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Modelling Conflict Dynamics behind Urban Public Green Space (UPGS) in Bucharest: A Governance Perspective

Master-thesis submitted in partial fulfillment of the requirements for the degree of Master of Science Environmental Governance

by

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Freiburg i.Br. / Germany

Date of submission:
13.09.2024

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TABLE OF ACRONYMS

Acronym	Full Name
ALPAB	Bucharest Lakes, Parks and Leisure Administration
AS	Action Situation
ASs	Action Situations
CD	Conflict Dynamic
CPR	Common-Pool Resource
EU	European Union
HoReCa	Hotel, Restaurant, Café
IAD	Institutional Analysis and Development
IFLA	International Federation of Landscape Architects
MLG	Multilevel Governance
NAS	Network of Action Situations
NGO	Non-Governmental Organisation
OUG	Urgent Government Ordinance [Romanian acronym]
PUG	General Urban Plan [Romanian acronym]
SES	Social-Ecological Systems
UPGS	Urban public green space

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Abstract

Urban Public Green Space (UPGS), although vital for mitigating climate change effects, is a contested resource, provoking divergent views on property rights allocation and management practices. Historical legacies, particularly in transitioning economies, add to the complexity of the issue. In Romania, the post-Communist shift in property rights disrupted UPGS governance, resulting in documented declines in both the quantity and quality of UPGS.

While the limited existing research on this topic either focuses on classifying or examining a selection of conflicts, this study addresses the complexity of UPGS governance from a systemic perspective. Its objective is not only to understand but also to model the entire governance system influencing UPGS. Bucharest is selected as a representative case study due to its scarce natural resources and the legacy of communist-era policies, which have contributed to a perceived stagnation in urban development.

The study aims to identify key actors, driving forces, and conflict dynamics that shape UPGS governance, with the ultimate goal of pinpointing leverage points to improve the current status quo. To achieve this, the research employs two theoretical frameworks: the Network of Action Situations (NAS) and Multi-Level Governance (MLG). These frameworks facilitate a deeper understanding of conflictual Action Situations (ASs) and how their components (Actors, Actions, Outcomes, Linkages) influence each other across different governance levels.

Furthermore, based on expert interviews and a thorough review of the literature, the study suggests an improved model of the current NAS. This model highlights how minor interventions can trigger broader changes across ASs components and governance levels. The study identifies several leverage points with the goal of making the systemic insights from NAS more accessible to practitioners. These points could serve as a foundation for future research aimed at policy recommendations. For NAS scholars, this study illustrates how combining NAS with MLG enhances the feasibility of data collection, highlighting both the potential and limitations of NAS.

1. Introduction

Urban space is inherently contested due to the ongoing processes of urbanization characterized by population migration, and the densification and expansion of built environments (Haaland & van den Bosch, 2015). Currently, over half of the global population resides in urban areas, with projections indicating a rise to 70% by 2050 (United Nation, 2023). Consequently, a substantial portion of human well-being is and will continue to be directly impacted by the governance of urban space. Moreover, urban space is intrinsically conflictual (Schreiber-Barsch, 2017), stemming from the supra-agglomeration of both people and their activities alongside the finite availability of natural resources, which results in intense competition among inhabitants, transforming urban space into a contested arena (Foster & Iaione, 2015).

Legal scholars, Foster and Iaione (2015), elucidate a notable correlation between urban space and the work of political economist, Elinor Ostrom (1990) on Governing the Commons. They contend that the city can be conceptualized as a common good, subject to similar types of rivalry, contestation, and congestion witnessed in other Common-Pool Resources (CPRs). CPRs are defined by two key characteristics: non-excludability and subtractability. Non-excludability means it is difficult to prevent individuals from accessing the resource, while subtractability refers to the fact that consumption by one user reduces the availability of the resource for others. This combination often leads to conflicts over resource use and management. When referring to urban space and its resources, the claim that urban space is a common good carries a certain normative weight. Explicitly, the issue with urban space is not the overconsumption of an open-space resource, but rather the question of effectively distributing the resource among users and uses (Fennell, 2004). The correlation made by Foster and Iaione (2015) underscores the significance of effectively managing urban space to mitigate the problems and tragedies characterizing CPRs.

Within urban environments, land emerges as a paramount and scarce natural resource (UN-Habitat, 2012). Historian, William Cronon, poignantly underscores this significance by asserting, *"Before the city, there was the land"* (1991, p. 23). This assertion underscores land's pivotal role as the physical element upon which space is produced (Lefebvre, 1991). Throughout history, land has consistently served as a focal point in various domains, including political debates, power transitions, compliance with international regulations, and familial conflicts. This multifaceted role illustrates land's critical importance in shaping dynamics within urban space (Krause & Seidel, 2021).

Throughout the historical evolution of cities, certain parcels of land have been designated as public. The term *public* encompasses two distinct concepts: firstly, public spaces owned by the people and intended for their use; secondly, spaces owned by the state but accessible to the public (Juan Li, Anrong Dang, & Yan Song, 2022). However, the question of *publicity* surrounding these spaces has sparked contentious debates among citizens, centring on issues of decision-making authority and the equitable distribution of benefits (Lehtovuori, 2016). From a political perspective, public areas within cities are regarded as arenas where the historically inherent contradictions and current conflicts manifest (Mela, 2014). These spaces serve as crucibles for the expression of divergent interests, reflecting broader societal tensions and dynamics.

The green spaces within public domain, while ostensibly intended for communal use and enjoyment, remain highly contested due to perceived economic implications on individual capital accumulation (De Backer, Melgaço, Varna, & Menichelli, 2016). These spaces undergo rapid transformations on a global scale, exacerbated by the challenges posed by climate change. Despite their recognized role in aiding cities to adapt and mitigate climate change effects, green spaces face intense competition, impacting their protection and jeopardizing their survival amidst urban densification and sprawl (Pauleit, Fryd, Bakchaus, & Jensen, 2020). These spaces are not only vital for urban dwellers due to their provision of essential benefits such as recreational opportunities and ecosystem services (Tzoulas et al., 2007), but also serve as crucial habitats for wildlife (Goddard, Dougill, & Benton, 2014). Thus, the preservation and sustainable management of public green spaces are imperative for fostering urban resilience and biodiversity conservation in the face of ongoing urbanization and climate change.

Urban public green space (UPGS) represents a highly contested arena, where each and every word used to compose the terminology reflect underlying conflicts. In a more general sense, UPGS is internationally defined as an *''open space for public use, such as park, playground, trail, other recreational area, cemetery, roadside planting, etc.''* (Evert, 2010). Governing these spaces to foster resilience in the face of climate change is crucial. The ongoing process of urbanization emerges as a significant global catalyst for climate change, depleting natural resources at an alarming rate. Paradoxically, while urbanization contributes to climate change, urban spaces also hold potential as key elements in combating its effects (Powell, 2022). Yet, before leveraging urban spaces as solutions, a comprehensive understanding of their dynamics is essential. On the one hand, urban spaces are among the most vulnerable to climate change, experiencing increasingly frequent natural hazards, water scarcity, and the urban heat island effect, which disproportionately affect citizens (Kumar, 2021). On the other hand, governing these spaces towards a sustainable future proves challenging due to the complex interplay between climate change and urban dynamics, which makes effective governance elusive. Thus, addressing climate change-induced vulnerabilities in urban spaces

necessitates holistic approaches that acknowledge the intricate relationships between environmental, social, and economic factors.

The governance of UPGS becomes significantly more complex within the context of transitioning economies, such as countries of the former Soviet Union and its Eastern European satellites. By adopting a durational perspective, it becomes apparent that these nations grapple with the implications of a robust historical legacy stemming from the communist regime (Svejnar, 2002), under which UPGS were spaces showcasing the absolute power wielded by the state, with all aspects of ownership, management and surveillance centralized under state control.

The Fall of Communism in the late 1980s precipitated a seismic shift in governance dynamics, transitioning from a centralized planned economy to a market-based system. Throughout Eastern Europe, the shortcomings of the communist regime were vigorously debated, with diverse countries embracing varied transitional justice mechanisms. This transition phase was characterized by rapid privatization and market liberalization, unleashing a wave of "turbo-urbanism" as coined by urbanist Kai Vöckler (2008), across post-socialist cities. This surge in development often occurred without adequate oversight from municipal authorities, leading to a proliferation of questionable investment projects and a lack of regulatory framework (Stanilov, 2007b).

This phenomenon was facilitated by an abrupt overhaul of the property rights regime, with property rights restitution emerging as a prominent measure (Fisher & Jaffe, 2000). The restitution aimed to garner public approval for newly formed political parties and distance their political image from the previous regime. Former owners or their descendants were granted restitution of previously confiscated land, property, or companies, either in kind or through financial compensation, or via shares in privatized enterprises. The property rights restitution initiative sought to rectify the abusive measures of the Communist Era, wherein property was nationalized in the 1950s and transferred to state control. Within urban spaces, nationalization facilitated the construction of grand leisure projects, including parks, gardens, sports facilities, and green spaces, often adjacent to newly constructed streets and social housing projects (Ditchev, 2005). These projects often entailed the amalgamation of smaller plots, these being frequently comprised of former private residences, including their backyards, therefore -at best- relocating the residents to accommodate these project developments. Consequently, UPGS constructed during the Communist Era were rife with contestation, though this dissent remained suppressed and only surfaced during the following Democracy Era.

This post-communist shift in property rights, for UPGS, marked a transition from the state being the sole holder of property rights to permitting multiple private and public entities to possess different

rights. This shift generated a diversification or a *bundle* of property rights holders, as Schlager and Ostrom (1992) refer to it. Eventually, the governance system, along with the decision-making process, became more populated than under the former political regime. Unfortunately, this sudden call for a new property rights paradigm also often resulted in uncertainty and ambiguity regarding the protection, conversion and the overall management of UPGS (Stanilov, 2007a). Thus, it becomes highly relevant to understand the allocation of UPGS property rights, how these rights are enforced and who oversees their enforcement in order to better understand how the UPGS are governed nowadays.

