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THE PRECAUTIONARY PRINCIPLE AND ITS INTERPRETATIONS: CONCEPTUAL ISSUES

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ABSTRACT

In my current study, I concentrate to conceptual analysis of the so-called *precautionary principle* that is presumed to provide guidance when scientific knowledge of the harmful effects of a proposed activity is significantly incomplete. The aim of the study is to clarify the debate on the precautionary principle and to expose conceptual and ethical presuppositions in the discussion and implementation of the principle. The study consists of following parts: (1) clarification of the legal status of the precautionary principle; (2) formal analysis of the structure of the principle; and (3) analysis of the interpretations of the principle. I defend the thesis that strong and weak interpretation of the precautionary principle has been distinguished with various criteria or reasons and aim to narrow down justified and plausible interpretations of the principle. Because the principle is included in various legal documents, the explication of the weak–strong distinction has practical value in some cases of the interpretation and application of law. Moreover, the way in which strong and weak interpretations differ is worth studying in pure theoretical reasons, and the explication of the distinction is valuable in its own.