



Dr. Giovanna Montanaro

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Partner

Born: 1969

Admitted: 1996

Languages: German, English, Italian, French

AREA OF EXPERTISE

International and national transport law, commercial and insurance law, including maritime and aviation law. Representation of parties before state courts and arbitral tribunals in commercial matters. Contract review and advice on contract drafting.

PROFESSIONAL CAREER

Partner of Wartmann Merker (since 2018)

Associate and Counsel with an international business law firm in Zürich (2000-2017)

Lecturer of Private Law at EXPERTsuisse for prospective tax experts (since 1998)

Lecturer of Private Law at the University of Applied Sciences Northwestern Switzerland, Postgraduate Program for International Logistic Management, Olten and Windisch (2001-2012)

Traineeship at the European Commission (DG MOVE), Brussels (1999)

Research and teaching assistant at the University of Zurich for Swiss and European Law with Prof. H. Honsell, Zürich (1997-1998)

Trainee with an international law firm in Zurich and Geneva, (1994-1995)

EDUCATION

University of Zurich, Dr.iur. 2001

The Hague Academy of International Law, Centre for Studies and Research 1999

University of Zurich, lic.iur. 1994

MEMBER

ASDA (Swiss Association for Aviation and Space Law): Member of the Board
SVSR (Swiss Maritime Law Association): Member of the Board
IBA (International Bar Association): Vice Chair of the Land Transport Subcommittee
EALA (European Air Law Association)
IAWA (International Aviation Womens Association)
SVS (Swiss Association for Shipping and Port Management)
WISTA (Women's International Shipping & Trading Association)
ZSN (Zurich Shipping Network)
DGTR (German Association for Transport Law)
SSC (Swiss Shippers Council)
ZAV (Zurich Bar Association)
SAV (Swiss Bar Association)

RECOGNITIONS

Wartmann Merker is recognized by Chambers Europe 2021 and Chambers Global 2021 as a leading Swiss law firm (Switzerland: Litigation and Arbitration).

Who's Who Legal Switzerland 2021 recommended Giovanna Montanaro in Transport and Insurance & Reinsurance: "Giovanna Montanaro is 'definitely an important Zurich-based lawyer in the transport field' and is considered a leading light in the sector and 'one to watch'." In the insurance sector "Giovanna Montanaro is highlighted as 'an excellent lawyer' who is widely regarded as 'definitely one of the rising young market players'."

Giovanna Montanaro is recommended by Legal 500 EMEA 2021 Edition in the practice area Insurance and Transport. "Giovanna Montanaro of Wartmann Merker is a well known and very competent lawyer. She is a leading expert in transport law."

Giovanna Montanaro is recognized by Who's Who Legal: Transport in the fields of Aviation Contentious and Shipping as Global Leader 2021: "Giovanna Montanaro draws high praise from market sources who consider her a top name for contractual and insurance issues in the shipping sector."

Giovanna Montanaro is recognized by Who's Who Legal: Transport 2020 as Leading Individual: "Giovanna Montanaro is a 'very responsive lawyer', commend peers who add that she 'provides well-structured advice on complex issues'."

Who's Who Legal: Switzerland 2020 recognized Giovanna Montanaro in the field of Transport as Most Highly Regarded practitioner and states that she "is 'an excellent lawyer' who is 'brilliant for freight-law-based claims' and 'consistently produces well-structured advice on complex issues'."

In the field of Insurance & Reinsurance Who's Who Legal: Switzerland 2020 writes: "Giovanna Montanaro ranks highly among peers thanks to her 'excellent communication', with clients noting, 'She is brilliant at explaining complex legal coherences in a few sentences'."

In the insurance sector Who's Who Legal 2019 states that Giovanna Montanaro is highly praised by sources as "one of the best professionals out there" and that she "knows the market extremely well". Who's Who Legal further states that Giovanna Montanaro is "one of the leading individuals" in the field of transport law, well known for her in-depth knowledge of complex maritime and aviation matters.

Giovanna Montanaro was nominated by her peers as one of the world's leading practitioner in the field of Aviation (Who's Who Legal; Aviation 2019).

Giovanna Montanaro is recognized as Thought Leader in Transport by Who's Who Legal Switzerland 2018, 2019 and 2020.

Who's Who Legal 2018 recognizes Giovanna Montanaro for her "concise and comprehensive work" across the transport sector where she provides clients with "fast answers that can be put into action immediately".

In 2017 Who's Who Legal says "The "excellent" Giovanna Montanaro has a "very good reputation" according to respondents. Her practice focuses on transport law and she regularly assists clients in cross-border disputes."

Who's Who Legal, Switzerland writes in 2016 that "Giovanna Montanaro regularly assists clients in resolving multi-jurisdictional disputes, and her "technical abilities" are lauded by peers".

In 2015 Who's Who Legal states that "Giovanna Montanaro in Zürich concentrates on aviation disputes including cargo damage cases and related contract and insurance matters."

LEGAL 500 recognizes in 2017 that "Giovanna Montanaro provides 'prompt and focused advice' "

EXPERT GUIDES, Rising Stars in Aviation: 2015 & 2016

PUBLICATIONS

Schweizer AGB-Recht im transportrechtlichen Umfeld, TranspR 9/2021, p. 371 et seqq. Commentary on GC SPEDLOGSWISS, Ed. SPEDLOGSWISS, Basel 2016.