From a durational perspective, Romania stands as an extreme example among these transitioning countries, characterized by a prolonged and oppressive interpretation of the communist regime and a tumultuous transition towards democracy. Unlike other Eastern European countries, Romania experienced no thaw in the 1980s. Instead, the regime became increasingly repressive, exhibiting traits more akin to Asiatic communism than its Eastern European counterparts (Axinte & Borcan, 2010). Consequently, the transition phase was marked by heightened brutality and conflict (Murgescu, 2007), with the issue of property rights restitution emerging as a contentious debate, hindered by divergent interests obstructing effective legislative action (Stan, 2006). Finally, in 2001, a law was enacted addressing the legal regime responsible for the unlawful taking of real estate properties starting from March 6, 1945 until The Revolution in December 22, 1989. This law enable the in-kind restitution of urban inland (2001).

Interestingly, despite being built upon unjust land grabbing by the Communist regime, these green spaces were legally protected and well-maintained, serving citizens effectively (Negruțiu, 1980). However, their functionality gradually declined after The Revolution. Several studies have linked property rights restitution to increased urbanization, highlighting a strong correlation between the historical evolution of land ownership and the loss of green spaces both outside cities (Scriban et al., 2019) and within urban areas (Petrișor, Mierzejewska, Mitrea, Drachal, & Tache, 2021). Moreover, Farber (1999) argues that *the tragedy of city commons* arises as a result of the mechanisms or regulations, once in place to oversee these resources effectively, no longer being as robust or effective as they used to be.

The inherent complexity of governing UPGS, together with the numerous uncertainties and ambiguities regrading property rights, presents a formidable challenge for both the general public to comprehend and for the public authorities to intervene (Chiriac, Humă, & Stanciu, 2009). Over time, the feeling of impairment caused by every UPGS property rights holder to each other evolved into two divergent viewpoints regarding the governance of UPGS. On the one side, there are restituted owners and real estate companies advocating for the conversion of UPGS land use, while on the other side,

there are professionals, citizens, and frequent users of UPGS opposing such conversion (Dinca, 2023). This polarization has led to escalating conflicts, including civic groups suing restituted owners and real estate companies suing municipal authorities (Ivanov, 2024). The unresolved conflicts stemming from mutual feelings of impairment ultimately result in a loss in both quantity and quality of UPGS (Păcurar, 2023). Regrettably, these conflicts have reached a level of escalation and polarization that has seen minimal to no effective conflict management efforts within Romanian cities (Ivanov, 2023). Additionally, public hearings exacerbate polarization, while mass media further fuels the discord (Achim, 2023).

The absence of an adequate conflict management is felt especially acutely in the city of Bucharest. The conflict is fuelled by the local historical and economic dimensions where these UPGSs navigate. As articulated by Axinte and Borcan (2010), Bucharest stands as a poignant symbol of continual inner tension, perpetuated by the lingering shadows of its past. The city's landscape reflects the tumultuous history and divergent interests at play, with rivalrous stakeholders competing for control over scarce land. The escalating conflicts surrounding UPGS in Bucharest, compounded by the intricate nature of the issue, have resulted in a perceived deadlock regarding both real-estate development and the preservation of UPGS (Moga, 2012). This deadlock has hindered progress on critical urban development initiatives, while exacerbating the vulnerability of UPGS to encroachment and degradation (Bechir, 2023).

Building upon the outlined rationale for selecting UPGS as the focal point of this research, the primary inquiry is to explore how the challenges faced by UPGS can be addressed nowadays. As already witnessed in other approaches, classic conflict management does not yield a desired result (UN Economic Commission for Europe, 2022), since the conflicts behind UPGS loss are still present. These conflicts are characterized by certain dynamics that either escalate or de-escalate the conflicts in question. While not rigidly delineated, the universally acknowledged core of conflict dynamics (CDs) resides in its conceptualization as *''the source of the conflict's change across time''*(Jones & Metzger, 2016, p. 2). This can further be translated into driving forces shaping conflicts across temporal dimensions. Moreover, these dynamics are intricately intertwined with the complexity inherent in UPGS conflicts, both influencing and being influenced by it. The shortcomings of previous endeavours can be attributed, in part, to their failure to incorporate this complexity as a fundamental aspect of their research approach. Therefore, rather than solely scrutinizing the conflicts themselves, this study acknowledges the indispensable link between complexity and conflict dynamics in understanding of underlying mechanisms behind UPGS-related conflicts.

A comprehensive grasp of conflict dynamics helps form as a robust foundation for modelling them, facilitating the effective management of UPGS. Governance perspective, rooted in systemic approaches, emerges as a promising avenue for modelling complex issues such as these. While criticized by some for its perceived immaturity (Schneider, 2012), Mauleman (2008) advocates for a nuanced understanding of governance, promoting *metagovernance* as the most inclusive interpretation. Capable of accommodating complexity, metagovernance focuses on combinations of hierarchical governance, network governance and market governance. Systemic approaches such as these illuminate the remarkable potential of intervention points within complex systems (Meadows, 1999). These intervention points offer a promising mechanism for effecting substantial change through seemingly minor alterations in certain system components. Thus, by harnessing systemic methodologies and governance perspectives, there exists a compelling opportunity to develop models that not only encapsulate the intricacies of conflict dynamics in UPGS but also offer practical pathways for their effective management.

2. Research Objective and Research Questions

Given the complexity characterizing UPGS and the durational and ongoing perspectives shaping the dynamics within the realm of UPGS, the research objective of this study is to model conflict dynamics behind UPGS for a better management of the urban public green space (UPGS).

To achieve this, the initial step involves understanding conflict dynamics through a governance perspective, with the ultimate intention of identifying adequate points for intervention for a better management of UPGS. This endeavour necessitates empirical investigation, which is further conducted through a case study, using Bucharest as a representative case for metropolises confronted with scarce land resources. In order to do so, the intention of this study is to firstly, look at the actors involved in UPGS-related conflicts and their relevant characteristics; secondly, to understand why these actors feel impaired and how their actions drive conflicts; and thirdly, to trace down the conflict dynamics behind the loss in both quantity and quality of UPGS.

The research objective, together with the intentions of this study, naturally leads to the formulation of the following empirical questions:

1. Who are the actors involved in the conflicts leading to UPGS loss in Bucharest?
2. What are driving forces of conflicts leading to UPGS loss in Bucharest?
3. What are conflict dynamics behind UPGS loss in Bucharest?

3. Theoretical Framework

A plethora of systemic perspectives are adopted in urban studies, offering diverse approaches to address urban challenges. Quantitative modelling, exemplified by Masson et al. (2014), utilizes systemic methodologies to calculate indicators that quantify the impacts of various climate adaptation policies on cities. Although providing valuable insights into specific gaps of different issues, quantitative modelling does not provide a comprehensive assessment of studies with higher complexity, since it is very hard to quantify every element of the system in conceivable ways at the same time (Bradford, 2012).

Qualitative modelling perspectives, as demonstrated by Valkering et al. (2017), offer more promising alternative strategies for cities to adapt to climate change. Such studies focus on identifying acceleration strategies that facilitate rapid adaptation to changing environmental conditions. Such approaches prioritize flexibility and innovation in urban planning and management, fostering proactive responses to emerging challenges.

Given the interpretation of urban space as a common good (Foster & Iaione, 2015), one pertinent scientific area to search for adequate qualitative approaches is the scholarship on Common-Pool Resources (CPR) pioneered by Nobel laureate, Elinor Ostrom (1990). Since UPGS is a resource of urban space, this too can be depicted as a common good. However, before concluding on how this study interprets UPGS, it is worth mentioning the separation made by Ostrom between the nature of a good, the rights used to manage it, and the type of rights-holder appointed to it. Although UPGS tend to have a CPR-nature, the property rights attached to it are often times unclear. As elucidated in the durational perspective outlined in the Introduction section, property rights for natural resources in contexts with serious historical implications have undergone a fluctuation between their classification as private goods and public goods. The *common* of this study, namely UPGS, can easily become excludable when intertwined with the privatization phase that transitioning countries have recently faced. In addition, the CPR scholarship does not really focus on labelling the natural resource in question as part of its strategy for better government. Instead, it delves deeper and seeks to address governance issues for resources whose property status may always remain uncertain. Given the above reasons, this study utilizes a lesser-known CPR definition in the case of UPGS which is *"any area with uncertain property rights"* (Mc Ginnis, M., 2011b, p. 14). When seeking empirical evidence, this study focuses on selecting green spaces situated inland, within the city, as these areas frequently become subjects of conflict. Additionally, this study prioritizes spaces with a public nature, indicating that they should be accessible to the public or managed by public entities. Furthermore, an identification of locations perceived as vulnerable by various stakeholders is conducted.

Continuing with exploring the school of thought initiated by Ostrom on Governing the Commons, an emerging approach has been utilized by scientists when addressing cases on natural resources. Network of Action Situations (NAS) proves to hold the strongest promise for fulfilling the objective of this study and adequately answering the research questions. Action Situations (ASs) are defined as *"the social spaces where individuals interact, exchange goods and services, solve problems, dominate one another, or fight"*(Ostrom, 2011, p. 11). Referring to them as situations implies that the actions within them recur, and that ASs do not necessarily dissipate independently over time (Mc Ginnis, M., 2011a). The interactions among *Actors* produce certain outcomes, which then affect future interactions within the same or related ASs. In the urban context, *Actions* are either professional practices that are conducted wrongly or in outdated manners, or gaps in the system including unclear regulations and the absence of regulation overall. Within ASs, actors may start causing impairment to each other, transforming the ASs into conflictual ones. The interactive process of actors leading to conflictual ASs ultimately portrays the conflict dynamics. Thus, in order to understand CDs behind UPGS, this study interprets conflictual ASs as the empirical translation of CDs, acknowledging that conflictual ASs harbour specific dynamics of interest for this research. By delineating these ASs, this study intends to uncover insights into the conflict dynamics. This conceptualization of NAS is exercised in Figure 1 where ASs navigate within the urban system, with one grey AS being highlighted to portray the elements composing an AS.

