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Parameters

1. The State Party shall not authorise an export of any item within the scope of this treaty if the export would violate the provisions of this treaty or the State party's relevant obligations under international law.

2. In considering whether or not to authorize an export of item within the scope of this treaty, a State Party shall make risk assessment based on the following criteria:

   a. used to commit or facilitate serious violations of applicable international human rights law or international humanitarian law.

   b. used to commit or facilitate crimes under international criminal law, including genocide, war crimes or crimes against humanity.

   c. used to perpetrate or facilitate acts of gender-based violence, and violence against children.

   d. used in a manner that would seriously undermine peace and security or, provoke, prolong or aggravate acts of aggression or other breaches of the peace.

   e. used to undermine regional, sub-regional or international stability.

   f. used to commit or facilitate acts of transnational organised crime.

   g. used to support, encourage or perpetrate terrorist acts or violent crime, as defined by the United Nations relevant instruments.

   h. diverted to unauthorised end users and non-state actors.

   i. diverted to be used to commit any of the above or into the illicit market.

3. In making such risk assessments, the State Party shall apply the criteria set out in (section! paragraph number) consistently and in an objective and non-discriminatory manner, and in accordance with the principles set out in (section number), taking into account all credible relevant information, including information provided by the importing State and competent United
Nations organs, including on the nature and potential use of the items to be exported, the end-user and the country of final destination.

4. Where substantial risks exist, there shall be a presumption against authorization.

5. As part of their national risk assessment and prior to taking a final decision on the authorization of an export, States Parties may consider, in full cooperation with the importing State, mitigation measures aiming at minimizing the potential risk associated with the assessed export.

6. If after all mitigation efforts the risk persists the State Party shall not authorize the export.