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STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

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COMMITTEE OF EXPERTS ON THE REFORM OF THE COURT
(DH-GDR)

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DRAFTING GROUP 'F' ON THE REFORM OF THE COURT
(GT-GDR-F)

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Draft text on possible alternative models, prepared by the Rapporteur, Mr Ota HLINOMAZ (Czech Republic)

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Introduction

1. This section addresses the proposals relating to possible alternative models for the Convention control mechanism on the basis of written contributions submitted in the open call for contributions, as well as expert presentations and discussions of the drafting group.

2. Despite the large number of proposals and the high quality of the discussions, clear direction on follow-up was not always readily apparent. In order to carve out clear guidance for the future drafting work of the group, it is crucial that the main tendencies be identified. This is the principal aim of the present section.

3. During the 4th meeting of the drafting group, which was devoted entirely to alternative models, proposals were also tabled in relation to issues dealt with under Section V ("preserving and reinforcing" the current system). Those proposals were thus integrated into that particular section and do not appear in this section. However, since close interactions exist between certain proposals, repetitions may occur.

4. This section is divided into three sub-sections. The first two address the main tendencies of the drafting group's discussions on alternative models, namely the balance between adjudicatory and interpretative roles; and the composition of the Court: enhancing its national element. The third sub-section lists those proposals which do not fall under these main tendencies. Although one may question whether and to what extent all these tendencies and proposals are truly "alternative", they undoubtedly bring new elements into the Convention control mechanism with the aim of considerably changing and/or improving the existing system.

5. The tendencies and proposals are, where possible, addressed in three consecutive steps, namely 1) description, 2) identification of main arguments put forward by the drafting group, and 3) indication as to whether it was supported by the drafting group and whether the discussion led to any concrete conclusions.

I. Balance between adjudicatory and interpretative roles of the Court

6. On a preliminary note, the drafting group agreed that the concepts of "constitutional (court)/constitutionalisation/constitutionality" should be used with utmost caution, if at all. There are various definitions and characteristics of these terms, based on the approaches taken and national contexts in which they are used. As one commentator pointed out, "the c-word may not be helpful in our context. It easily leads to definitional issues, and to unjustifiable borrowing from domestic constitutional models. While 'constitutionalisation' and 'constitutionalism' are useful concepts in an academic debate, it is better in our context to deal with the concrete issues: What kinds of reforms are desirable?"[1] Therefore, where possible, these terms are avoided in this section.

a) The context: Summary of previous reform discussions

7. The tension between the two roles of the Court and, in particular, the issue of conferring on the Court a discretion to decide which cases to consider, has been the subject of discussions within the Council of Europe expert bodies since 2001.

8. In 2001, the CDDH Reflection Group on the Reinforcement of the Human Rights Protection Mechanism (CDDH-GDR) thoroughly examined the idea of setting up a *certiorari* system. The Reflection Group considered that it was not possible to retain the proposal in "its pure form".[2] However, it did not "rule out some expression of this idea (in particular the idea of introducing a degree of flexibility or discretion) in conjunction with other measures".[3]

9. In the Explanatory Report to Protocol No. 14, adopted by the CDDH in April 2004, the proposal to give the Court "discretion to decide whether or not to take up a case for examination (system comparable to the *certiorari* procedure of the United States Supreme Court)"[4] was expressly rejected because it "would have restricted the right of individual application. (…) It was felt that the principle according to which anyone had the right to apply to the Court should be firmly upheld."[5]

10. In the same vein, in 2006, the Group of Wise Persons decided not to pursue this idea and considered that "a power of this kind would be alien to the philosophy of the European human rights protection system"[6] since it "would call into question the right of individual application [as] a key component of the control mechanism of the Convention (…)"[7].

11. However, in its 2009 Activity Report on guaranteeing the long-term effectiveness of the control system of the European Convention on Human Rights, the CDDH did not entirely reject this idea when it concluded that "the Court might ultimately one day develop in this direction, but the time is not yet ripe to discuss the proposal further. The situation in many

[1] See Professor Ulfstein's contribution in the Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 100 (doc. H/Inf (2014)1)).
[2] See doc. CDDH-GDR(2001)10, Appendix II, Item 3, para. 13.
[3] Ibid.
[4] See para. 34 of the Explanatory report to Protocol No. 14.
[5] Ibid.
[6] See the Report of the Group of Wise Persons to the Committee of Ministers (doc. CM(2006)203), para. 42.
[7] Ibid.

