

## German civil society responds to the Transatlantic Trade and Investment Partnership (TTIP): Lessons for South Africa?

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## 1. Introduction

On the 10th of October 2015, Germany witnessed its largest demonstrations since citizens protested against the United States decision to wage war on Iraq in 2003. While police sources gave estimates of 150 000 citizens, organisers gave estimates of 250 000 citizens. Whatever the exact figure, Berlin saw its largest protests in many years, organised by consumer groups, environmental groups, various charities, trade unions and political parties. Demonstrations saw citizens from all social strata join in solidarity to voice their opposition to the Transatlantic Trade and Investment Partnership (TTIP) being negotiated by the United States and the European Union, where citizens across the EU have voiced their concerns about the democratic deficit witnessed in negotiating far reaching measures on their behalf.<sup>1</sup> As the economic engine of Europe, it not only matters what the politicians in Germany do, but whether citizens in Europe's driving economy follow in their path as it tends to influence what happens in the rest of Europe.

Indeed while Berlin was the centre stage of the protest movement, simultaneous protests were taking place in cities across the country and continent, including Amsterdam and London.<sup>2</sup> This highlights the miscalculation of public representatives and negotiators, who underestimated the extent to which citizens would take an active interest in ongoing negotiations. When concerns were voiced over the implications of the Investor-State Dispute Settlement (ISDS) mechanism, which would essentially allow global corporations the ability to sue nation states if sitting governments enacted public laws or policies which infringed on their profits;<sup>3</sup> it was seen as a passing moment of public concern. However, not only did individuals and organisations voice concern over these measures and their impact on democracy, but they also began to question the impact of the TTIP on European food and environmental standards, which differ in various ways from those of the United States. Question marks were also raised on the possibility of

Genetically Modified Organisms (GMOs) making their way from the United States to the shelves of European consumers, who are mostly against their use in food production.<sup>4</sup>

## 2. Growing demands for access to information on trade negotiations

The scepticism towards what has been marketed as potentially the largest free trade agreement in history did not only stop there, but research institutions and various non-profit organisations began a concerted effort to inform themselves and the broader public on the implications of an agreement mostly negotiated in a non-transparent manner. Publications such as those by the Centre for Economic Policy Research (CEPR), the Bertelsmann Foundation, and the Berlin Forum on Global Politics highlighted various scenarios, allowing people to make up their own minds based on the facts presented. Increasingly, people began to see gaps and inconsistencies between the scenarios being presented by trade negotiators in Brussels and those presented by activists, trade unions, consumer organisations, independent think tanks and researchers. After years of little resistance to the neoliberal prescriptions of free trade, citizens in Europe began to question the wisdom of a far reaching free trade agreement with the United States which sought to mostly dismantle the non-tariff barriers and harmonise standards.

Trade negotiations, which for centuries have been left to the political and economic elites, had now increasingly entered the public space, no doubt complicating the negotiation landscape for negotiation teams, who were under added pressure to share the contents of the negotiations, a practice not widely exercised anywhere in the world. It should be noted that demonstrations of this nature and size have not been common when the European Union negotiates against less powerful regions. This is evident in the Economic Partnership Agreements (EPA) between the EU and the Africa, Caribbean, and Pacific (ACP) countries. Indeed in these negotiations, the EU is often able to get large concessions for various interest groups in Europe. This however does not take anything away from the

phenomenon of greater demands for participation in the processes of international trade negotiations witnessed in the recent protests.

Voicing the concerns of the coalition government, Sigmar Gabriel, the minister for economic affairs and energy argued that '[i]f the negotiations fail, we will have to adapt ourselves to other standards, maybe those that will one day be agreed upon between China and the U.S.'<sup>5</sup> Herein lies much of the concerns facing the political and economic elites in Europe, who fear being sidelined by the United States in a constantly changing global political order.<sup>6</sup> Although the Trans-Pacific Partnership (TPP) will still face many hurdles before all members are able to ratify it, the efforts exhausted by the Obama administration to get the TPP signed have shown the seriousness with which it takes its stated pivot towards the Asia-Pacific.<sup>7</sup> According to this reasoning, a failure to engage with the United States thus risks the transatlantic partnership being downsized.

It was thus clear that some of the strategic thinking of Europe's politicians and profit calculations of some of its largest firms did not really infiltrate to the rest of the population across Europe, further entrenching the idea of a European bureaucracy with a democratic deficit. In a climate of growing Euro-scepticism, it came as no surprise that citizens opposed such a far reaching agreement, however, what did come as a surprise is the numbers that were mobilised in Berlin, which has made it more difficult to sell the hypothesised benefits of signing the TTIP.