The merits of using NAS lays in the fact that it is an interdisciplinary framework based on the Institutional Analysis and Development (IAD) framework (Mc Ginnis, M., 2011a) and the Social-Ecological Systems (SES) framework (Mcginnis & Ostrom, 2014). Both frameworks are generally regarded as cutting-edge for analysing resource governance matters and offer robust tools for elucidating the processes through which actors can potentially resolve disputed resource claims, along with the factors influencing such resolutions. Although not fully standardized, NAS capitalizes on the established strengths of the IAD and SES frameworks. Beside this, it broadens their analytical scope to reveal different interrelated biophysical, economic, and political decision-making situations, therefore having the added potential to encompass complexity (Kimmich, Ehlers, et al., 2023).

Recent advancements in NAS approaches have centred around various case studies including: fisheries management (McGinnis, M. D., 2011); tele coupled resource systems (Boillat et al., 2018); energy infrastructure policies (Gritsenko, 2018a), or coordination of water uses (Dennis & Brondízio, 2020). However, application of the NAS approach on urban nexus, more specifically on UPGS, is still missing. Various scientific studies showed valuable results using NAS, where some of them adopted different methods or even found common ground when applying NAS (Kimmich, Baldwin, Kellner, Oberlack, & Villamayor-Tomas, 2023), centralizing the most recent developments of NAS and concluding that the

sole characteristic of NAS is its unit of analysis, namely the Action Situation. The research gap on city cases, together with the fact that NAS does not have a strictly standardized methodology, allows for this study to use certain heuristics and interpretations of the NAS approach, while taking into account the cruciality in avoiding rigidly confined NAS boundaries, as distant Action Situations can exert significant influence on a case (Ortiz-Riomalo, Koessler, Miranda-Montagut, & Cardenas, 2023).

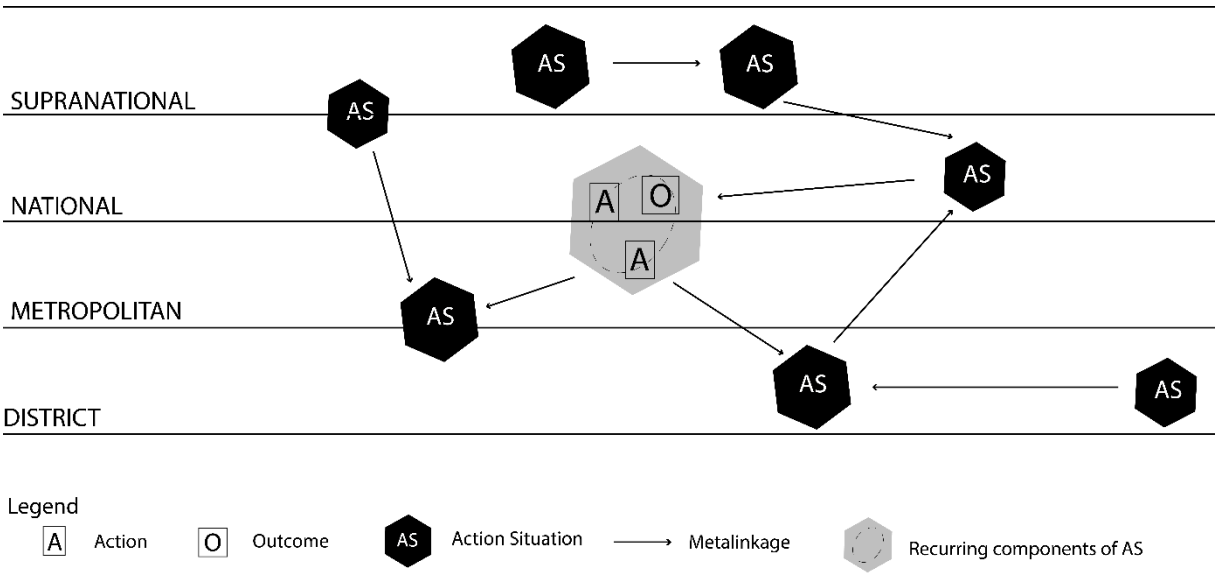

Figure 1. Conceptual Model of Network of Action Situation combined with Multi-Level Governance for Urban Public Green Space. This figure shows how ASs navigate across the governance levels in an interconnected manner. It also exemplifies (in grey) the components of an AS (author's own work)

Outcomes can be influenced by external factors that might not always be within the effective control of human intervention, such as climate change (Mc Ginnis, M., 2011b, p. 16). Consequently, the NAS approach emerges as a suitable method for comprehending the driving forces behind specific (conflictual) *Outcomes*. This is because it encourages researchers to broaden their analytical horizons beyond local contexts and to pinpoint governance factors originating from other locations, sectors, or environmental concerns (Delaroche, Dias, & Massoca, 2022). Besides being capable of translating ongoing conflict dynamics, NAS is also recognized for its capability to integrate durational perspectives, which can turn out to be crucial for cases with serious historical implications. Put differently, NAS contends that the temporal aspect of relationships between ASs is crucial for comprehending the governance challenges posed by co-evolving sustainability issues (Baldwin et al., 2022). In the case of this study, the empirical interpretation of an Outcome is intricately tied to the duality of actors' perceptions regarding how land should be developed in urban cases: for real estate

purposes or for preservation. Thus, *Outcomes* within NAS are conflicts leading either to hindering the process of real estate development or of UPGS protection.

Since NAS is rooted in the Ostrom's theory on Governing the Commons, this approach is adequate to accommodate the actors portraited in the bundle of property rights, as briefly introduced in the first part of this study. When analysing the *Actors* involved in the conflictual ASs, the study adheres to the same typology as the holders of property rights of CPR (see Table 1). According to Ostrom (1990), CPRs are subject to a bundle of rights held, defined, and exchanged by a communal entity as a whole. In the context of this study, the communal entity will spatially expand beyond the metropolitan limits, to also accommodate distant actors that still hold valuable influence on the UPGS governance.

Table 1. Bundle of Property Rights for Common-Pool Resources such as Urban Public Green Space. This table shows the rights attached to each type of property rights holder (adapted from Schlager and Ostrom (1992))

Property Rights / Holders	Owner	Proprietor	Claimant	Authorized User
Access and Withdrawal	X	X	X	X
Management	X	X	X	
Exclusion	X	X		
Alienation	X			

Additionally, what defines NAS as a network is its capacity to encompass and highlight the linkages between multiple ASs. All elements of the governance system surrounding UPGS are connected through certain linkages. ASs are linked, causing outcomes that can further either directly or indirectly influence decision-making in one or more additional ASs (Mc Ginnis, M., 2011a). For the context of this study, *Linkages* are expressed as the relation of interdependency or commonality among *Actions*, whereas *Metalinkages* express the same relation, but for *Action Situations*. Metalinkages are depicted as the empirical translation of how driving forces navigate within the system and, in the conceptual model, are represented visually using arrows (see Figure 1). Thus, NAS holds great potential for understanding how these linkages sustain the status quo, how driving forces navigate the governance system surrounding UPGS, and their potential for reshaping the conflict dynamics.

ASs manifest across various levels of action: the constitutional, collective, and operational choice levels. These levels, while not strictly endorsed by Ostrom, often align with governance levels (Mc Ginnis, M., 2011b). To successfully model conflict dynamics for effective management of UPGS, the

governance perspective advocated for in the introductory section of this study can be put into practice by integrating a well-established governance theory. Since NAS lacks a predefined governance structure (Kimmich, Baldwin, et al., 2023), Multilevel Governance (MLG) emerges as a promising framework for providing the structural context, while NAS remains instrumental in offering insights into the dynamics of interaction and coordination within that framework. MLG is a framework helpful for examining the difficulties with top-down government strategies or why local governance is mismatched with regional, national or international policies and goals (Partelow et al., 2020). Grafting NAS on MLG allows for the conceptual model to trace down linkages between various components of ASs and ultimately to identify Metalinkages across different governance levels. Moreover, as this study focuses on urban space, with most metropolises being organized into districts, the levels of MLG are adapted to the context of a metropolis, with the lowest level of potential governance intervention being the district one.

When exploring enhancements in environmental governance, combining NAS with other theoretical frameworks is not a novel approach. For instance, Kellner (2022) effectively integrates NAS with systems thinking to pinpoint leverage points that could steer the Water-Energy-Food Nexus towards sustainability. By doing so, she moves beyond merely mapping governance intervention levels, enhancing the precision of her management recommendations through the identification of leverage points. According to Meadows (1999), leverage points are specific locations within a system where a small shift can lead to significant changes across the entire system. While understanding the governance levels within MLG is crucial for grasping the system's structure, the ability to identify interventions that require minimal effort yet yield maximum impact is essential when setting priorities and formulating practical governance recommendations. The key difference between general NAS improvement and the identification of leverage points lies in the latter’s precision and targeted impact. A systemic perspective is essential for understanding underlying factors, but without clear prioritization, government officials may struggle to determine where to begin and which aspects to focus on, potentially stalling the transformative process. Therefore, precisely identifying potential improvements can facilitate the smoother integration of academic insights into governance practices. However, it is important to recognize that these leverage points are inherently vulnerable. Their susceptibility arises from their nature as small yet highly interconnected components within the broader system. While they offer substantial potential for positive change, their interconnectedness also makes them more prone to disruptions, which could undermine their effectiveness and the overall governance framework they aim to improve. Studies employing leverage points often adopt a rigorous approach by utilizing, for example, the depth levels of leverage points (Dorninger et al., 2020) (Abson et al., 2017). Acknowledging both the limitations and practical necessity of this framework, the

current study will focus on identifying leverage points based only on their high connectivity and feasibility within NAS. This approach aims to uncover solutions that can be more readily adopted by stakeholders.

