



RULES OF PROCEDURE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

CHURKIN MOSCOW
INTERNATIONAL
MODEL UNITED NATIONS



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I. GENERAL PROVISIONS

Rule 1. Rules of Procedure

1. These Rules of Procedure (hereinafter referred to as "the Rules", "the RoP") of the International Tribunal for the Law of the Sea (hereinafter referred to as "ITLOS") of Churkin Moscow International Model United Nations (hereinafter referred to as "Model UN", "MUN") are adopted prior to the beginning of the MUN. The Rules of Procedure can be modified only by the Model UN authorities.

2. The ITLOS President shall have the prerogative to interpret the Rules.

3. Violation of the Rules is not allowed.

4. Shall any Representative violate the Rules, the President is to call them to order immediately. In case of repeated or significant violations the President shall put to vote a motion to temporarily deprive the Representative of their right to speak until the next suspension of the meeting.

Rule 2. Agenda

The agenda is set by the Model UN authorities prior to the beginning of the MUN and cannot be changed.

Rule 3. Language

1. The official language of ITLOS shall be English.
2. Other languages shall not be used during the session of ITLOS.

II. MODEL UN PARTICIPANTS

Rule 4. Powers of Model UN Participants

1. Powers of Judges and Representatives (hereinafter jointly referred to as "Representatives"), Advisors and Guests shall be confirmed by the Secretariat in the course of their registration for the MUN and the distribution of badges and other working materials by the Secretariat.
2. At the hearings, every country or organization, if needed, shall be represented by one Participant. The only exception is the chairing country, which can be represented by the Presidium members, one of which executes the role of the President and another of the Vice-President.
3. During the ITLOS meetings Participants shall speak only on behalf of the country or organization they represent and avoid expressing their personal opinion.
4. Participants shall:
 - a. act in conformity with these Rules of Procedure;
 - b. treat other Participants with respect;

- c. abide by the rulings of the President;
- d. participate in the Committee work during the entire session;
- e. seek to contribute to the successful and effective work of ITLOS.

5. Participants shall not abuse the Rules. In case of repeated violations of the Rules of Procedure the President can raise a Motion to temporarily deprive a Representative of the Right to Speak. If the violations still remain, the MUN authorities can be called and the Representative will be barred from participating in the session of ITLOS.

Rule 5. Judges

Judges shall have a right to:

- a. speak and vote on all discussed matters;
- b. raise Points and Motions;
- c. participate in drafting procedural documents (i.e. tribunal rulings, advisory opinions).
- d. present Amendments to an Advisory Opinion.

Rule 6. Representatives

1. Representatives can represent:
 - a. United Nations Specialized Agencies;
 - b. international intergovernmental organizations;
 - c. states;
 - d. other entities whose participation in the proceedings has been deemed necessary by the Tribunal

2. Representatives may be given a right to speak by the President, however, they shall have no right to vote or raise Procedural Motions.

Rule 7. Advisors and Guests

1. Advisors and Guests shall have a right to attend meetings of ITLOS and occupy the places specifically designated by the President.

2. Advisors and Guests shall not communicate with Participants during the proceedings. Advisors and Guests shall have no right to speak or vote while ITLOS is in session.

III. PRESIDENCY

Rule 8. Presidency

1. The President and the Vice President of the Tribunal shall preside at all meetings of the Tribunal. They shall direct the work and supervise the administration of the Tribunal.

2. They shall represent the Tribunal in its relations with States and other entities.

3. The President and the Vice President are appointed by the Model UN administration.

4. The President can yield their powers to the Vice President when they deem it necessary.

Rule 9. Powers of the President

1. The President shall moderate the session in accordance with these Rules and ensure that ITLOS operates effectively and the rights of all Representatives are respected.
2. The President shall:
 - a. ensure compliance with these Rules;
 - b. conduct a Roll Call to establish a quorum at the beginning of each meeting and after a break or at any other time if required;
 - c. announce Roll Call results;
 - d. declare the session open and closed;
 - e. moderate the session;
 - f. conduct debates;
 - g. introduce Procedural Motions;
 - h. determine and announce the deadline for submitting Advisory Opinions and Amendments;
 - i. define the minimum number of authors required to submit a Advisory Opinion and Amendments;
 - j. maintain the order during the meetings;
 - k. put questions on voting;
 - l. announce voting results.
3. The President shall have the right to rule Points and Motions out of order if those are not stipulated in these Rules.
4. The President shall give their rulings on any matter related to the session, including matters not stipulated in these Rules.

