

some of the largest mine-laying operations anywhere in the world in many years. And in 2001, global mine action funding stagnated—the first time in a decade that a significant increase had not been registered.

The ICBL worked very closely with key governments to ensure the success of the Mine Ban Treaty's intersessional work program, as well as the Fourth Meeting of States Parties in September 2002, focused on interpretation and implementation of the treaty.

Convention on Conventional Weapons and Explosive Remnants of War

Not unlike landmines, unexploded ordnance left behind after battle poses grave humanitarian risks to civilians. For example, cluster bombs disperse scores of volatile submunitions or bomblets over a wide area, many of which fail to explode on impact and lie in wait until triggered by an unsuspecting victim. International initiatives to tackle the problem of such explosive remnants of war (ERW) picked up momentum in 2002, focused in particular on the 1980 Convention on Conventional Weapons (CCW), which restricts and regulates the use of weapons that are “excessively injurious” or have “indiscriminate effects.” In December 2001, at the Second Review Conference of the CCW, states parties formed a Group of Governmental Experts to evaluate ways to deal with ERW, including the possibility of negotiating a new legally binding instrument. The group was due to submit its final report in December 2002. Human Rights Watch has played an active role in advocating for a new protocol, and has encouraged the expert group to focus on ways of minimizing the dangers to civilians of cluster bombs.

Weapons Trade

Following the failure of a 2001 international conference on small arms trafficking, Human Rights Watch worked with its partners to highlight the devastating humanitarian toll caused by the uncontrolled spread of such arms. For example, Human Rights Watch documented the dangerous nexus between small arms proliferation and political violence in a May 2002 report on Kenya. (See Kenya.) Human Rights Watch also contributed to efforts to control the global weapons trade from the supply side, emphasizing research and advocacy with respect to three priority areas: halting arms supplies to human rights abusers; stemming the trade in surplus weapons; and promoting the enforcement of arms embargoes. We also joined with other NGOs to promote the creation of a binding international legal instrument codifying minimum arms export criteria derived from the existing obligations of states under international human rights and humanitarian law.

Irresponsible arms trading by governments received increased attention in 2002, particularly in the context of sanctions busting and the fight against terrorism. For instance, serious allegations that the president of Ukraine approved an illegal arms sale to Iraq capped a long string of cases implicating Ukraine in illicit arms deals. The U.N. continued to monitor and report on violations of international arms embargoes on an ad hoc basis, documenting the ease with which unscrupu-

lous arms brokers, often based in Europe, use forged documents to obtain weapons. Partly in response to such cases, numerous European countries undertook to institute or strengthen controls on arms brokers. While these measures were of uneven scope and effectiveness, they helped contribute to momentum—spurred by non-governmental groups—to negotiate a regional or perhaps even international instrument on arms brokering. In an important development, some countries arrested and opened prosecutions against arms brokers accused of illegal dealing. The most notorious traffickers, however, remained free; some were believed to be protected by national governments.

Central and Eastern European countries that in 2002 were candidates for membership in the E.U. or NATO continued to supply many of the weapons that wound up in the hands of abusers. The prospect of E.U. and NATO enlargement thus offered leverage that both governments and nongovernmental groups like Human Rights Watch used to press for needed reforms, with some success. In 2002, legal controls over the conventional arms trade were tightened in two countries (Bulgaria and Slovakia), a number of countries in the region undertook to improve implementation of existing rules to help combat the diversion of authorized arms deals, and greater efforts were made to investigate possible breaches of arms embargoes and prosecute those responsible. More efforts were needed, particularly as military modernization programs in these countries were likely to exacerbate the flood of surplus weapons to conflict regions. With decisions on enlargement set to be finalized in late 2002, Human Rights Watch sought to ensure that E.U. and NATO member states kept up the pressure for reform and set a positive example with their own arms dealing.

In forging its international coalition against terrorism after the attacks of September 11, 2001, the United States changed its legal regime to facilitate arms transfers, granted military assistance to states involved in the war in Afghanistan, and increased and expedited counter-terrorism and military assistance programs. Some countries that benefited from the U.S. program—such as Uzbekistan, which received U.S.\$16 million in military financing and security assistance—have long histories of serious human rights abuse. Over the past year, Human Rights Watch has monitored and publicized this worrying trend and advocated for better controls on assistance, such as reporting requirements on military aid to Uzbekistan.

REFUGEES, MIGRATION, AND TRAFFICKING

Global Backlash against Refugees and Migrants

Human Rights Watch continued to advocate against the restrictive impact of counter-terrorist measures on migration and asylum policy worldwide. In the wake of the September 11 attacks many governments adopted punitive and restrictive measures against asylum seekers and migrants. In the United Kingdom, a new law authorized the prolonged, arbitrary detention of foreigners suspected of terrorist activity. In the United States, more than twelve hundred foreign nationals were secretly detained, most on immigration charges, and questioned as part of the