



Public consultation - Proposed strengthening of Canada's export controls regime

RESPONDENT PROFILE

Are you responding as an individual or as a representative of an organization?

- Individual
- Organization (please complete the following):

Name of organization: _____

Phone Number: _____

Email Address: _____

Size of Organization (if responding on behalf of an organization):

- Over 500 employees or members
- Between 100 and 499 employees or members
- Between 10 and 99 employees or members
- Fewer than 10 employees or members

Occupational Sector (select all that apply):

- Industry association
- Exporter of dual-use goods and technology
- Exporter of military goods and technology
- Exporter of nuclear-related goods and technology
- Exporter of space-related goods and technology
- Exporter of missile/aerospace-related goods and technology
- Exporter of chemical or biological dual-use goods and technology
- Civil society organization
- Academia or research institute
- Indigenous
 - Institution or Association
 - Individual
- Private citizen
- Other - please specify: _____

Provinces/territories in which your organization or business is registered or conducted (select all that apply):

- All of Canada
- Alberta
- British Columbia
- Manitoba
- New Brunswick
- Newfoundland & Labrador
- Northwest Territories
- Nova Scotia
- Nunavut
- Ontario
- Prince Edward Island
- Quebec
- Saskatchewan
- Yukon
- Other country/state: _____



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Have you ever applied for an export permit under the [Export and Import Permits Act](#)?

- Yes
- No

If you responded yes, how often do you apply for an export permit?

- Periodically for personal use (e.g. hunting trips)
- Less than 10 per year
- Between 10 and 50 per year
- Between 51 and 100 per year
- More than 100 per year

Please identify to which countries you export controlled goods and technology (select all that apply).

North America

- Mexico
- United States of America

Do your current exports to the United States require permits?

- Yes
- No

Asia Pacific

- Australia
- Bangladesh
- Brunei Darussalam
- China
- Hong Kong, SAR
- India
- Indonesia
- Japan
- Korea, Democratic People's Republic
- Korea, Republic
- Laos
- Macao
- Malaysia
- Myanmar
- New Zealand
- Pakistan
- Philippines
- Singapore
- Sri Lanka
- Taiwan
- Thailand
- Vietnam
- Other: _____

Europe

- Austria
- Belgium
- Croatia
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Kazakhstan
- Kosovo
- Latvia
- Lithuania
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russia
- Serbia
- Slovak Republic
- Spain
- Sweden
- Switzerland
- Turkey
- Ukraine
- United Kingdom
- Other: _____



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Latin America and the Caribbean

- Argentina
- Barbados
- Brazil
- Chile
- Colombia
- Costa Rica
- Cuba
- Dominican Republic
- Ecuador
- El Salvador
- Guatemala
- Guyana
- Haiti
- Jamaica
- Netherlands Antilles
- Panama
- Peru
- Saint Christopher and Nevis
- Suriname
- Trinidad and Tobago
- Uruguay
- Venezuela
- Other: _____

Sub-Saharan Africa

- Angola
- Botswana
- Burkina Faso
- Côte d'Ivoire
- Ethiopia
- Ghana
- Guinea
- Kenya
- Mali
- Mozambique
- Nigeria
- Senegal
- South Africa
- Sudan
- Tanzania
- Zimbabwe
- Other: _____

Middle East and North Africa

- Algeria
- Egypt
- Israel
- Jordan
- Kuwait
- Lebanon
- Libya
- Morocco
- Qatar
- Saudi Arabia
- Syria
- Tunisia
- United Arab Emirates
- West Bank and Gaza Strip
- Other: _____



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Please identify which countries your organization or business is targeting for the export of controlled goods and technologies in the next 5 years.

North America

- United States of America
- Mexico

Asia Pacific

- Australia
- Bangladesh
- Brunei Darussalam
- China
- Hong Kong, SAR
- India
- Indonesia
- Japan
- Korea, Democratic People's Republic
- Korea, Republic
- Laos
- Macao
- Malaysia
- Myanmar
- New Zealand
- Pakistan
- Philippines
- Singapore
- Sri Lanka
- Taiwan
- Thailand
- Vietnam
- Other: _____

Europe

- Austria
- Belgium
- Croatia
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Kazakhstan

- Kosovo
- Latvia
- Lithuania
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russia
- Serbia
- Slovak Republic
- Spain
- Sweden
- Switzerland
- Turkey
- Ukraine
- United Kingdom
- Other: _____