5. Rulings of the President can be appealed by the Judges in accordance with the procedure provided in point “c” of Rule 42 and paragraph 1 of Rule 46.

6. The President shall be impartial. They should refrain from speaking on the substance of the discussed matters except when it is necessary to ensure effective functioning of ITLOS.

IV. SECRETARIAT

Rule 10. Composition of the Secretariat

The Secretariat shall be represented by the Expert (“Registrar”) in ITLOS. Other Members of the Secretariat may also be present at the meetings and speak on the matters that are within their competence provided the President gives the floor to them. The President shall manage the work of the Secretariat Members in ITLOS.

Rule 11. Expert

1. The Expert prepares the Report on the ITLOS agenda and participates in the entire session of ITLOS.

2. The President may ask the Expert to clarify a substantial point regarding the matters that fall within the scope of the ITLOS agenda at any time except when a speaker has the floor or at the time of voting procedure.

3. During the session, any Representative may introduce a Question to the Expert in order to clarify a point regarding a discussed matter, after which the President may decide to give the floor to the Expert.
4. The Expert checks if all Advisory Opinions and Amendments to the Draft Advisory Opinion comply with international law and the UN Advisory Opinions on the matter already adopted as well as with technical requirements for the above-mentioned documents.
5. The Expert's rulings are not subject to appeal.

Rule 12. Secretaries

The Secretaries shall perform their duties under direct supervision of the President. They shall receive, type, copy and circulate necessary documents, count votes during voting procedures, and facilitate diplomatic correspondence. At the request of the President, they shall perform other duties that may be required to ensure effective functioning of ITLOS.

V. RULES GOVERNING DEBATE

Rule 13. Roll-Call

1. The roll-call shall be taken in alphabetical order of the English language prior to the opening of the meeting and before resuming the meeting in order to establish the quorum.

2. When called by the President, the Representative shall raise the placard with the name of their country or organization and say "Present".

Rule 14. Quorum

The President can declare the session open or resume it after a break provided that at least half of the registered Judges of ITLOS are present. The registration of the Judges shall mean their check-in on the 13th of April, 2025.

Rule 15. Formal Debate and Caucus

1. Meetings of ITLOS can be conducted in one of the following forms:

- a. Formal Debate;
- b. Moderated Caucus;
- c. Unmoderated Caucus.
- d. Consultation of the Whole

2. During meetings in any form, Representatives shall not leave the room without a permission given by the President (excluding cases of extreme urgency). Representatives can request such a permission from the President in written form (if it is an Unmoderated Caucus, the request could be made orally).

Rule 16. Formal Debate

1. Formal Debate shall be used when Representatives deliver the positions of their country or organization, discuss Advisory Opinions, adopt a Draft Advisory Opinion, debate over Amendments, adopt the ITLOS Advisory Opinion, and in any other case unless ITLOS decides otherwise.
2. With the beginning of the Formal Debate the President shall announce the debate open and the beginning of the presentation of countries' positions. The Speakers List is formed in the alphabetical order of the language of the committee. In other cases, the President composes the Speakers List themselves. A Representative has the right to announce that they wish to speak at the end of the Speakers List once per Formal Debate.
3. In case a Representative is not present in the committee room when their turn to speak comes, the President may move them to the end of the Speakers List once per Formal Debate. In case of the Representative's repeated absence, they are removed from the Speakers List entirely.
4. The Debate requires a motion to establish the time limit for a speech and for questions to the Speaker.
5. The conduct of debate may be subsequently altered in accordance with the procedure set forth by the Rules.

6. During the Formal Debate:
 - a. the President shall make up the Speakers List except for when the countries' positions are being presented;
 - b. the President shall give the floor to Representatives in the order of the Speakers List;
 - c. Judges shall have a right to introduce Procedural Motions stipulated in these Rules;
 - d. Representatives shall have a right to raise Points stipulated in these Rules;
 - e. time limits of speeches and debates are followed in accordance with effective regulation of debate;
 - f. Representatives shall not move around the room and speak without being given the floor.