Table 2. Variables for identifying the necessary components to construct the NAS-MLG model for UPGS. (author's own work)

VARIABLES	UPGS	ACTORS	GOVERNANCE LEVELS	ACTIONS	OUTCOME	LINKAGES
Selection criteria	part of urban inland	owner	supranational	bad practices	conflict	dependencies
	it's nature is public	proprietor	national	gaps in the system	hinders the urban development	interdependencies
	subject of conflict	claimant	metropolitan		hinders UPGS protection	
	vulnerable (in quantity and quality)	authorized user	district			

The challenge of the conceptual model lies in achieving the desired accuracy for identifying these leverage points, since the precision of variables is paramount for the success of this study. All the selected criteria for choosing appropriate values for the variables have been thoroughly discussed in this chapter and consolidated in Table 2, highlighting the challenge of accuracy. This study aims to operationalize the variables to be universally applicable to any urban nexus, thereby assisting future studies addressing similar issues.

4. Methodology

4.1. Type of Study

The current study has opted to employ a case study methodology to address its research questions with Bucharest selected as the focal point for empirical investigation. This decision was based on an information-oriented approach, recognizing Bucharest as a context rich in relevant data to the study's objectives.

Drawing on Flyvbjerg's (2006) typology of case studies, Bucharest emerges as an extreme case within the spectrum. Extreme cases are characterized by their atypical nature and are often conducive to revealing rich insights due to their capacity to activate a greater number of actors and fundamental mechanisms within the situation under study. In this context, Bucharest's status as an extreme case offers the potential to uncover deeper causal factors underlying the research questions and their associated consequences.

This case-based study diverges from its counterparts due to Romania's unique historical trajectory, particularly in its transition from Communism. Unlike other Eastern European countries, Romania struggled to swiftly shed the shackles of Communism. In December 1989, a series of protests and demonstrations culminated in a violent revolution, with the execution of the dictator couple and the death of numerous young revolutionaries (Murgescu, 2007), making it one of the last countries in the region to overthrow the regime. As a result, the period following 1989 was notably tumultuous, with the country grappling with severe economic crises. Gallagher (2010) refers to the years after The Revolution as the *Lost Decade of Romania*, highlighting the profound challenges and setbacks experienced during this time. Indeed, this situation can be attributed to the fact that the Romanian Communist regime was not as indulgent to private entrepreneurial initiatives compared to other countries in the Eastern Bloc. Consequently, the abrupt transition of power from the state to the market reinforced the total absence of private companies, supposedly ready to take over, as the necessary social group of entrepreneurs had not yet been formed.

The sudden dissolution of totalitarian control resulted in a dual impact: it severely weakened the state's capacity while fostering a surge in private initiatives in order to increase the national economic performance. The later has recently begun to be measured using Western indicators such as GDP, GNI, and GNP. Romanian cities found themselves grappling with the abrupt shift from communism to consumerism, navigating through a complex landscape of socio-political and economic transformations. These transformations were also strongly conducted in the system of property rights, with the Law of Property Restitution advertised as the peace maker for historical injustice.

Until 2013, heirs to certain properties, including buildings or land, were entitled to restitution through a validation process overseen by the government. Despite the conclusion of this campaign over a decade ago, the repercussions of its implementation continue to reverberate through contemporary debates, political campaigns, and everyday discourse (Nae & Turnock, 2011). This measure was particularly challenging to implement since it had to deal with memory of place and of ownership (González Enríquez, Brito, & Aguilar Fernández, 2001), to navigate multiple generations of owners, and to reconcile three completely different governance systems, monarchy-communism-democracy.

All these underlying dimensions contributed to ambiguity when discussing property rights, often resulting in property owners justifying their illegal or environmentally unfriendly land uses as their constitutional right to be exercised without interference from local regulations (Dobrinescu & Zoran, 2012). This, of course, only proves how little knowledge the general public has on how property right is regulated and how the regulations designed at top, face very nuanced challenges when

implemented at the bottom. Thus, the Romanian governance system can readily align with the cases that fall under the purpose of Multilevel Governance.

For the case of Bucharest, it is important to note that besides historical events connected to property rights, the city has experienced a huge urbanization phenomenon between 1948 and 1977. Therefore, Bucharest experienced exponential demographic and spatial expansion, with its population doubling and its area increasing nearly eightfold (Asociația Almo-Ro, 2005). This urbanization was extenuated further after The Revolution, with the urban inland being the most wanted and disputed type of urban resource among its citizens. A percentage of 13,5% of its territory was solicited for restitution (Stanciu, 2015).

Besides historical implications, the environmental quality report published in 2022 highlighted Bucharest as one of the most polluted capitals in the European Union, citing alarming trends in temperature increase, water quality decline, and insufficient climate change adaptation and mitigation efforts (Iojă, 2022). The European Commission initiated infringement procedures against Bucharest in 2020 after nearly 13 years of urging Romanian authorities to address pollution issues (Digi24, 2020). This persistent challenge underscores the pressing need for effective measures to safeguard the city's environment.

Despite the urgent need for environmental conservation, Bucharest has experienced a significant loss of over 500 hectares of green spaces since 1990 (Iojă, 2022). This loss is particularly concerning given the recognized benefits of green spaces for citizens' well-being and urban functionality. Municipal decisions, favouring economic development (Onose, Ioja, Niţă, Badiu, & Hossu, 2023), have further intensified the loss of green spaces, exacerbated by outdated urban documentation that creates legislative voids (Petrișor et al., 2021). While Romania's legal framework, including the law protecting urban green spaces, Law no. 24/ (2007), and the Property Restitution, Law no. 10/ (2001), explicitly prohibits altering the land use of restituted green areas, Bucharest has experienced a concerning surge in instances where high buildings seemingly materialize overnight on these fragile spaces (Stanciu, 2015).

The struggle to govern UPGS in Bucharest underscores broader challenges faced by transitioning economies grappling with the legacy of communist rule, while it is also representative of broader UPGS governance trends in metropolises worldwide. It highlights the imperative of reconciling historical injustices with contemporary urban development needs while fostering sustainable stewardship of vital green spaces. Due to its struggles, Bucharest subscribes to the type of urban space that the conceptual model is focusing on and it is a promising empirical material for addressing questions of effectively governing UPGS.

In order to explain this puzzling outcome of the governance of UPGS, the conceptual model developed in the second chapter (see Figure 1) was applied to the context of Bucharest, with the aim to facilitate the addressing of the empirical questions of this study. In doing so, this study tried to conclude on an empirical model portraying the current Network of Action Situations of UPGS in Bucharest.

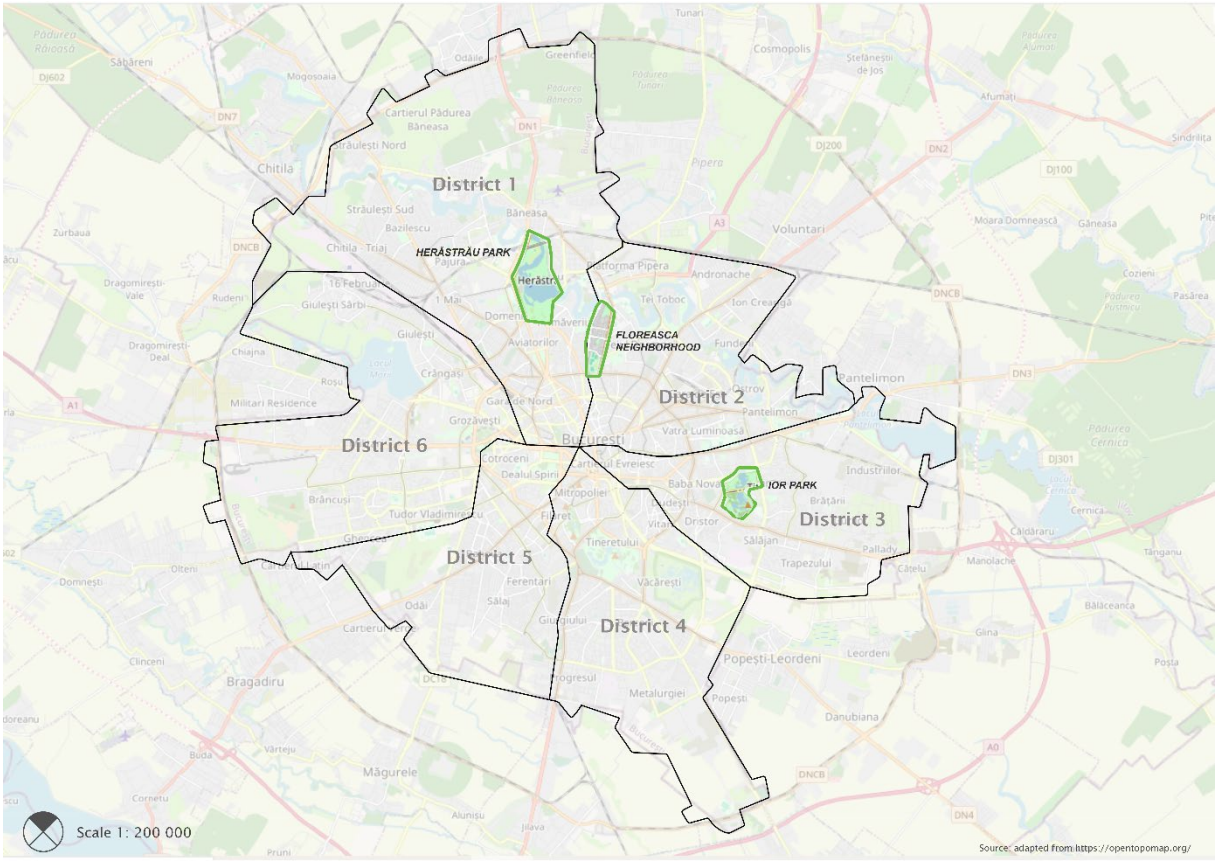

Figure 2. Plan with the spatial samples from Bucharest divided into districts (author's own work using the base map from opentopomap.org)

Taking into account the systemic approach adopted for the theoretical framework, an adequate NAS, best portraying the current state of UPGS, would require a certain level of diversification of the cases under discussion. Following Flyvbjerg's (2006) typology, this study aimed to examine an extreme case while acknowledging the importance of variation in addressing systemic issues, thus also qualifying as a maximum variation case. Within Bucharest's extreme context, the study selected specific sites as spatial samples (see Figure 2) with the highest potential for providing rich data. This variation aimed to capture numerous Action Situations, making the results relevant to multiple types of UPGS. This variation approach ensured that insights are not limited to a single UPGS type.