Latin America and the Caribbean

- Argentina
- Barbados
- Brazil
- Chile
- Colombia
- Costa Rica
- Cuba
- Dominican Republic
- Ecuador
- El Salvador
- Guatemala
- Guyana
- Haiti
- Jamaica
- Netherlands Antilles
- Panama
- Peru
- Saint Christopher and Nevis
- Suriname
- Trinidad and Tobago
- Uruguay
- Venezuela
- Other: _____



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Middle East and North Africa

- Algeria
- Egypt
- Israel
- Jordan
- Kuwait
- Lebanon
- Libya
- Morocco
- Qatar
- Saudi Arabia
- Syria
- Tunisia
- United Arab Emirates
- West Bank and Gaza Strip
- Other: _____

Sub-Saharan Africa

- Angola
- Botswana
- Burkina Faso
- Côte d'Ivoire
- Ethiopia
- Ghana
- Guinea
- Kenya
- Mali
- Mozambique
- Nigeria
- Senegal
- South Africa
- Sudan
- Tanzania
- Zimbabwe
- Other: _____

Do you export any of the following complete weapons or weapons systems? (Please select all that apply.)

- Battle tanks
- Armoured combat vehicles
- Large-calibre artillery systems
- Combat aircraft
- Attack helicopters
- Warships
- Missiles and missile launchers
- Small arms and light weapons

Do you export parts and components that contribute to the fabrication of any of the following complete systems? (Please select all that apply.)

- Dual use-items
- Battle tanks
- Armoured combat vehicles
- Large-calibre artillery systems
- Combat aircraft
- Attack helicopters
- Warships
- Missiles and missile launchers
- Small arms and light weapons
- Other – Please specify: _____



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QUESTIONNAIRE

ARMS TRADE TREATY: ASSESSMENT CRITERIA AND SUBSTANTIAL RISK TEST

Note: Please review the relevant [background information](#) before responding to questions in this section.

1. What are your views on the government’s proposed approach to assessing the Arms Trade Treaty (ATT) criteria, including its statement on how it will assess the seriousness of human rights violations? Keeping in mind that this is not an exhaustive list of criteria, please share other considerations, if any, that you think should be included in these assessments.

2. What types of mitigating measures, including but not limited to the examples listed in the backgrounder, do you believe that the minister of foreign affairs should consider when determining whether a transaction poses a substantial risk with respect to the ATT assessment criteria? Please explain any views you may have on the government’s proposed approach to assessing substantial risk.

3. Placing the ATT assessment criteria in legislation and creating a substantial risk test are intended to have a number of impacts such as the ones listed in the chart below. Please indicate whether you believe that the changes made will have the intended impacts.

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know / No opinion
a) Prevent military exports from Canada being used to commit serious human rights violations					
b) Assist Canadian exporters with their due diligence in assessing the potential human rights risks of their exports					
c) Improve transparency of the export permitting process					
d) Maintain the integrity of the export permitting process and support the competitiveness of Canadian industry in relation to like-minded allies and partners					

If you would like to provide additional information regarding why you agree or disagree, please do so.

4. When evaluating the risk posed by the transaction specified in an application for an export or a brokering permit against the ATT assessment criteria, how should Canada differentiate between full-system conventional arms (for example, an armoured vehicle or a rifle) and parts and components (for example, a fuel pump for a vehicle or a scope for a rifle)? Please explain.



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5. What specific criteria do you believe the government should use to assess export and brokering permit applications against the risk that the export will result in serious acts of gender-based violence or violence against women and children?

6. What reliable and evidence-based sources of information do you believe the government should take into consideration when evaluating the risk that an export would be used in a way contrary to the ATT criteria (as listed in the backgrounder)?

EXPORTER DUE DILIGENCE

7. If you are an exporter of controlled items:

- a) Does your business have established internal practices to assess the risk that your exports could be used to violate human rights? If so, please explain what these are.
- b) Does your business have established internal practices to assess the risk that your exports could be modified by the end-user and used to violate human rights? If so, please explain what these are.

8. As an exporter of controlled items, what kinds of risk are you able to effectively measure and what criteria and metrics do you use to measure these risks?

9. If you do not already measure these kinds of risk, please describe what practical and actionable risk-evaluation criteria and metrics would be most useful for this purpose.

POTENTIAL ADDITIONAL MEASURES TO PROTECT CANADIAN NATIONAL SECURITY INTERESTS

Note: Please review the relevant [background information](#) before responding to questions in this section.

10. What measures would you suggest the Government of Canada pursue to improve its counter-proliferation framework and protect against the proliferation of items of concern? Please explain why you are or are not in favour of Canada establishing controls over additional items of proliferation concern.