Rule 17. Moderated Caucus

1. Moderated Caucus shall be used for informal discussions on the agenda.
2. During the Moderated Caucus:
 - a. no speakers list shall be created;
 - b. Participants wishing to speak shall ask the President to have the floor by raising their placards;
 - c. the President shall give the floor in conformity with the principle of equality and effective functioning of the International Tribunal for the Law of the Sea;
 - d. the Moderated Caucus shall not be used to discuss matters unrelated to the topic set for the specific Caucus;
 - e. the right to speak shall be granted for the time set by the procedure of the Moderated Caucus;

- f. Representatives shall not have the right to move freely about the room and speak without being given the floor;
- g. Questions to the Speaker are not allowed.

2. At any time of a meeting, but not during speeches or voting, a Judge or the President may introduce a Motion for a Moderated Caucus, explaining the purpose and stating the topic for the suggested Moderated Caucus and proposing the overall time limit and the time limit per speaker.

Rule 18. Unmoderated Caucus

1. Unmoderated Caucus is used for consultations and informal negotiations.

2. At any time of the meeting, but not during speeches or voting, a Judge or the President may introduce a Motion for an Unmoderated Caucus, explaining the purpose of the proposed Unmoderated Caucus and proposing the time limit for the Caucus.

3. The proposed time for an Unmoderated Caucus shall not exceed 20 minutes.

4. Representatives shall have the right to move freely about the room, speak without being given the floor and communicate with Advisors and Guests.

5. Representatives shall not leave the room without the President's permission.

Rule 19. Consultation of the Whole

1. The Consultation of the Whole is used to discuss the agenda and to conduct negotiations among Representatives.
2. At any time of the meeting, but not during speeches or voting, a Judge or the President may introduce a Motion for a Consultation of the Whole, explaining the purpose of the proposed motion and proposing the time limit for the Consultation.
3. During the Consultation of the Whole:
 - a. no Speakers List shall be created;
 - b. The rules of a Formal debate shall not apply during the Representatives' speeches and the discussion on various issues;
 - c. The President shall give the floor to the first Representative wishing to speak
 - d. The Representative, after finishing the speech, shall give the floor to the next Representative.
 - e. If this Representative doesn't take the floor, the floor goes to the previous speaker.
 - f. That speaker can yield the remaining time to the President before the time limit for the Consultation of the Whole expires.
 - g. Representatives are not allowed to give speeches without being given the floor and nor are they allowed to leave the room.
 - h. Questions to the Speaker are not allowed.

Rule 20. Speeches

1. A Representative wishing to speak, by raising their placard, shall ask the President to give them the floor.
2. When speaking on various procedural or substantial matters, a Representative shall observe the time limit established for the meeting according to the Rules.
3. If there is any time left:
 - a. a Representative has the right to declare themselves open for other Representatives' questions about their Speech. A Representative may refuse to answer a question;
 - b. a Representative may yield the right to answer the question to another Representative provided the latter gives their consent, except for the Presentation of the Position Paper.
4. During the Presentation of a Advisory Opinion or an Amendment the floor could be yielded to the Judge designated by the Speaker. The designated Judge is free to accept the yielded floor or no. If the Judge does not accept it, the floor is automatically yielded back to the President.

Rule 21. Conduct of Debate

1. Formal Debate consists of speeches of Representatives "in favour" or "against" Advisory Opinions or Amendments.

2. The President shall form a Speakers List for each debate by adding the Representatives who constitute their wish to speak.

3. The debate shall be conducted even if there is an unequal number of Representatives wishing to speak “in favour” and “against”.

VI. CONDUCT OF SESSIONS

Rule 22. Presentation of Briefs

1. Participants present their briefs in writing to the Registrar before or during the session.

2. During the Formal Debate and before the announcement of a deadline for submission of Advisory Opinions Representatives may present their briefs on the discussed matter orally. Time for speeches and questions to the Speaker is limited by the adopted Procedural Motion regulating the conduct of presentations.

