100 Years Later

The University of Tartu School of Law celebrates the centenary of the establishment of the Estonian national university with an academic conference.

Thursday, 3 October

Plenary session – Estonian Legal Science in 2019
(Assembly Hall of the University of Tartu, web streaming)

Moderator: Gaabriel Tavits, Director of the School of Law, Professor of Social Law

11:00 Opening by the rector of the University of Tartu, Professor Toomas Asser
Welcoming addresses by Villu Kõve, Chief Justice of the Estonian Supreme Court, and Ülle Madise, Chancellor of Justice

11:20–11:40 Gaabriel Tavits, Director of the School of Law, Professor of Social Law
The School of Law of the University of Tartu at a National University – We Can Change the World!

11:40–12:10 Marju Luts-Sootak, Assistant Director for Research, School of Law, Professor of Legal History
The World’s Best Estonian Legal Science – at the University of Tartu, of Course!

12:10–12:30 Age Värv, Assistant Director for Academic Affairs, School of Law, Associate Professor of the Law of Obligation
21st-century Legal Education at a National University

12:30–12:50 Ants Nõmper, dr.iur., Member of the Council of the University of Tartu, Attorney-at-Law, and Managing Partner, Law firm Ellex Raidla
A Crossroads in Studies of Law

12:50–14:00 Lunch, with participants moving to various sessions
Panel sessions dedicated to special-interest topics
14:00–16:00

The Limits of Judicial Discretion in Private Law
Moderator: Irene Kull, Professor of Civil Law
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Judicial Discretion and Contracts
Janno Lahe, Professor of Delict Law
Limits of the Judicial Discretion in Ordering Payment of Compensation for Non-patrimonial Damage
Villu Kõve, Associate Professor of Civil Law
Limits of the Judicial Discretion in Ending Common Ownership and Dividing Joint Property
Tiina Mikk, mag. iur., Assistant of Civil Law, doctoral student at the University of Tartu
Limits of the Judicial Discretion in Interpreting Wills

International Law, a ‘Nuclear Bomb of a Small Country’ (L. Meri)?
Moderator: Lauri Mäiksoo, Professor of International Law
Merilin Kiviorg, DPhil (Oxon), Senior Research Fellow of International Law
Disputes over the Role of Human Rights in Modern International Law
Alexander Lott, Lecturer of Administrative Law
The Estonian Maritime Boundaries – Known and Unknown
Lauri Mäiksoo, Professor of International Law
Estonia as a United Nations Security Council’s Elected Member in 2020-2021
René Värk, Associate Professor of International Law
Contemporary Challenges for the Rules of Warfare

Addressing Unequal Counter-effects of Weak and Strong on the Example of the Criminal Law of the European Union and Estonia
Moderators: Anneli Soo, Associate Professor of Penal Law, and Andres Parmas, mag. iur., Assistant of Penal Law
Marko Kairjak, PhD
The Asymmetric Impact of the EU Law on the General Part of the Penal Code
Kaie Rosin, mag. iur., doctoral student at the University of Tartu
The Fundamental Principles of Estonian Criminal Law as Grounds for Pulling the Emergency Brake under Articles 82 and 83 of the TFEU
Anneli Soo, Associate Professor of Penal Law
European Law of Criminal Procedure?
Markus Kärner, mag. iur., doctoral student at the University of Tartu
The Impact of the Administrative Penalties of the European Union on the Estonian Penal-law System
Scientific Psychology and Practical Law

Moderator: Talis Bachmann, Professor of Cognitive Psychology and Psychology of Law

Talis Bachmann, Professor of Cognitive Psychology and Psychology of Law
Law-relevant Studies at the Cognitive Psychology Laboratory of the Department of Penal Law

Iiris Tuvi, PhD, Senior Research Fellow of Criminology and Cognitive Psychology, and Inga Karton, PhD
Detection of Lying and Influences on Willingness to Lie

Jaan Tulviste, PhD
Brain Mechanisms Involved in Risky Decisions

Andreas Kangur, Lecturer of Criminal Procedure
Psychology and Rules of Evidence: are Science and Law on the Same Page?

Minority Rights and Their Protection in Companies

Moderator: Andres Vutt, Associate Professor of Commercial Law

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Systematics of Minority Rights

Margit Vutt, Lecturer in Civil Law
Exit Rights of a Shareholder in a Private Limited Company

Urmas Volens, Associate Professor of Civil Process
Compulsory Acquisition of a Share by a Limited Liability Company

Kalev Saare, Associate Professor of Civil Law
Legal Protection for a Minority Shareholder in Cases of Transactions and Disputes between a Company and the Majority Shareholder

100 Years of Intellectual Property Law in Estonia: Where Next?

Moderator: Aleksei Kelli, Professor of Intellectual Property

Aleksei Kelli, Professor of Intellectual Property
On Copyright and Protection of Personal Data in Digitalising the Estonian Language

Gea Lepik, MJur (Oxon), Assistant in Civil Law
Developments in the Trademark Law of the EU and Estonia in Recent Years: Requirements for Protected Trade Indications and the Essence of Legal Protection for a Mark

Age Värv, Associate Professor of the Law of Obligation
The New Face of Protection of Business Secrets

Karmen Turk, mag. iur., Visiting Lecturer of IT Law, doctoral student at the University of Tartu
Technology and Enforcement of Intellectual Property Rights: Conflict or Opportunity?