Thus, when working with types of UPGS, the current study focused on parks, waterfronts and green spaces in the proximity of condominium dwellings built during Communism. These UPGS types were borrowed from Law no. 24/ (2007) regarding the regulation and administration of green spaces within the urban areas of localities. This selection criteria was based on the fact that these UPGS types are found inside the cities and are most fragile to land-use conversion and to change in their owners (Ivanov, 2014).

When considering the current situation of parks in Bucharest, a relevant study, conducted by Onose et al. (2023), helped in hierarchizing the largest parks (above 5ha) based on how many conflicts they have experienced recently and were immortalized by the press. Out of the 22 inventoried parks, Herăstrău stood out as the park with the highest number of conflicts, thus making it the most promising spatial sample for collecting adequate data (see Figure 3).

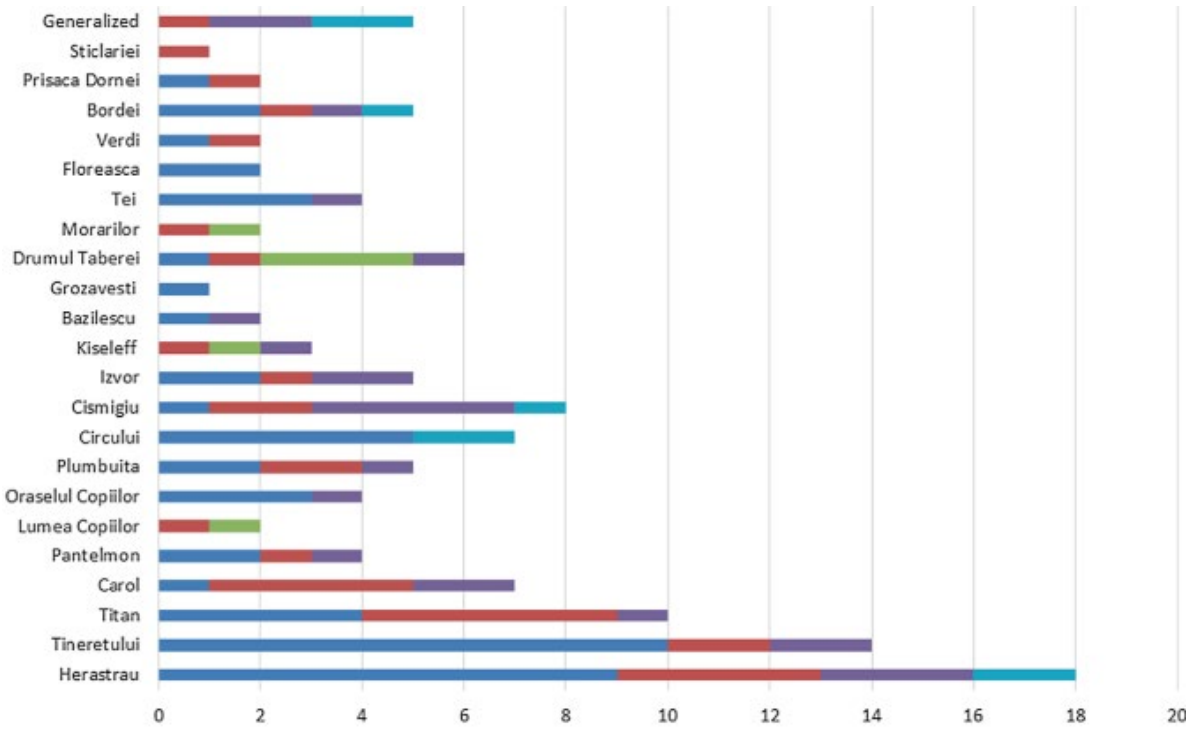

Figure 3. Categories of conflicts for each major park in Bucharest (Onose et al., 2023)*. The indicators for quantifying the conflicts are represented with the following colour: dark blue – competition between land uses; red – differences between use and expectations; green – redesign; purple – management; light blue – natural elements. Scale 0 to 20 represents the number of conflicts present in each park*

Moreover, Herăstrău is a national heritage park of 74ha, located along the Colentina River in District 1 with a long and impressive waterfront. Its history and landscape value made it a target for the real estate speculation, especially for the Hotels, Restaurant and Catering/Café (HoReCa) industry. After 1989, Herăstrău experienced many conflicts with regard to the agglomeration of its waterfront with

private operators of different restaurants, caffes and night clubs. This rapid anthropization of the waterfront reduced the surface of public space available, degraded its signature landscape image and caused impairment to the neighbouring citizens constantly disturbed by loud music during the night (Căpîlnean, 2023). With its rich history dating back from 1936, Herăstrău holds great promise for understanding the historical implications of the ongoing conflict dynamics behind its type of UPGS. Additionally, it is a great spatial sample for understanding how the newly formed bundle of property rights holders interacts and cause conflict. Although promising with rich data, Herăstrău is not highly representative for other types of UPGS, mainly because it was built before Communism and because it holds a special legal regime, namely national heritage park (List of Historical Monuments 2015, 2016), which (should) grant it more legal protection compared to other UPGS types.

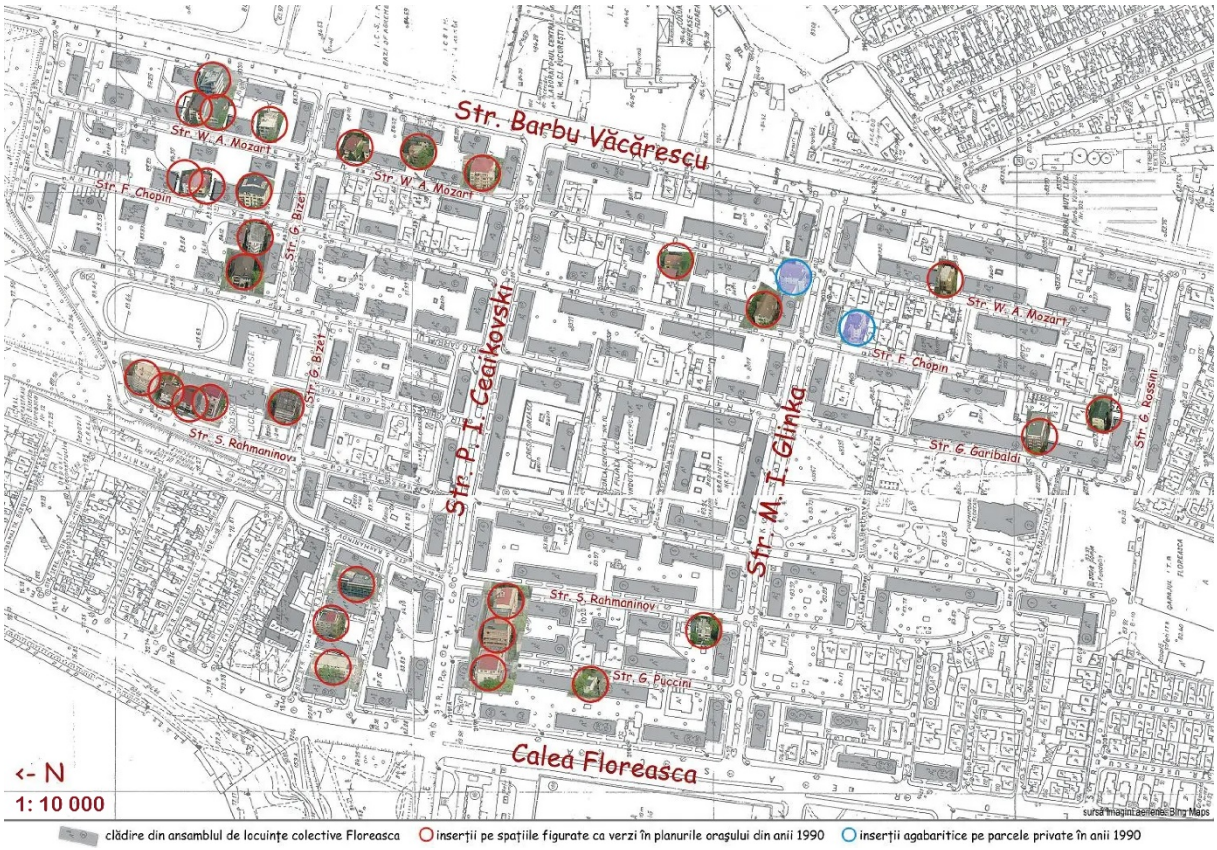

Figure 4. Plan with the post 1990 urban insertions in Floreasca Neighbourhood (Ivanov, 2013). Legend: grey - collective housing of Floreasca; red circle – recently built houses on the parcels which were labelled as green spaces in the 1990 urban plans of Bucharest; blue circle – oversized houses on private parcels built in the 1990s

This is why a type further studied represents the UPGS in the proximity of collective housing built during the Socialist-Era. Since a great surface of Bucharest was systematized, collective housing projects are abundant even in the centre of the city. The ideology behind the socialist neighbourhood was to offer workers all the necessary utilities for daily activities. Therefore, most socialist

neighbourhoods were built with dormitory buildings having urban utilities in their proximity: school, kindergarten, market, hospital, cinema, parks and green spaces (Stroe, 2015). After Communism, the urban development became spontaneous with little to no attention to the inclusion of necessary utilities for future residential usage. The lack of available green space quickly directed real estate investors to Socialist collective neighbourhoods which still benefited from this green resource (Vasiliu, 2018). One illustrative case is the Floreasca Neighbourhood build in 1957 in District 2, which was designed to host abundant green spaces between its blocks of flats (Stroe, 2015). This asset quickly attracted private investors, and once the Restitution Law was in place, the green spaces were restituted to former owners and converted to built spaces, therefore causing impairment to the current neighbours (see Figure 4). This rapid densification led to a degradation of the residents' quality of life. They have lost the green spaces they once enjoyed and were deprived of sunlight due to new constructions (Pîrvu, 2015). This case study becomes relevant for most socialist neighbourhoods which experienced densification and conflicts over property rights.

