

Dear Reader,

The main topic of this year's *Juridica International* is the Estonian Civil Code in a European Private Law Context, as an international conference on this subject will take place in Tartu on 27–28 September. The conference is organised by the University of Tartu in conjunction with the Ministry of Justice and the Supreme Court. More than 600 people will participate in the conference, including acclaimed jurists from Belgium, Germany, Switzerland, the USA, France, Russia, Netherlands, Denmark, Poland, Sweden, Finland, Norway, Latvia, Lithuania, Belarus and the Ukraine. The conference is dedicated to the completion of the new Estonian Civil Code, the objective is to discuss the main problems of civil law, to compare Estonia with other countries and to address the development trends of private law in Europe.

Preparation of the new Estonian Civil Code began in 1992. The goal was to create a civil code suitable for a democratic, market economy-orientated state, as the old civil code no longer corresponded to the new conditions after Estonia regained its independence in August 1991. The Civil Code consists of five parts, adopted as separate Acts — the General Part of the Civil Code Act and the Family Law Act in 1994, the Law of Property Act in 1993 and the Law of Succession Act in 1996; the preparation of the draft Law of Obligations Act, as the lengthiest part, has also taken the longest time, but is now ready and will be adopted in the near future. The part laws have been prepared with a view to the fact that they are organically linked parts that collectively form the Civil Code.

So, by 2001, ten years after regaining independence Estonia has a new and modern Civil Code. Of course, work continues to elaborate the parts of the Code. Together with the Law of Obligations Act, an amended General Principles of the Civil Code Act is planned to be adopted, whereas the provisions of international private law are separated from the General Principles and an international private law act will be adopted in spring 2002 as a separate law. (The sources used in preparation of the Civil Code and the new developments arising from the Civil Code are described in greater detail in: P. Varul. *Legal Policy Decisions and Choices in the Creation of New Private Law in Estonia*. – *Juridica International*. Law Review. University of Tartu, V, 2000, pp. 104–118).

In preparation of the Civil Code, the goal was not to create an innovative civil code for Estonia — in the present era of intensive harmonisation and unification of law, it would not have been expedient or even feasible. It was important to establish tried and tested rules that would function well within the state and enable participation in international co-operation. The source materials included not only the laws of other countries, special literature and court practice, but also internationally harmonised legislation such as the Vienna Convention on Contracts for the International Sale of Goods, Principles of European Contract Law and Principles of International Commercial Contracts.

The Estonian legislative drafting has been substantially influenced by the goal to become a member of the European Union. As Estonia is a candidate member to the European Union, the requirements of EU directives have been taken fully into account in the preparation of legislation. In the area of private law, this mainly concerns corporate law, consumer protection and contract law, competition law and intellectual property. This gives a certain advantage — when we become a member of the European Union, we will not need to make major changes to our laws, as they are already adjusted to the EU law.

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