Heiki Pisuke, Visiting Professor at the University of Tartu
Translation and Intellectual Property: Some Connections and Tendencies
Computer Practicum – Law and Technology, Quo Vadis?
Is advoCODE the Future of the Legal Science?
(Iuridicum, Näituse 20-203)

Moderators: Anette Aav, IT Law Programme Director, and Liisi Adamson, Visiting Lecturer of IT Law

The world of law is witnessing increasing debate over whether robots could also take over the work of legal practitioners.

• How does technology affect the law; i.e., what is the impact of technology on practising law?
• How can legal scientists themselves influence the technology; i.e., how does the technological solution function, and how can it be made to work to your advantage?

The session is practical in nature, and active participation is expected from those who take part, to study and practise symbiosis between technology and lawyers. We will see whether advoCODE is the future or, rather, people still represent additional value in the areas where technology and law come together.

16:00–16:30 Coffee Break

Panel sessions dedicated to special-interest topics
16:30–18:30

Is the European Union Interfering Too Much in Estonian Contract Law?

Moderator: Karin Sein, Professor of Civil Law

Piia Kalamees, Associate Professor of Civil Law
Does Estonia Have to Change Its Regulation on Expedited Procedure for Payment Orders in Response to the Consumer Contract Law of the European Union?

Karin Sein, Professor of Civil Law
My Contracts with Telia and Elisa in 2022: Does the European Union Require Too Much or Too Little for Consumer Protection?

Mari Ann Simovart, Associate Professor of Civil Law
Does the European Union Law Allow Contracting Authorities to Terminate Public Contracts Too Easily?

Carri Ginter, Associate Professor of European Law
Mari Kelve-Liivsoo
Symbiosis between Standard Terms and Public Procurement Law

Prevention and Law Enforcement: The End of the Rule of Law?

Moderators: Ivo Pilving, Associate Professor of Administrative Law,
and Paloma Krõõt Tupay, Lecturer of Constitutional Law

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The State's Watchful Eye in the Public Space – Effective Prevention or Total Surveillance?

Mait Laaring, Lecturer of Administrative Law
Development of the Society and Preventive Intervention by the State
Janar Jäätma, PhD
Article 28 of the Law Enforcement Act as General Authorisation

Ivo Pilving, Associate Professor of Administrative Law
Judicial Activism and Restraint in Reviewing Law-enforcement Decisions

Minors in the Legal System

Moderators: Anna Markina, Research Fellow of Criminology

Jüri Saar, Professor of Criminology, and Anna Markina, Research Fellow of Criminology
The Impact of Social Context on Criminal Careers (of Minors)

Anna Markina, MA, Research Fellow of Criminology
Responses of Minors Who Have Been Given Criminal Penalties

Judit Strömpl, Associate Professor of Social Work Research at the Institute of Social Studies
Katre Luhamaa, Lecturer of European Law and of International Law
Involving Children in the Process of Administration of Justice

Jaan Ginter, Professor of Criminology
Reform to Criminal Procedure and Penal Law Pertaining to Minors and Its Potential Impacts

Lawyers and Legal Education in History

Moderator: Marju Luts-Sootak, Professor of Legal History

Hesi Siimets-Gross, Associate Professor of Legal History and Roman Law
Letters by David Hilchen (1561–1610) – Procedural Tool or Means of Communication?

Lea Leppik, Associate Professor of Legal History
Studying to Become a Lawyer at the University of Tartu of the Republic of Estonia, 1920–1940

Marju Luts-Sootak, Professor of Legal History
The Faculty of Law at the University of Tartu during the German Occupation, 1941–1944

Merike Ristikivi, Associate Professor of Legal History (Roman Law and Latin)
Colleagues, Competitors, Critics? Women Attorneys in Estonia in the Interwar Period

Challenges of a Digital Society for Labour Law

Moderator: Merle Erikson, Professor of Labour Law

Thea Treier, mag. iur., doctoral student at the University of Tartu
Which Workers Should Be Protected in the Changing World of Work, and How?

Seili Suder, doctoral student at the University of Tartu
The Employer’s Right to Control an Employee in a Digital World and the Example of Microchipping

Annika Rosin, PhD, Lecturer of Labour Law at the University of Turku
Platform Work – a Need for Special Regulation or Reason for Smart Application of Existing Law?

Gaabriel Tavits, Professor of Social Law
How to Involve Employees in a Digital Society
Computer Practicum – Law and Technology, Quo Vadis?
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