Rule 23. Advisory Opinion

1. An Advisory Opinion is a document which meets the requirements set by the Expert and the President.

2. The ITLOS President shall set the minimum number of authors for an Advisory Opinion to be registered.

3. A Judge can be listed as an author of only one Advisory Opinion.

Rule 24. Submission of Advisory Opinions

1. After Representatives present their positions, the President shall announce the deadline for submitting Advisory Opinions.
2. Formal Debate can only be held on the documents approved by the Expert. The Expert shall verify the documents' compliance with international law and the United Nations Advisory Opinions on the matter already adopted as well as documents' conformity with technical requirements.
3. An Advisory Opinion is considered submitted after it has been registered by the ITLOS Expert and assigned a number.
4. A number is assigned according to the order in which Advisory Opinions are registered by the Expert.

Rule 25. Discussion of Advisory Opinions

Advisory Opinions shall be considered according to the following procedure:

1. One of the authors introduces a Advisory Opinion and answers the questions related to it;
2. After a Advisory Opinion is introduced, debate on the Advisory Opinion shall be opened, in the course of which Representatives have the right to speak "in favour" and "against" the discussed Advisory Opinion;

3. The same procedure shall be used for all Advisory Opinions that have been introduced for discussion.

Rule 26. Voting on Advisory Opinions

1. Upon finishing the discussion of all registered Advisory Opinions, they shall be put to vote in the order of their submission.
2. At any moment before an Advisory Opinion has been put to vote its authors may withdraw the document.
3. The withdrawal of an Advisory Opinion requires consent of all its authors.
4. Once an Advisory Opinion has been adopted by a simple majority of the ITLOS Judges it is adopted as a Draft Advisory Opinion. The rest of the registered Advisory Opinions shall not be put to vote.
5. A Draft Advisory Opinion shall have no authors.
6. In case ITLOS fails to adopt the Draft Advisory Opinion, the President shall form a Conciliation Commission.

Rule 27. Amendments

1. An Amendment is a request to add, delete or modify any part of a Draft Advisory Opinion.
2. Amendments shall be submitted separately to each clause.

3. An Amendment may have several authors.
4. A Judge may be listed as the author of several Amendments.
5. A Representative may participate in drafting an Amendment but may not be listed as its author.
6. An Amendment shall comply with the following requirements in order to be considered at the meeting:
 - a. the Expert shall verify that an Amendment does not contradict the object and purposes of the Draft Advisory Opinion;
 - b. each Amendment shall be submitted in digital form, printed or written in a legible handwriting on a separate sheet of paper;
 - c. the type purpose of each Amendment (to add, delete, or modify) shall be clearly stated;
 - d. there shall be a clear reference to the clause that an Amendment seeks to change or, when applicable, to the clause after which a new point should be added;
 - e. there shall be the necessary number of authors;
 - f. the Expert shall confirm that an Amendment complies with the requirements stated in the present paragraph.

Rule 28. Order of Consideration

1. Amendments to an operative clause of a Draft Advisory Opinion shall be considered first followed by the Amendments to the preamble.

2. Amendments shall be considered in the order of the clauses they refer to. Amendments proposing to add a new clause shall be considered last, unless the President decides otherwise.

3. If two or more Amendments to a clause are proposed, the Amendments are considered starting from the most disruptive one. If adoption of an Amendment inevitably results in rejection of another Amendment, the latter is not considered.

4. Grammatical, spelling, syntax and stylistic errors in a Draft Advisory Opinion which do not influence the meaning of the text shall be corrected by the Expert without a vote.

Rule 29. Debate on Amendment

Amendments shall be considered in the following way:

1. An author of an Amendment introduces its substance and meaning;

2. After an Amendment is introduced, debate shall be opened. In the course of debate Representatives shall speak “in favour” or “against” of the adoption of the Amendment in accordance with the established conduct of debate.

Rule 30. Amendment to the Initial Amendment

1. An Amendment to the initial Amendment adds, deletes or revises any part of an initial Amendment.

2. An Amendment to the initial Amendment shall not contradict the meaning and the purpose of the revised Amendment.

3. An Amendment to the initial Amendment shall be introduced orally in the course of the discussion of the initial Amendment. A Judge who introduces an Amendment to the initial Amendment should clearly explain their proposal. The proposal is then voted upon if approved by the Experts unless the authors of the initial Amendment accept the former as friendly.

