

European Council (Art. 50) (23 March 2018) - Guidelines

Today, the European Council has published a document of guidelines with a view to the opening of negotiations on the overall understanding of the framework for the future relationship EU-UK. In our field of interest those are the relevant ones

10. The future partnership should include ambitious provisions on movement of natural persons, based on full reciprocity and non-discrimination among Member States, and related areas such as coordination of social security and recognition of professional qualifications. **In this context, options for judicial cooperation in matrimonial, parental responsibility and other related matters could be explored, taking into account that the UK will be a third country outside Schengen and that such cooperation would require strong safeguards to ensure full respect of fundamental rights.**

Judicial cooperation in civil matters is not mentioned.

Guidelines 7 and 15 refer to the CJEU:

7. The European Council further reiterates that the Union will preserve its autonomy as regards its decision-making, which excludes participation of the United Kingdom as a third-country in the Union Institutions and participation in the decision-making of the Union bodies, offices and agencies. **The role of the Court of Justice of the European Union will also be fully respected.**

15. Designing the overall governance of the future relationship will require to take into account:

iii) the requirements of the autonomy of the EU legal order, **including the role of the Court of Justice of the European Union, notably as developed in the jurisprudence.**