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Policy Brief

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Communicating TTIP
Challenges for the European Union

Negotiations between the European Union (EU) and the United States to sign a Transatlantic Trade and Investment Partnership (TTIP) were launched in July 2013. What started off as a blue-eyed, upbeat campaign to sell TTIP on 'jobs and growth' gradually dissolved into what is now considered 'by far the most controversial agreement the EU has ever negotiated'. Since 2014, the European Commission has lost its grip on the TTIP narrative, which is now dominated by widespread concerns about the loss of social and environmental standards. Over the years, all available arguments have been used to 'sell' TTIP to an increasingly sceptical general public. The narrative changed, from 'jobs and growth', via 'transparency', to 'strengthening the EU's voice'. With TTIP, the European Commission faces one of its most important political communication challenges.

This Clingendael Policy Brief examines what went wrong (and occasionally right) in communicating TTIP to Europe, and offers some modest proposals for how the European Commission can do better, or at least make amends. It concludes that the TTIP case underlines the structural problems inherent in the EU's model of post-national governance and democracy. The problem for the EU is that if the TTIP project fails, the EU's credibility as a 'force multiplier' capable of negotiating valuable trade deals for its member states would suffer badly. It would call into question the EU's competence and drive to deliver on big promises.

1. Introduction

After negotiations between the European Union (EU) and the United States to sign a Transatlantic Trade and Investment Partnership (TTIP) were launched in July 2013, (then) EU Trade Commissioner Karel De Gucht stated that TTIP 'would likely translate into millions of new jobs for our workers'.[1] The EU had already commissioned a study by the Centre for Economic Policy Research (CEPR), which indicated that 'TTIP may result in an increase by several million of the number of jobs dependent on exports in the EU'.[2] The EU also suggested that European consumers would benefit from cheaper products as a result of TTIP and that the average household would see an increase of disposable income of €545 per year. Both the European Commission and EU member states initially identified 'jobs and growth' as the overriding purposes of concluding a TTIP with the United States.

1 Karel De Gucht, 'Transatlantic Trade and Investment Partnership (TTIP): Solving the Regulatory Puzzle', *Aspen Institute Prague Annual Conference*, 10 October 2013.

2 European Commission, 'Transatlantic Trade and Investment Partnership: The Economic Analysis Explained', September 2013, p. 2.

Unfortunately (for the EU), this line of argument quickly broke down after critical economic experts pointed out that the projected growth would not materialize until 2027, and that jobs creation would be 'too small to notice'.[3] What started off as a blue-eyed, upbeat campaign to sell TTIP on 'jobs and growth' gradually dissolved into what is now considered 'by far the most controversial agreement the EU has ever negotiated'.[4] Since 2014, the European Commission has lost its grip on the TTIP narrative (which was one-sidedly focused on economic interests), which is now dominated by widespread concerns about the loss of social and environmental standards and democratic values. Public support for TTIP in all of the EU member states (bar Belgium) has fallen, and 32 per cent of EU citizens are now against the proposed trade deal (up from 28 per cent in May 2015). Over the last nine months, support for TTIP dropped most dramatically in the Netherlands and Central and Eastern Europe; Austria and Germany remain most critical, with 70 and 59 per cent (respectively) of respondents 'against' TTIP.[5] In October 2015, up to 200,000 protesters took to the streets in Berlin against TTIP, and more than 5,000 small and medium-sized enterprises (SMEs) in Germany and Austria have indicated resistance to TTIP. Even in the pro-business United Kingdom, an organization called Business Against TTIP has come into being, led by the UK's 2015 Entrepreneur of the Year.[6]

With TTIP, the European Commission faces one of its most important political communication challenges. Despite several setbacks, the EU (and most of its member states) remains confident that TTIP will materialize, in some form or other. EU Trade Commissioner Cecilia Malmström declared on 14 January 2016 that 'The EU is ready to finish this [TTIP] agreement under the Obama Administration'.[7] This optimism is understandable, since much is at stake for the EU's credibility, both as a viable global (trade) actor and as a body offering tangible benefits to its own citizens. If TTIP fails (or is watered down beyond recognition), this will affect the EU's authority in other policy areas as well. Turning TTIP into a success and 'selling' it to increasingly sceptical Europeans has become a litmus test for the EU's so-called 'actorness', a test that the EU cannot afford to flunk.

