

# Profil Dr. Michael Goriany für Vorstand

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Geboren 1944 in Salzburg

- Studium der Rechtswissenschaften in Wien mit Abschluss Dr. iur
- weiterführende akademische Qualifikation in American Law
- Seit 1975 Rechtsanwalt in Wien, Partner in einer Sozietät mit Fokus auf Wirtschaftsrecht.
- seit 1975 aktiv in der Ausbildung von Rechtsanwaltsanwärtern. Er entwickelte einen zweijährigen Ausbildungskurses, dessen Erfolg nach zweimaliger Wiederholung die Grundlage für die Gründung der Österreichischen Rechtsanwalts Akademie bildete.



## Transformationsprozesse und Privatisierungsberatung ab 1989

Eine zentrale Phase seiner Karriere war die Begleitung der Transformation in Osteuropa und der Post-Sowjetunion, beginnend mit der Öffnung und Privatisierung ab 1989. Als erster europäischer Rechtsanwalt gründete er Kanzleien in Budapest (1989), Prag und Pressburg (1990/91) und war aktiv in Kroatien, Slowenien, Bosnien-Herzogowina, Russland, und bildete kursmässig Juristen in diesen Ländern aus.

Seine Kanzleien waren unter seiner Führung mit der Beratung und Vertretung westlicher Unternehmen zur Beteiligung an der Privatisierung, Gründung von Joint-Ventures und Investments befasst. Daneben leistete er umfassende Beratung für Regierungen innerhalb von Projekten der EU und der EBRD (European Bank for Reconstruction and Development, London) in diesen Ländern. Sein Fokus lag auf der Unterstützung bei der Entwicklung neuer Gesetze und spezifischer Privatisierungsmodelle für die Umwandlung von Staatsunternehmen. Dazu gehörte die Konzeption von speziellen Privatisierungs-Investmentfonds, die den Übergang zur Privatwirtschaft begleiteten.

Seine pionierhafte Wirksamkeit beruhte auf der Erkenntnis des strategischen Vorteiles der vormaligen gemeinsamen Rechtstradition mit Osteuropa innerhalb des rechtlichen Rahmens der Donaumonarchie. Außerdem bestand eine gemeinsame Tradition des Verwaltungsrechtes seit den Verwaltungsreformen Maria Theresias im 18. Jahrhundert, die sich immer noch auswirkt.

Ein prominentes Beispiel für dieses Engagement war die Gründung eines eigenen Investment-Kupon Fonds im Rahmen der tschechischen Kuponprivatisierung der Industrie, welche als die erfolgreichste Privatisierungsmethode gilt.

Zur Strukturierung seiner internationalen Beratungsaktivitäten gründete er die Gesellschaften:

- "ATLAS" (Austrian Technical & Legal Advisory Services): Eine Beratergesellschaft, die sowohl bei der EU in Brüssel als auch bei der EBRD in London gelistet wurde.
- "Post Graduate Services": Eine Weiterbildungsgesellschaft, die hochrangige Konferenzen organisierte, um westlichen Unternehmen die Privatisierungskonzepte und Rechtsrahmen der neuen osteuropäischen Regierungen zugänglich zu machen.

Die Aktivitäten von Dr. Michael Goriany in dieser einzigartigen Periode der 1990er Jahre, in der es unter anderem auch zur friedlichen und einvernehmlichen Trennung der Tschechoslowakei in zwei unabhängige demokratische Staaten kam, die später der EU und NATO beitrat, wurde in einem Bericht der *Financial Times* im Jahr 1992 beschrieben (beiliegend)

## **Wissensmanagement und eLearning**

Mit dem Aufkommen des Internets in den 1990er Jahren wandte er sich den neuen Möglichkeiten des Wissensmanagements und eLearning zu und betrieb eigene Weiterbildungen in diesen Disziplinen sowie im Webmarketing.

Seit den 2000er Jahren erfolgte die aktive Entwicklung und Bereitstellung von eLearning-Kursen im juristischen Bereich. Gemeinsam mit Angelika Güttl-Strahlhofer initiierte er eine wöchentliche Live Online Community für DaF (Deutsch als Fremdsprache) Lehrer, die über 10 Jahre Bestand hatte. Er war außerdem in der Anfangsphase an der Etablierung von Angelika Güttl-Strahlhofer's Plattform DaFWEBKON beteiligt, die inzwischen eine führende Jahreskonferenz für DaF-Lehrerinnen veranstaltet.

## **Aktuelles Engagement in der Lehnhardt Stiftung**

Seit 2005 beendete er sein Engagement in der Berater Welt Osteuropa und verlagerte 2011 sein Domizil nach Basel. 2014 Eheschließung mit Monika Lehnhardt-Goriany. Seither engagiert in der Online Strategie der Stiftung.

