

The Rules of One Judge Territorial Amicable Court

On 20th day of February, 2023 year General Assembly of our Earth-Loving Friendly Organization (hereinafter referred to as ELFO),

Attaching importance to establishing Earth community ruled by law,

Considering that there were some territorial cases which only one Judge decided,

Cooperating with our friendly International Conciliation Organization (hereinafter referred to as ICO)

Decided to adopt the following system of One Judge Territorial Amicable Court (hereinafter referred to as OJTAC or Court)

Article 1. The OJTAC uses the Internet as much as possible, and shall contribute to development of digital lawsuit.

Article 2. The Judge (named also President) and Registrar shall be recognized by the ELFO General Assembly (GA), and when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities in contesting States.

Article 3. The seat of the Court shall be established at a place where President resides. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

Article 4. The Court will consider

- a. Treaty
- b. Governmental agreements between conflicting parties
- c. international custom, as evidence of a general practice accepted as law;
- d. judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*

Article 5. The official languages of the Court shall be English.

Article 6. Cases are brought before the Court by the notification of the special agreement (compromise) to the President of the Court. In the case the subject of the dispute and the parties shall be indicated.

Article 7. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

Article 8. The procedure shall consist of two parts: written and oral, provided that oral procedure shall be conducted by video.

Article 9. The hearing in Court shall be public on the Internet, unless the parties demand that the public be not admitted.

Article 10. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.

Article 11. The judgment shall state the reasons on which it is based.

Article 12. President's 1st draft award shall be sent to ICO Consulting Commission and to ELFO Commission of International Law for hearing their opinions, provided that a national of contesting parties shall not be a member of these 2 Commissions.

Article 13. President shall continue considering qualification of the draft award so long as more than one fifth (1/5) members of the aforementioned 2 Commissions are against it.

Article 14. President's qualified draft award shall be submitted to both ELFO General Assembly (GA) and ICO GA for hearing their opinions, provided that a national of contesting parties shall not be a member of these GAs.

Article 15. Considering opinions of these 2 GAs, President of the Court shall send the final award to the contesting States.

Article 16. The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 17. Judicial costs depend upon an agreement among the President and parties to the dispute, provided that unless otherwise decided by the Court, each contesting party shall bear its own costs. The OJTAC shall be based on the self-supporting system, so the ELFO will not be financially responsible for the OJTAC.

2. Contesting States shall pay remuneration to their Registrars respectively.

Article 18. A jurist of international law or President of the Court may be a Registrar of the Court. Both Contesting States may appoint a Deputy-Registrar from among her public service personnel.

Article 19. A Deputy-Registrar may be removed from office if, in President's opinion, the incumbent has either become permanently incapacitated from exercising his or her functions, or has committed a breach of duty.

Article 20. The Court may give an advisory opinion on any territorial legal question at the request of contesting States. In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Rules with necessary qualifications.