



CEC Weekly Political Update

14th March 2019

Brexit: MPs against no-deal & further developments

This week is crucial for further developments in regard to Brexit. On Tuesday, the House of Commons chose to reject the Brexit deal negotiated by PM Theresa May with the EU. This was its second rejection, after the Commons overwhelmingly voted against it with a majority of 432 to 202 on 15 January 2019. It was the biggest defeat in British parliament since the 19th century, and the biggest rebellion of the party against Prime Minister in the country's history - a third of the Conservative party voted against the deal.

On Wednesday, the House of Commons voted on an amendment to reject the UK exiting the EU without a deal under any circumstances. The motion was passed by 321 to 278, a majority of 43.

The government's original motion which stated that the UK should not leave the EU without a deal on 29 March was consequently scrapped. The difference between the government's motion and that of the submitted amendment is significant. The government hoped to maintain more control over the Brexit process. If its motion had not been amended, a successful vote in favour would not put a no-deal scenario off the table. However, the votes of the House of Commons are not legally binding. If the law does not change, the UK may still leave the EU without a deal on 29 March. This will depend on further negotiations between the UK and the EU – if successful, and an extension is agreed, the government would have to quickly introduce new legislation, which will account for this change.

Today, Members of Parliament are expected to vote on a motion, which would allow the government to negotiate the Brexit delay. According to commentators, it is very likely that this will be passed. However, the government still makes further action dependent on the outcome of a third vote on the Brexit deal. Speaker John Bercow announced that the proposal presented by the government gives MPs time until Wednesday. By then, if they support the EU deal, Brexit would be postponed until 30 June – this would be a technical extension to implement necessary laws. If they do not support it, a later, unspecified date would be negotiated with the EU.

The European Union, in general would prefer to agree on a longer extension. This, according to EU officials, would potentially allow for the formulation of a new arrangements and fresh solutions, such as a so-called soft Brexit. Additionally, a potential change of government in the UK or a second referendum, as well as reshuffled EU institutions (after the EP elections) would also factor in to the resolution of this matter. Still, a longer extension would also entail a number of challenges, amongst others, the necessity of the UK holding EP elections, as well as further legal and political consequences of British MEPs leaving the EP midterm when Brexit takes place. The EU's negotiator Michel Barnier has questioned the necessity of a short, technical extension. However, some sources suggest that the EU member states are likely to consider it in fear of economic consequences of a hard Brexit.

Consequently, in light of this week's Brexit developments, it is

important to note that although British MPs decided that a no-deal Brexit is not an option, their motion is not binding, and legislation is still required. As commentators point out, taking no-deal off the table is not sufficient – a deal has to be agreed. A change of legislation – a Brexit delay – will depend on today’s vote, on the third Brexit deal vote next week and lastly, the outcome of PM Theresa May’s negotiations with the EU and its member states.

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