It has become evident that civil society, especially in the industrialised world has increasingly engaged in global matters affecting their livelihoods, a clear shift from the normal protests focused on domestic issues. This was especially the case since the Seattle demonstrations in 1999 during a World Trade Organisation (WTO) Ministerial meeting, which was the biggest demonstration of that nature.<sup>8</sup> Given the growing middle class across African cities and their growing connectivity to transnational networks and global processes,

important lessons can be learned by various sectors of society.

### 3. What lessons for South Africa?

Given South Africa's influential role in Africa, one is left wondering to what extent civil society organisations and South African officials may draw lessons from the experiences of Germany and Europe in the ongoing TTIP negotiations. In an increasingly complex and interconnected global landscape, one cannot afford to relegate international negotiations as less important than domestic issues such as service delivery, education, health, and economic development.

The failure or success of nation states in providing various services for their citizens at home is intricately tied to the type of partnerships they have with external partners. Domestic groups thus ignore international processes at their own peril. This makes it ever more important for leaders occupying influential positions in government, the private sector, and the non-profit sector to share with their various constituencies unfolding global developments. This not only builds a more informed society but also a more competitive society able to analyse and navigate the sometimes rough waters of global politics.

Given the many types of agreements entered into by South Africa with its trade partners, which include the tough negotiations on the African Growth and Opportunity Act (AGOA) with the United States, it is notable that civil society has not played a visible role in shaping the type of partnerships being built by the country. While this does not mean they have been completely absent, it does mean that the broader public are not in a position to engage with their representatives in an informed manner. International trade negotiations are thus not yet a matter of immediate concern for the majority. However, this is gradually changing as various NGOs seek to increase their engagement with trade negotiators. This was evident in the August 2015 closed roundtable discussion held by the Institute for Global Dialogue and Ambassador Nozipho Mxakatho-Diseko from the

Department of International Relations and Cooperation (DIRCO), who led South Africa's negotiation team in the climate talks and Sustainable Development Goals (SDGs) negotiations.<sup>9</sup> This was essentially aimed at disseminating information on South Africa's position in the various negotiation fora and thus closing the gap between elected representatives and their various constituencies.

As the South African middle class gradually grows, one can hypothesize that people may become more interested in the mechanisms of global politics and how they affect their livelihoods. This will create additional pressure on public representatives to account not only for their domestic record, but also their foreign policy and trade decisions. This is especially important as South Africa seeks to grow its role as a development partner on the African continent, using public funds for various initiatives.

The protests in Berlin should show officials that a failure to adequately inform the citizenry of far reaching agreements made at international summits will only lead to scepticism, cynicism, and distrust in the public representatives. In an era where information travels much faster than before, it is understandable that the more information the public is able to access, the more it wants to access on issue areas relevant to their livelihoods. The difficult task for those with more access to the internal dynamics of trade negotiations is to create platforms for a broader engagement with society. This somewhat already takes place in consultative community engagements such as the Lekgotla's and the mass mobilisation drives by political parties such as the African National Congress (ANC), the Economic Freedom Fighters (EFF), and the Democratic Alliance (DA), where politicians engage with their constituencies on mostly domestic affairs; yet these do not often relate the intrinsic linkages between domestic policy and foreign policy.

#### **4. Concluding remarks and recommendations**

The protests against the TTIP in Germany reflect a global trend of civil society activism on global

issues that affect their livelihoods. This can be both positive and negative for elected representatives. While German politicians certainly did not mind seeing their citizens demonstrating against the US war in Iraq as they had also opposed it and thus were in a position to show the world that their people stood by them, citizens can also march against decisions made at a global level when there is a perception or reality that their concerns have not been adequately addressed. The following recommendations can thus be made to civil society groups and public representatives.

- While the South African population is still largely focused on domestic policy processes, public representatives should use existing platforms to discuss global political developments and explain the decisions taken and how these will impact domestic affairs.
- Civil society organisations, especially those involved in research have a responsibility to not only disseminate their research to already informed members of the public, but to take global politics to the broader public. This can be done in partnership with ministries such as the Department of International Relations and Cooperation (DIRCO) and the Department of Trade and Industry (DTI), amongst others.
- Political parties and union federations must do a better job of informing their members of global developments as they unfold, which can be done by bringing in experts to speak to their members on various global economic and political trends in order to foster an informed discussion.
- The South African media, which is largely focused on covering domestic affairs, must do a better job at uncovering the internal dynamics of global politics from a domestic perspective. This means asking local experts on international affairs to contribute more instead of simply republishing reports by Reuters and other international media outlets.

