

## Rostislav Pekař

**Partner**

**Prague**

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**Languages spoken**

Czech | English | French | Polish | Russian | Spanish



### About Rostislav

Rostislav Pekař's main practice focus is international and domestic dispute resolution, including investment arbitration, commercial arbitration and litigation. He also provides assistance in antibribery matters.

Rostislav has been listed as a leading individual for dispute resolution in the Czech Republic in all major legal guides. For example, all annual editions of *Chambers Europe* since 2012 rank Rostislav in Band 1 for arbitration work. He was described as "the universal go-to guy in the field of investment disputes" and "an extremely knowledgeable, analytical adviser with a straightforward approach".

Rostislav has advised in a number of complex commercial and investment arbitration matters under the rules of the International Centre for the Settlement of Investment Disputes (ICSID), the International Chamber of Commerce (ICC), the Stockholm Chamber of Commerce (SCC), the Vienna Arbitration Centre (VIAC) and the United Nations Commission on International Trade Law Rules (UNCITRAL). Three of those cases involved claims of more than US\$1 billion.

Rostislav has also handled numerous court and arbitration proceedings in the Czech Republic. In 2021, Rostislav was appointed by the Czech Republic to the ICSID Panel of Arbitrators. In 2024, Rostislav was appointed as ICC Court Member for the Czech Republic, and ex-officio member of the ICC Commission on Arbitration and ADR. He is Vice-chair of the Commission on International Arbitration of ICC Czech Republic.

As part of his *pro bono* activities, Rostislav is the local partner of TRACE International, Inc., a nonprofit organization focused on enhancing antibribery compliance in international corporations.

### Experience

#### Investment Arbitration

- Lead counsel to the State of Libya in a €183 million arbitration relating to a construction project filed by the company Guris Insaat ve Muhendislik under the Turkey-Libya BIT before the ICC. All of the claimant's claims were rejected and Libya was awarded most of its costs.

- Counsel to the Republic of Costa Rica in US\$100 million ICSID arbitration arising under the Venezuela-Costa Rica BIT in connection with investment in a meat processing factory (*Alejandro Diego Díaz Gaspar v. Republic of Costa Rica* (ICSID Case No. ARB/19/13)). In July 2022, the case was won, when the Tribunal rejected the totality of the claimant's claims.
- Lead counsel for Estonia in an ICSID arbitration arising under the Netherlands-Estonia BIT in connection with regulation of water tariffs in the Estonian capital Tallinn (*United Utilities (Tallinn) B.V. and Aktsiaselts Tallinna Vesi v. Estonia* (ICSID Case No. ARB/14/24)). All of the claimants' claims were rejected and Estonia was awarded most of its costs.
- Lead counsel to the State of Libya in a pending €52 million construction arbitration filed by the company Nurol Insaat ve Ticaret before the ICC under the Turkey-Libya BIT.
- Lead counsel to the State of Libya in a pending US\$61 million construction arbitration filed by the company Ustay Yappi Taahhut ve Ticaret before the ICC under the Turkey-Libya BIT.
- Advising Romania in a pending ECT arbitration regarding changes in subsidies for generation of renewable energy (*Kelag – Kartner Elektrizitats et al. v. Romania* (ICSID Case No. ARB/21/54)).
- Advised the Slovak Republic in a UNCITRAL investment arbitration arising under the Poland-Slovakia BIT in connection with an alleged indirect expropriation of a company producing mineral water (*Spółdzielnia Pracy Muszynianka v. Slovakia*). All of the investor's claims for damages were rejected.
- Advised Croatia in an investment arbitration against the Hungarian oil and gas company MOL in connection with the privatization and operation of the Croatian oil and gas company INA. The claims, worth in excess of US\$1 billion, arose under the Energy Charter Treaty and several commercial agreements between Croatia and MOL (ICSID Case No. ARB/13/32). The Tribunal rejected most of the claimant's claims on the merits and awarded the claimant less than 20% of the amount claimed.
- Advised the Slovak Republic in an ICSID arbitration arising under the US-Slovakia BIT and Canada-Slovakia BIT in connection with an alleged expropriation of a talc mine in the Slovak Republic (*EuroGas Inc. and Belmont Resources Inc. v. Slovakia* (ICSID Case No. ARB/14/14)). All of the investors' claims were rejected for lack of jurisdiction.
- Advising Kosovo in an investment arbitration against a Croatian-Kosovar double national regarding a dispute over the assets and concessions of a privatized company.
- Advising Kosovo in an investment arbitration against an Estonian company regarding cancellation of a banking license for breach of prudential regulations.
- Advising Kosovo in an investment arbitration against an alleged Montenegrin-Kosovar double national regarding a dispute over investment in a telecom company.
- Advising Ecuador in a UNCITRAL arbitration arising under the US-Ecuador BIT in connection with a services contract in the energy sector.
- Advising Latvia in a UNCITRAL arbitration arising under the Energy Charter Treaty in connection with the sale of electricity by cogeneration plants established in the country (*RSE Holdings AG (Switzerland) v. Latvia* (PCA Case No. AA861)).
- Advising the Slovak Republic in an ICSID arbitration arising under the US-Slovakia BIT in connection with an alleged expropriation of the claimant's investment in oil and gas exploration in the Slovak Republic (*Discovery Global LLC v. Slovakia* (ICSID Case No. ARB/21/51)).
- Advising Canadian and Cyprus investors in a pending ICSID arbitration against Serbia regarding expropriation of an agricultural company (*Rand Investments and others v. Serbia* (ICSID Case No. ARB/18/8)).

