin struggled to get identity documents from Taliban authorities at the Afghan embassy for their newborn daughter, who, as a result of the crisis, was born stateless. After one year of waiting in Pakistan and extensive back-and-forth with immigration authorities and pro-bono lawyers, Nasrin and her family's visas were finally approved and they were able to migrate to the US.

Some migrants also remained indefinitely in migrant processing centers as they awaited approval for humanitarian parole, refugee status, or other immigration relief. Jahan Ara Rafi waited for several weeks at a migrant processing center in Germany before ultimately resettling in the US. She described the period of waiting as difficult, *"I am very thankful to the government of the United States. They did the best that they could, but staying over in Germany for a few weeks was very hard and difficult during the process of going from Kabul to Virginia, and it was difficult because [there were] such a large amount of immigrants in one tent. That was a painful part of the journey."* Omaid Sharifi also described the conditions at the processing centers as stark, *"In the beginning, it looked like a prison, because there were also covid restrictions there. For the first 20 days, I only had a room and a small window. They brought food to our rooms three times a day. We were not allowed to leave. For those first twenty days I felt that I was in a prison. But we were grateful that we survived the Taliban, and that we also had a room."*

Many of our interlocutors stressed how indeterminate immigration processing times took a toll on their well-being. Sahraa Karimi said of the wait times, *"The administrative process is so long. [...] If you lose time you lose everything. Some of these people lose three years, four years. To be resettled and to rejoin their families and to work. Three or four years is a lot. The process should really be shorter for those people that came under these circumstances."*

Unable to secure derivative visas for family members because of strict immigration regulations, many artists had to leave Afghanistan without their loved ones, a decision they described as agonizing. All of the artists and cultural workers that we spoke with said that being separated from family has been the most difficult aspect of the immigration journey. Jahid Karimi, whose wife remains in Pakistan and cannot apply to join him until his asylum case is processed, commented on the toll that family



Nasrin Belali works on an archival project at the National Museum of Afghanistan in Kabul. Image courtesy of Nasrin Belali.

separation has taken, *"This is the only thing that I am almost about to go crazy over. Day and night, when I wake up, whatever I'm doing, wherever I am, this is the only thing that I have on my mind. I'm thinking 'How long will it take? When will she come? When will she be here?' This is the only thing that I am suffering over. [...] The pending decision has created a lot of problems [...] for us."* When asked about recommendations they had related to improving the migration process for other artists, all of our interlocutors said that family reunification was the most important priority for Afghans. Sahraa Karimi spoke beautifully of the special role that the family plays for Afghans, emphasizing the pain of separation: *"One thing about the Afghan mentality is that we are so connected to our families. Emotionally we are not very independent. We may be physically independent, but emotionally we are so connected with our families. If one person has a headache, then everybody has a headache; it's a collective headache."*

## RESETTLEMENT AND INTEGRATION ABROAD

When migrants resettle in a new country, they often require a comprehensive network of support to navigate the challenges of adapting to a foreign environment and building a new life. Our interlocutors identified several areas of need for Afghan migrant artists, including free English

language courses, grants or other financial support, professional mentorship programs, and free or low-cost mental health services during the resettlement period. This section details our conversations with them regarding those and other needs that, if met, would enhance the integration and resilience of Afghan artists.

The majority of Afghan artists and cultural workers with whom we spoke cited lack of language skills as their biggest career barrier. Some, like Jahid Karimi, began learning English for the first time when they resettled in the United States. *“At the very beginning when I was settling in Washington, USA I started learning English for a few months. Based on [my] work schedule and the difficulties of my job I had to stop going to the classes. So it’s been six months now that I’m not taking the classes anymore, but I want to go.”* Karimi emphasized that not knowing English limits his job opportunities significantly and that he is presently working long hours in a service job in order to support himself and send money to his family remaining in Afghanistan, leaving little time for intensive language learning. Others, like Nasrin Belali and Sharif Jamal, already spoke some English but have enrolled in classes to get to an advanced professional level. *“Right now,”* Belali said, *“we are taking English classes so that my husband and I can learn higher English, enough to write [copy for archaeological] catalogs and for [academic articles and] books.”* Jamal is similarly taking classes to improve his communication skills in English before starting work. *“In Bennington, there is an English class that I take for my wife and me. I start my job in the fall semester at Bennington College, and I want to work on my English skills before I start work. Those classes are free for Afghan refugees. There are seven families of Afghan refugees in Bennington that get to take the class.”* Given the importance of language skills for career success, one of the most crucial forms of support that host governments can offer recent migrants are free or low-cost language courses and programs.

