

What might stop a negotiated Article 50 agreement? (28 September 2017)

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Article 50 states that if no agreement is found by the end of two years after notification, then a member state leaves in any case. Why might this happen?

The Risk	Why might it happen?	Likelihood of preventing agreement	Change since August
UK government is unclear on objectives	May's Florence speech failed to provide substantive ways forward on most Phase I issues, despite concessions on transition period and financial liabilities. No new position papers presented to flesh out speech	Medium-High	No change
UK Parliamentary revolt	Labour's position continues to softened, but has yet to translate to effective Parliamentary activity yet	Low-Medium	No change
Tory party revolt	May's position remains weak, and Cabinet are willing to actively box her in on policy, but no clear replacement figure (or strategy) has emerged	Low-Medium	No change
European Parliament refuses to accept agreement	EP will shortly debate a resolution on the need for effective protection of citizens' rights. UK has also increased its lobbying of the institution, suggesting growing concern.	Low-Medium	rising
Non-ratification by an EU27 assembly	Still no sign that any EU27 member state is falling out from the agreement to work via the Commission mandate, although local situations might change political calculations for national leaders	Low	No change
Insufficient negotiating capacity	The UK is still recruiting negotiators and is seeing significant turnover of staff in DExEU. However, this has not immediately affected the capacity to negotiate	Low	No change
Disagreement over sequencing of agreement	May's speech once again pushed for talks on transition while Phase I continues. Commission appears a bit more sympathetic on this than before, so mutually-acceptable changes might ensue	Very Low	No change
EU27 fail to agree position	October's European Council will show if any divergences have emerged, but currently all member states strongly support the mandate	Very Low	No change
Radical hardening of UK position	Talk of 'no deal' has abated considerably in government circles, suggesting movement towards finding a deal	Very Low	No change