



**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 recognized by Chambers Europe 2019 and Chambers Global 2019 as a leading Swiss law firm (Switzerland: Litigation and Arbitration).

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.*

*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**

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 Gütern, 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**

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 Albtraum 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