Many recent migrant artists arrive in their countries of resettlement in dire financial situations, having lost their financial resources and assets in the crisis and often having used their savings to flee Afghanistan. Facing great financial need, many take low-paying, labor-intensive jobs in the service industry in order to make ends meet. As a result, Afghan artists often have little time or resources to invest in their artistic pursuits. Omaid Sharifi shared, *“Almost every artist I know from Afghanistan [that resettled abroad] is not working in their field anymore. They have to do Uber; they have to do Lyft; they work for Walmart to find a job to survive.”* Sharif Jamal shared the frustration

of many Afghan artists trying to break into the arts and cultural sector while working part time jobs in the service industry in order to stay afloat financially: *“Most of my friends cannot work because they first need language skills, but even when they learn English, they do not want to work for a company; they want to go back to work in the arts.”*

Our interlocutors suggested that grants or other forms of financial assistance created specifically for at-risk artists could help them to stay in their professions while settling into their new countries. Shaista Langari discussed the challenge of trying to keep working as an artist while simultaneously handling a second job: *“I have a full-time job at an office now and I don’t have any income from my artworks. So I spend most of my time working at the office to have an income, and it’s only during the weekends or after work [that] I have time to focus on art. The other challenge is the expenses. Compared to Afghanistan, US art materials are very expensive...I have a job; partially I can handle it, but I know some artists whose professional careers are art and they are facing challenges. Having a grant from an organization would be very helpful for an artist starting their career in a foreign country.”*

Migrant artists and cultural workers also face significant challenges in establishing their careers abroad given their lack of network connections and industry knowledge, as well as low professional confidence in a foreign work environment. Sahraa Karimi emphasized how lack of professional confidence negatively affects migrant artists: *“[Afghan migrant artists] don’t believe in themselves; they underestimate themselves; and they carry so many traumas. [They need] interactive programs that they do with other artists. Collaborative projects, so that they see that they can learn from each other [and they can overcome the feeling that] they are professionally not good enough.”*

A number of the artists and cultural workers that we spoke with expressed a desire to see more support for Afghan artists from arts and cultural institutions in the host country. Omaid Sharifi expressed frustration with American arts and cultural institutions’ lack of engagement with the crisis in Afghanistan and with Afghan artists. *“Institutions in the US have been really silent, they have not done their part or taken any responsibility. Our expectations were that they could provide job opportunities, fellowships, exhibitions. There is so much that they could do. Imagine, I live thirty minutes from D.C. that has the biggest museums and galleries in the world, and none of them have reached out to us.”* He emphasized the important contributions that Afghan creatives could

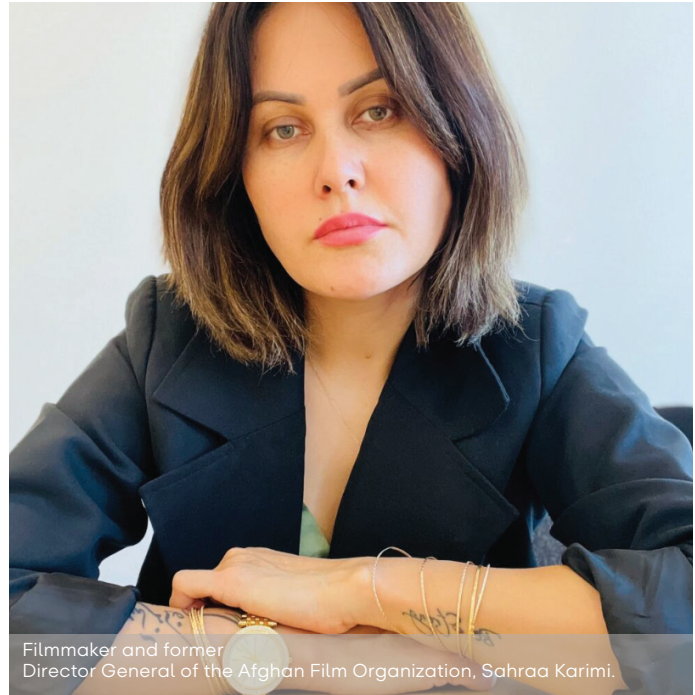
add to American arts and cultural institutions: *"It's very difficult to make a living as an artist, but it's significantly more difficult when you're a refugee artist from Afghanistan. [...] You have a beautiful community of artists who can really contribute back in this country, if they are only given opportunities."*

## FINDING SUPPORT

Many of our interlocutors expressed gratitude for the support they received from community organizations, support groups, and the Afghan diaspora in their new host country and emphasized the difference their support made in their resettlement process.