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2. Framing TTIP: 'Jobs and Growth' versus 'Lipstick on a Pig'

Over the past four years, the European Commission's arguments for TTIP have followed several phases. What started off as a dispassionate strategy aimed to focus the TTIP debate 'on facts, not fear or hyperbole',[8] quickly changed towards a somewhat defensive approach of proving the EU's transparency and responsiveness

3 House of Lords, European Union Committee, 'The Transatlantic Trade and Investment Partnership', 6 May 2014; and Monique Goyens, 'The European Commission: The Importance of Unbiased Communication on TTIP', *BEUC.eu*, 30 May 2014.

4 Bernd Lange, 'TTIP Debate Suffering from Lack of Transparency', *The Parliament Magazine*, 31 October 2014.

5 *EU Standard Eurobarometer*, no. 84, autumn 2015.

6 See Richard Elsner, 'TTIP Has Become a Significant Point of Conflict', *Financial Times*, 30–31 January 2016; and Titus Sharpe, 'Here is How TTIP Threatens Small Business in the UK', *The Independent*, 18 January 2016. The UK's Confederation of British Industry (CBI) is a staunch and vocal supporter of TTIP; see news.cbi.org.uk/.

7 Cecilia Malmström, EU Commissioner for Trade, 'Progress On Trade and theNeed for Debate', *Welt Economic Summit* (Berlin), 14 January 2016.

8 Karel De Gucht, 'The Transatlantic Trade and Investment Partnership: Where Do We Stand On the Hottest Topics in the Current Debate?', *Atlantikbrücke Düsseldorf*, 22 January 2014.

to 'ordinary' people's concerns. Today, the European Commission is in a confounded mode, framing TTIP more explicitly as the strategic reply to the 'rise of China' and a vital ingredient for strengthening the EU's voice around the globe.[9] It is probably too easy to say that the European Commission has underestimated the popular blowback against TTIP, although it may also be true. Over the years, all available arguments have been used to 'sell' TTIP to an increasingly sceptical general public. The narrative changed from 'jobs and growth', via 'transparency', to 'strengthening the EU's voice'.

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Since negotiations on TTIP started, critical non-governmental organizations (NGOs) have taken on the proposed deal as an excessive neo-liberal project that undermines legislative and regulatory barriers to trade, while protecting 'crony capitalism' through the much-reviled investor-state dispute settlement (ISDS). These critical NGOs tapped into public fears and concerns on three issues: globalization's impact on sovereignty and (national) identity; anti-Americanism; and scepticism of the EU in general. Critical NGOs offered a mixture of arguments combining these three elements, and they did so forcefully and with marked success. In doing so, they brushed aside the European Commission's so-called 'first-mover advantage' (based on 'jobs and growth'), and (re)framed TTIP as a threat to 'European' standards, sovereignty and identity.

Had TTIP simply dealt with tariff reduction, negotiations would most certainly have proceeded (more) smoothly. After the first round of TTIP negotiations took place in Washington DC from 8–12 July 2013, the European Commission's Directorate-General (DG) for Trade hosted (on 16 July 2013) a Civil Society Dialogue in Brussels that was attended by more than 150 participants representing NGOs, industry associations, trade unions and other stakeholders. During this Dialogue, the European Commission initially aimed to 'explain' the what, why and how of TTIP, trying to keep (or regain some) control over the process of communication with both direct stakeholders and the wider public. The European Commission (probably rightfully) assumed that the general public lacked a good understanding of what is at stake with TTIP, and how this initiative would fit into the wider scheme of reforming global trade rules based on EU interests as well as the EU's underlying norms and values. The Commission presumed that 'explaining' the basics of TTIP would generate public support for this new trade deal with the United States, and that public scepticism was at least partly based on a lack of knowledge.

Even at this first Dialogue meeting, these good intentions proved laudable, but untenable. It was obvious that Commission officials had not anticipated that their 'jobs and growth' argument would collapse so quickly and visibly, and therefore could not respond quickly with a 'Plan B'. The main points of criticism were threefold. The European Commission (1) had failed to take into account what European citizens really want; (2) had sold out to special interest groups, most notably major corporations; and (3) does not negotiate with the United States in a transparent way, thereby undermining democracy.