Member States means that particular emphasis at European level is still needed on the protection of rights through judicial determination of individual applications to the Court."[8]

12. In its 2012 Final Report on measures requiring amendment of the ECHR, the CDDH described the proposal to confer on the Court the discretion to decide which cases to consider as "an approach, [under which] an application would not be considered unless the Court made a positive decision to deal with the case".[9] It identified main arguments in favour and against such proposal. Among the arguments in favour, the report mentioned, *inter alia*, processing of applications in a reasonable time, allowing focus only on highest priority cases, and ensuring consistent case-law of the highest quality.[10] The arguments against included significant restriction of the right of individual petition, no solution for the then existing backlog of cases, and that the proposal presupposes a high level of implementation at the national level, which is not currently achieved in all instances.[11] The CDDH concluded that "tendencies in the number of pending applications (…) may have implications for an evaluation of the necessity of this proposal"[12]. Although the CDDH did not reach any conclusion, it did not explicitly reject the proposal.

b) "Constitutional" features of the current system

13. Throughout the discussions of the drafting group, it was argued that a human rights court is *sui generis* in nature and that there may be various differences between the Court and a "constitutional court".[13] The Court however exercises constitutional functions and has certain constitutional characteristics/elements/features.

14. The summary of the previous reform discussions shows that there has been much focus only on one "constitutional" feature of the Court's functioning, i.e. the competence to select its cases. However, there is a broad range of "constitutional" features, some of which have already been developed within the current Convention system.

15. The drafting group identified, *inter alia*, the following "constitutional" features within the current system:

- a range of procedural tools to solve a large number of applications resulting from systemic issues:[14] pilot judgment procedure and its variants;[15] an invitation to the respondent State to settle a list of cases on the basis of the levels of compensation

[8] See doc. CDDH(2009)007 Addendum I, para. 47.
[9] See doc. CDDH(2012)R74 Addendum I, Appendix IV, para. 60.
[10] Ibid, para. 61.
[11] Ibid, para. 62.
[12] Ibid, para. 66.
[13] See e.g. the presentation of Professor Wildhaber, in the Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 94, (doc. H/Inf (2014)1)); see also the contribution of Professor Ulfstein at the 4th meeting of the drafting group "F", doc. GT-GDR-F(2014)032.
[14] See CDDH report "on the advisability and modalities of a 'representative application procedure'", doc. CDDH(2013)R77 Addendum IV, para. 16.
[15] See e.g. Greer and Schädler, in Thematic overview of the results of the 'open call for contributions' (prepared by the Secretariat), doc. GT-GDR-F(2014)003, para. 35.

awarded in a previous judgment; the expedited Committee procedure (use of the concept of well-established case-law); grouping of similar applications; [16]

- indications by the Court in certain cases under Article 46 of the Convention of general measures that need to be taken by a High Contracting Party in order to remedy a particular deficiency;

- relinquishment of jurisdiction under Article 30 of the Convention to the Grand Chamber in cases raising a serious question affecting the interpretation of the Convention;

- the prioritisation policy of the Court, formally recognizing that some applications shall be examined more speedily at the international level than others;[17]

- admissibility criteria (i.e. filtering mechanisms), in particular the significant disadvantage admissibility criterion, which embodies a limited seriousness test,[18] the criterion of manifest ill-foundedness,[19] and the criterion of exhaustion of domestic remedies;

- other constitutional characteristics identified by various commentators, such as the Court deciding "broadly the same kind of issues as a domestic supreme or constitutional court".[20]

16. Protocols No. 15 and 16 to the Convention further strengthen certain "constitutional" features of the Court.[21] For example, Protocol No. 15 removes the parties' right to object to relinquishment of a case by the Chamber in favour of the Grand Chamber. This measure is intended, *inter alia*, to "contribute to consistency in the case-law of the Court"[22] and to speed up the proceedings in cases "which raise a serious question affecting the interpretation of the Convention".[23] In this respect, it is expected that "the Grand Chamber will in future give more specific indication to the parties of the potential departure from existing case-law or serious question of interpretation of the Convention".[24] Furthermore, Protocol No. 15 strengthens the significant disadvantage admissibility criterion in order "to give greater effect to the maxim *de minimis no curat praetor*".[25] This increases the threshold of the "seriousness test".