Nasrin Belali spoke of the kindness she was shown by Harvard's Scholars at Risk Program, Harvard Art Museum, and other community organizations upon arrival. *"They brought a lot of things for me: clothing, dishes, furniture, food. They brought me everything; they took me to the shop; they showed me where to get Halal food. Everyone was around me. Then we signed our salaries and received our contracts, my husband too. My sons went to school. Before their arrival, the procedure of school was already set up by them. They set up the daycare too, which is so expensive. They helped me a lot. Right now, from December to now, my baby goes to daycare. So everything is ok, we are sitting here, and we are happy."* Shaista Langari emphasized the sense of belonging that connection with local Afghan communities brought during resettlement. *"At first things were difficult, I didn't know any families in Minneapolis. I think after participating in an event for Nowruz I realized that there is a big Afghan community, and now my husband and I are participating in the celebrations and other opportunities. In Minneapolis there are non-profit organizations that organize such events. We are a new community, and we now have some funding to have cultural programs. Now things are very good. We celebrate Eid together; we have some special occasions together."*

Finally, another area of need our interlocutors identified was psychological support and counseling services aimed at addressing the mental health needs of migrants, particularly those who have experienced trauma or displacement. Sahraa Karimi spoke of some of the mental burdens that many forced migrant artists carry with them. *"Some of these people...[have] left behind their families, so they also carry [...] emotional dilemmas and traumas and sadness [...] It is extra painful. Some of them don't know the language. For some of them, especially in older age, it is a totally new country,*



Filmmaker and former Director General of the Afghan Film Organization, Sahraa Karimi.

*new culture, new habits, new society. To integrate in a new society is very difficult. [...] There should be many programs to help them. Sometimes it is more important than other things, because when you don't have a peaceful mind you cannot go ahead with your plans."*

## SUMMARY

Having endured crisis and migration, and after having found themselves in new environments, the practices of Afghan artists and cultural workers inevitably change. Sahraa Karimi believes that, given the right support from their host countries and communities, migrant artists can draw on their experiences as a catalyst for professional growth rather than a hindrance to it. *"Being an immigrant is not so bad. [...] Even being in exile is not so bad. It is painful, it is full of loneliness, and it is full of many, many sad moments. But, it is also full of opportunity [...] This opportunity doesn't come just because you are talented [...] The system, laws, and rules should support you [...] If there are no [...] programs to integrate people into the new culture, then that immigrant will always be an outsider."* Ms. Karimi also shared an inspiring message for Afghan artists that have resettled abroad and hope to continue their work despite the challenges of migration and resettlement: *"I believe that [if] you are saved and not [dead] or [...] invisible, it is your responsibility as an artist to be a messenger. You need to deliver many, many messages and stories that you should tell to the people [...] about your country, about what happened to you and your people and your country*

*[...] So, now my stories are also about Afghanistan, but my audience has changed. There are Afghans outside and inside of Afghanistan, but also my audience are the people of the world."*

In the following section, we offer policy recommendations to relevant stakeholders—including legal advocacy and human rights groups, humanitarian immigration relief and resettlement practitioners, the global artist safety housing network, refugee and migrant host governments, arts and cultural institutions, and local aid organizations—on how to facilitate more dignified and efficient migration processes for artists and cultural workers in crisis. We also offer guidance on policies and services they can implement to support the successful integration of migrant artists and cultural workers in their newly-adopted communities, including empowering migrants to preserve their unique cultural heritage and traditions.



Black Lines, Jahan Ara Rafi, 2023

# POLICY RECOMMENDATIONS



# POLICY RECOMMENDATIONS

Following the Taliban's political takeover of Afghanistan in August 2021, thousands of artists and cultural workers have been effectively silenced due to the Taliban's imposition of anti-democratic laws, regulations, and policies aimed at suppressing free artistic expression. Those who continue to create or perform art do so at the risk of incurring severe consequences from the Taliban, including imprisonment or death.