# Poised to exploit polyglot talents

A Viennese legal firm aims to help companies bridge the cultural divide between west and east Europe. Judy Dempsey reports

*"I remember when my father used to take his business colleagues to the frontier. All of a sudden, without warning, the road stopped. Then they saw the high barbed-wire fences. I hated that world. I did not go there. I hated those borders."*

**T**hose borders and those dark days are finally over for Michael Goriany, the joint partner of Goriany, Jakobljevich & Partner, one of Vienna's largest law firms.

The offices, located on the fourth floor of an elegant 19th century building in the centre of the capital, is now a hub of activity. And no wonder; the opening up of eastern Europe is giving the law firm opportunities to exploit its talents.

"First and foremost, all the reforms, especially privatisation, require communication. I do not mean knowledge of the languages. I mean understanding the mentality of the people emerging from four decades of communist rule."

Goriany believes that the kind of knowledge of, and demands made by, his western clients, are simply "too sophisticated. They have the technology, the information, the know-how at their finger-tips. Their east European counterparts have had none of these instruments, neither in the past, nor even today."

This is where his firm's strengths come into their own. "As lawyers, it is our task to reduce that sophistication. Sometimes, it requires going over the same contract five times as a means of bridging the two worlds. Each side must understand how both perceive the text, the terms, the conditions."

For various reasons, Goriany and his colleagues - Croats and Hungarians, Slovaks and Czechs, Austrians and British - are well equipped to fulfil this role.

The firm, which has a staff of 20 - minuscule by British standards but large by Austrian ones - is in the enviable position of employing native speakers, not surprising given that almost half the names in Vienna's telephone directory are Czech.

Jakobljevich's family is originally from Croatia. Geza Simonfay, another partner, is from Hungary. They all have relatives and friends in central Europe. Thus, they have inherited from their parents and families the culture of this part of Europe and have imbibed the memories, perceptions and sentiments of the native peoples.

Goriany's father, a Slovene, who was born near Zagreb in Croatia, Yugoslavia, joined the Military Academy in Vienna during the First Austrian Republic which was formed after the collapse of the Habsburg Empire in 1918.

After the Second World War, Goriany senior remained in Austria, worked at petrol-filling stations, and made his way up to become director of Mobil Oil's operations in Austria. Sometimes he took visiting colleagues to the country's eastern borders. All they could see was barbed-wire and border patrols.

The young Goriany, who was born in Austria in 1944, but who regularly revisits his roots in Croatia, studied law in Vienna, worked for 12 years with, and became a partner of, the law firm, Grohs and Hofer. In 1988, he set up his own office with the aim of opening up contacts with central Europe.

But besides the cultural and geographical links, the countries of central Europe share the same legal tradition with Austria, particularly in aspects of company law.

"Because of the Habsburg empire, we have a common history and common legal background. What is useful is that Austrian law, which has parallels in Hungary and in Czechoslovakia, is modelled on part of the German legal system - particularly in liability," explains Goriany.

These factors encouraged the firm to seize the first opportunity to open up offices in Bratislava and Prague just six months after the revolution last November which toppled the communists from power. Two years earlier, it had opened an office in Budapest. All the offices employ local

staff. And Goriany believes the expansion has clearly paid off.

He recalls how one of his German clients was interested in buying a steel mill near Budapest. Considerable foreign competition was involved. "We mobilised our forces. The Hungarian side of our business, besides providing the languages, provided the inside details about the firm. Vienna provided the legal back-up and the communication.

"We married it all together. We beat the competition. We drew up the contract with the management and signed the purchase deal."

The firm has also won the confidence of the Slovak government. It is now one of the advisors to Augustin Marian Huska, Slovakia's Minister for the Administration and Privatisation of State Property. It is also co-operating with the Institute of Economics at Bratislava on, among other topics, privatisation.

