

What might stop a negotiated Article 50 agreement? (25 January 2018)

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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 Dec
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	No change
UK Parliamentary revolt	Withdrawal Bill now in Lords, but amendments point towards softer Brexit deal, rather than no-deal	Low-Medium	No change
Tory party revolt	Various signs that backbench is increasingly unhappy about softening of Cabinet's position, typified by Rees-Mogg's 'vassal state' comment to Davis	Low-Medium	Rising
European Parliament refuses to accept agreement	Despite various concerns on citizens' rights and the Irish border, the EP continues to be broadly supportive	Low	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 Phase 2 is likely to be more complex to manage	Low	No change
Insufficient negotiating capacity	The UK still short-staffed at DExEU and much junior minister turn-over. However, this has not immediately affected the capacity to negotiate. Impacts are more notable at DIT	Low	No change
EU27 fail to agree position	EU still needs to find consensus on preferred end-state for new relationship, but no major disputes yet	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
Disagreement over sequencing of agreement	Sequencing is no longer an issue on either side, as they move into Phase 2	Zero	Falling