AFI, together with Afghan artists at-risk, calls on the international community to maintain pressure on the Taliban to implement critical recommendations by UN special procedures and bodies and to press governments to provide immigration relief and implement best practices aimed at supporting artists at risk.

In addition, AFI calls on all state and non-state actors to offer additional support to Afghan artists seeking asylum, including essential humanitarian aid, temporary or permanent housing, and humane resettlement options that facilitate integration of migrant artists into local communities.

AFI proposes the following policy recommendations to relevant stakeholders in the field, including international bodies, national governments admitting Afghan refugee and other migrant artists, and arts and cultural NGOs, institutions and networks. Implementation of these recommendations will help ensure the basic human rights of all artists fleeing persecution by the Taliban and allow them to continue their critical artistic work.

## **I. Recommendations to international bodies, including the UN General Assembly, the UN Secretary General (UNSG), UN Economic and Social Council, UN Educational, Scientific and Cultural Organization (UNESCO), UN High Commissioner for Refugees (UNHCR), and the Office of the High Commissioner for Human Rights (OHCHR):**

1. Renew the mandate of the UN Special Rapporteur (SR) on the situation of human rights in Afghanistan for another three year period to ensure the continued independent monitoring of the situation there. Encourage the SR to include reporting on the persecution of artists and cultural workers in the country and update the Human Rights Council (HRC) and other relevant bodies on the dire situation.
2. Maintain pressure on the Taliban to implement all recommendations that the current SR on the situation of human rights in Afghanistan, Richard Bennett, issued in his February 2023 report to the HRC, including restoring all fundamental human rights without discrimination, in line with international human rights instruments ratified by Afghanistan.
3. Encourage the President of the HRC, the UNSG, and country Ambassadors to continue to bring attention to the dire situation of Afghan artists and cultural workers under Taliban rule, and denounce violations of Afghans' rights committed by Taliban authorities.
  - a. Recognize the intersectional experiences of women, members of the LGBTQ+ community, and ethnic minorities that are artists in Afghanistan and, as such, are especially susceptible to censorship and persecution.
4. Press member states to increase resources and funding to support immigration relief for Afghan artists and cultural workers at risk.
5. Encourage member states to implement the recommendation issued by the SR in the field of cultural rights, Alexandra Xanthaki, in her 2023 report *Cultural Rights and Migration* to develop robust national policies ensuring equal access to cultural rights, including specific policies to support the integration of migrant communities in the cultural life of the host state.

## **II. Recommendations to migration and resettlement facilitators, including the UNHCR and the International Organization for Migration (IOM):**

1. Accord *prima facie* recognition of refugee status to Afghan artists and cultural workers, whereby they would be presumed to meet the legal definition of a refugee unless rebutted.

2. Ensure that Afghans are housed in dignified, sanitary, and secure facilities during security processing and preceding immigration to a third country.
3. Ensure that Afghans are not deprived of their personal belongings, including artistic and cultural objects, during the process of entering a refugee camp or security processing center.

**III. Recommendations to national governments (including their respective immigration agencies and officers) that adjudicate asylum and visa applications from Afghan artists and cultural workers:**

1. Recognize Afghan artists and cultural workers as a distinct social group targeted for persecution in Afghanistan.
2. Consider artists and cultural workers as *per se* human rights defenders, thereby entitling them to protection and relocation.
3. Provide immigration relief and resettlement assistance based on greatest vulnerability, as laid out in the UNHCR criteria, thus prioritizing Afghan artists and cultural workers for assistance.
4. Increase resources allocated to authorities responsible for processing humanitarian claims for immigration relief, including humanitarian parole, temporary protected status, refugee status and asylum.
5. Ensure that the principle of non-refoulement is respected and all Afghan artists and cultural workers claiming asylum, or any form of relief from persecution, are not returned to Afghanistan before a fair and impartial hearing on their claims.
6. Embassies and consulates with the authority to issue short-term or non-permanent visas should not presume immigrant intent for Afghan artists who are seeking to enter a country on academic, scholarly or employment-based visas. Consular officers adjudicating these visa applications should favorably weigh relevant evidence of non-immigrant intent, including but not limited to, invitations for fellowships from universities, placements in residency programs, sponsored employment opportunities, engagements abroad after the end of the visa term, and credible statements by the artists themselves.
7. Provide support to legal and advocacy organizations to monitor artistic freedom in Afghanistan and document all violations of the rights of artists and cultural workers.
8. Ensure that Afghans are not deprived of their personal belongings, including artistic and cultural objects, during the process of entering through a border or port of entry.

