

Counterclaim

A counterclaim is a response or opposing argument presented in a debate or legal context to challenge or contradict the initial claim or position put forward by another party.

Example

Claim: Social media harms social interaction.

Counterclaim: Social media enhances global connectivity.



The Counterclaim

Yicheng Fang



The Counterclaim:

Counterclaims before the International Court of Justice Constantine Antonopoulos, 2011-05-30 Counterclaims the right of a State sued by another State to bring its own counter suit in the course of the same trial may offer an opportunity to mitigate the effects of the original suit and help to resolve disputes between States that have more than one aspect In recent years counterclaims have been frequently presented at the International Court of Justice ICJ This book examines the counterclaims presented at the ICJ and at its predecessor the Permanent Court of International Justice PCIJ during its 65 years of existence It is the first study that focuses exclusively on the subject of counterclaims It analyses the evolution of the germane provisions in the PCIJ and ICJ Rules of Procedure and the practice of the Court especially in light of the relevant case law of the ICJ A useful source for academics and practitioners in International law The Statute of the International Court of Justice Andreas Zimmermann, Karin Oellers-Frahm, Christian Tomuschat, Christian J. Tams, 2012-10-11 The International Court of Justice is the principal judicial organ of the United Nations and plays a central role in both the peaceful settlement of international disputes and the development of international law This comprehensive Commentary on the Statute of the International Court of Justice now in its second edition analyses in detail not only the Statute of the Court itself but also the related provisions of the United Nations Charter as well as the relevant provisions of the Court's Rules of Procedure Five years after the first edition was published the second edition of the Commentary embraces current events before the International Court of Justice as well as before other courts and tribunals relevant for the interpretation and application of its Statute The Commentary provides a comprehensive overview and analysis of all legal questions and issues the Court has had to address in the past and will have to address in the future It illuminates the central issues of procedure and substance that the Court and counsel appearing before it face in their day to day work In addition to commentary covering all of the articles of the Statute of the ICJ plus the relevant articles of the Charter of the United Nations the book includes three scene setting chapters Historical Introduction General Principles of Procedural Law and Discontinuation and Withdrawal The second edition of the Commentary adds two important and instructive chapters on Counter Claims and Evidentiary Issues The combination of expert editors and commentators and their assessment of new developments in the important work of the ICJ make this a landmark publication in the field of international law The Practice of International Commercial Arbitration Anselmo Reyes, 2025-12-22 Focusing on practical principles and guidelines this book covers everything a prospective international commercial arbitrator or lawyer wishing to start an arbitration practice should know about conducting an arbitration in Asia Previously the book concentrated solely on arbitration in Hong Kong but this second edition is significantly expanded to cover Mainland China Japan and Singapore as well In addition to this expansion the content has been updated to cover new conventions the latest statutory amendments revised arbitral institution rules and new or updated soft law instruments The second edition also reflects major changes since the first edition including the

greater use of online hearings for the conduct of arbitrations since COVID 19 the prevalence of sanctions and countersanctions constraining what cases arbitrators can or cannot accept and the consequences of an increased awareness of climate change considerations Along the way the book considers the impacts of generative AI third party funding enhanced data protection and privacy regimes and developments in other modes of alternative dispute resolution ADR including mediation on international commercial arbitration Specifically geared to those interested in or starting work as an arbitrator or as counsel in international arbitration cases this compact book takes readers step by step through the problems likely to arise in the conduct of cross border arbitration and in the development of a career in that field in Asia A Guide to the NAI Arbitration Rules Bommel van der Bend, Marnix Leitjen, 2009-01-01 The Netherlands Arbitration Institute NAI is the most prestigious institute in the Netherlands for the arbitration of commercial disputes While NAI arbitration is the dispute resolution mechanism of choice of many Dutch corporations and public entities it is increasingly agreed on by foreign parties selecting the Netherlands as a neutral venue for their potential disputes This excellent volume a rule by rule guide to the NAI Arbitration Rules is not only the first such handbook in English but the most comprehensive and detailed in any language In addition it provides a unique commentary in English on important elements of Dutch arbitration law Drawing on case law from arbitral tribunals and state courts and on extensive personal experience members of the arbitration team of the Dutch law firm De Brauw Blackstone Westbroek N V provide in depth commentary on each provision of the NAI Arbitration Rules and on arbitration related court proceedings in the Netherlands under the Dutch Arbitration Act Focusing on disputes arising from among others share purchase agreements joint venture agreements licence agreements franchise agreements finance agreements contractor agreements distribution agreements and agreements for the sale of goods the analysis covers such crucial factors of the NAI system as the following the use of the list procedure for the appointment of arbitrators the central role of the Administrator the Dutch concept of binding advice contractual relationships and exclusion of liability the separability of the arbitration agreement freedom in determining and applying rules of evidence the mechanisms for parties to seek relief in summary arbitration proceedings costs of arbitration and the arbitral award including the possibility of rectifying supplementing and setting aside this award The provision by provision analysis also compares the NAI Rules with both relevant proceedings in the Dutch state courts and inter alia ICC and UNCITRAL Arbitration Rules and to practice under such other rules The authors of this matchless book have faced many questions on the NAI Arbitration Rules advised on the interpretation and correct application of those Rules and defended such interpretation before tribunals and courts In this book they share their experience insights and expertise Counsel for corporate clients and public entities contemplating arbitration proceedings and as well as counsel to parties in NAI proceedings or related court proceedings and will find here an incomparable guide to the NAI system and Dutch arbitration law **The Annual Practice** ,1964 A collection of the statutes orders and rules relating to the general practice procedure and jurisdiction of the Supreme Court *Chinese*

