



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.

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

Preventive intervention ...

... cannot wait for irrefutable scientific proof of harmful effects, but must be prepared on the basis of reliable assessments of the mere possibility/probability of the risk, based on the scientific and technical knowledge 'currently' and 'progressively' available.

The lack of scientific certainty regarding the harmful consequences of certain behaviours or activities cannot justify postponing preventive action appropriate to the magnitude of the possible risks by public decision-makers.

Precautionary principle ...

... makes it possible to adopt, on the basis of scientific knowledge that is still lacking, protective measures that may affect subjective legal positions, albeit in compliance with the proportionality principle understood in its threefold dimension of suitability, necessity and proportionality in the strict sense.

THUS...

A) The risk assessment phase is predominantly (though not exclusively) characterised by its 'scientificity';

B) The risk management phase is equally predominantly (though not exclusively) characterised by its 'politicalness'.



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