



Jiří Kmec
Counsel

Jiří Kmec specialises in litigation, administrative proceedings and arbitration as well as in issues of criminal liability of legal entities (compliance).

Prior to joining our law firm, Jiří worked for almost eleven years at the Czech Ministry of Justice in the Office of the Government's Agent before the European Court of Human Rights, and since 2011 as the Deputy Agent. In this position, he was mainly involved in the representation of the Czech Republic in more than 150 litigation matters before this international court and also before the United Nations Human Rights Committee.

He holds guest lectures on the European system of human rights protection in the Faculty of Law at Charles University in Prague. Jiří is the head of the team of authors and the main author of the large commentary on the European Convention on Human Rights (C. H. Beck, 2012), the author of the monograph on European Criminal Law (C. H. Beck, 2006), and a co-author of the commentary on the Criminal Procedure Code (Wolters Kluwer, 2017). He regularly contributes to the Soudní rozhledy magazine. Jiří is a member of the Criminal Law Commission of the Legislative Council of the Czech Government, the Ministry of Justice's Committee for the new Criminal Procedure Code, the Ministry of Justice's Expert Commission on enforcing judgments of the ECHR and a member of the Czech Bar Association's section for EU law, international law and international relations.

Projects

- representing the contractor of a large transport infrastructure construction project in a dispute before an arbitration tribunal concerning the payment of a delinquent amount of billions of Czech crowns
- representing the contractor of a commercial and office building in a dispute before an arbitration tribunal concerning the payment of a delinquent amount of hundreds of millions of Czech crowns
- representing a mining company in a dispute over restitution of unjust enrichment of hundreds of millions of Czech crowns
- representing a contractor who built an extensive residential compound in a defects liability dispute worth dozens of millions of Czech crowns
- representing a manufacturer of electronic components in a dispute involving liability for defects, with a claim amounting to tens of millions of Czech crowns
- representing a construction designer in disputes over liability for defects and disputes over payment of the outstanding part of the work price
- representing a prominent leasing company as creditor in complex insolvency proceedings involving a former important business partner
- representing a major sport association in disputes before an international arbitration tribunal and Czech courts
- representing a major European federation of national sport associations in a competition law dispute
- representing financial institutions in disputes concerning refunds of loan fees and in proceedings before the Financial Arbitrator
- representing an employer in a dispute with an employee over the validity of termination of employment and a lost wage claim worth millions of Czech crowns as well as in other disputes
- representing clients in disputes relating to bills of exchange, disputes over damages resulting from a breach of competition law, disputes over claims arising from unfair competition, disputes to protect personal rights, disputes over personal injury claims and other types of disputes
- representing clients in proceedings before the Constitutional Court and the European Court of Human Rights
- representing clients bereaved due to a car accident as injured parties to criminal proceedings
- reviewing the compliance programme of a major industrial company
- comprehensive analyses of the risk of criminal liability of members of a city borough assembly and governing bodies of companies

Membership in professional associations

Czech Bar Association
Czech Society for European and Comparative Law

Languages

Czech, French, English

Education

Charles University, Faculty of Law, Prague (2006), Ph.D. (constitutional law, criminal law, criminology and criminalistics)
Charles University, Faculty of Law, Prague (2003), JUDr.
Charles University, Faculty of Social Sciences, Prague (2003), Mgr. (Political Science)
Charles University, Faculty of Law, Prague (2001), Mgr. (Master of Laws)
Charles University, Faculty of Social Sciences, Prague (2000), Bc. (Political Science and International Relations)

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