Maritime Cases Martin Davies, Jiang Lin, 2022-01-28 This book selects leading innovative and influential Chinese maritime judgments and presents full translation of them with brief summary to the readers so that they can have insights of how the Chinese maritime judges interpret apply and develop Chinese maritime law in practice China trades with other states in trillions of USD every year and about 95% of the cargoes are carried by ocean going ships calling at hundreds of Chinese ports each single day Due to the enormous and steadily growing trade volume and shipping activities foreign ships companies and persons are often caught by the Chinese maritime law and court The parties involved and their lawyers are more than ever enthusiastic to study Chinese maritime cases in order to deal with their own cases properly or if possible predict the potential problems and avoid the disputes outright The book is appealing to and benefits worldwide law students academics practitioners and industrial people in the shipping trade insurance and financial fields The book remedies to certain extent the situation that there is lack of authoritative sources available to foreign personnel to look into how Chinese justice system functions

The Law Journal Reports, 1877 *Reported Cases on Costs, 1867-1891* Ireland. Courts, 1892
Statutory Instruments Great Britain, 1962 ***The New York Supplement***, 1895 ***The Code of Civil Procedure of the State of New York*** New York (State), Rowland M. Stover, 1896 ***The Irish Reports***, 1897 *Reports of cases heard and determined in the Appellate Division of the Supreme Court of the State of New York*, 1896 *Yearbook Commercial Arbitration, Volume XLVII (2022)* Stephan W. Schill, 2022-12-13 The Yearbook Commercial Arbitration continues its longstanding commitment to serving as a primary resource for the international arbitration community with reports on arbitral awards and court decisions applying the leading arbitration conventions and decisions of general interest to the practice of international arbitration as well as announcements of arbitration legislation and rules Volume XLVII 2022 includes excerpts of arbitral awards made under the auspices of the International Chamber of Commerce ICC and the Stockholm Chamber of Commerce SCC notes on new and amended arbitration rules including references to their online publication notes on recent developments in arbitration law and practice in Bahrain British Virgin Islands Canada PR China Egypt Greece India Italy Czech Republic Malta Portugal Sierra Leone Singapore Turkmenistan and Ukraine excerpts of 82 decisions applying the 1958 New York Convention from 30 countries including for the first time cases from El Salvador all indexed by subject matter and linked to the commentaries on the New York Convention published in the yearbook authored by formal General Editor and leading expert Prof Dr Albert Jan van den Berg excerpts from one decision applying the 1965 Washington ICSID Convention and one decision applying the 1975 Panama Inter American Convention as well as a selection of thirteen court decisions of general interest an extensive Bibliography of recent books and journals on arbitration The Yearbook is edited by the International Council for Commercial Arbitration ICCA the world's leading organization representing practitioners and academics in the field under the general editorship of Prof Dr Stephan W Schill and with the assistance of the Permanent Court of Arbitration The Hague It is an essential tool for lawyers business people and scholars

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