[16] Ibid.
[17] Ibid; Representative of the Court informed the drafting group that the prioritisation policy at the Court is currently being reviewed with a more calibrated policy regarding the inclusion of sub-categories.
[18] See e.g. Greer and Schädler, in Thematic overview of the results of the 'open call for contributions' (prepared by the Secretariat), doc. GT-GDR-F(2014)003, para. 35.
[19] See e.g. the presentation of Professor Ulfstein, in Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 98, (doc. H/Inf (2014)1)); see also, ibid, comments by Frank Schürmann, p. 106.
[20] Greer and Wildhaber, Revisiting the Debate about 'constitutionalising' the European Court of Human Rights (2012) 12(4) H.R.L.R. 655, pp. 667-670.
[21] See e.g. Dzehtziarou and Greene, Restructuring the European Court of Human Rights: preserving the right of individual petition and promoting constitutionalism (Public Law: 2013), pp. 4-5, doc. GT-GDR-F(2014)029.
[22] Explanatory report to Protocol No. 15, para. 16.
[23] Ibid, para. 17.
[24] Ibid, para. 19.
[25] Explanatory report to Protocol No. 15, para. 23.

17. Along the same lines, Protocol No. 16, facilitating the dialogue between high domestic courts and the Court, enhances the "constitutional" role played by the latter[26] since the Court may give more guidance to domestic courts and tribunals on "the interpretation and application of the rights and freedoms defined in the Convention".[27] It also enhances the Convention's judicial incorporation as *the law of the land*.

18. It was argued that some of the "constitutional" features show that the Court may reject applications "even if they have merit. Thus, even today not all meritorious cases are dealt with [by the Court]".[28] It was also stressed that the absence of a competence to select its cases can be compensated by stricter application of admissibility criteria[29] or by increased decision-making powers to Committees and single judges.[30]

19. The "constitutional" features developed within the current system were generally supported by the drafting group. However, some experts noted the need for a better understanding and, in some instances, the need for a possible balanced application of these features in the future.

c) Curtailing the adjudicatory role of the Court and the right to individual application

20. Certain commentators proposed a far-reaching shift in the functioning of the current system, generally suggesting that the Court should have far more control over its own docket and hence greater discretion (or prioritization) to select which cases to adjudicate.[31] Particularly the following approaches were noted:[32]

i. Court's work should be reoriented towards constitutionalism rather than adjudication;

ii. The Court should be able to choose which cases to adjudicate;

[26] Already in 2006, the Group of Wise Persons recognized the constitutional aspect of this proposal when it stressed in its report (doc. CM(2006)203, § 135) that "it would be useful to introduce a system under which the national courts could apply to the Court for advisory opinions on legal questions relating to interpretation of the Convention and the protocols thereto, in order to foster dialogue between courts and enhance the Court's 'constitutional' role."; see also, Explanatory report to Protocol No. 16, in particular paras. 1 and 9.

[27] Article 1(1) of Protocol No. 16; see also Explanatory report to Protocol No. 16, para. 11.

[28] See the presentation of Professor Ulfstein, in Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 99, (doc. H/Inf (2014)1)); see also, ibid, comments by Frank Schürmann, p. 104.

[29] See e.g. the presentation of Vit A. Schorm, Chair of the Steering Committee for Human Rights, in Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), pp. 52-54 (doc. H/Inf (2014)1)).

[30] See the presentation of Professor Ulfstein, in Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 101, (doc. H/Inf (2014)1)).

[31] See e.g. de Londras, Dual Functionality and the Persistent Frailty of the European Court of Human Rights (2013) 1 E.H.R.L.R. 38; see also e.g. Greer and Wildhaber, Revisiting the Debate about 'constitutionalising' the European Court of Human Rights (2012) 12(4) H.R.L.R. 655.

