

#o * os"\$o% of \$(e Assess * e%\$ Pa%e!@ (e o%!y #a * e for5ard 5 (e% (e !ear%ed \$(a\$ (e d'd %o\$ ass \$(e \$es\$. <"%a!!y' #o%\$rary \$o \$(e A !"#a%\$As asser"\$o's' ("s res o%ses \$o \$(e 5r"\$e% \$es\$ B3es"\$o's do %o\$ * a\$#(("s P?P "% s3#(a 5ay as \$o a!!o5 (" * 8e"%g "de%"f"ed@

"". -% add"\$o% \$o \$(e a8o1e' \$(e e1a!3a"\$o% of \$(e 5r"\$e% \$es\$ 5as %o\$ do%e 8y \$(e ? & a!o%e 83\$ 8y a% Assess * e%\$ Pa%e!' 5 ("#(5as a s3ff"#e%\$ safeg3ard for \$(e A !"#a%\$As r#g(\$ \$o f3!! a%d fa'r #o's"dera"\$o%' a%d \$(e grades g"1e% \$o \$(e A !"#a%\$ 8y a!! \$(ree Pa%e! * e * 8ers do %o\$ #o's"dera8!y lary or "%d"#a\$e a%y " * ro er "%f!3e%#e o% \$(e s"de of \$(e ? & o% \$(e A !"#a%\$As o1era!! s#ore@

"". T(e #o%"d"\$o% of 3rge%#y "s %o\$ * e\$ s"%#e \$(e se!e#"o% ro#ess (as %o\$ ye\$ ro#eeded \$o \$(e C ; B@ (e%#e' \$(ere "s %o e1"de%#e of a% " * * "%e%\$ se!e#"o% de#"s"o% a%d of "\$s " * !e * e%\$a"\$o% \$(ereof@

"1. <"%a!!y' as regards \$(e reb3"s"\$e of "rre ara8!e da * age' \$(e A !"#a%\$ does %o\$ de * o%\$s\$ra\$e (o5 \$(e " * !e * e%\$a"\$o% 5o3!d #a3se (" * "rre ara8!e (ar * ' s"%#e (e fa"led \$o s(o5 \$(a\$ (e 5o3!d 8e \$(e sele#sed #a%d"da\$e s(o3!d (e 8e "%#!3ded "% \$(e %e4\$ s\$age of \$(e sele#"o% ro#ed3re.

Consideration

11. Ar\$#!e 2.2 of "\$s /\$a\$3\$e a%d ar\$. 13 of "\$s ;3!es of Pro#ed3re ro1"de \$(a\$ \$(e D's 3\$e Tr"83%a! * ay order \$(e s3s e%\$s"o%' d3r"%g \$(e e%de%#y of * a%age * e%\$ e1a!3a"\$o%' of \$(e " * !e * e%\$a"\$o% of a #o%\$es\$ed ad * "%s\$ra"\$e de#"s"o% \$(a\$ "s \$(e s38>e#\$ of a% o%+go"%g * a%age * e%\$ e1a!3a"\$o%' 5 (ere \$(e de#"s"o% a ears prima facie \$o 8e 3%!a5f3! "% #ases of ar\$"#3!ar 3rge%#y a%d 5 (ere "\$s " * !e * e%\$a"\$o% 5o3!d #a3se "rre ara8!e da * age.

12. -\$ fo!!o5s fro * \$(ese ro1"s"o%\$ \$(a\$ a% a !"#a"\$o% for s3s e%\$s"o% of a#"o% * ay o%!y 8e gra\$ed "f "\$ #o%#er%\$ a% ,ad * "%s\$ra"\$e de#"s"o%.' 5 ("#((as %o\$ ye\$ 8ee% " * !e * e%\$ed a%d 5 ("#("s \$(e s38>e#\$ of a% o%+go"%g * a%age * e%\$ e1a!3a"\$o%. T(e A ea!s Tr"83%a! (see e.g. Al Surki et al. 2013+UNAT+304) (as

