

The EU's Porous Trade Law, The Institute of European Law Annual Lecture 2011

Posted on Monday 10th January 2011

Professor Stephen Weatherill, Somerville College, University of Oxford

Stephen Weatherill is the **Jacques Delors Professor of European Community Law** (<http://www.law.ox.ac.uk/profile/weatherills>). He also serves as Deputy Director of the **Institute of European and Comparative Law** (<http://www.iecl.ox.ac.uk/>). His research interests embrace the field of European Law in its widest sense, although his published work is predominantly concerned with European Community trade law.



Amongst his many books is *Cases and Materials on EU Law* (Oxford University Press, 9th edition, 2010), also currently used as the main textbook for Birmingham Law School's 'Legal Foundations of the European Union' undergraduate module. The areas in which he has published papers in journals and edited collections in recent years include; the impact of subsidiarity in EC law; the involvement of the EC in private law; aspects of "flexible" integration in Europe; the elaboration of strategies for the management of the internal market; sport and the law including the ruling in Bosman; the law and practice of product safety; and merger control. Before joining the Oxford Faculty, he held the Jean Monnet Chair of European Law at the University of Nottingham, and he has also previously held positions at the Universities of Manchester and Reading since beginning his academic career as a research assistant at Brunel University.

The lecture entitled "The EU's Porous Trade Law" analysed the internal market of the European Union. In the early years free movement was mostly about customs formalities and openly discriminatory practices. Competition law largely concerned price-fixing and agricultural co-operatives. Nowadays challenged practices tend to be more subtle. Courts in the EU have been forced to address national measures protecting cultural diversity, freedom of expression, collective labour rights, the integrity of health care systems and the functioning of sport AAA an impediment to cross-border trade generates a need to show justification. But justification according to what standards? Professor Weatherill argued that EU trade law is not just about trade - the Court has chosen to make it porous. But is its balancing of economic and non-economic interests satisfactory?

The IEL Annual Lecture was attended by over 200 students, staff, and outside guests.