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Afghan Data Breach Victims Unlikely to Receive UK Compensation

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In a troubling development for thousands of Afghans, the Ministry of Defence (MoD) has signalled it will not offer compensation to those whose personal details were exposed in a significant data breach in February 2022. The leak exposed the personal data of around 18,700 Afghan ARAP and ex-gratia scheme applicants, raising fears under Taliban rule, but the MoD has made clear it will not offer compensation.

A Ministry of Defence spokesperson told the BBC the department will "robustly defend any compensation claims", describing speculative payouts as hypothetical. The MoD has also ruled out proactive small payments to those endangered by the breach, according to a report by The Times. This decision has sparked concern among affected Afghans, many of whom remain in Afghanistan and fear retribution from the Taliban, known for its brutal human rights abuses, particularly against women.

The breach occurred when an unnamed official inadvertently emailed a spreadsheet containing sensitive data outside the government team handling Afghan relocation applications. Excerpts from the spreadsheet appeared in a Facebook group in August 2023, after which the MoD confirmed the discovery of the breach. An Afghan man, denied relocation, shared the names online and was offered an expedited review of his application in exchange for removing the post.

The Rimmer review, commissioned by Defence Secretary John Healey, concluded that Taliban access to vast existing data makes it unlikely the leaked spreadsheet alone would prompt targeting. It further stated there was "little evidence of intent by the Taliban to conduct a campaign of retribution against former officials." However, these findings have done little to assuage the fears of those exposed, with Barings Law, a firm representing over 1,000 Afghan clients, preparing a major lawsuit, according to The Times.

Healey recently lifted a super-injunction that had previously barred public discussion of the leak and its associated court order, following the completion of the Rimmer review. The breach also involved personal data of some 100 British personnel, including special forces and MI6 staff.

Since the 2021 withdrawal, roughly 36,000 Afghans have been resettled in the UK, with estimates indicating around 6,900 relocations completed under the secret Afghanistan Response Route set up after the data breach. The relocation scheme has already cost £400 million, with estimates suggesting the total could climb to between £5.5 billion and £6 billion.

The Taliban regime remains internationally isolated, recognised only by Russia, while the British embassy in Kabul has stayed closed since the Taliban's takeover. This isolation underscores the precarious situation for Afghans left behind, particularly those whose identities were exposed. The MoD's refusal to offer compensation has drawn criticism for its apparent disregard for the risks faced by those affected. As legal battles loom, the government's handling of this breach raises serious questions about accountability and support for vulnerable Afghans who trusted the UK with their safety.