Table 3. Selection criteria for spatial samples. (author's own work)

Selection criteria for spatial samples	**Herăstrău Park**	**Green spaces from Floreasca Neighborhood**	**IOR Park**
UPGS type	historical park	condominium green space	legally unprotected green space
land-use conflict	yes	yes	yes
most diverse in property rights holders	yes	no	no
active civic group	yes	yes	yes
puzzling outcome	yes	yes	yes
includes most diverse UPGS types	no	no	no
known for being conflictual	yes	yes	yes
representative for other UPGS from its category	yes	yes	yes
built on uncompensated nationalized parcels	no	yes	yes
short description of the most famous conflict	privatization of waterfront, agglomeration of property rights holders	restitution of condominium green spaces and urban densification	restitution of a parcel which was never legally labeled as green space.

Although both Herăstrău and Floreasca exemplify their respective types of UPGS, benefiting from legal protection and allowing civic groups to seek court intervention (Goțiu, 2024), the situation is different for UPGS without such protection. When UPGS are not protected by law, they are vulnerable to development, neglect, and destruction, as there are no legal safeguards to prevent these actions. This lack of protection can lead to the loss of valuable green spaces, diminishing the quality of urban life and ecosystem services they provide. This is the dilemma of far too many green spaces in Romania and

Bucharest (Vasiliu, 2018), mainly because of the outdated urban documentations that are still being used with the General Urban Plan dating back from 2000. A park that is currently most debated in press, is the IOR Park (formally known as ''Alexandru Ioan Cuza'' Park and listed as Titan Park in Figure 3) from District 3. This park gained significant attention when an impressive 12-hectare parcel was restituted. This specific area had never been legally designated as green space (Ivanov, 2022), which meant it was not under the legal protection typically afforded to such spaces, despite being included in the original socialist project. This parcel becomes representative for all the green spaces that, although acknowledged by the community, managed by the City Halls, subject to systematization during socialist era, they still suffer from the legislative gap of not updating their legal status as green spaces, leaving them extremely vulnerable to land-use conversion (Redacția Financiarul, 2022). By choosing this spatial sample as well, the study sought to address UPGS with unclear property status and to look beyond juridical methods for conflict resolutions since the UPGS cannot always benefit from them.

As concluded in Table 3, none of the cases hold all the criteria considered for the success of the empirical findings, yet they are complementary in the data that they have to offer. Moreover, the selected spatial samples are located in different districts, thus having different ways of being governed on a District Level and allowing for more comprehensive insights (see Figure 2). The aim of the adoption of a variation case study was not to compare the three sites, such as ''which one has lost more green space'' or ''which one is more conflictual'', but rather to extend the possibility of finding as many diverse Action Situations as possible. This study sought to map these Ass and to delineate the commonalities of these three cases, but also to integrate the specificity of every case, since their representativeness status is very high. Delineating commonalities also aimed at facilitating the identification of leverage points.

4.2. Methods for Data Selection and Data Collection

As previously mentioned in the theoretical framework chapter, there has not been yet an application of NAS on UPGS, especially in the context of Bucharest, therefore, making the generation of primary data crucial to this study. When dealing with generating primary data in qualitative research, a number of methods stands out to be useful. For example, direct and participant observation can really help when trying to understand the influence urban parks have on physical activity behaviour (McCormack, Rock, Toohey, & Hignell, 2010), or similarly, to help contextualize open-ended questionnaires when assessing various soundscapes (Raimbault & Dubois, 2005). Since this study aimed at understanding a systemic issue, in-depth interviews were identified as a promising method for generating valuable data, due to the nuanced nature of this study. This type of interview is generally conducted

individually, asking open-ended questions, aiming to build a deep understanding of the issue by allowing the researcher to fully tap into the interviewee's experience or expertise (Osborne & Grant-Smith, 2021). Additionally, this type of interview generates promising results when semi-structured, allowing for the researcher to ask clarification questions and to follow up on what the interviewee is saying (Belina, 2023). Thus, the structure adopted by this study, as listed in Annex 1, was only meant to orient the interviewer and to steer the flow of discussion. With this list of questions, the study tried to facilitate the answering of its research questions, to best understand how the stakeholders perceive one another, as well as the conflicts of concern and potential solutions to them.

The purpose of sampling relevant stakeholders was twofold: firstly, to ensure representation from each governance level, as depicted in Figure 1, and secondly, to include representatives from the communities surrounding the selected spatial samples. Therefore, an additional level, the Community level, was incorporated into the Methodology section. In the Results section, these three communities, along with the municipal representatives from each district, collectively form the conceptual District Level illustrated in Figure 1.

Based on the criteria mentioned above, a preliminary identification of relevant stakeholder groups was conducted, which was initially comprised of nine people. On Supranational Level, this study consulted with IFLA Europe, since it bridges the profession of landscape architect across Europe and is in touch with both the national professional associations and the EU bodies. On National Level, this study invited a representative of Ministry of Regional Development, specifically from the Directorate that deals with the technical issues of governing the urban space. On the Metropolitan Level, Bucharest Lakes, Parks and Leisure Administration (ALPAB) is responsible for maintaining all major parks, including Herăstrău, making it a key stakeholder at this level. On District Level, representatives from the Chief Architect Department from District 2 and District 3 were invited, as these departments are crucial for applying national and local legislation on UPGS (OAR, 2018). The Department of Chief Architect of Ilfov (which encompasses the extended metropolitan area of Bucharest) was represented by an expert who previously worked in the Department of Chief Architect of District 1, therefore, they had the capacity to comprehensively discuss both administrative territories (Ilfov County and District 1). On Community Level, the online platform, namely București Civic, was consulted due to its online database of all civic groups in Bucharest. This study selected spokespersons for each civic group activating in the selected spatial samples.

Since the preliminary identification had its own limitations, this study was open to the snowballing method, which has generally proven to be useful in cases where not all stakeholders are known to the researcher beforehand (Parker, Scott, & Geddes, 2019). During the interviews, the participants recommended three more people concluding to a final sample of 12 interviewees as centralized in

Table 4. These three additional participants included a representative of Eco-Civica, one of the most active NGOs in environmental protection in Bucharest. Eco-Civica continues to engage in numerous court interventions, specializing in representing the interests of various civic groups in legal matters. A representative from the Technical Board of Urban Planning of the Bucharest City Hall was also interviewed, since this department is in charge with the technical aspects of planning the urban space. Finally, given the significant impact of the legislative system on these conflicts, most interviewees suggested consulting a lawyer. Consequently, an independent lawyer agreed to participate in the interview and was able to clarify many of the remaining confusions in this study. This study also searched for a representative of the HoReCa sector, that might be familiar with the economic activities conducted in Herăstrău Park, yet no one was found in the given time.

Table 4. Final sample of interviewed stakeholders. The anonymity label given to each expert was chosen in relation to the governance level that they represent (author's own work)

No.	Anonymity label	Profession	Organization	Department	Governance Level
1	*S1*	Landscape Architect	International Federation of Landscape Architects	European Branch	Supranational
2	*N1*	Architect	Ministry of Regional Development and Public Administration	Technical Directorate of Urbanism within General Directorate of Regional Development and Infrastructure	National
3	*M1*	Economist	City Hall of Bucharest	Bucharest Lakes, Parks and Leisure Administration	Metropolitan
4	*D1*	Architect	County Council of Ilfov	Chief Architect	District 1 and Metropolitan
5	*D2*	Architect	City Hall of District 2	Chief Architect	District 2
6	*D3*	Architect	City Hall of District 3	Chief Architect	District 3
7	*HC*	citizen	Herăstrău Park Civic Group (informal)	-	Herăstrău Community
8	*FC*	citizen	Floreasca Civic Group	-	Floreasca Community
9	*IC*	citizen	one of the IOR-Titan Park Civic Groups (Romanian Name: aici a fost o pădure/aici ar putea fi o pădure)	-	IOR Community
10	*M2*	citizen	Eco-civica (NGO)	-	Metropolitan
11	*M3*	Geographer	City Hall of Bucharest	Technical Board of Urban Planning	Metropolitan
12	*N2*	Lawyer	-	-	National and Metropolitan

In order to keep the primary data as accurate as possible (Ritchie & Lewis, 2003), a crucial prerequisite for this study, the actual collection of the interviews was facilitated by online tools. This study hosted the interviews in Romanian language, online, via Zoom Platform and recorded only their audio using a smartphone. Later on, these audio files were transcribed using clipto.com. The transcripts, together with the signed consent of the interviewees, are stored in a password-protected environment which is available only to the research team.

4.3. Methods for Data Analysis

When dealing with a substantial amount of qualitative data, classical analytical approaches for analysing would be discourse analysis which often times proves helpful when trying to understand the process of policy making in an urban context (Jacobs, 2006), or narrative analysis when trying to understand the perspective of citizens when dealing with overtourism of their urban space (Pasquinelli & Trunfio, 2020). When adopting a systemic approach, reducing the data to its core substance may prove to be a more promising alternative, the extraction of data facilitating the modelling aspect of this study (Ritchie & Lewis, 2003). Building from the variables of Table 2, thematic coding proved to be the best way of analysing the data since those variables could empirically be translated into themes that then recurred across the interviews. This method implied the development of a coding scheme with the intention of sorting the gathered data into themes, subthemes and the relation between them (Flick, 2020). In this study, the themes corresponded to the categories of the variables outlined in Table 2, as depicted in Table 5. The coding scheme exclusively focused on the content of the interviewee's statements, omitting other factors such as gestures, facial expressions, and emotions conveyed through body language during the interview. This decision was made because the study's primary objective is to comprehend overarching conflictual Action Situations and to identify Metalinkages between them.

