

What might stop a negotiated Article 50 agreement? (26 October 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	Continuing lack of UK position papers presented to flesh out Florence speech, or firm commitments at October European Council	Medium-High	No change
UK Parliamentary revolt	Labour appears to be more coordinated in challenging the Government, but there has been no 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 has affirmed the need for effective protection of citizens' rights. UK has also increased its lobbying of the institution, suggesting growing concern.	Low-Medium	No change
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 still short-staffed at DExEU. However, this has not immediately affected the capacity to negotiate. Impacts are more notable at DIT	Low	No change
Disagreement over sequencing of agreement	October's European Council has blurred edges on this, with agreement to have internal EU27 debate on Phase II mandate. However, UK still wants to move to active discussion on this	Very Low	No change
EU27 fail to agree position	October's European Council showed continuing lack of divergence among EU27, but some signs now that Phase II will be more contentious	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