**IV. Specific Recommendations to the United States Government and all U.S. Immigration Agencies including United States Citizenship and Immigration Services (USCIS), Customs and Border Protection (CBP), and the Department of Homeland Security (DHS) in processing visa applications from Afghan artists and cultural workers:**

1. Provide expedited consular processing for Afghan artists and cultural workers with approved non-immigrant and immigrant visas to the U.S.
2. Expedite the processing of United States Refugee Admissions Program (USRAP) Priority-1 and Priority-2 Referrals for Afghan nationals, and regularly release public updates on the status of USRAP designations processed for Afghan nationals.
3. Prioritize processing USRAP cases for at-risk Afghan women and ethnic minorities.
4. Expedite processing for the over 30,000 applications for humanitarian parole currently pending with USCIS, prioritizing applicants facing credible immediate threats to their lives.
5. Permit expedited processing for all Afghan asylum applicants, rather than limiting this process to



those paroled into the U.S.

6. As per 9 FAM 402.13-10, the U.S. Department of State should limit their scrutiny of immigrant intent for Afghans seeking to enter the U.S. on an O-1 visa. The relevant section of the Foreign Affairs Manual does not require such applicants to show “a residence abroad which they do not intend to abandon” in order to be issued such a visa.

7. Authorize expedited processing for all immediate family members of Afghan refugees in lawful status in the U.S.

8. Pass the Afghan Adjustment Act to expand eligibility for Afghan nationals to Special Immigrant Visas and establish a pathway for permanent residency for Afghan nationals paroled into the United States.

**V. Specific Recommendations to the German government in processing visa applications from Afghan artists and cultural workers:**

1. Expedite exit and visa procedures for Afghan nationals who have received initial acceptance into the *Bundesaufnahmeprogramm*.
2. Establish a central government contact point for the *Bundesaufnahmeprogramm* so that individual applicants can register directly for the program, rather than through an NGO referral.
3. Provide national funding to the NGOs who submit case referrals to the *Bundesaufnahmeprogramm* so that they can devote the necessary resources to case processing.
4. Provide publicly accessible information about *Bundesaufnahmeprogramm* case selection criteria and any changes in the procedural process for the program.
5. Allow Afghan artists and cultural workers who have temporarily relocated to neighboring countries, particularly Pakistan and Iran, to apply for entry into Germany through the *Bundesaufnahmeprogramm* for their personal safety.
6. Establish evacuation routes for Afghan nationals accepted to the *Bundesaufnahmeprogramm* through Uzbekistan and Tajikistan.
7. Allow dependent children under the age of 18 to be accompanied by their parents for their *Bundesaufnahmeprogramm* security interviews.

**VI. Specific Recommendations to the government of Pakistan in processing visa applications from Afghan artists and cultural workers:**

1. Sign and ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
2. Cease the deportation of Afghan refugees whose temporary visas have expired and who are waiting on visa processing or a refugee determination to resettle in a third country.
3. Extend a general amnesty permitting undocumented Afghans to remain in the country and provide support for them to access education, healthcare, and work opportunities in Pakistan.
4. Authorize the United States to open a Resettlement Support Center in Pakistan.
5. Create a visa pathway for Afghan nationals who have approved visas to a third country, but who must temporarily relocate to Pakistan for consular processing.

**VII. Recommendations to all governments resettling already admitted Afghan artists and cultural workers:**

1. Reform national immigration policies for the wellbeing and safety of Afghan migrant communities, including by:
  - a. Ensuring pathways to permanent residence and citizenship for Afghans who entered the country on temporary humanitarian visas.
  - b. Preventing family separation whenever possible, expediting reunification for immediate family members, and providing opportunities for reunification for extended family members.
2. Support Afghans artists and cultural workers' successful resettlement in the host state by:
  - a. Providing free or low-cost educational opportunities and resources, including but not limited to:
    - i. Specialized language courses for adolescent and adult migrants
    - ii. Professional skills courses
  - b. Increasing access to free or low-cost healthcare and ensuring access to healthcare providers specializing in care for migrant communities.
  - c. Expanding access to free or low cost mental health services to promote migrants well-being during resettlement and help them navigate the effects of forced migration.
3. Develop robust national policies on migrants' cultural rights, including initiatives to:
  - a. Create opportunities for migrants to engage with the cultural life and traditions of the host countries while also sharing their own artistic and cultural traditions with their new communities.
  - b. Ensure that migrants have effective participation in all decision-making processes that have an impact on their cultural rights by engaging migrant and diaspora community leaders and groups in arts and cultural programs.
  - c. Take initiative to educate the public about migrant journeys, communities, and cultures with the aim of fostering an environment of openness and inclusion in the host state.
4. Protect Afghan cultural heritage, including intangible cultural heritage, by:
  - a. Facilitating access to Afghan art and cultural heritage by allocating more financial support to arts and cultural institutions that prioritize such programs.
  - b. Funding public programming to introduce the artistic and cultural traditions of diaspora and at-risk artists to the public.

