Recommendation 1787 (2007)[1]

The precautionary principle and responsible risk management

Parliamentary Assembly

1. Humanity has never before lived in a safer and more secure environment than today. This is even more the case in the member states of the Council of Europe where we live much longer and healthier lives than our ancestors.

2. Paradoxically the perception of risk has increased and public opinion in Europe wishes to further reduce industrial and technological risks. Increasing references – including in international agreements – to the precautionary principle or to a precautionary approach are in line with that wish.

3. The lack of a single definition of the precautionary principle and of the conditions for its application, however, make the concept controversial, difficult to apply and sometimes ineffective. Therefore an agreement should be reached that would minimise risks without unduly restricting research and innovation.

4. The precautionary principle should allow, or in some cases justify, the adoption of regulatory action in the absence of complete scientific evidence about a particular risk scenario. This does not mean that regulatory action is justified in the absence of any scientific evidence of risks. Action should always be dependant on reasonable, albeit incomplete, evidence of considerable potential risks.

5. The precautionary principle should not, however, lead to the banning of a potentially risky product or activity until their proponent demonstrates that such product or activity poses no risks (or only a limited risk). If this were to be the case, as some of those who defend the principle claim, scientific research and the advancement of science could be in serious danger. Furthermore, "in the absence of complete scientific evidence" means that it is impossible to prove either the risk or the lack of it.

6. The Parliamentary Assembly supports most of the criteria set out by the European Commission in its communication of 2 February 2000 for the application of the precautionary principle: where action is deemed necessary, measures under the precautionary principle should be proportional to the chosen level of protection, non discriminatory in their application, consistent with similar measures already taken, based on an examination of the potential benefits and costs of action or lack of action, and subject to review. The Assembly does not approve, however, assigning responsibility for producing scientific evidence to those against whom the principle is invoked.

7. Public authorities should respect freedom of research and accept taking risks in a responsible way. Public opinion needs to be informed in order to adhere to this. A culture of precaution should be encouraged. Efforts are needed both from public authorities in the field of education and from the scientific community and industry in the fields of transparency and communication. Furthermore the precautionary principle should not be used as a justification for trade protectionism.

8. In this context the Assembly recalls its Recommendation 1762 (2006) on academic freedom and university autonomy and its Resolution 1528 (2006) on student disaffection for scientific studies. The principle of academic freedom of researchers, scholars and teachers should be reaffirmed. Science, today more than ever before, should be part and parcel of general culture as it enables individuals to maintain a sufficiently critical mind, and thereby remain impervious to the words of false prophets. Efforts to this end are also a means of contributing to the defence of human rights, which is the very role of the Council of Europe.

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1. *Assembly debate* on 26 January 2007 (9th Sitting) (see Doc. 11119, report of the Committee on Culture, Science and Education, rapporteur: Mr Randegger). *Text adopted by the Assembly* on 26 January 2007 (9th Sitting).

9. The Assembly therefore calls on the Committee of Ministers to prepare a recommendation which:

9.1. asks governments in member states of the Council of Europe to develop policies which:

9.1.1. promote scientific education as from primary school;

9.1.2. include ethical and precautionary thinking as an integral part of scientific studies;

9.1.3. ensure communication on science in society;

9.1.4. foster interdisciplinarity and transdisciplinarity in the field of research;

9.1.5. develop technology assessment (including participatory methods);

9.1.6. regulate, whenever necessary, specific areas and sectors of applied research;

9.1.7. review risk assessment and risk management related to research projects;

9.1.8. communicate effectively the results of relevant risk studies;

9.2. calls on the academic world (public and private higher education institutions) to:

9.2.1. include ethical and precautionary thinking as an integral part of scientific studies, in order to promote a culture of precaution among scientists;

9.2.2. foster interdisciplinarity and transdisciplinarity in the field of research;

9.2.3. engage in dialogue with the various stakeholder groups;

9.2.4. communicate effectively the results of its activities;

9.3. calls on other research institutions and industry in the member states to:

9.3.1. consider possible negative outcomes and benefits of new products and activities;

9.3.2. suggest measures to prevent damages;

9.3.3. conduct risk assessment and risk-related research and communicate its results effectively;

9.3.4. develop a culture of precaution among scientists;

9.3.5. engage in dialogue with the various stakeholder groups.

10. The Assembly also recommends that parliaments in member states:

10.1. ensure that the principles of academic freedom of researchers, scholars and teachers and institutional autonomy of universities are properly guaranteed legislatively or constitutionally;

10.2. adopt, where this is not yet the case, parliamentary technology assessment procedures and contact the European Parliamentary Technology Assessment (EPTA) network;

10.3. set the promotion of scientific education as a priority.