Amstutz/Breitschmid/Furrer/Girsberger/Huguenin/Müller-Chen/Roberto/Rumo-Jungo/Schnyder (Hrsg.): Handkommentar zum Schweizer Privatrecht, 3. Aufl., Zürich 2016, Art. 440-457 OR (Frachtrecht)

Kren/Bertschinger/Breitschmid/Schwander (Hrsg.), Handkommentar zum Schweizerischen Obligationenrecht, Art. 439-457 (Fracht- und Speditionsrecht) sowie Art. 1153-1155 (Warenpapiere), 3. Aufl., Zürich 2016

Das Konnossement, Sicherheit für die Banken im Dokumentenakkreditiv?, IHR 4/2010 (Teil 1), S. 137 ff. und IHR 5/2010 (Teil 2), S. 181 ff.

Luftverkehr (Deliktische Haftung), in: Basedow/Hopt/Zimmermann, Handwörterbuch des Europäischen Privatrechts, Tübingen 2009 - Publikation der englischen Fassung im 2012 Beitrag für die Schweiz in "The Official Guide to Ship Registries 2002", Stamford 2002

Die Haftung des Spediteurs für Schäden an Güter, unter besonderer Berücksichtigung des Lufttransportes und der Allgemeinen Bedingungen des Schweizerischen Spediteurverbandes (AB SSV), Zürcher Studien zum Privatrecht, Bd. 166, Diss. Zürich 2001

SPEAKING ENGAGEMENTS

"Transportschaden – was tun? Schwerpunkt Strassentransport und CRM-Haftung", Webinar organized by Swiss Shippers' Council, 27 May and 22 June 2021

"Covid – Quo Vadis Force Majeure und Haftung", Swiss Shippers' Forum on 27 January 2021

Session chair on "Multimodal transport: technical and legal issues in worldwide port to port and door to door shipments" at the IBA 2020 Virtually Together Conference, 12 November 2020

"Force Majeure – where are the risks for the shipper?" Swiss Shippers' Forum on 29 January 2020 in Interlaken

Panelleitung zu "Vertragslogik in der Logistik" 9. Luzerner Transport- und Logistiktage, 21. März 2019

Panelleitung zu "Böse Ware im Export" 8. Luzerner Transport- und Logistiktage, 15. März 2018: Böse Ware – Wenn sich die Ware zum Albraum entwickelt

"Workshop zu den AB SPEDLOGSWISS" Weiterbildungsveranstaltung der SPEDLOGSWISS, Zürich und Olten, 28. und 29. November 2017

Panel-Leitung und Organisation zu "Eigentumsübergang und Retention" 7. Luzerner Transport- und Logistiktage, 16. März 2017

"Mediation of Maritime Disputes: What's new there?" IBA Annual Conference, Washington, 22. September 2016

"Schweizer AGB-Recht im transportrechtlichen Umfeld" Tagung der Deutschen Gesellschaft für Transportrecht, Dresden, 12. November 2015

"Maritime Arbitration in Switzerland" IBA Konferenz des „Maritime and Transport Law Committee“, Genf, 8. Mai 2015

"Atelier sur la responsabilité selon la CMR Weiterbildungsveranstaltung der SPEDLOGSWISS, Morges, 15. April 2015

"Workshop zur CMR-Haftung" Weiterbildungsveranstaltung der SPEDLOGSWISS, Zürich und Olten, 11. und 18. November 2014

"101 in drafting clauses limiting liability to direct losses" AIJA Seminar der Transport Law Commission, Lissabon, 19. Oktober 2013

"Workshop zur Logistik-Verträgen" Weiterbildungsveranstaltung der SPEDLOGSWISS, Zürich und Wallisellen, 5. und 11. September 2013

"International Sales of Goods in General and CISG in Particular" 5th Asian Maritime Law Conference: "The Future of Shipping", Singapur, 12. April 2013

"Die Pauschalreise" ZAV-Podium, Zürich und Winterthur, 12. und 13. März 2013

"Die Rechtswahlklausel" 78. Sitzung der WOPALIM (Rechtskommission des SSC), Zürich, 31. Oktober 2012

"Credit Insurance" AIJA Seminar "International Contract Academy with a Focus on Retail", Mailand, 26. Oktober 2012

- "Financial and Insolvency Issues in Shipping and Shipbuilding" IBA Annual Conference, Dublin, 4. Oktober 2012
- "Überblick über zeitrelevante Rechtsfragen in den Transportmedien Strasse, Luft, Wasser und Schiene" 2. Luzerner Transport- und Logistiktage, Luzern, 29. März 2012
- "Sales / Distribution Agreements" AIJA International Trade and Transport Symposium, Los Angeles, 13. - 15. Oktober 2011
- "Transporting Food – Hot Issues in Cold Chain Cases" AIJA Seminar betreffend "Food Law", Parma, 7. Mai 2011
- "Haftung des Frachtführers & Regress gegen den Frachtführer" Transportrechtstagung von Hesse & Partner, 15. September 2009
- "Invoking General Conditions in Switzerland" AIJA Seminar der Transport Law Commission, Rotterdam, 31. Oktober 2008
- "Standardisierte Klauseln – Incoterms und AGB" AIJA Deutschsprachiges Regionaltreffen, Konstanz 6. Juni 2008
- "Autonomous Interpretation and Subsidiary Application of National Law – Why Forum Shopping may be an Interesting Option for Practitioners" AIJA Seminar der Transport Law Commission, Hamburg, 13. Oktober 2006
- "Forwarding in a Changed World – Legal Aspects" IUMI Konferenz, New York, 15. - 18. September 2002
- "Die Schiedsklausel" 52. Sitzung der WOPALIM (Rechtskommission des SSC), Zürich, März 2002
- "Die Haftung des Spediteurs" SSC – Regionalveranstaltung, Winterthur, 19. September 2001