Anti-TTIP campaigners were successful in using the internet and social media to mobilize local networks in most EU member states, mixing legitimate concerns with often unwarranted fears that TTIP would lower environmental, food safety and social standards. The European Commission was also criticized for being overly secretive in its negotiations with its US counterparts. Although all international negotiations are by their very nature (and by necessity) confidential, critical NGOs effectively blamed Brussels for deciding upon issues of major importance to the EU member states and their peoples without transparency, and hence without democratic legitimacy. Since these anti-TTIP NGOs are (almost by definition) grass-roots organizations trusted

9 Jean-Luc Demarty, 'TTIP Will Strengthen the EU's Voice in the World', *The Parliament Magazine*, 5 May 2015.

by their own supporters, the European Commission quickly lost any control that it might have had over the TTIP narrative. The public debate on TTIP shifted within a matter of months from 'jobs and growth' to food safety, as well as democracy and transparency. Critical NGOs proved much more effective in mobilizing people against TTIP throughout Europe than the European Commission's and national authorities' efforts at promoting TTIP taken together. Since 2013, anti-TTIP groups have created a populist and highly effective campaign that touches upon all of the sensitive fear buttons ('chlorine chickens', 'shady courts overruling states', etc.) of the general populace. Even the EU's initiative to start a Dialogue was debunked by the NGOs' argument that the European Commission's 'objective is really very simple: to win you over, refine [its] arguments against you, and ultimately to save TTIP from the rapidly evolving public scepticism'.[10]

The European Commission initiated a new communication strategy to overcome public scepticism about TTIP in November 2013. In a (leaked) Issue Paper, the Commission acknowledged that TTIP 'negotiations have experienced an unprecedented level of public and media interest. No other negotiation has been subject to a similar level of public scrutiny'.[11] The Commission's effort was led by a relatively small communications unit in DG Trade, with support from other Commission services, notably DG Communication and the Spokespersons Service. The Commission realized that this approach 'will need to further localize out communication effort at Member State level in a radically different way to what has been done for past trade initiatives'. The Commission's aim was to frame TTIP in a positive way, and not to be drawn reactively into defensive communication about TTIP. The Issue Paper argues that for this approach to be successful, 'it needs to be both proactive and quickly reactive, involving monitoring of public debate, producing targeted communications material and deploying that material through all channels, including online and social media'. This European Commission approach ticked all the right boxes ('local', 'proactive', 'transparent' and 'social media', etc.), but did little to influence public opinion in the desired, pro-TTIP direction.

A further step was taken in October 2014, when the Council of the EU decided to publish the negotiating directives for its TTIP talks. This decision was taken under great public pressure, and was widely considered an unprecedented initiative to allow for greater transparency and public scrutiny. Unfortunately, this policy shift took place several months after the official text had already been leaked online, making it hard for the European Commission to reap any public relations benefits. Following an informal meeting of the EU's External Trade Ministers on 15 September 2014, the Commission's DG Trade had outlined a new communication response involving the following aims: (1) upgrade media and press relations; (2) ensure cross-communication coordination through different Commission services; (3) organize national debates in partnership with national authorities; (4) set up a network with EU member states to exchange best practices; and, arguably most importantly, (5) increase transparency by publishing EU position papers, develop factsheets and infographics; and finally (6) develop a dedicated website, online conversations and social media.[12]

Since October 2014, the European Commission has gone to great lengths to make the TTIP negotiation process more transparent, publishing more position papers, official documents and (previously confidential) papers than ever before, on any issue. This rally of transparency was enthusiastically received by academics, who could now follow the EU's negotiations

10 '(Mis)Communicating TTIP', *Corporateeurope.org*, 10 November 2014.

11 The European Commission's Issue Paper was called 'Communicating on TTIP: Areas for Cooperation between the Commission Services and Member States', and was discussed at a meeting of EU member states on 22 November 2013.

12 Council of the European Union, 'Working Party on Information on 17 October 2014', Brussels, 24 October 2014.

in great detail and without much delay. Lobbying groups were now also able to get more comprehensive information, allowing them to recalibrate their efforts on the basis of this new abundant information. The Commission published more information and in a timelier fashion than its American counterparts, raising questions of whether this could compromise the EU's negotiation tactics on many contested dossiers. Still, the unprecedented move towards transparency gained the European Commission much kudos, thus boosting – at least temporarily and within some societal quarters – its credibility and reputation.