[32] See Thematic overview of the results of the 'open call for contributions' (prepared by the Secretariat), doc. GT-GDR-F(2014)003, § 37; See also e.g. the contribution of Professor Wildhaber, in the Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 94, (doc. H/Inf (2014)1)).

iii. 'Constitutional pluralism': a system in which the Court prioritises between its various roles (including by not examining certain otherwise meritorious cases), operating within a "pluralistic, polyvalent, and heterarchical constitutional landscape";

iv. In the long term, the Court, as an international tribunal, should only concern itself with important cases, such as those on which the Grand Chamber currently pronounces, and not lesser cases which take up too much time and energy;

v. The Court becoming a "true constitutional court", which does not establish facts itself (although it can review how an earlier court had done so), does not make law but interprets it (although a judge can opine on what the law should mean), should restrict itself to fundamental issues and respect the States Parties' margin of appreciation, should not resolve a particular case on the basis of equity, and should have high standards and strict requirements for accessibility.

21. The common ground for these models is a decreasing focus on the judicial protection to all applicants, and thus a decreasing focus on the *in concreto* approach currently followed in the Court's judgments. In other words, these proposals go in the direction of suggesting to grant the Court the power to decide primarily on leading cases in order to develop the case law further and to give more guidance to domestic authorities on how the Convention should be interpreted, with less focus on its application in the concrete setting of a particular case.

22. However, a widespread opposition to move in this direction was noted both among the members of the drafting group, and among many of the contributors to the 'open call for contributions'.[33] The reference was made, *inter alia*, to a need to preserve a system based on equal treatment of applicants and to avoid the risk of a discretionary assessment suggesting a politicisation of cases and hence a lack of legitimacy, possibly leading to an erosion of trust in the institution altogether. In that respect, the effects of the discretionary *certiorari* authority of the US Supreme Court were put forward, the main risk being the appearance that the said court is politically motivated in its case selection, raising questions about respect for the separation of powers and the democratic legitimacy of judicial review.

23. Furthermore, the discretion to decide which cases to examine would necessitate a high degree of implementation of the Convention in member States. The drafting group does not foresee that such a level of observance of Convention standards can be reached in the foreseeable future. It was argued that insufficient domestic remedies render the proposal premature at this stage.

24. Based on the above mentioned, it can be concluded that any fundamental changes to the right of individual application should be discussed with the utmost caution. The drafting group considers that the Court is unique in its ability to adjudicate individual cases and, while doing so, to address systemic and structural issues and to focus on the interpretation of the Convention in a scope going well beyond the individual case at hand. This idea is reflected in the statement by the Court's President in Oslo: "*pour ma part, je crois à cette double vocation et je dis oui à une cour constitutionnelle européenne, à condition qu'elle demeure*

[33] See Thematic overview of the results of the 'open call for contributions' (prepared by the Secretariat), doc. GT-GDR-F(2014)003, para. 33.

une cour protectrice des droits des individus en continuant à rendre justice dans le cas particulier soumis."[34]

d) The need for the right balance: strengthen the "constitutional" function and simplify the adjudicatory function of the Court

25. Unlike the rather "far-reaching" proposals mentioned in the previous sub-section, proposals in this sub-section generally consider that the adjudicatory function should remain an important building block of the Convention control mechanism.[35]

26. Particular focus was placed on a proposal to locate the adjudicatory function within the Chambers and to further strengthen the "constitutional(ist)" function of the Grand Chamber.[36] These two functions would be clearly separated. The Grand Chamber would deal with three main types of cases. The first type are cases that deal with "novel issues, never before presented before the Court".[37] The second type are those "of particular significance for the State concerned" including endemic violations which are embedded in a particular legal system and where the Court has to emphasise the importance of the problem and urge the Contracting Party to solve the issue.[38] Ultimately, the Grand Chamber would deal with "allegations of serious human rights violations".[39] During the discussions of the drafting group on this proposal, it was pointed out that the Grand Chamber, in fact, already deals with this type of cases. Furthermore, it was stressed that the proposal places too much emphasis on the role of the Grand Chamber and underemphasizes the role of the Chambers in developing the case-law of the Court. In this respect, the drafting group identified certain difficulties regarding practical implications of this proposal, namely the limited capacity of the Grand Chamber, complicated strict categorization between adjudicatory and "constitutional(ist)" cases, handling of non-priority chamber cases raising complex issues, etc. The drafting group did not share the need to sketch out a new specific treatment by the Court of cases raising novel issues or cases of serious human rights violations.

