

Matej Pustay

Partner

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Languages spoken

Slovak | Czech | English



About Matej

Matej Pustay advises clients in international and domestic dispute resolution, including commercial and investor-state arbitration, as well as court litigation and international criminal law cases.

He has been recognised as a Next Generation Partner in the 2024 edition of *The Legal 500 Europe, Middle East & Africa*, is one of the co-authors of the latest edition of *40 under 40 International Arbitration* and currently serves as an ICC YAAF representative

Matej's experience covers disputes related to various industry areas, including oil and gas, energy, construction, mining, real estate, automotive, telecommunications, banking and M&A disputes.

Matej's experience with investment arbitrations includes representation of both claimants and respondents in more than a dozen different investment arbitrations conducted under ICSID, UNCITRAL and ICC arbitration rules.

Matej has also successfully represented clients in commercial arbitrations arising from a diverse array of issues, including contract breaches, warranty claims, post-acquisition claims or claims based on defective performance. Matej's experience includes commercial arbitrations conducted under SCC, ICC and UNCITRAL arbitration rules, as well as arbitrations conducted before the Arbitration Court of the Economic Chamber and Agricultural Chamber of the Czech Republic.

Besides representation of clients in international and domestic arbitrations, Matej also represents clients in Czech litigations. His experience includes proceedings before the majority of Czech courts, including the Constitutional Court and the Supreme Administrative Court.

Matej also regularly advises clients with respect to various dispute-related issues, including settlement negotiations, or pre-court action and pre-arbitration notices.

Finally, Matej also advises clients in international criminal law cases.

Experience

Construction Arbitration

- Advised the State of Libya in a €183 million arbitration relating to a construction project filed by the company *Guris Insaat ve Muhedislik* before the ICC under the Turkey-Libya BIT. All of the claimant's claims were rejected and Libya was awarded most of its costs.
- Advised Libya in a US\$61 million arbitration related to a construction project filed by the company *Ustay Yappi Taahhut ve Ticaret* before the ICC under the Turkey-Libya BIT.
- Advising the State of Libya in a pending €52 million arbitration relating to a construction project filed by the company *Nurol Insaat ve Ticaret* before the ICC under the Turkey-Libya BIT.
- Advising a state-owned company in a US\$1 billion commercial construction arbitration.

Energy Arbitration

- Advised Croatia in an investment arbitration against 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 and PCA Case No. 2014-15). The Tribunal rejected most of the claimant's claims on the merits and awarded the claimant less than 20% of the amount claimed.
- 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)).

International Commercial Arbitration

- Advised a Czech company in an ICC arbitration against the Czech subsidiary of a listed UK company regarding an M&A dispute. The case settled favourably for the client.
- Advised a Czech company in an ICC arbitration against a UK company regarding breach of the seller's warranties under a share purchase agreement. The case settled favourably to the client.
- Advised a Finnish company in a pending UNCITRAL arbitration against a Central European country. The client prevailed in the dispute.
- Advised a Czech manufacturing company in an ICC arbitration against a Canadian supplier of casting technology. The case settled.

Investment Arbitration

- Advised Kosovo in an investment arbitration against a Croatian-Kosovar double national regarding alleged investment in a petrol sector. All of the claimant's claims were dismissed, and Kosovo was awarded its costs.
- Advised Kosovo in an investment arbitration against an Estonian company regarding cancellation of a banking licence. All of the claimant's claims were dismissed, and Kosovo was awarded part of its costs.
- Advised Kosovo in an investment arbitration against an alleged Montenegrin-Kosovar double national regarding a dispute over investment in a telecom company. All of the claimant's claims were dismissed, and Kosovo was awarded the majority of its costs.
- 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 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.

- Advised the Republic of Estonia in an investment dispute under the BIT between the Netherlands and Estonia (ICSID Case No. ARB/14/24). All of the investors' claims were rejected.
- Advising Canadian and Cypriot 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)).
- Advising 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)).
- Advising Romania in a pending ICSID arbitration related to development of a real estate project (*Plaza Centers N.V. v. Romania* (ICSID Case No. ARB/22/15)).

Czech Arbitration and Litigation

- Secured a full victory for a client in Czech court proceedings regarding setting-aside of arbitral award.
- Secured a full victory for a client in a dispute before Czech courts regarding payment of remuneration under the services agreement.
- Advised a Hong Kong-based company in dispute with a Czech customer. The client was awarded the entire claimed amount.
- Advised an international company defending against alleged breaches of the future purchase agreement in arbitration initiated before the Arbitration Court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic. All claims brought by the claimant were rejected.
- Advised a client in disputes regarding a squeeze out of the client's shares from a real estate company. The case settled favourably for the client.
- Advised a Czech developer in various court and administrative proceedings relating to planned construction of a residency building.

International Criminal Law

- Represents the former President of Kosovo, Hashim Thaci, in the case of *Prosecutor v. Hashim Thaci, et al.*, pending before the Kosovo Specialist Chambers in The Hague.

Credentials

Education

- Masaryk University, Mgr., *summa cum laude*, 2015
- Masaryk University, Ing., Faculty of Economics and Administration, 2014

Admissions

- Czech Republic, 2018

Recognitions

- Recognised as an Arbitration Future Leader by *Lexology Index* 2026.
- Ranked among Next Generation Partners in *Legal 500 EMEA* 2024 and 2025 in the Dispute Resolution category
- Recognised in *Legal 500 Europe, Middle East & Africa* 2022 for Czech Republic – Dispute Resolution as a key lawyer

Expertise

Publications & Speaking Engagements

Services

- International Dispute Resolution

Publications

- Author, "Damages in disputes related to supply of commodities" in C. González-Bueno (ed.), 40 under 40 International Arbitration, 2024.
- Author, "Arbitration: Recent developments related to arbitration in the Czech Republic", Legal Industry Review (LIR) Czech Republic, 2023.
- Co-author, "ARBITRATION HEARINGS: TOP 10 TIPS FOR JUNIOR ASSOCIATES", Delos Dispute Resolution, 2021.
- Author, "Recent Supreme Court Decision Threatens Effective Enforcement of Foreign Arbitral Awards", 2017.
- Author, "Jak na rozhodčí doložky?" *Právo & Byznys*, October 2015.
- Author, "Financial Counselling – Economic and Juristic View and its Place in Regulation of Capital Markets (Czech and Slovak Approach)," *System of Financial Law: Financial Markets: Conference Proceedings*, 2015.
- Co-author, "Increase of importance of monitoring of the financial indicators of a company in relation to the personal liability of members of corporate bodies of the company," *Financial Manager*, May 2013.
- Co-author, "Personal liabilities in a corporate context," *AmCham Connection*, March/April 2013.

Speaking Engagements

- Speaker, "The Role of Young Associates in Big Investment Cases: Is there a place for you?", Young ITA event in Prague, October 2023.
- Speaker, "Handling the arbitration proceedings in 2023: are you managing the case or is it the other way around?", ASA Below40 and the Serbian AA Under40 event in Belgrade, March 2023.
- Speaker, "Bratislava DebateFest", ICC YAAF event in Bratislava, September 2022.
- Speaker, "Delos-Y Virtual Breakfast", Delos virtual event, October 2020.
- Regular workshop on practical aspects of international arbitration, Faculty of Law, Masaryk University.
- Workshop on practical aspects of international arbitration, Faculty of Law, Palacký University Olomouc.

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.