Interestingly, this has done little to remove the suspicion among critical NGOs and the general public about deals being struck behind closed doors, favouring 'big business'. Anti-TTIP campaigners flatly rejected the EU's initiatives as cosmetic moves, comparing them to putting 'lipstick on a (TTIP) pig'.[13] Despite the EU's best efforts to frame TTIP as a desirable and even necessary deal with the United States, the Brussels bureaucracy quickly cut its losses and called upon member states to take on more responsibility in communicating TTIP with their own, national stakeholders, or, as the EU's chief TTIP negotiator Ignacio Garcia Bercero suggested in April 2015, 'No matter how much effort the Commission makes in its communications exercises, unless member states themselves get actively involved in the exercise, we are not really going to change the nature of the debate'.[14] Commissioner Malmström suggested that the Commission has 'probably reached the limits of what the EU can do on its own'.[15] Although this is most probably true, it also underlines the EU's predicament: while the Common Commercial Policy is an established exclusive EU competence where member states can do little on their own, the European Commission evidently lacks both the capabilities and credibility to 'sell' the outcome of its trade negotiations to the wider European public. Delegating external trade agreements to the EU therefore seems to weaken the sense of ownership of these deals with the governments of EU member states, and hence their willingness and capability to 'sell' these agreements to their own citizens.

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So what exactly has gone wrong, and how could the EU's communication on TTIP improve?

3. What Went Wrong, and Why?

Initially, TTIP proponents clung to the view that the EU's communication challenge could be solved through debate and dialogue. It was believed that the message of 'jobs and growth' would have to reach the general public within the context of a carefully managed Brussels-based Civil Society Dialogue, after which common sense would prevail, generating support for this new transatlantic trade deal.

This proved a one-sided – and hence overall misguided – strategy, mainly because the narrative of 'jobs and growth' was (with marked success) framed as a 'neo-liberal fallacy' by critical NGOs. After a short period of disorientation and reflection, the European Commission recognized that the TTIP debate was very different in each EU member state, both in terms of intensity as well as the expected (or imagined) problems and benefits. The EU's political opinion ecosystem proved to be diverse, making it essential for the EU to halt its 'megaphone

13 Gus Fagan, 'Lipstick on the TTIP Pig', *Opendemocracy.net*, 21 September 2015.

14 Daniela Vincenti, 'EU: "Communicating TTIP Begins at Home"', *Euractiv.com*, 14 April 2015.

15 Daniela Vincenti, 'EU to Step Up TTIP Communication Efforts', *Euractiv.com*, 16 March 2015.

diplomacy' and start a true citizens' dialogue. Abstract and overly general frames based on 'jobs and growth' faded into the background, and were replaced by different messages based on concrete, personable examples and inspiring stories featuring real people. European Commission officials (including Commissioner Malmström) travelled extensively throughout the EU, attending conferences, seminars and town-hall meetings, communicating with the interested public through social media. The Commission certainly lived up to its promise to conduct a more flexible and proactive strategy, as had been assured in 2013. Tackling TTIP communication became an exercise in changing political attitude, based on the understanding that putting forward dry numbers and figures would be insufficient to win over the 'hearts and minds' of European citizen. Still, despite significant effort, this proved easier said than done.

The EU's follow-up approach, which was based on increasing transparency, has been an equally mixed blessing. Contemporary trade policy has less to do with lowering tariffs than with regulatory matters and harmonizing standards. This is especially the case with TTIP, which aims to arrive at a so-called 'living agreement' (working towards close cooperation in all stages of the regulatory cycle) between EU and US regulatory bodies. The European Commission's argument that (in June 2013) all EU member states (and thereby all European citizens) have given the EU a clear mandate to negotiate a comprehensive and ambitious trade and investment treaty with the United States[16] proved to be fragile. Lowering tariffs is an altogether different exercise than rewriting existing standards and regulations. Offering the public an insight into the nitty-gritty of the EU's mandate resulted in a political backlash, suggesting that EU trade negotiators lacked the political legitimacy to make far-ranging deals that are close to people's daily lives.[17] Offering more transparency was a necessary move for the European Commission, in order to prove that it had nothing to hide. Unfortunately (for the EU), the new facts and figures offered a boost to critical NGOs, which cherry-picked the abundance of EU documents to make (and occasionally prove) their anti-TTIP case. Although more transparency was clearly necessary, it hardly strengthened the European Commission's case; in the end it may even have weakened it.