## References

1. Cardoso, D. Mthembu, P. Venhaus, M. Verde Garrido, M., The Transatlantic Colossus: Global Contributions to Broaden the Debate on the EU-US Free Trade Agreement, Berlin Forum on Global Politics, Internet & Society Collaboratory, FutureChallenges, December 2013. [Available online] <http://bfogp.org/publications/the-transatlantic-colossus/>
2. Clinton, H. 'America's Pacific Century' in Foreign Policy, 11 October 2011, <http://foreignpolicy.com/2011/10/11/americas-pacific-century/>
3. Delcker, J. Kroet, C. 'More than 150 000 protest against EU-US trade deal,' in POLITICO, <http://www.politico.eu/article/germany-mobilizes-against-eu-u-s-trade-deal-merkel-ttip-ceta/>
4. European Commission, Transatlantic Trade and Investment Partnership: The Economic Analysis Explained, 2013
5. Felbermayr, G. et al. Transatlantic Trade and Investment Partnership: Who Benefits from a Free Trade Deal? Global Economic Dynamics, Bertelsmann Stiftung
6. Mildner, S. Schmucker, C. Trade Agreement with Side Effects? European Union and United States to Negotiate Transatlantic Trade and Investment Partnership, Stiftung Wissenschaft und Politik (SWP) Comments
7. Mthembu, P. 'Whither Negotiations on Finance for Development, the Post 2015 Development Agenda and Climate Change?' in InFocus IGD Blog, 25 August 2015, <http://www.igd.org.za/index.php/11303-whither-negotiations-on-finance-for-development-the-post-2015-development-agenda-and-climate-change>
8. Verde, M. Why was Germany's recent TTIP protest the country's largest in over a decade, Berlin Forum on Global Politics
9. Vidal, J. 'The real battle for Seattle' in The Guardian, 5 December, 1999, <http://www.theguardian.com/world/1999/dec/05/wto.globalisation>
3. For more on the implications and context of the ISDS, check Ciaran Cross, 'The Treatment of Non-Investment Interests in Investor-State Disputes: Challenges for the TAFTA|TTIP Negotiations,' in Cardoso, D. Mthembu, P. Venhaus, M. Verde Garrido, M., The Transatlantic Colossus: Global Contributions to Broaden the Debate on the EU-US Free Trade Agreement, Berlin Forum on Global Politics, Internet & Society Collaboratory, FutureChallenges, December 2013. [Available online] <http://bfogp.org/publications/the-transatlantic-colossus/>
4. See Mona vom Endt, 'Is the TAFTA|TTIP a Race to the Bottom in Regulatory Standards?: The Case of Hormone-Treated Beef,' in Cardoso, D. Mthembu, P. Venhaus, M. Verde Garrido, M., The Transatlantic Colossus: Global Contributions to Broaden the Debate on the EU-US Free Trade Agreement, Berlin Forum on Global Politics, Internet & Society Collaboratory, FutureChallenges, December 2013. [Available online] <http://bfogp.org/publications/the-transatlantic-colossus/>
5. Delcker, J. Kroet, C. 'More than 150 000 protest against EU-US trade deal,' in POLITICO, <http://www.politico.eu/article/germany-mobilizes-against-eu-u-s-trade-deal-merkel-ttip-ceta/>
6. On the strategic nature of the TTIP for Europe, check Venhaus, M, 'The Transatlantic Trade and Investment Partnership as a New Strategy to Marginalise Emerging Powers: A Divided Free Trade Order in the Making?' in Cardoso, D. Mthembu, P. Venhaus, M. Verde Garrido, M., The Transatlantic Colossus: Global Contributions to Broaden the Debate on the EU-US Free Trade Agreement, Berlin Forum on Global Politics, Internet & Society Collaboratory, FutureChallenges, December 2013. [Available online] <http://bfogp.org/publications/the-transatlantic-colossus/>
7. Check former Secretary of State, Hillary Clinton's case for a pivot to Asia, 'America's Pacific Century' in Foreign Policy, 11 October 2011, <http://foreignpolicy.com/2011/10/11/americas-pacific-century/>
8. Vidal, J. 'The real battle for Seattle' in The Guardian, 5 December, 1999, <http://www.theguardian.com/world/1999/dec/05/wto.globalisation>

## Endnotes

1. Verde, M. Why was Germany's recent TTIP protest the country's largest in over a decade, Berlin Forum on Global Politics
2. Johnston, C. 'Berlin anti-TTIP trade deal protest attracts hundreds of thousands,' in The Guardian, 10 October, 2015, <http://www.theguardian.com/world/2015/oct/10/berlin-anti-ttip-trade-deal-rally-hundreds-thousands-protesters>
9. Mthembu, P. 'Whither Negotiations on Finance for Development, the Post 2015 Development Agenda and Climate Change?' in InFocus IGD Blog, 25 August 2015, <http://www.igd.org.za/index.php/11303-whither-negotiations-on-finance-for-development-the-post-2015-development-agenda-and-climate-change>



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