27. It was also suggested that the Court be given authority to take cases *ex officio*, building on its practice of examining issues not raised by an applicant. It was noted that this would require an amendment of the Convention and remained unclear how the Court should identify and decide upon issues to take as additional cases. It was stressed that requiring the Court to exercise 'political will' in such a way could be dangerous. In fact, Article 52 of the Convention could achieve similar ends, the Secretary General being better placed to exercise such will. Some felt, however, that since the Court already raised new issues on its own motion, the proposal did not pose new problems of principle.

28. The proposal to introduce "class actions" was considered mainly in relation to its potential to deal with systemic violations while determining the applications of all members

[34] See Proceedings of the Conference on the long-term future of the European Court of Human Rights (Oslo, 7-8 April 2014), p. 48, (doc. H/Inf (2014)1)).
[35] See e.g. Dzehtziarou and Greene, Restructuring the European Court of Human Rights: preserving the right of individual petition and promoting constitutionalism (Public Law: 2013), doc. GT-GDR-F(2014)029.
[36] Ibid.
[37] Ibid, p. 2.
[38] Ibid, p. 2-3.
[39] Ibid, p. 3.

of a same group. It was also stressed that it might be an appropriate tool to tackle repetitive applications. Some members of the drafting group pointed out that, although not in its pure form, "class actions" are already used. It should be recalled that the CDDH had already considered that the Court has a range of appropriate procedural tools to solve a large number of applications resulting from systemic issues (see above § 15).[40] It was not clear whether the drafting group wishes to pursue this proposal further.

29. In sum, there was some support for a simplification of the adjudicatory role of the Chambers. There is, however, a need in the context of the drafting exercise to determine whether this purpose can be achieved through the reinforcement of the existing elements described above in paras. 13-19, such as stricter interpretation of certain admissibility criteria[41], or increased decision-making powers to Committees and single judges. Furthermore, the current working methods and reflections at the Court, presented by its Registrar in his written and oral contributions to the drafting group, need to be closely considered. To this effect, the review of the prioritisation policy underway at the Court, with a more calibrated policy regarding the inclusion of sub-categories, should be followed with particular attention.

II. Composition of the Court: enhancing its national element

30. Certain proposals focused on securing greater involvement of the domestic judiciary in the composition of the Court, succeeding the model in use before the entry into force of Protocol No. 11. Various models were put forward, such as a full time Court with a Grand Chamber of 15 part-time judges (on a basis of rotation from the various highest judicial bodies), or greater involvement of a national judge who would be either permitted to retain judicial office in his/her own country (pool of temporary judges) and/or serve in some parts of the Court's work. The underlying rationale of those proposals is to further enhance the interaction and dialogue between the Court and domestic (judicial) actors, and, in turn, benefit from the judicial expertise within the national legal systems. Relatedly, some of these proposals aim to increase the legitimacy, credibility and transparency of the Court, leading to more confidence in the Court at the national level. However, the drafting group also identified certain constraints of the proposals related to the involvement of the national judge in the Court's work, including logistical and budgetary consequences,[42] and a possible threat to the efficiency of the Court and consistency of its case-law.

31. Another issue considered was the possibility to improve the selection of lawyers at the Court's Registry on the basis of their knowledge of their national legal systems. It was argued that the Court's judges need to be assisted by staff members of the Registry who have extensive practical experience with the legal order of their respective countries. It was added

[40] See CDDH report "on the advisability and modalities of a 'representative application procedure'", doc. CDDH(2013)R77 Addendum IV, para. 16.

[41] It has also been proposed that the current admissibility criteria be replaced by a new test of 'seriousness', allowing the Court to focus its scarce resources on judicial action reflecting the Convention's 'constitutional' characteristics. This proposal assumed that the Court's case-load problems could not be resolved within the current paradigm. In response, it was noted that the Court already rejected 95% of applications under the existing criteria; such new criteria were thus unnecessary.

