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Services

Investment Treaty
Arbitration

International Commercial
Arbitration

Treaty Negotiation Support

Management of Investment
Treaty Obligations

Management of Investment
Treaty Disputes

Bar Admissions

New York

US District Court Southern
District of New York

US District Court Eastern
District of New York

US Court of International
Trade

Languages

English, Spanish
(proficiency)

BIOGRAPHY

David Pawlak, an attorney admitted to the bar of the State of New York, provides advisory and representation services in international arbitration matters with a focus on investor-State disputes.

Mr. Pawlak has represented clients in arbitration matters under the rules of the United Nations Commission on International Trade Law (UNCITRAL); the International Centre for Settlement of Investment Disputes (ICSID) Additional Facility; the International Arbitral Center of the Austrian Federal Economic Chamber, Vienna (VIAC); and the International Chamber of Commerce (ICC).

Mr. Pawlak's recent engagements include, among other matters, serving as lead counsel to the Slovak Republic in defense of a multi-million Euro investment treaty claim. He also led the defense of a multi-million dollar claim brought against Poland under the UNCITRAL Arbitration Rules and the Poland-U.S. bilateral investment treaty. He has been retained to advise the Ukraine in connection with two ICSID investment treaty matters.

Mr. Pawlak also has assisted the Colombian government in the implementation of its investment treaty obligations. The United Nations Conference on Trade and Development (UNCTAD) has called upon him to provide training on investment treaty matters for officials from dozens of governments at courses in Malaysia, Ukraine, Belarus and Peru. He also has provided technical assistance to Morocco on the investment provisions of the Morocco-US Free Trade Agreement, and advised Chile on revisions to its Model BIT. Mr. Pawlak's recent commercial arbitration matters include a high-value European telecommunications industry arbitration sited in Vienna.

Until August 2005, Mr. Pawlak served as an Attorney-Adviser in the Office of the Legal Adviser at the US Department of State. He was a key member of the US legal team dedicated exclusively to investment treaty matters. The US team has prevailed in every investor-State arbitration that has been decided to date. In one such case – *Methanex v. USA* – the tribunal not only dismissed all claims, but also awarded the US its costs of defending the case.

In his role at the US State Department, Mr. Pawlak also evaluated investors' requests for espousal under international law and participated in interventions with host State government authorities on behalf of US investors. He also advised on the drafting and negotiation of investment and dispute resolution provisions in bilateral investment treaties and investment chapters of free trade agreements.

Prior to beginning work with the US Department of State in 2001, Mr. Pawlak was an associate at Milbank, Tweed, Hadley & McCloy in New York. While there, he focused on complex commercial litigation and international arbitration. Prior to Milbank Tweed, he held the position of Assistant District Counsel in the US Department of Justice Honors Program.

Honors and Awards

Mr. Pawlak earned the US Department of State's Meritorious Honor Award for his work on investment treaty arbitration. He received the *Pro Bono Publico* Award from the law firm Milbank Tweed Hadley & McCloy.

Activities

David Pawlak has lectured on arbitration, including at international conferences and training programs in Asia, Africa, Europe, Latin America and the United States. He is a member of UNCTAD's international investment agreements experts group, and the Panel of Arbitrators at the International Centre for Settlement of Investment Disputes (ICSID).

Education

Mr. Pawlak is a graduate of the University of Pittsburgh's joint-degree program offered by the School of Law and Graduate School of Public and International Affairs (JD/MPIA), and holds a graduate certificate from the University's Center for Latin American Studies. He also undertook graduate studies at the Johns Hopkins School for Advanced International Studies. Mr. Pawlak earned his undergraduate degree from the University of Michigan at Ann Arbor.

Publications

Mr. Pawlak has written on international arbitration and trade and investment treaty issues, including a book chapter entitled *Managing Investment Treaty Obligations And Investor-State Disputes: A Guide for Government Officials* (Kluwer International Law 2008).

For a traditional format CV, please click [here](#).