Table 5. Test of coding scheme on the selected newspaper articles (author's own work)

Color	Parent code	Code	**Frequency** (how many times a code appears across all documents)	**Valid Documents** (number of documents which include the code)
●	Actions	illegalities	4	3
●	Actions	exclusion from decision	3	2
●	Actions	unclear property rights	3	2
●	Actions	disputes settled only after court rulings	3	2
●	Actions	outdated urban regulation	2	2
●	Actions	weak law enforcement	2	2
●	Actions	political influence	1	1
●	Actions	weak legislation (incoherent, fragmented, unclear)	1	1
●	Actors	authorized user	4	2
●	Actors	owner	3	3
●	Actors	proprietor	3	2
●	Actors	claimant	1	1
●	Governance levels	metropolitan	4	2
●	Governance levels	national	3	3
●	Governance levels	district	2	1
●	Linkages	dependencies	4	3
●	Outcome	conflict	4	2
●	Outcome	hinders UPGS protection	4	1
	TOTAL	number of codes across all three documents	51	

A classical first step in developing a coding scheme is to conduct a pilot interview, allowing the interviewer to test and refine the preliminary coding scheme (Ritchie & Lewis, 2003). However, due to the limited availability of experts and the short timeframe, conducting such pilot interviews was not feasible. Instead, this study used newspaper articles to test the preliminary coding scheme, adapting it based on the information gathered from these articles (see Table 5). Newspaper articles are generally advantageous because they often involve prior investigative work on conflicts.

When searching for the most resourceful newspapers tackling the issue of green spaces, the study aimed to find newspapers with online open-access archives covering the past 10 years. Additionally, the study identified newspapers that tend to focus on addressing problems faced by communities in Bucharest. Newspapers such as *Buletin de București*, *B365*, *Digi24* and others often investigate issues directly related to specific parks or neighbourhoods from Bucharest. Among these, *Hotnews.ro* stood out for having an exclusive section dedicated to public administration issues. This was relevant to this study as all selected case studies involve actors from public administration as depicted in the introductory part of this study.

One criterion for selecting newspapers to test the coding scheme was to find one newspaper article per case study. To achieve this, the search through the HotNews archive was conducted using the search tool on their website. Only articles with titles containing the variables from Table 2 and the names of the spatial samples were considered. This selection resulted in three articles, each addressing conflicts in Herăstrău Park, Floreasca Neighbourhood, and IOR Park, respectively (Ivanov, 2013, 2021, 2024). Notably, all three articles were edited by the same person, Catiușa Ivanov, making the test of the coding scheme more akin to a pilot interview. Table 5 portrays the results of testing the initial coding scheme, revealing that certain subthemes were diversified during the calibration process. These subthemes were expanded based on the text's details and in relation to the study's variables. The coded newspapers can be consulted in Annex 2. Additionally, this test utilized the frequency function of MAXQDA, considering the frequency of code mentions in interviews as a significant indicator for high connectivity among components. This also forms a solid base to later identify leverage points in the NAS of conflicts surrounding UPGS in Bucharest.

It is important to stress the fact that the validation of the coding scheme was done by first testing the coding scheme on the newspaper articles, and then applying it to the expert interviews. During the interviews, the coding scheme was further expanded and detailed accordingly, since it was designed to integrate new information along the way. The form of the coding scheme was finalized at the end of the interviewing period. The actual application of the coding scheme resulted in manually searching the transcripts for meanings or phrases suggesting the codes. This was facilitated using MAXQDA. A

code can be represented by numerous ideas. For example, the ''District'' code from the parent code ''Governance Levels'', appeared in numerous contexts across a single transcript. When the same idea was repeated more than once, the code counted that idea only once per interview. Therefore, the frequency of codes represents how many times a code appears across all transcripts, without counting how many times the same idea is repeated per interview. The coded interviews can be consulted in Annex 3.

5. Results

5.1. Construction of Action Situations

The objective of this study is to ultimately model the conflict dynamics behind UPGS governance in Bucharest. In order to do so, this study set the goal of identifying conflictual Action Situations, as they are considered by this study to be the empirical translation of the conflict dynamics in question.

5.1.1. Perceived Timeline of Relevant Events

This study regarded the creation of a timeline of events, exclusively perceived by the interviewed experts, as an essential precursor to constructing the ASs. This aimed to enhance the understanding of the durational perspective, identified in the Introduction as a crucial indicator for grasping the conflict dynamics behind the UPGS in Bucharest. Hence, a subjective interpretation of events was developed, reflecting how the interviewees constructed the timeline. This process was helpful in identifying driving forces, particularly historical ones, and the detailed findings are presented in Figure 5.

Although such a timeline could have been compiled more objectively by documenting accurate historical events, the authenticity of this subjective timeline reveals how actors involved in the conflicts and experts experience these events. During the interviews, the author allowed the interviewees to prioritize and identify relevant events themselves, making the events depicted in Figure 5 significant for understanding the participants' perceptions of the duration aspect of these conflict dynamics. The actual compilation of the timeline includes both specific events, as well as periods of time, noted down as faithfully as they were described by the interviewees. The delineation and description of these periods are particularly interesting, as they clearly show how certain decisions were felt and the lasting effects they had.

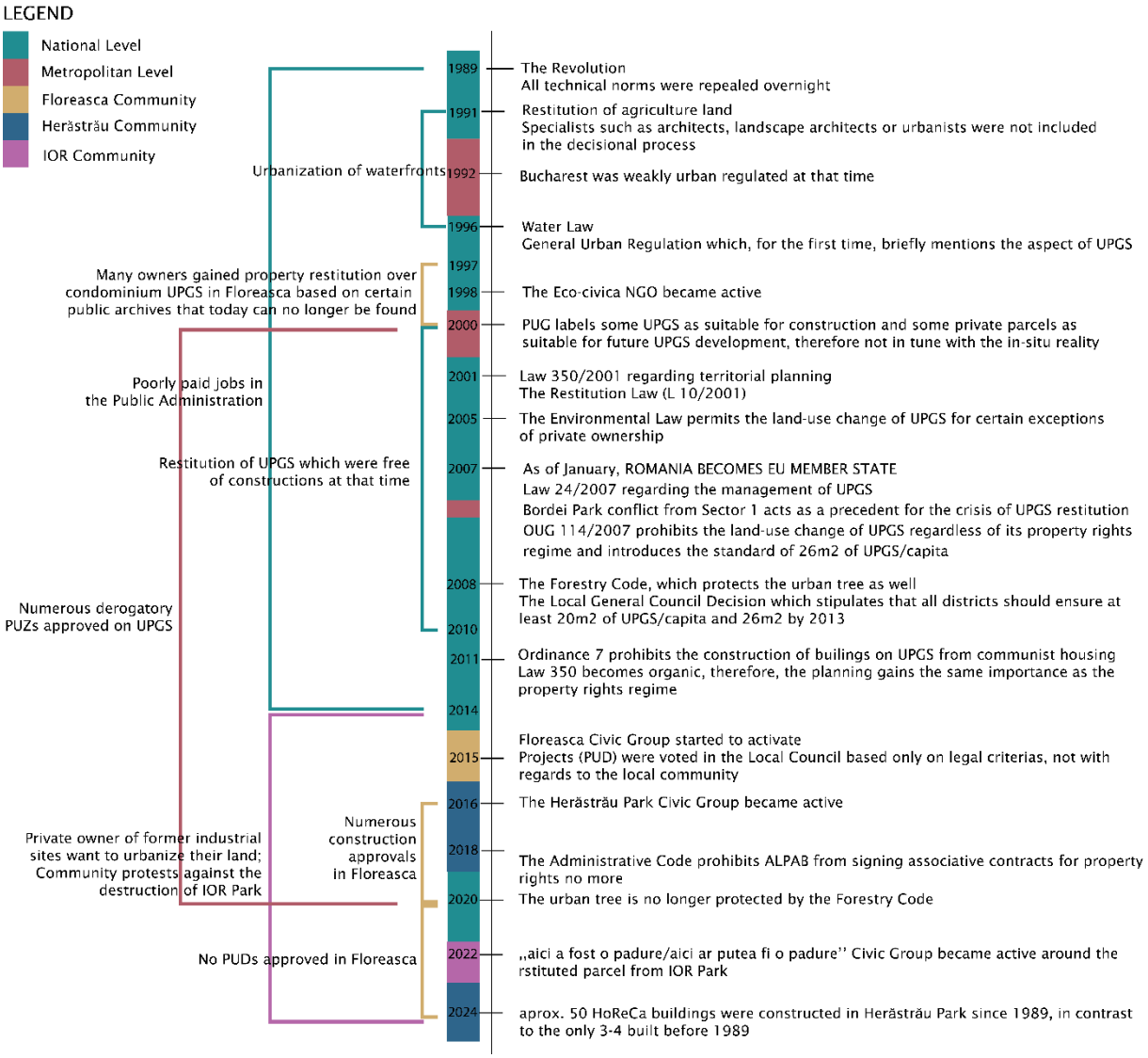

Figure 5. Perceived timeline of the most relevant events as mentioned by the interviewees. The left side of the timeline punctually marks events, whereas, the right side traces periods of time (author's own work)

According to all the interviews, in the aftermath of The Revolution, a wave of privatization of natural resources emerged and lasted until the early 2000s when Romania began the process of adhering to the European Union. During this period, various regulatory normative acts were introduced, culminating in 2007 with several acts addressing the issue of UPGS for the first time. The majority of events happen at National level until the mid-2010s, when numerous civic groups emerged, including those representing the communities from the spatial samples of this research.

5.1.2. Translation of Coding Scheme into Action Situations

The construction of ASs builds on both the conclusions of the perceived timeline and, more directly, on the coding scheme developed while coding the transcripts of the expert interviews. The initial

coding scheme, depicted in Table 5 in the Methodology chapter, was systematically expanded and refined. This iterative process culminated in the comprehensive coding scheme presented in Annex 4, where each parent code was meticulously detailed into subcodes, extending up to the fourth level of subcodes, offering depth to the results.

