

What might stop a negotiated Article 50 agreement? (20 December 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 Nov
UK government is unclear on objectives	Despite agreement on 'sufficient progress' in Phase 1, still no clarity on final preferred outcome following initial Cabinet discussion mid-December.	Medium	Falling
UK Parliamentary revolt	First amendment to Withdrawal Bill points to more coordination, but towards softer Brexit deal, rather than no-deal	Low-Medium	No change
Tory party revolt	May appears to have ridden out concessions made to reach Phase 1 'sufficient progress', suggesting the party will retain her through to the end of Article 50	Low	Falling
European Parliament refuses to accept agreement	Despite various concerns on citizens' rights and the Irish border, the EP continues to be broadly supportive	Low	Falling
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 Phase 2 is likely to be more complex to manage	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
EU27 fail to agree position	December's European Council was brief in outlining its views on the preferred end-state, suggesting some substantial debate is needed.	Low	Rising
Disagreement over sequencing of agreement	December's European Council reinforced the sequencing approach, and with the move to Phase 2 the UK's needs are effectively addressed.	Very Low	No change
Radical hardening of UK position	The effort put into reaching the Phase 1 'sufficient progress' deal suggests there is now very broad commitment to Article 50 and a deal.	Very Low	No change