

What might stop a negotiated Article 50 agreement? (30 November 2017)

Simon Usherwood

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 Oct
UK government is unclear on objectives	No UK position papers since August and much on-going debate within Cabinet about policy. Progress on financial liabilities still unconfirmed and no sign of proposals for Irish border	Medium-High	No change
UK Parliamentary revolt	Labour has been more coordinated in challenging the Government, as have Tory rebels, but with limited impact to date	Low-Medium	No change
Tory party revolt	May's position remains weak, and Cabinet continue 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, as well as growing interest in Irish border	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. December European Council might further tensions	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, and news of financial liabilities settlement has not sparked major dissent, suggesting continuing movement towards finding a deal	Very Low	No change