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After two (more or less) failed approaches (based on dialogue and transparency), the European Commission's final attempt involved taking into account existing public criticism by proposing concrete changes in TTIP's desired end result. In September 2015, the Commission put forward the idea of establishing a new court to replace the ISDS clause that had become TTIP's main bone of contention (and obstacle). This new court (consisting of fifteen independent judges, jointly appointed by the EU and the United States, with transparent procedures), was supposed to sway anti-TTIP groups and demonstrate the EU's preparedness to take public concerns into account. The EU's new plan would ensure that all of the court's proceedings will be open and that related documents will be posted online. These changes have most likely been made on the basis of the online public consultation (from March–July 2014) on a possible ISDS clause in TTIP.[18] Although many consider this new EU initiative to be a change of course in the EU's trade policy, (radical) Leftist and Green anti-TTIP campaigners stuck to

16 Council of the European Union, 'Directives for the Negotiation on the Transatlantic Trade and Investment Partnership between the European Union and the United States of America', 9 October 2014.

17 'EU Releases TTIP Negotiating Mandate', *International Centre for Trade and Sustainable Development*, 16 October 2014.

18 'Online Public Consultation on Investment Protection and Investor-to-State Dispute Settlement (ISDS) in the Transatlantic Trade and Investment Partnership Agreement (TTIP)', *European Commission*, 13 January 2015.

their criticism, claiming that it undermined national sovereignty, and hence democracy. EU Trade Commissioner Malmström somewhat sourly reacted that 'if you said "ice cream for everyone", they would still not like the proposal'.[19] This is probably true, but also begs the question of why is this so?

In October 2015, Commissioner Malmström launched the EU's new trade policy, called 'Trade for All – Towards a More Responsible Trade and Investment Policy'. The document does indeed try to offer 'ice-cream for everyone' by placating the demands of anti-TTIP NGOs and embracing the (radical) Left's 'critical globalization' agenda. 'Trade for All' proposes 'a trade and investment policy based on values', aiming to 'promote sustainable development, human rights and good governance'. The EU's new trade policy thereby clearly caters to the left-wing worldview of the European Commission's most vocal anti-TTIP opponents. However, this new trade 'strategy' does not offer any insight into how the fundamental problem of transparency can be solved, such as how trade policy objectives should be formulated *before* negotiations start, or how to tackle powerful (usually corporate) lobbies. Critics argue that 'Trade for All' 'is a response to TTIP criticism and reflects the style of governance of Ms Malmström: more inclusive, less controversial'.[20] It is also said to reveal 'how weak the Commission has become in the face of increasingly brutal political pressure from all sides'.[21] This line of attack may be somewhat unfair on the Commission, which now seems to be in the undesirable position of 'damned if you do, damned if you don't'. Keeping TTIP negotiations behind closed door and not taking on board the justified complaints of stakeholders were clearly not options; whereas offering more transparency and co-opting critics made the Commission more vulnerable and seemingly devoid of a sound strategic compass.

4. Room for Improvement

As the boxer Mike Tyson famously said: 'Everyone has a plan, 'till they get punched in the mouth'. Arguably, the European Commission has been left with a bloody nose while communicating TTIP, and is gradually trying to regain its balance. The problems that DG Trade has faced over the past four years merit serious study, notably because they may offer valuable insights into how the European Commission as a whole might improve its outreach and communication process on a host of other policy issues. Yet before such an in-depth study is conducted, four tentative conclusions present themselves.

