

# L'Aquila, Italy earthquake: Long sentences for seismologists

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On October 22, six seismologists and a government official were sentenced to six years in prison by a court in L'Aquila, Italy on multiple charges of manslaughter. The judges ruled that they had violated their duty to correctly inform the public about the risks of an impending earthquake. The judgment is not yet final and subject to revision.

The trial dealt with the events surrounding the catastrophic earthquake which took place on April 6, 2009 in the region of Abruzzia. The earthquake, which measured 6.3 on the Richter scale, killed 309 people in L'Aquila, including many children and adolescents. Some 1,500 people were injured and 67,000 were made homeless. The historic center of the city has still not been rebuilt. Damage was also substantial in other towns and villages in the region.

The verdict provoked anger in Italy and worldwide. Broad sections of the media and leading academic bodies such as the American Geophysical Association and the American Association for the Advancement of Science (AAAS) expressed their solidarity with the convicted seismologists. In Italy, a number of leading scientists resigned their posts in protest. On the same evening as the verdict, the physicist Luciano Maiani resigned as president of the State Risk Commission.

More than 5,000 scientists had already protested in an open letter to Italian President Giorgio Napolitano at the start of the trial in September 2011. They argued that it is impossible to precisely predict an earthquake and referred to earthquake maps and guidelines for quake-resistant construction long in possession of the government. They called on politicians to take steps to improve earthquake prevention, "rather than punishing scientists for failing to do a job beyond their power: predicting earthquakes."

In delivering the verdict, however, Judge Marco Billi declared that the issue at stake was not that the scientists had failed to anticipate the earthquake, but rather that they were negligent in investigating the concrete situation and gave misleading information to the press.

"I'm not crazy," argued prosecutor Fabio Picuti. "I know that they [the seismologists] can not predict earthquakes." This was not the basis of the indictment but rather, "As state representatives, they had certain legal obligations, they had to

assess, and stipulate the risks posed in L'Aquila."

The trial centered on an emergency meeting of the State Risk Commission on March 31, 2009—one week before the earthquake in L'Aquila. All seven convicted defendants were members of this commission and had attended the meeting.

The local population was highly alarmed at the time because the region had experienced several thousand mostly minor quakes, known as an "earthquake swarm," over a period of months. Just one day before the meeting of the commission, the region was shaken by a quake measuring 4.0 on the Richter scale. On that day, March 30, the mayor of L'Aquila, Massimo Cialente, had arranged for the evacuation of several buildings and the closure of a primary school.

In addition, an amateur researcher, Giampaolo Giuliano, had warned via the Internet of a major quake in the region, thereby increasing fears among the population. He claimed he could predict earthquakes based on observations of radon gas—a procedure regarded as highly controversial. Giuliano's predictions had already been proved wrong on two separate occasions.

In this situation, the head of the national civil protection agency, Guido Bertolaso, convened the meeting of the Commission in L'Aquila with the explicit aim of reassuring the population. The meeting, in which Bertolaso ?did not take part,? lasted just one hour, and according to the protocol set itself the task of "investigating the seismic phenomenon that had been taking place for several months in the region of Aquilana."

Speaking to the press afterwards, the spokesman for the Commission, Civil Protection Deputy Director Bernardo De Bernardinis, gave an explicit all-clear. It was likely that the many small quakes had dissipated the seismic energy in the earth, and everyone could sleep peacefully, he said, adding that the worst to fear was the destruction of a few flowerpots. In reply to a question, he confirmed that it was best to relax with a glass of wine.

Based on these widely publicized statements, many inhabitants of L'Aquila concluded there was no imminent danger. Consequently many families did not take the customary precaution of either moving to emergency accommodation or a mobile home, or staying with acquaintances outside the old

town. They remained in their homes, and a number of them subsequently died when the major earthquake took place in L'Aquila six days later.

Several residents of L'Aquila who lost family members in the quake appeared as plaintiffs in the trial. Among them was Giustino Parisse, a journalist who had lost his two children and his father. "The scientists did not live up to their responsibility," he told a BBC reporter. "They did not come here to find out more about what was going on, but rather to appease the population. These people were very negligent. The statement they made to the public asserting there was no risk was without any scientific basis."

Such sentiments were reflected directly in the charge sheet and sentence, which went even further than the punishment demanded by the prosecutor. The scientists were accused of "negligently and superficially" violating their responsibilities as members of the Risk Committee and their "duty to provide clear, accurate and complete information" to the public about the dangers which, in the event, led to the death of 32 people.

The minutes of the meeting of March 31, 2009 make clear that the members of the Commission put forward serious explanations during their brief conference and assessed the dangers more realistically than spokesman De Bernardinis related to the press.

A study by the National Institute of Geophysics and Volcanology (INGV), whose director Enzo Boschi attended the meeting, had concluded that the many smaller quakes in the area could indeed point to an impending major quake. The study had classified the area around L'Aquila amongst the regions with the highest level of risk in Italy.

The protocol of March 31, 2009 cited Boschi's explanation that the quake activity in L'Aquila resulted from its location on the border between two huge geological slabs. Powerful earthquakes would recur in Abruzzia over very long periods. It was unlikely that an earthquake would occur in the near future to match the major earthquake of 1703, but this could not be ruled out completely.

Boschi had participated in a study in the same region in 1995 and had predicted a quake of 5.9 or higher as very likely within the next twenty years.

The harsh sentences against Boschi and his co-defendants for manslaughter are a legal travesty. It makes the scientists scapegoats to divert attention away from those really responsible, i.e., the former government of Silvio Berlusconi, corrupt authorities, criminal building companies and property speculators.

Although the seismic risk at L'Aquila was known and strict building codes existed, they apparently had been systematically ignored or bypassed by construction companies. The earthquake not only destroyed many old buildings, but also a number of newly constructed public buildings, although others in the immediate vicinity remained intact. Among the buildings that collapsed were a new hospital and a student hostel, which

had both been financed by public money. The collapse of these buildings was a clear indication of botched construction and the use of inferior materials.

These issues, however, were not even investigated, let alone made the subject of a trial. Proposals for stricter laws and controls have also failed to materialize due to the powerful lobby of major construction companies and real estate speculators. Up to the present day all governments, including the current regime of Mario Monti, have failed to introduce measures appropriate for an earthquake-prone region.

Prior to the 2009 quake, the government of Berlusconi and regional authorities had pursued an appeasement strategy aimed at lulling the population and avoiding the high costs involved in securing buildings and evacuation procedures. It was this huge mesh of political irresponsibility and corruption that resulted in the earthquake on April 6, 2009, which had been anticipated for a long time, having such a devastating impact.

The residents of the earthquake-stricken region are still waiting for support and assistance. Shortly after the quake, Berlusconi convened a photo-op G-8 summit in L'Aquila and the authorities hastily assembled temporary constructions outside the city. The center of the city remains devastated, however, with an above average number of people unemployed. Hopelessness and rage have erupted on a number of occasions, and the people of L'Aquila have protested several times in Rome.

The trial failed to establish that any of the defendants had made statements against their better judgment or for personal gain. In fact, Italian scientists have repeatedly presented governments and political leaders with recommendations for seismic protection measures and assembled a wealth of material—including hazard maps, guidelines for earthquake-resistant construction, and evacuation plans—which successive governments have failed to implement.

The danger arising from the judgment in L'Aquila is that in future, scientists will withhold their findings, fearful of the legal consequences.



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