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# Dialogue between technique and administration in volcanic risk management

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*Why public administration and administrative law at the EGU annual conference?*

- the response to volcanic risk must come through a dialogue between technique and power
  - because law can enable certainty to be conferred upon answers provided by science
  - because it can conform actions contrary to the principles inherent in volcanic risk
    - because it can provide a systematic perspective to the subject



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The aim of the entire research is to identify what can be the role of the administration in order to move away from the emergency logic and towards a systemic response

The issue must be analyzed from the perspective of land government, which has several souls in it, **urban planning**, technical adequacy of choices and concrete decision-making (and possibly the role of the Courts)



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Standard consumer-level UAS drone (DJI Phantom 2 Pro) with additional payload.

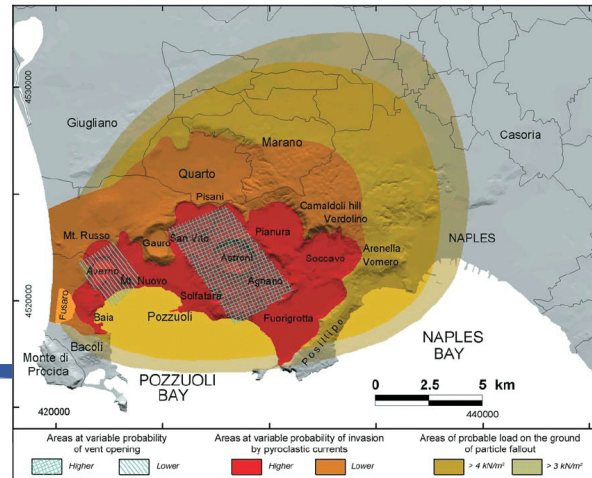
On-Site Sentinels can do their work by using simple and widespread tools...

The role of administration and administrative law in natural risk management.  
A necessary presence, **a support and not an enemy**, nor an obstacle for science  
and the quick reaction to natural hazards

It is a question of establishing a productive exchange between technique and  
administration, a subject that Italian scholars have been studying for years



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It is a matter of bringing exceptional events, among which the volcanic risk obviously takes on a particular importance precisely from a legal perspective, **within an ordinary logic**, in order to avoid widening the scope of the emergency and thus of the exceptions that sometimes risk becoming illegitimate or unfair

The exceptional event must be framed, through the role of the administration and public law, within a logic of ordinariness, because continuous recourse to emergency visions only worsens the institutional situation



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#### Conceptual basis of precautionary logic

According to the **max-min criterion**, when it comes to making a decision under conditions of uncertainty, choices must be assessed taking into account the **worst possible scenario** in terms of possible consequence.

$$v = \max_i \{ \min_j \{ a_{ij} \} \}$$

As the Corte dei Conti (Court of Auditors) report shows, combating and preventing volcanic disruption is increasingly becoming a national emergency and **a real priority for the country**. It is no coincidence that the PNRR devotes specific attention to it in terms of funds and objectives



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The following are the areas of interest in what concerns the relationship between administration and volcanic risk

1. *administrative organization* - **territorial and knowledge-based division of authority activity**
2. *appropriate activity, including those of contractual nature* - **limit exceptions to what is necessary, act with ordinary systems**



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3. *definite regime of liability* - **sure legislative regulation of liability not only for compensation among all those involved**

4. *role of the courts* - **offering a certain answer of law by avoiding differing interpretations as far as possible**



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Lines of research are:

- On-site Sentinels: participatory contribution to hazard monitoring using low-cost observation technologies
- the reading of the principles of precaution and prevention in judicial interpretation
  - environmental surveillance in assessing risk by the administration
- the exceptions for the awarding of contracts and funds following the natural event
  - community costs and controls



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Systematic view of the administration's responses is a prerequisite for an adequate view of risks, starting with the organization, based on the principles of prevention and legal sustainability, to avoid parallel systems, for full fulfillment of community interests



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Thank you for your attention with the hope that we have transferred to you a part of the importance of administrative law's role in volcanic decision-making processes as well



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