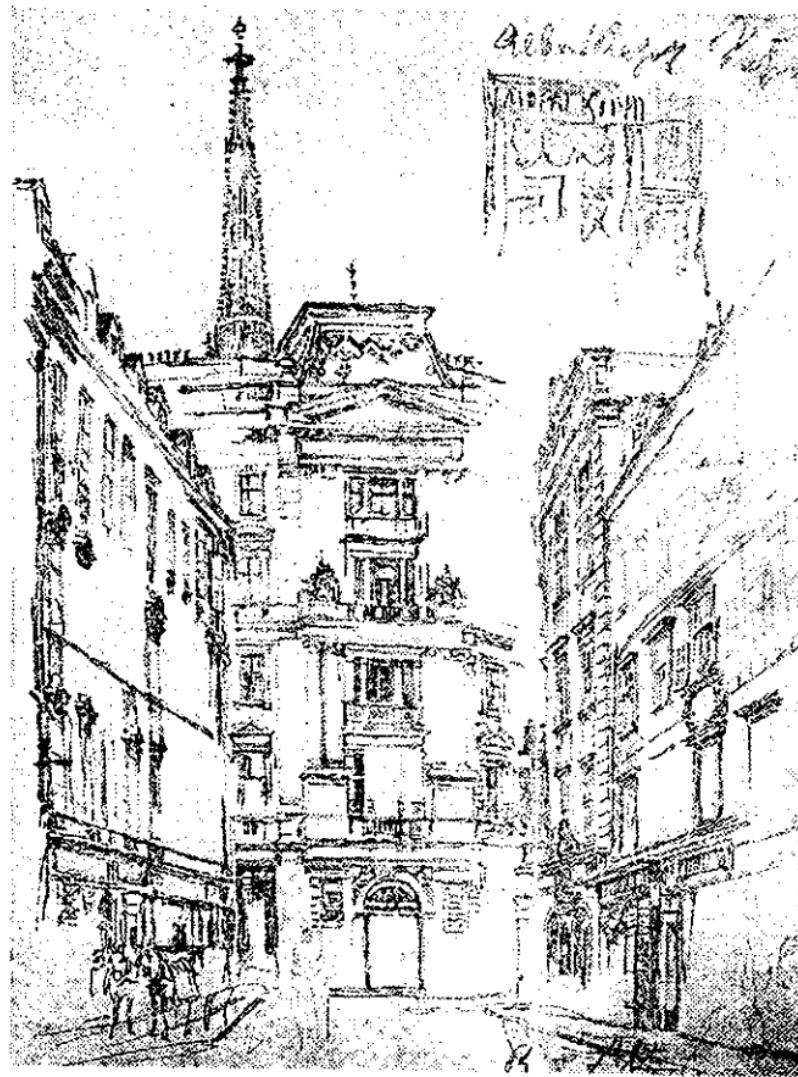
But besides opening offices, providing the languages and the talent for communicating detailed technical information from western European and US clients to clients in eastern Europe, Goriany is acutely sensitive about the base from which his colleagues in the capitals of central Europe must start out.

"Although our legal traditions may be similar, you must remember that Czech lawyers have had no opportunity to practice law for the past 40 years in the sense that they could not deal with foreign law offices. As a result, today, they have no idea how to proceed with contracts. That is one of our tasks: to help them deal with the outside world."

He explains how psychological factors could inhibit such progress and contacts. Even in Hungary, which embarked on economic reforms several years ago, Goriany says that the pervasive fear which characterised communist rule has been replaced by another: fear of the unknown.

"The people do not know what is expected of them. All the rules of the game have changed. Nobody knows what their new role is. It was all cut

# MANAGEMENT



**The elegant offices in Vienna house a staff of Croats, Hungarians, Slovaks, Czechs, Austrians and Britons**

and dried under the old system. But now, with the market economy, people are beginning to realise that it will be very difficult. That is why we must co-operate with them and build up their confidence."

His office in Vienna conveys this sense of a special relationship with the capitals of eastern Europe. Thanks to the changes in eastern Europe, one of the law assistants commutes by boat every day from Bratislava, the capital of Slovakia, which is only 60 kilometres from Vienna.

Another of his assistants gives Hungarian lessons to one of the British lawyers. It is possible to do business in Budapest in a day. The early train leaves Vienna at 8am, arrives at 11 and returns to Vienna at 9pm. Goriany points out that Vienna is closer to Budapest than to Salzburg.

Yet despite the remarkable changes in eastern Europe, the Austrian public, and indeed the establishment, have been slow to respond positively to the new political atmosphere.

Goriany recalls when earlier this year he was invited to give a lecture in Budapest. "I described the firm as having offices in Vienna and Buda-

pest. A few days later, a committee within the Law Kammer (Association) criticised me for advertising the fact that we had an office in Budapest. They said it was unfair competition!" Goriany says by describing his firm in that way, all he had wanted to do was to grant Budapest a similar status to Vienna and inspire confidence among his Hungarian colleagues.

"I was furious about the Kammer's reaction. I suppose the point is that in Austria, a joyful laziness prevails over the fight for progress. Because we easily accept authority, we are not innovative. We do not criticise or speak out. Titles and bureaucracy stand in the way of change."

But as an optimist, he believes the climate in Vienna is changing. Law firms from other countries in western Europe can now set up in Austria. The pull from the European Community and the integration of the Single Market in 1992 is shaking Austrians out of their lethargy.

Goriany hopes that enthusiasm for the changes taking place in the east will blossom among Austrians. His firm has planted the first seeds.