

What might stop a negotiated Article 50 agreement? (27 April 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 March
Non-ratification by an EU27 assembly	Increasingly likely that at least some EU27 parliaments, plus some sub-national ones, will have to ratify. One or more might see an opportunity to secure local benefits in return for approval, as with Wallonia and CETA	Medium	Rising
UK government is unclear on objectives	To date, the UK's position has been negatively constructed, so it might be unsure as to what it wants to have, and so cannot reach a conclusive position	Low-Medium	No change
Disagreement over scope of agreement	The UK would like to join together exit negotiations with talks on a new relationship, while the Commission says the former must be concluded fully before moving on. A referral to CJEU under Art.218(11) might ensue.	Low-Medium	No change
European Parliament refuses to accept agreement	EP appears to be closely coordinating with European Council, but is keen to have an active role in negotiations, so might block progress unless it gets this.	Low	Falling
UK Parliamentary revolt	As a deal becomes clearer, Parliament might impose requirements on government, call a vote of confidence, or reject final deal, although presumed increased Tory majority makes this less likely	Low	Falling
Insufficient negotiating capacity	The UK remains well below recruiting targets for negotiators, so might simply lack staffing to produce an agreement of sufficient scope and detail	Low	No change
Radical hardening of UK position	The UK might announce it has no intention of seeking an agreement at all, and refuses to negotiate	Low	No change
EU27 fail to agree position	The EU27 have very diverse interests in Brexit talks, but appear to be on track to agree negotiation mandate for Commission on 29 April	Very Low	Falling
Tory party revolt	If Tory backbenchers feel Theresa May isn't fulfilling their ideas on Brexit, they might seek to remove her from the leadership. Presumed success & increased majority in General Election makes this much less likely	Very Low	Falling