First, TTIP is much more than a straightforward trade agreement, but involves regulatory matters on which EU negotiators lack the legitimacy to make decisions, regardless of their legal authority to do so. This is all the more important since TTIP is not an 'EU only' deal, but is widely regarded as a so-called 'mixed agreement' that needs to be ratified by the parliaments of EU member states as well. This has been acknowledged by Trade Commissioner Malmström, as well as the EU's chief negotiator Garcia Bercero. In all of the EU member states (except for Malta and the United Kingdom), a parliamentary approval process may therefore be necessary, and in half of all member states, referenda on the approval of international treaties are possible. This means that although TTIP is negotiated by the EU on behalf of all EU member states, these very same member states need to be closely involved, and even take the lead, in managing the communication process throughout all stages of the negotiation. This is all the more necessary since not all member states offer full political backing of TTIP, at times because governments have changed political colour (and hence their position *vis-à-vis* TTIP) since 2013. Especially member states with Social Democratic government coalitions (such as Germany, the Netherlands and Austria) have found themselves in an uncomfortable political

19 Éanna Kelly, 'EU Commission Comes Up with New Transparent Model for TTIP Trade Court', *Sciencebusiness.net*, 17 September 2015.

20 'Does the New EU Trade Communication Deserve to Be Called a "Strategy"?', *Borderlex.eu*, 19 October 2015.

21 'Does the New EU Trade Communication Deserve to Be Called a "Strategy"?'.

bind, since trade unions and left-wing social partners often criticize the official pro-TTIP stance of their political leaders. As a result, moving some of the communication burden back on the shoulders of national capitals has proven to be risky, but ultimately also essential to assure that the ratification process of a final deal will be completed without difficulty.

Second, the EU's experience with TTIP indicates that its learning curve on political communication remains markedly flat, and certainly much flatter than might be expected after so many decades of experience in 'selling' big projects such as the Single Market, the euro and enlargement. Switching back and forth between different narratives (from 'jobs and growth', to 'transparency' and 'sustainable development, human rights and good governance') might seem pragmatic (bordering on opportunistic), but also proves the lack of a clear vision and a steady hand. It raises the question of whether the Commission has sufficient in-house expertise to 'sell' and 'brand' a major initiative like TTIP effectively, and whether it has a collective, institutional memory that allows it to learn from its past mistakes. The European Commission has not hired professional strategic communications firms to assist it with 'selling' TTIP.[22] The reluctance to do so is understandable, since it would make the Commission vulnerable to accusations of spin-doctoring and squandering taxpayers' money for 'propaganda'. Still, given the current ongoing ignominies with communicating TTIP, the Commission may be forced to reconsider and next time take on board strategic communications professionals *before* a major political initiative is launched. In the meantime, the Commission should already invest in studying what mistakes have been made and what lessons can be drawn to avoid future communication imbroglios.

It is also somewhat surprising that the EU has not chosen the narrative of TTIP as a strategic tool to strengthen transatlanticism in an era of global power shifts and the (ultimate and seemingly unstoppable) rise of China. Over the coming decade, the choice may be between TTIP (with all its flaws and compromises) and a world where China imposes its rules on the rest of the world, including the EU. Another frame that has been overlooked is that TTIP aims to rekindle a new worldwide free-trade round within the context of the World Trade Organization (WTO). This would be a particular strong argument for TTIP, since the EU has always positioned itself as a champion of an effective international rules-based system. Linking TTIP with a new, more geostrategic approach towards China would also resonate well within the United States and potentially strengthen the case for a new transatlantic renaissance.[23]

Third, the EU has, despite serious efforts, not succeeded in using the new and admittedly fluid rules of communication in today's political media environment. The EU's failure to reach Europe's concerned citizens is not because of lack of trying, or the lack of goodwill. Public diplomacy has become tricky, since the days of sending messages in a hierarchical environment are long behind us. The EU faces similar problems in political communication as national authorities, since they all lack the grassroots credibility that seems to be reserved for NGOs and other (often) regional and/or local interest groups.[24] The hashtag #StopTTIP has been trending regularly on Twitter, especially since TTIP has been bearing the brunt of anti-EU, anti-globalization and Leftist/Green lobbying groups, thereby receiving criticism from

22 The European Commission did ask a small agency to develop micro-economic examples of SMEs that benefit from TTIP. This was part of an initiative to offer personal, local and regional stories aimed at connecting with the general public.

23 Peter van Ham, 'TTIP and the Renaissance of Transatlanticism: Regulatory Power in the Age of Rising Regions', *Clingendael Report*, July 2014.

