

## Introduction

In 2007, Article 50 of the Treaty on European Union, known as the Lisbon Treaty, introduced for the first time a mechanism for the withdrawal of a country from the European Union. Prior to this no EU treaty had given member states the right to withdraw from the union or set out a means of doing so.

No full member state has ever withdrawn from the EU. However, Greenland withdrew in 1985 after achieving home rule from Denmark, though it is still classed as one of the EU's overseas territories, a status also awarded to the French overseas department Saint Barthélemy. Algeria also left the European Union on gaining independence from France in 1962. It is the only territory previously part of the European communities to become an independent country.

## What does Article 50 say?

Article 50 states that 'any member state may decide to withdraw from the union' and then proceeds to set out the process of withdrawal from the EU. The only condition set out for leaving is that the decision must be made in accordance with the member states' constitutional requirements.

***"Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements."***

*Article 50, Treaty on European Union*

If a member state decides to leave it must inform the European Council. The EU will then negotiate an agreement with the exiting state, setting out the arrangements for withdrawal and taking into account the future relationship between the EU and the exiting state. The European law will no longer apply to the exiting member state on the date the withdrawal agreement comes into force. Agreement must be made with a qualified majority in the European Council and with the consent of the European Parliament. If agreement is not reached then EU law will no longer apply to the exiting member state two years after its decision to leave. The two year period can be extended if there is a unanimous support from the member state and the Council to continue negotiating. The article also says that a member state that leaves may ask to rejoin the EU via the normal accession procedure.

## What would need to happen if the article was used?

It is impossible to know the likely outcome of a withdrawal from the EU. The exiting member state and the EU would have to determine what the future relationship between the two should be, and how best to reach that. Leaving the EU would require agreement on how the member states would phase out joint programs, budget contributions, and involvement in the EU institutions, such as the removal of MEPs, judges and commissioners.

EU laws and international agreements and how they may or may not apply to the exiting member states would have to be figured out. Laws introduced by national parliaments to adopt or implement EU laws would still apply until removed by the national parliaments. Exiting states are likely to want to arrange trade agreements and determine issues such as the movement of people between countries, and the involvement in EU policies such as the Common Fisheries Policy. As a result it is likely that a series of long negotiations would follow before there is a final agreement and the member state withdraws.

There are two further issues of interest. The article only requires the withdrawal agreement to take into account the EU's future relationship with the exiting state, so there is no guarantee that on leaving the EU that there will be a deal regarding future trade or political relations. Secondly, it is not stated that a country can cancel its decision to leave, meaning there is potential for the EU to force out the country that has opted to leave even if they changed their mind.