**VIII. Recommendations to the international arts and culture community, including arts institutions, galleries, university arts programs, music venues, members of the artist safety housing network, and other stakeholders dedicated to cultural programming and the performing arts:**

1. Support at-risk Afghan artists and cultural workers and demonstrate a commitment to diversity in the arts by:
  - a. Establishing specialized residencies, fellowships, academic placements, internships, and other professional development programs for Afghan artists and cultural workers at risk.
  - b. Facilitate the evacuation and resettlement of at-risk Afghan artists and cultural workers by hosting them for work, residency, and fellowship opportunities, and serving as a sponsor on their visa applications.

**c.** Engaging artists and cultural workers who remain in Afghanistan in virtual opportunities, allowing them to safely participate remotely, including but not limited to: virtual exhibitions, online talks and conferences, educational and professional courses, certificate programs, and workshops.

**d.** Engaging Afghan artists and cultural workers with lived experiences of migration to lead or collaborate on the development of exhibitions, research, and programming that features the work of Afghan migrant artists, draws attention to forced migration, refugeehood, and other human rights topics, as well as programming that celebrates Afghan art, cultural heritage, and cultural traditions.

## CONCLUSION

Through this report, AFI sought to illustrate the challenges facing Afghan artists at risk under Taliban rule who seek refuge abroad. In doing so, we drew out structural problems in immigration and resettlement regimes and called for their immediate address through policy reform and increased aid.

We emphasized that thousands of Afghan artists remain in Afghanistan and continue to face persecution from Taliban authorities. Consequently, Afghan artists across all disciplines have stopped creating and sharing their art. The need for humanitarian aid and relief among this group is significant, and AFI hopes that our research will draw renewed attention to their plight and inspire the international community to increase much-needed aid and other forms of support to Afghans artists at risk.

Our findings indicated that among the most pressing issues facing Afghans artists that have managed to flee Afghanistan is a lack of legal support as they search and apply for immigration relief abroad. It is difficult for Afghan artists impacted by the crisis to efficiently find immigration options and submit successful applications. Consequently, many fail to identify or successfully apply for relief, wait indefinitely in third countries with limited resources, endure lengthy family separation, and may lack a secure immigration status for years. AFI calls on legal aid organizations and host governments to increase assistance for Afghans to determine their eligibility and apply for refugee status, humanitarian parole, and temporary or long term visas.

Our research also revealed that a lack of support during resettlement inhibits migrant artists' successful integration in their host countries, which further limits their ability to engage in cultural life and preserve their own cultural practices. To remedy this, AFI calls on host governments to ensure that migrant artists have access to basic services and have opportunities to exercise their cultural rights. In doing so, host governments can empower migrant artists to restart their careers, continue making valuable contributions to the field of arts and culture, and preserve their unique cultural heritage and practices.

AFI supports the Afghan artists, cultural workers, and artistic activist groups highlighted in this report. By sharing their personal experiences, we sought to emphasize the challenges related to forced migration that migrant artists say are the most pressing for themselves, their families, and their peers. We also wished to amplify their insights into how the migration and resettlement process may be improved for the benefit of artists at risk.

Finally, AFI hopes that this report brings the challenges facing artists at risk to the forefront of international policy. Artists at risk must have access to safe, dignified, and efficient migration options; they must have access to healthcare and other basic services in their countries of resettlement; and they must be supported by host governments to successfully integrate and to exercise their cultural rights. To address these challenges, we have published a list of actionable policy recommendations for relevant stakeholders that, if acted upon, can improve conditions for artists at risk and artists experiencing forced migration in any context.

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