24 'The Transatlantic Trade and Investment Partnership: On Track but Off Message? 2014 Stakeholder Survey', *Atlantic Council – Bertelsmann Foundation*, March 2014.

both sides of the political spectrum.[25] Better communication and more transparency also break down as strategies when they merely offer opponents more information (and hence ammunition) that may merit criticism. Moreover, more transparency has failed to win over critics. For example, documents outlining the EU's plan to establish a new court to replace the ISDS clause were viewed 15,000 times (by March 2016), a much lower number than the hundreds of thousands who have so passionately protested against the ISDA clause over recent years.[26] Clearly, more transparency as such will not gain the European Commission more political traction. What is needed is enhanced credibility, as well as access to channels of communication with the wider (and general) public.

The EU's (third and last) tactic of making some adjustments in its trade negotiations (by calling for a new court to replace the ISDS clause, or by initiating a 'Trade for All' approach) holds more promise, but is often brushed aside as 'too little, too late'. Ultimately, the question has to be asked of whether the EU faces a straightforward problem in communication, or whether the TTIP project (at least in its current form) is in and of itself defective. For example, if the EU had known that the ISDS system would prove unpalatable to the wider public, a public U-turn could have been avoided. The European Commission is now bound to communicate the trade mandate emerging from the member states, but that may not be backed by a vocal and activist part of the European public. This gap between governments and public goes a long way towards understanding and explaining the European Commission's predicament.

Fourth (and last), DG Trade's challenge to communicate TTIP has been seriously impeded by the EU's overall bleak track record over the past decade. Ranging from a troubled euro project to the failure to manage Europe's refugee and immigration crisis, policy-makers in Brussels have lost credibility with the general European public. Merely 'explaining' to Europe's citizenry 'Why TTIP is Good for You' is now seen as another paternalistic, undemocratic confidence trick that no longer works. Previous EU grand projects such as the Euro and the Schengen area were adopted without much political resistance in an era of economic growth and political stability. Since 2008, however, the atmosphere of the political debate has changed markedly, which makes it increasingly hard for the EU to 'sell' ambitious projects like TTIP simply on the basis of 'jobs and growth'. The belated shift of the TTIP narrative to values such as 'sustainable development, human rights and good governance' has proven unable to fix this larger problem of the EU's dwindling credibility as a guardian of peace and prosperity.

One may therefore conclude that there is room for improvement in the EU's approach to communicating TTIP to EU citizens. Unfortunately, this room may not be found in Brussels, but instead in national capitals, and – even more worrying – this room may already be occupied by national concerns that are dominated by local and regional anti-TTIP interest groups. The problem for the EU is that if the TTIP project fails, the EU's credibility as a 'force multiplier' that is capable of negotiating valuable trade deals for its member states would suffer badly. It would call into question the EU's competence and drive to deliver on big promises and would thereby make it harder for the EU to push through even bigger projects, such as a possible future Political Union.[27]

Were TTIP to fail, the EU's credibility as a "force multiplier" capable of negotiating valuable trade deals for its member states would suffer badly

25 Matthias Bauer, 'The Spiral of Silence: How Anti-TTIP Groups Dominate German Online Media and Set the Tone for TTIP Opinion', *ECIPE* (blog), 28 January 2015.

26 This information was disclosed to the author in an interview with a DG Trade official (European Commission), Brussels, 11 March 2016.

27 See the European Commission's so-called 'Five Presidents' Report': *Completing Europe's Economic and Monetary Union*, Brussels, 22 June 2015.

Still, the dark cloud cast by TTIP over the EU's credibility and track record may also have a silver lining. Michael Williams recently argued that 'global elites have lost their healthy sense of fear' of the masses, forgetting previous worries over looming revolutions.[28] Popular backlash against TTIP may instil more respect for public concerns, which do not always reach the corridors of the European Commission and the hallowed halls of the European Parliament. Failing to communicate TTIP may thereby offer valuable lessons to policy-makers in Brussels (as well as in national capitals), which may also be applied to other policy issues where the gap between the political elites and *vox populi* is widening.

28 Michael Williams, 'Elites Have Lost Their Healthy Fear of the Masses', *Financial Times*, 3 February 2016.

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