- Lead counsel to a group of Canadian and Cypriot investors in an investment arbitration regarding indirect expropriation of construction land in the city centre of Belgrade (*Coropi Holdings and others v. Serbia* (ICSID Case No. ARB/22/14)).

#### **International Commercial Arbitration**

- Lead counsel to a Czech manufacturing company in a pending ICC arbitration against a Canadian supplier of casting technology.
- Advised a major French food company in an ICC arbitration regarding an M&A project in the Middle East. The client prevailed.
- Lead counsel for the buyer of a Czech heavy manufacturing company in an ICC arbitration regarding the seller's claims for damages due to alleged breaches of the SPA.
- Lead counsel for a Finnish company in a UNCITRAL arbitration against a Central European country regarding alleged breaches of an offset agreement. The client prevailed in the dispute.
- Lead counsel for a Czech company in an ICC arbitration against the Czech subsidiary of a listed UK company regarding an M&A dispute. The case settled favorably for the client.
- Lead counsel to a Finnish company in an SCC commercial arbitration against an Israeli supplier. The case settled favorably for the client.

#### **Czech Litigation**

- Lead counsel to a US investor suing for return of real estate worth in excess of US\$100 million, which was unlawfully included in the bankruptcy estate of its previous owner. The client was fully successful.
- Lead counsel to a major Czech bank in complex parallel proceedings regarding claims for damages raised by a former customer.
- Acted as lead counsel to a US real estate investor in a series of complex litigation against a local partner. The client won all claims.

## **Credentials**

#### **Education**

- Harvard University, LL.M., 2006
- Charles University in Prague, Mgr., 2001
- University of Economics, Prague, Bc., 2000
- Panthéon-Assas University, Diploma, 1999

#### **Admissions**

- Czech Republic, 2002
- Paris Bar, 2017 (advokát under Directive 98/5/EC)

## **Recognitions**

- Recognized in *Legal 500 EMEA* 2025 as a Leading Partner in Dispute Resolution
- Named in Jus Connect's 2025 Power List of Top Male Arbitration Lawyers
- Recognized in *Chambers Global* and *Chambers Europe* 2025 as a Star Individual in Dispute Resolution: Arbitration Counsel

- Ranked among Star Individuals by *Chambers Global* 2024 in the Dispute Resolution category, and as a Leading Individual by *Chambers Europe* 2024 in the Dispute Resolution: Arbitration Counsel category
- Ranked as Leading Individual in *Legal 500 EMEA* 2015-2022, 2024 in the Dispute Resolution category
- Recommended in *Who's Who Legal: Arbitration* 2023 in the Arbitration category – Czech Republic
- Listed as a Star Individual by *Chambers Global* 2021 and 2022 for Dispute Resolution
- Recognized in *Legal 500* Arbitration Private Practice Powerlist: CEE Region, 2022
- Recognized in *Lexology Index: Arbitration* 2022 & 2026 – Thought Leaders, Arbitration
- Recognized in *Who's Who Legal: Arbitration* 2022 – Thought Leaders, Arbitration
- Recognized in *Who's Who Legal: Arbitration* since 2016 in the Arbitrator and Counsel category – Czech Republic
- Named an exclusive winner of the 2020 Client Choice Awards in the Arbitration & ADR category in the Czech Republic
- Recognized in *Chambers Europe* since 2012 for Czech Republic – Dispute Resolution: Arbitration Counsel in Band 1
- Recognized in the 2016-17 *Best Lawyers in the Czech Republic* for Arbitration and Mediation

## Expertise

## Services

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- International Dispute Resolution

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.