4. Introducing an Amendment to the initial Amendment after voting on the initial Amendment is out of order.

5. If several Amendments to the same Amendment have been introduced, they shall be considered in the order of their submission.

6. If ITLOS votes in favour of an Amendment to the initial Amendment, this Amendment shall be incorporated into the text of the initial Amendment and shall become an integral part of the initial Amendment.

7. Adoption of an Amendment to the initial Amendment does not mean an adoption of the initial Amendment. Thus, after voting on an Amendment to the initial Amendment, ITLOS returns to the discussion of the initial Amendment.

8. Amendments to the third degree are not allowed.

Rule 31. Approval of a Friendly Amendment to the Initial Amendment

1. In case the author of the initial Amendment approves the proposed Amendment to the initial Amendment, they may consider this Amendment to an initial Amendment friendly.
2. In case the initial Amendment has more than one author, this Amendment to the initial Amendment needs approval of all authors.
3. If an Amendment to the initial Amendment is considered friendly, it immediately modifies the initial Amendment without voting, after which ITLOS returns to consider the Amendment taking into account changes made to this Amendment.
4. If an Amendment to the initial Amendment is not accepted as friendly, the general procedure stipulated in Rule 31 applies.

Rule 32. Withdrawal of an Amendment and an Amendment to the Initial Amendment

1. An Amendment (or an Amendment to the initial Amendment) may be withdrawn by its author before voting on it takes place.
2. If an Amendment (or an Amendment to the initial Amendment) has more than one author, the withdrawal requires consent of all its authors.

Rule 33. Advisory Opinion of the Committee

1. When the list of Amendments is exhausted, ITLOS shall go on to vote on the modified Draft Advisory Opinion.
2. Before the vote, the Secretariat shall supply the Representatives with the modified text of the Draft Advisory Opinion.
3. If the Draft Advisory Opinion receives a simple majority of the votes of the ITLOS Judges, it becomes the Final Advisory Opinion.
4. The ITLOS Advisory Opinion shall have no authors and shall be considered the result of the work of the entire Committee.

VII. TYPES OF POINTS AND ORDER OF PRIORITY

Rule 34. Precedence of Points

1. The Points of Representatives shall be considered in the following order:
 - a. Question on Voting;
 - b. Point of Personal Privilege;
 - c. Question to the Speaker;
 - d. Point of Order;
 - e. Point of Parliamentary Inquiry (Question to the President);
 - f. Question to the Expert;
 - g. Right of Reply.

2. Voting may be interrupted only by a Question on Voting that shall be considered immediately. Other Points cannot interrupt the voting procedure.

Rule 35. Point of Personal Privilege

1. At any time (except at the time of voting) a Participant may introduce a Point of Personal Privilege if they feel physical discomfort, which impairs their ability to fully participate in the proceedings. The Participant shall stand up and express their complaint when called by the President.

2. When raising a Point of Personal Privilege, the Participant is not allowed to talk on the substance of the matter discussed.

Rule 36. Question to the Speaker

1. After a speech in the Formal Debate, if the Speaker declares themselves open for questions, a Participant shall have the right to ask the former a question on the substance of their statement, if so, provided by the established time limit.

2. The President may rule the question out of order if they deem it irrelevant to the agenda.

Rule 37. Point of Order

1. At any time (except at the time of voting or Speaker's time) a Participant may raise a Point of Order if they believe that another Participant of ITLOS has violated the present Rules of Procedure.
2. When raising a Point of Order, the Participant is not allowed to talk on the substance of the matter discussed.

Rule 38. Point of Parliamentary Inquiry

1. During the ITLOS meetings, at any time (except at the time of voting or Speaker's time), a Participant may ask the President a question in writing or orally in order to clarify a point regarding the present Rules of Procedure or organizational matters.
2. When asking the President a question, the Participant is not allowed to talk on the substance of the matter discussed.

Rule 39. Question to the Expert

1. During the ITLOS meetings, at any time (except at the time of voting or Speaker's time), a Representative may ask the Expert a question in writing or orally in order to clarify a point regarding a factual aspect of the agenda, the official position of the United Nations on a matter or any other point related to the agenda.

