

Republic of Yemen
Ministry of Interior

Office of the Deputy Prime Minister
Minister of Interior

Dear Mr. Michael Page
Deputy Director, Middle East and North Africa Division, Human Rights Watch

Subject: Responses to the inquiries contained within your memo

In response to your memo dated March 27, 2018, requesting answers to questions pertaining to the alleged arbitrary detention and forced return of migrants, asylum seekers, and refugees, our responses are as follows:

Q (1): Can you please clarify the position of Colonel Alwani? Is he or was he the Director of the Department of Refugees Affairs and Migration under the Ministry of Interior? Or, does he hold another official position with the Yemeni government and, if so, what is that position, when was he appointed, and to whom does he report?

A (1): Colonel Khaled Alwani was the Director of the Department of Refugees in Aden Governorate based a prior decision by the Minister of Interior. He was appointed at the end of 2016, due to circumstances imposed by the situation after the war, which ended in July 2015 in Aden. Colonel Alwani was once the director of the Department of Refugees, affiliated with the Ministry of Interior, but he overstepped his jurisdiction. Currently, Colonel Khaled Alwani's employment has been terminated, and he no longer has any business with the Ministry of Interior, nor does he hold any position therein.

Q (2): According to media reports, the Minister of Interior recently ordered Alwani to shut down the center and resign from his position, but the center remains open. Could you comment on the accuracy of this report?

A (2): Yes, there was an order to shut down the detention center as it was only supposed to be temporary and was located on premises belonging not to the Ministry of Interior but to the Ministry of Fish Wealth. The order was given to the latter to shut down the center, and an order was issued to Alwani to cease his work. A Ministerial Committee supervised the shutdown of the center and the premises were handed over to the Director General and Security Director of Buraika District, and it was ordered that the detention center be moved to Ras al-'Ara in Lahij Governorate.

Q (3): Does or did the Ministry of Interior provide any support—financial, logistical, or other—to the Buraika center, or to Alwani or the men under his command? If the government does provide support to the center or Alwani, please provide details on the type of support and when it began. Which other individuals or governments, if any, provide support to Alwani or the center?

A (3): The Ministry of Interior provides no financial or logistical support to Khaled Alwani, nor does it provide any logistical support to the detention center, as it has no financial or material resources to offer. Yet the Ministry of Interior was aware of the presence of numbers

of illegal migrants and was coordinating with the Ministry of Defense in order to provide them with food.

As for the rounding up and transportation of migrants and displaced people to the detention center, this was undertaken by the Security Belt forces operating in the governorates of Aden, Lahij, Shabwah, and Abyan. They were responsible for all the costs concerning roundup and transportation. As you are well aware, many of the security institutions remain outside the control of the Ministry of Interior, and this includes the forces of the Security Belt.

Q (4): Do detained migrants who may be facing deportation have the opportunity to make asylum claims or otherwise challenge their forced removal? Please describe deportation procedures in effect for people being forcibly removed from the Buraika center, including their opportunities to seek protection.

A (4): As you know, governmental institutions, including the Ministry of Interior, collapsed as a result of the failed coup undertaken by rebel Houthi forces in March 2014. Previously, there were government mechanisms working with the United Nations Refugee Agency (UNHCR) to deal with the issue of refugees and migrants, but unfortunately, until today, there is no common and effective working relationship with any international organizations, such as the International Organization for Migration (IOM) or the UNHCR. In addition, the local organizations and security forces operating on the ground have no knowledge on how to deal with migrants, refugees or asylum seekers; they have not been trained to deal with any such situations, nor have they been exposed to any capacity-building programs to help them do so, and furthermore, all actions implemented based on individual efforts may have been implemented wrongly. During the period between January 14, 15 and 16 until December 2017, there were 363, 940 refugees and migrants who entered Yemeni territory, most of them blending into Yemeni society.

During the last period, the UNHCR and IOM were supporting us in dealing with these issues, and they were the ones going to the detention center, meeting and carrying out interviews with asylum seekers. Among these asylum seekers were 87 Eritreans; the organizations met with 54 of them. Interviews with the remaining 33 Eritreans as well as procedures to transfer them to the UNHCR offices were halted due to the non-compliance of the center director, Khaled Alwani, with the Ministry of Interior's order to cease all activity and shut down the center.

Q (5): Have any investigations been undertaken into allegations of abuse, including cruel, inhuman, or degrading treatment, torture, or sexual assault of migrants, asylum seekers, or refugees by the government? If so, please provide us the findings of these investigations and any government action taken in response.

A (5): We have received no complaints about any sort of abuse including cruel, inhuman or degrading treatment, torture, or sexual assault of migrants, asylum seekers or refugees. We assure you that if there were to be any complaint or evidence proving abuse on behalf of any member of the Ministry of Interior's institutions, whether at checkpoints or during roundup or transportation of any refugee, migrant or asylum seeker, or on behalf of an employee at the detention center, which has since been shut down, then we would take all necessary legal measures and refer the cases to the courts and the police judiciary so that the perpetrators receive punishment and get suspended from work.

In terms of what was stated at the beginning of the report with regards to the arbitrary detention of Eritrean, Ethiopian, or Somali migrants, asylum seekers, and refugees, we assure you that all detentions are carried out in accordance with Yemeni law.

Respectfully Yours,

Ahmed bin Ahmed Maysari
Deputy Prime Minister
Minister of Interior

Cc:
Office of the President
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