

President Trump bringing back waterboarding would make both Europe and America less secure

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In the last two years, numerous terrorist attacks have taken place in EU countries, notably in France and Belgium. [Gijs de Vries](#) assesses how governments should react to the threat of terrorism, writing that authorities must maintain perspective to avoid unintentionally legitimising the actions of terrorists. He argues that Donald Trump's suggestion that the United States should bring back waterboarding in the fight against terrorism would be counter-productive, and that the fear of terrorism can do as much damage to the fabric of western society as terrorism itself.



Between 2009 and 2013, 38 people died in terrorist attacks in European member states, while several Europeans were kidnapped or killed by terrorist groups around the world. In 2014, four people were killed by terrorism in Europe in an attack on the Jewish Museum in Brussels.

Then came 2015. A terrible year, in which 151 people died and over 360 were injured as a result of terrorist attacks in the EU. [Europol](#) counted 211 failed, foiled and completed terrorist attacks, in six member states: Denmark, France, Greece, Italy, Spain, and the United Kingdom. More than 1,000 people were arrested in the EU for terrorism-related offences, of which 424 were in France. European courts issued 527 verdicts to 514 individuals tried on terrorism charges.

This year, the terrorist wave has showed no sign of abating. In March, terrorists killed 32 people in suicide attacks in Belgium at an airport and on a subway system, and in July, a 'lone wolf' killed 84 people in Nice by driving a truck into a crowd – to mention simply the deadliest attacks that have taken place.

Further attacks may be in store as a consequence of the bloodshed in Syria and Iraq. Europeans who joined ISIS and other terrorist groups in Syria and Iraq and who have since returned could pose a risk to Europe, either by using their ISIS training to carry out attacks themselves or by facilitating attacks, for example by raising funds or procuring false passports. ISIS hopes that these foreign fighters will pose as role models for young aspiring jihadists. Some of them are minors, cynically trained by ISIS to become the next generation of killers. There is a [heightened risk](#) of

terrorist attacks in Europe during the end-of-year holiday season.

Europe faces its highest terrorist threat in a decade. Although many attacks have been prevented, Europeans still worry about their security, and governments are under pressure to respond. National police forces and security agencies play key roles in counter-terrorism, as under EU law (Article 4:2 TEU) national security remains the 'sole responsibility of each Member State'. The EU supports, coordinates and complements national efforts on the basis of the [EU Counter-Terrorism Strategy](#).

Successful counter-terrorism is about more than law enforcement alone. Governments must not only stop and arrest today's terrorists; they must also prevent the next generation of terrorists from being radicalised. However, identifying possible future terrorists has proven difficult and governments struggle to find the most effective means of countering radicalisation.

One of the psychological factors that contributes to radicalisation among young Muslims is a sense of not truly belonging to European society. Arguably the least successful strand of the EU's counter-radicalisation policy is its commitment to combat social exclusion and discrimination. Xenophobia and discrimination on grounds of religion are rife across the Union. Combating such prejudice must be an integral and visible dimension of counter-radicalisation. As part of that response, opinion leaders must refrain from inflammatory rhetoric, decision-makers must maintain a sense of proportion, and governments must fight terrorism in ways which uphold human rights.

Often the most useful information about individuals at risk of becoming terrorists comes from bystanders, peers and family, so it is essential for governments and the police to retain the loyalty of the communities from which potential terrorists emanate. Muslim communities must be enlisted, not alienated. Yet many Muslims, in many European countries, feel that politicians and the media treat them as second-class citizens who cannot be trusted. Linking Islam and terrorism is a fallacy, and Muslims – as all members of other religions – must not be tarred with the same brush. Politicians who fan the flames of xenophobia, such as Marine Le Pen or Geert Wilders, should know they are playing into the hands of ISIS-inspired extremists.

Second, European governments must keep a sense of proportion. Terrorism poses a very serious, murderous threat; the attacks suffered by Belgium and France in the past two years were the deadliest in decades. But the risk of terrorist acts in Europe, though significant, is far lower than elsewhere in the world. In 2015, according to the [Global Terrorism Index](#), 32,658 people died in terrorist attacks. Five countries accounted for 80% of the casualties: Iraq, Nigeria, Afghanistan, Pakistan, and Syria. The deadliest terrorist group was Boko Haram, in Nigeria. In fact, in the past 15 years only 2.6% of deaths by terrorism occurred in western countries – and that includes the almost 3,000 victims of 9/11. As long as nuclear terrorism can be prevented, terrorism does not pose an existential threat to the countries of Europe – contrary to what former UK Prime Minister David Cameron [alleged](#).

Let us therefore be careful in how we speak about terrorism. Terrorists are vicious, unprincipled, murderous criminals. They are not the noble resistance fighters that they claim to be. We should not pay them the compliment of treating them as legitimate soldiers. We are not at war. We are fighting one of the most insidious forms of crime. This is why the EU, contrary to the Bush Administration in the US, has never spoken about a war on terror. It was unfortunate that President Hollande [spoke about war](#) after the Paris attacks. Governments must fight terrorists with utmost determination, but without unintentionally legitimising them.

ISIS and similar groups are in the business of stoking and exploiting fear. Their purpose is to provoke the West into a counter-reaction that undermines its core values. Here, again, the response must be commensurate but careful. Above all, it is essential that counter-terrorism policies respect the rights and liberties that terrorists seek to undermine.

The British Prevent strategy defines non-violent extremism as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs”. Schools, universities and doctors, among others, are invited to refer individuals that hold such views to

the authorities. Professor Louise Richardson, Vice-Chancellor of Oxford University and a world authority on terrorism, [has said](#) that if Oxford University would refer everyone, “we would have to burn all our books by Plato and refer half our philosophy department who question these matters.” Counter-terrorism should counter violent extremism, not views with which we reasonably disagree.

But there is another barrier that governments must not cross: the prohibition of torture. During the campaign for the U.S. presidency, Donald Trump repeatedly [expressed support](#) for waterboarding (simulated suffocation by drowning) as a technique to use against presumed terrorists. He claimed that not using such techniques made America look weak.

The use of waterboarding on detainees was banned by President Obama in 2009. For the United States to re-introduce it would be a dangerous mistake. Torture and cruel, inhumane and degrading treatment are prohibited under international law. Under the terms of the UN Convention against Torture, ratified by the United States, waterboarding is illegal. Information obtained by such techniques may not be lawfully used by intelligence and law enforcement agencies. If the United States were to re-introduce this or similar techniques it would impede much-needed intelligence sharing between the U.S. and its European partners.

Detention without trial in Guantanamo and the abuse of detainees by American military personnel in Iraq’s Abu Ghraib prison have done incalculable damage to the reputation of the United States. Waterboarding and other ‘enhanced interrogation techniques’ had a similar effect: America lost the moral high ground. Instead of winning hearts and minds in the fight against terrorism, America sacrificed credibility. Human rights violations by western countries serve as a recruitment tool for Al Qaeda, ISIS, and other Islamist terrorist groups.

Waterboarding is, first and foremost, immoral and illegal. It is also counterproductive in the fight against terrorism. For President Trump to re-introduce it would make both America and Europe less secure. Governments should not waver in their determination to counter terrorism, whether Islamist terrorism, right-wing terrorism, or other forms of terrorism, but western politicians must guard against over-reacting. The fear of terrorism can do as much damage to the fabric of western society as terrorism itself.

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