Record Nr. UNINA9910819511903321 Autore Florou Aikaterini Titolo Contractual renegotiations and international investment arbitration: a relational contract theory interpretation of investment treaties / / by Aikaterini Florou Leiden; ; Boston:, : Brill Nijhoff, , [2020] Pubbl/distr/stampa ©2020 **ISBN** 90-04-40747-2 Descrizione fisica 1 online resource Nijhoff International Investment Law Series; ; Volume 14 Collana Disciplina 346.092 Soggetti Investments, Foreign (International law) International commercial arbitration Contracts - Philosophy Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Based on author's thesis (doctoral - Institut d'etudes politiques de Pari, Note generali 2017). Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Introduction - The Good, the Bad, and the Ugly? -- Concession Contracts as Relational Contracts -- The Relationship between Concession Contracts and Investment -- Treaties -- Case Law Review -- Conclusions -- Appendix : Categorization of ISDS Cases along the Contract-Theory Interpretative Spectrum "In Contractual Renegotiations and International Investment Arbitration, Sommario/riassunto Aikaterini Florou explores the tangible and sensitive problem of the renegotiation of state contracts, and the relationship between those contracts and the overarching international investment treaties. By bringing novel insights from economics, the author deconstructs and decodes the contract-treaty interaction by showing that it is not only treaties that have an impact on the underlying contracts, but also those contracts have an effect on the way the open-textured treaty standards are interpreted. The originality of the argument is combined with an innovative interpretative methodology based on relational contract theory and transaction cost economics. Departing from the traditional emphasis of international lawyers on the text of investment contracts.

the author shows instead that such contracts are first and foremost "economic animals" and the theory of obsolescing bargaining does not