11. What means could enable better monitoring of the end-use and end-users of controlled Canadian exports?

12. What means could increase certainty that these exports are not diverted to an unauthorized end-use/end-user in a way that could pose a threat to Canada or its allies or facilitate the commission of serious human rights violations?

13. Do you believe that additional measures are required to further strengthen Canada's export control regime to protect against economic-based national security threats (for example, illicit acquisition of sensitive or emerging technologies by foreign states)? If so, please explain what additional measures the Government of Canada should consider?



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BROKERING CONTROLS

Note: Please review the relevant [background information](#) before responding to questions in this section.

14. Based on the proposed definition of brokering in the backgrounder, do you believe that you or your organization has undertaken brokering activities related to any items to be included on the Brokering Control List within the past five years (excluding intra-company transfers)?

- Yes
- No

If you answered yes, please provide:

- a) a description of the controlled items brokered
- b) the country from which the items were exported
- c) the destination country for the exported items

a) Description of the controlled items brokered	b) Country from which the items were exported	c) Destination country

15. Based on the proposed definition of brokering in the backgrounder, do you foresee situations that could be unintentionally captured by the brokering regulations but that are not brokering?

- Yes
- No

If you answered yes:

- a) Please provide examples
- b) What do you believe could be done to mitigate or prevent these instances from occurring?

16. Do you believe that the proposed definition provides sufficient clarity to guide your actions related to brokering?

- Yes
- No

If you answered no:

- a) Please provide any additional elements that you believe the government should consider when establishing new brokering regulations and related policy
- b) What additional information would you need to better understand these new brokering controls?



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17. Some countries capture intra-company transfers in their brokering controls, while others do not. How do you believe the Government of Canada should address intra-company transfers?

REPORTING ON EXPORTS TO THE UNITED STATES

Note: Please review the relevant [background information](#) before responding to questions in this section.

18. Accession to the ATT will require reporting on a specific set of full-system conventional weapons, for some of which Global Affairs Canada does not currently require permits or collect data. Please explain what if any additional items you think should be reported on.

19. Would reporting on an expanded scope of controlled items exported to the United States adversely impact your line of business? If so, please explain in terms of time, resources, administrative burden, and/or other impacts.

20. Please share any suggestions you have as to how this data could be collected in a manner that limits the burden placed on exporters.

EXPORT PERMIT PROCESSING SERVICE

21. If you have previously applied for an export permit under the Export and Import Permits Act or made related inquiries, how would you rate your level of satisfaction with the quality and timeliness of the service received?

Quality of service

- Very satisfied
- Satisfied
- Not satisfied
- Very unsatisfied

Please comment, providing any relevant examples: _____

Timeliness

- Very satisfied
- Satisfied
- Not satisfied
- Very unsatisfied

Please comment, providing any relevant examples: _____

22. Do you have any suggestions that could help improve the quality and timeliness of Global Affairs Canada's export permitting service?

23. If you have previously applied for an export permit under the Export and Import Permits Act, what impacts do you foresee for your business planning and processes from potential longer processing times?

24. What could the government do to mitigate any impact on the competitiveness of Canadian companies?



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25. How will the proposed changes to the government's export controls regulations, particularly the new brokering permits requirements and the increased due diligence regarding the Arms Trade Treaty assessment criteria, affect your business planning and processes?

26. Global Affairs Canada maintains expedited assessment processes for low-risk exports to certain countries. This has typically allowed the department to process 96% of export permit applications to these countries within the established service standard of 10 business days. Do you believe that Canada should preserve an expedited process for low-risk exports to certain countries? Please explain.

27. Please identify any other elements of Canada's current export controls system, including permit issuing processes and practices, which you believe should be preserved.

28. What do you believe is the most effective way for the government to keep industry up to date on changes to export control regulations?

29. Is there any additional information or support that you believe the government could provide that would help industry to comply with the current and proposed export control regulations?

30. We welcome you to share any additional opinions or comments related to the subject matter of the consultation in the space provided below.

CONTACT INFORMATION FOR FEEDBACK

As part of this consultation process, Global Affairs Canada will meet with interested stakeholders to hear their feedback on the proposed strengthening of Canada's export controls regime.

Would you be interested in meeting to further discuss your views or any of the comments provided in this consultation? If so, please provide us with your contact information.

- No, thank you. Please do not contact me.
- Yes, please contact me:

Name of individual and/or organization: _____

Phone number: _____

Email address: _____

Thank you for your interest and participation in this process. If you have additional comments, please email expctrlpol@international.gc.ca