Rule 40. Right of Reply

1. A Participant may use their Right of Reply in case they feel that the reputation or national integrity of their country or organization has been impugned by another Participant.
2. A Right of Reply shall be requested in writing right with a detailed explanation of the reasons for such a request.
3. The permission to use a Right of Reply is granted by the President at their discretion. The decision is not subject to appeal.
4. A Right of Reply is granted before the ordinary suspension of the meeting, with the Participant speaking up to one minute. No questions can be asked in exercise of the Right of Reply.
5. A Right of Reply to a Right of Reply is out of order.

Rule 41. Question on Voting

1. The ITLOS voting procedure can be interrupted by a Question on Voting. The Question can only be raised provided that the Participant believes there has been a miscalculation of the votes or any other breach of the Rules of Procedure.

2. If the President deems that neither miscalculation of the votes nor a breach of the Rules has occurred, they can rule the Question out of order.

3. Unless the Question on voting has been ruled out of order, the International Tribunal for the Law of the Sea shall revote.

VIII. TYPES OF PROCEDURAL MOTIONS AND ORDER OF PRIORITY

Rule 42. Precedence of Procedural Motions

Judges have the right to introduce Procedural Motions that shall be considered in the following order:

- a. Motion to Adjourn the Meeting (after the International Tribunal for the Law of the Sea has finished its work);
- b. Motion to Suspend the Meeting (the Judge shall explain the purpose of the Motion and propose a time limit);
- c. Motion to appeal the ruling of the President (to override the ruling of the President that contravenes the Rules of Procedure);
- d. Motion to temporarily deprive a Representative of the Right to Speak (the Motion can be raised only by the President and, if adopted, remains effective only up to next ordinary suspension of the Meeting);
- e. Motion for Closure of the Debate (used to avoid speeches in favour and against the adoption of a Advisory Opinion or an Amendment);

- f. Motion to Move directly to Unmoderated Caucus from. Moderated Caucus;
- g. Motion to Reconsider a Question (to reconsider a matter that has already been voted upon);
- h. Motion to establish a time limit (used to establish time limits for speeches and questions; could be established with or without right of prolongation);
- i. Motion to extend the Speaker's time;
- j. Motion for a Moderated Caucus;
- k. Motion for a Consultation of the Whole;
- l. Motion for an Unmoderated Caucus;

Rule 43. Consideration of Procedural Motions

1. A Procedural Motion can be raised by a Judge at any time during the Formal Debate except during speeches and voting (except for the Motions stipulated in Points "f" and "g" of Rule 42, that could be raised during Moderated and Unmoderated Caucuses).
2. A Procedural Motion requires the support of at least one more ITLOS Judge besides the Judge that raises it.
3. If the motion has both the support and at least one objection, it is put to vote.
4. Motions stipulated in Points "c", "d", "f", and "g" of Rule 42 shall be immediately put to vote.
5. If several similar Motions are raised, the one that has the largest time limit is considered first, and the others are considered in the descending order.

IX. VOTING

Rule 44. Types of voting

ITLOS decisions on matters that require voting can be adopted:

- a. By consensus (if no objections are raised);
- b. Unanimously (in case no Judge has voted against);
- c. By a simple majority of the ITLOS Judges (the number of votes “in favour” exceeds the number of votes “against”);
- d. By a qualified majority (2/3 of the ITLOS Judges votes are “in favour”).

Rule 45. Voting

1. During the voting procedure Representatives, Advisors and Guests shall remain seated, they shall not communicate with each other, leave or enter the room.

2. The Judges shall vote by raising their placards.

3. If a Judge casts their vote twice during the voting, their vote is not counted.

4. Upon the completion of voting a Judge may request the right for the explanation of vote. If the request is granted by the President, the speaking time shall not exceed 30 seconds.

Rule 46. Required Majority

1. Motions stipulated in Points "c", "d", "f", "g" and "m" of Rule 42 require a qualified majority of 2/3 votes of the ITLOS Judges in order to be adopted.
2. Motions stipulated in Points "a", "b", "e", "h", "i", "j", "k" and "l" of Rule 42 require a simple majority of the ITLOS Judges in order to be adopted.
3. A Draft Advisory Opinion, Amendments, Amendments of the first and the second degree and an Advisory Opinion require a simple majority of the ITLOS Judges to be adopted.