

Annex 1: Guiding Questions for Industry and Private Sector Representatives in Informal Expert Group Meeting

1. Current Industry Practices

- a) What are the primary challenges related to complying with licensing requirements?
- b) Apart from producers, what other industry actors would play an important role in preventing a transfer from being diverted?
- c) What type of internal compliance systems are being developed by industry actors? Are these types of systems transferable from company to company and across regions? And if so, would this be an area in which industry actors, able to do so, would like to be involved?
- d) How could systems developed by industry actors protect the supply chain or prevent diversion?
- e) What types of technologies could be used to monitor and trace items through the supply chain?

2. Licensing, Transfer and Post-Delivery

- a) How do industry actors conduct their own risk assessments prior to engaging with a client?
- b) What criteria or policies are being considered when conducting risk assessments prior to applying for an export license?
- c) What sources of information are being used by industry actors to determine risks?
- d) How do industry actors establish the risk thresholds for their own risk assessments?
- e) Would it be useful for States and industry actors to establish a communication channel to share intelligence about parts involved in the transfer prior to the formal risk assessment conducted by the State prior to authorization?
- f) What in your view are the primary challenges related to the transit of weapons and the risk of diversion?
- g) How might procedures be improved to support effective and well-informed transfer procedures?
- h) What are the most important steps that can be taken to improve coordination between industry actors and States?
- i) How could States be of better assistance for industry actors when things “go wrong”?
- j) How might procedures be improved to prevent diversion, including reference to documentation, routing, cooperation etc.?
- k) What are the most important steps that can be taken to increase knowledge and awareness about preventing diversion among both industry actors and States?
- l) What are the most common challenges faced during the post-delivery phase of an arms transfer in preventing diversion? From an industry actor’s perspective, how can these situations be better addressed?

3. *End Use(r) Controls*

- a) How could end-users and ultimate end-users be better identified in each transfer, and how might better information sharing between industry actors and States be of assistance?
- b) What level of knowledge and communication should exist between the State and industry when assessing end user assurance clauses?
- c) How important is it for industry to know the exact end user assurances established by governmental authorities or is it enough to search information about possible risks?

4. *Addressing Some Critical and Challenging Issues*

- a) Would it be possible/feasible/desirable for industry actors to implement their own risk assessment processes in accordance with the Arms Trade Treaty?
- b) Would it be possible/feasible/desirable for industry actors to assist States in implementing transit controls by providing information on transport, routes, etc.? If feasible, how could this process be done?
- c) Would it be possible /feasible/desirable for industry actors to assist States in conducting post-delivery arrangements?
- d) What is the role of “reputational risk” for different types of industry actors? What more, if anything, could be done to address this issue?
- e) How, if in any way, should industry be involved in possible cases of substitution of equipment?