[42] See notably the CDDH final Report on measures requiring amendment of the Convention (doc. CDDH(2012)R74 Addendum I), para. 41.

in this context that given the constraints of the role of the Government Agents in the framework of adversarial proceedings before the Court, Chambers could rely on the knowledge of the Registry lawyers regarding the domestic legal order concerned, particularly in cases where a clarification of a specific domestic legal issue would be needed.

32. In addition, the institution of an Advocate General attracted some attention. Such proposal was, however, already largely discussed throughout previous reforms of the Court, but never retained (Protocols No. 11 and 14 negotiations).

33. In conclusion, these proposals are not mutually exclusive. Even if consensus has not been reached on many of these issues, the discussions suggested that there is a tendency to enhance the national element, the form of which shall be open to further discussions (judge of the Court/national seconded judge/registry lawyers). There is, however, a need to further examine how these various possibilities to enhance the national element could be brought forward. The relevance of the proposals needs to be weighed against the related proposals concerning the issue of interaction between the domestic courts and the Court.

III. Other proposals

34. The common denominator of the proposals found in this sub-section is the fact that they cannot be identified as falling under the main tendencies of the drafting group's discussions on alternative models.

35. It should also be pointed out at the outset that they were either not supported or there was no indication as to their support within the drafting group.

36. Since the level of their elaboration differed, they are only briefly discussed and the emphasis is placed on the references to the documents in which they were more thoroughly presented.

37. It was, for example, suggested to establish a new mechanism of "ex-ante human rights check"[43] that would examine draft legislation before submission to a national parliament in order to ensure compliance with Convention standards. The mechanism would be permanent, operating in the framework of the Council of Europe. It could be placed under the Court's auspices or created as a new entity. It would have an advisory function and unlike technical assistance activities, it would not operate on an *ad hoc* basis. A variety of state organs would have access to this mechanism, e.g. national parliaments, Governments and its subsidiary bodies, etc.

38. The Council of Europe would hence have a more proactive role in protecting human rights by contributing to prevent human rights violations and to avoid new applications. The Organisation's knowledge and expertise would be used more efficiently. Such a new mechanism would, however, require additional resources. Furthermore, given that it would not be mandatory, it could be used selectively only by those states and national institutions, which are already committed to the human rights cause.

[43] Observations by the European Trade Union Confederation (ETUC) contributing to the drafting of the Report of DH-GDR-Fon the Long-term future of the European Court of Human Rights, GT-GDR-F (2015)1.

39. No clear indication has been made within the drafting group as to whether this proposal should be supported or not. It can be observed, however, that the added value of this mechanism remains to be proven given that advise is already being provided by Council of Europe instances and monitoring bodies upon Member States' request as well as in the context of technical assistance activities. It should also be noted that similar mechanisms have already been considered under the auspices of the Council of Europe, notably in the framework of the review of the implementation of Recommendation Rec(2004)5 of the Committee of Ministers on the verification of the compatibility of draft laws, existing laws and administrative practice with the standards laid down in the Convention.

40. The following proposals were also mentioned in the course of the drafting group's discussions: creation of first instance courts of the Court on thematic issues;[44] creation of regional courts (territorial judicial commissions);[45] referral to domestic courts;[46] creation of a special judicial organ (or a special chamber within the national supreme court) to deal exclusively with the Convention matters (filing a complaint with such an organ would become a necessary precondition for seizing the Court);[47] fair trial commissions; provisional judgment (national courts will be given the opportunity to express their views on a Strasbourg decision that will significantly develop the jurisprudence, and Contracting Parties will intervene in the proceedings regarding a new interpretation that would be given to a certain right).[48]

41. These proposals did not find wider support among the members of the drafting group.

[44] See proposals from Professor Neshataeva (doc. GT-GDR-F (2014)007).
[45] Ibid; see also contribution of Stefan Trechsel in the "open call for contributions".
[46] See proposals from Professor Neshataeva (doc. GT-GDR-F (2014)007).
[47] Ibid.
[48] See "*An English Judge in Europe*", lecture given by the Rt Hon. Lady Justice Arden (doc. GT-GDR-F(2014)006).