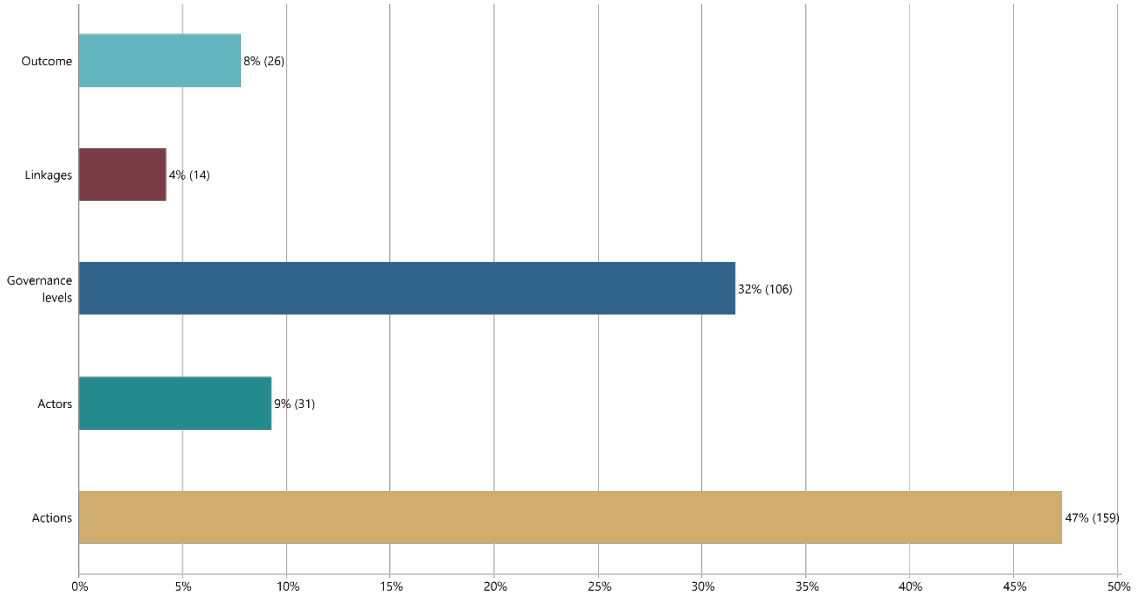

Figure 6. Frequency and percentage of parent codes across all 12 interviews (author's own work)

As shown in Figure 6, the actors are limited in number, mostly because approximately the same ones are referred to in every interview. Annex 4 illustrates the identified actors in relation to Ostrom's bundle of rights. The owners split into private and public. The private owners are either *individuals* who own a small parcel of just a few hundreds of sqm or the *real estate developers* who own larger parcels, often in key areas of the city. The public owner is the City Hall of Bucharest, which has ownership over most of UPGS. The proprietors are mainly: the District Municipalities which are delegated by the City Hall to govern over its UPGS, such as the green spaces in Floreasca and the IOR Park; the ALPAB (Bucharest Lakes, Parks and Leisure Administration), which is the state company appointed by the City Hall to manage the metropolitan parks, such as Herăstrău Park; the Romanian Waters, which is the national agency for managing waters of national importance, such as Herăstrău Lake. The claimants are comprised of either small companies which signed maintenance contracts with the proprietor, or renting contracts to run various economic activities, such as inflatable playgrounds in IOR Park or restaurants in Herăstrău Park. The authorized user is portrayed by the communities living in the area of these UPGS, but also by every other citizen of Bucharest.

The governance levels are mainly represented by the normative acts that the interviewees mentioned, indicating a strong mental correlation between policy making and governance. The high number of codes is due to the study's allocation of a subcode for each legislative piece that was mentioned at least once. Regarding the Outcome, the majority of results indicate conflicts that hinder the protection of UPGS, with only two mentions of outcomes that impede real estate development. This strong consensus among interviewees suggests that the need for UPGS protection is strongly felt by the actors. However, it may also reflect the shortcomings in the sampling of experts, despite the study's efforts to include experts with diverse views on UPGS protection. Regarding the Linkages, the interviewees offered valuable links among Actions, most of them in the form of dependencies, which later contributed to the construction of Metalinkages in NAS.

An evident result is the fact that most of the subcodes fall into the category of Action, indicating that the Network of Action Situations is more action-centred than actor-centred. As depicted in Annex 4, some Actions were grouped based on their focus areas, such as Public Administration, Legislation, Urban Planning, Justice, Low UPGS Quality, and Practice. The thematic coding was extremely useful for grouping information into themes, which greatly facilitated the process of identifying actions with similar themes. The grouping of Action subcodes was elevated by further combining the Actions with the Outcomes, the Linkages, the Actors and the Governance Levels in order to construct the conflictual *''social spaces''*, which Ostrom (2011, p. 11) refers to when defining Action Situations. The difference between simply categorizing the parent codes into themes and the actual construction of Action Situations lies in the latter's flexibility to include codes from different themes. For example, in constructing ASs, codes can originate from entirely different domains, such as Urban Planning, where data bases may be missing or incomplete, and the Justice domain, which involves the challenging legal traceability of a parcel. Therefore, the coding scheme was analysed through the lens of Action Situations and a great majority of the codes and subcodes led to the construction of 14 different Action Situations: Non-Existent EU Directive; OUG 114/2007 on more conditions for environmental protection; The Forestry Code without the urban tree; Law on conditions for property rights restitution (L 10/2001); Law on management of UPGS (L 24/2007); Outdated PUG (General Urban Plan); Reduced Capacity of Local Public Administration; Absent Local UPGS inventory; Biased Local Council; Excluded Local Communities; Litigious Court Disputes; Absent or outdated data bases; Strong informal collaboration between real estate and public authorities; Misaligned General Mentality. This result is based solely on the insights from interviews and on the author's interpretation, without combining any other external sources of data. This study acknowledges that other researchers might have identified ASs differently, even when analysing the same material.

5.2 Description of Action Situations

5.2.1. Supranational Level

AS 1. Non-existent EU Directive

Two interviewees referenced an unspecified EU Directive, collectively referring to it as "the EU Directive". They implied the existence of a single directive addressing quality standards for UPGS across all member states, specifying a standard of at least 26 sqm/capita of UPGS for European cities. Besides those two, another interviewee mentioned a certain European norm of 50 sqm/capita of UPGS and a fourth interviewee clarified that there exists no EU directive to set a standard for sqm/capita of green space. The latter interviewee, a representative of the supranational level, clarified that the International Federation of Landscape Architects (IFLA) Europe made informal inquiries with representatives from EU bodies. The EU representatives responded that they respect local autonomy and cannot impose such a stringent requirement of UPGS per capita. *S1* clarified that during their doctoral studies, they elucidated that the issue of 26 sqm/capita of UPGS:

> *"actually stems from a misunderstanding or incorrect adoption of information from certain books. Sever Muja, who wrote several books about green spaces in Romania during the 1980s, mentions in one of his books that Bucharest had reached 19 sqm/capita around 1988 and that it should aim to reach 26 sqm/capita in the next 'five-year plan', as setting ambitious targets was important during Ceaușescu's time. This idea of 26 sqm/capita was adopted in several books without citing the source. When someone at the parliamentary level was asked what Romania should do regarding green spaces, they said we should aim for 26 sqm/capita, without having a clear idea of where this concept came from. As a result, this idea of 26 sqm/capita was introduced into the Environmental Law, becoming part of a normative act that amended the Environmental Law, which stipulates that we must achieve 26 sqm/capita, a target that is not always achievable."* (Annex 3, Pos. 40, 2024, [translated by the author]).

5.2.2. National Level

AS 2. OUG 114/2007 on more conditions on environmental protection

The Normative Act that adopted the value of 26 sqm/capita on National level is the Emergency Ordinance No. 114/2007, which amended and completed The Environmental Law. By introducing such a strict quantitative indicator, this Act often times led municipalities to expand their administrative territories to include forests or greenhouses not intended for leisure activities, as one of the interviewees representing the National Level explained. Consequently, while municipalities appear to meet the legal target of 26 sqm/capita of UPGS on paper, these newly integrated green spaces are not always genuinely accessible, nor user-friendly for citizens. *N1* concisely summarizes this issue:

> *"The requirement of 26 sqm of green space per capita, as stated in Ordinance 114/2007, has become a part of both legislation and the administrative and NGO folklore. However, it has been misapplied because it doesn't ensure quality of life if the green space is two hours away from you. Incorporating large areas of land into the administrative-territorial unit to meet the green space percentage skews the numbers. Often, this green space*

consists of distant fields or forests. Most comply with this because the legal provision focuses on quantity, not quality and accessibility.'' (Annex 3, Pos. 24, 2024, [translated by the author]).

Another contentious aspect of this Act is signalled by both interviewees from the National Level, namely the prevention of any land-use conversion of UPGS. In contrast, the Eco-Civica representative views it as *"one of the best post-revolutionary laws and one of the greatest successes of an NGO in Romania"* (M2, Annex 3, Pos. 24, 2024, [translated by the author]), since they are the initiators of this Normative Act. The two interviewees from the National Level stress the fact that municipalities are often not up to date with the parcels they have designated as UPGS on private property, leading to private landowners being unable to use their land and reap financial benefits. Despite this, municipalities do not proceed with expropriation and development of qualitative UPGS, leaving many in limbo for years. This situation is exacerbated by the reduced capacity of local public administration, particularly in terms of funding, as highlighted by five interviewees.

AS 3. Law on management of UPGS (L 24/2007)

Another conflictual AS centres around Law 24/2007, which regulates and manages green spaces within urban areas. This law was written in a reactive way to the damage that was already produced on UPGS and as a request from the European Union (M1, Annex 3, Pos. 16, 2024). Most stakeholders perceive this law as a weak legislative piece with various limitations that hinder its effectiveness in protecting UPGS. Firstly, the law is often viewed as a generic blueprint that becomes irrelevant and impractical in certain local contexts, as noted by two experts. For instance, the requirement that only 10% of a green space can be built upon is unworkable for many historical parks, such as Cișmigiu Park (S1, Annex 3, Pos. 16, 2024). Secondly, there is a complete absence of a legal definition of UPGS within the law, which only lists the typologies of UPGS. This lack of a clear definition leads to significant confusion about what constitutes an UPGS, thereby weakening the law's overall effectiveness. Thirdly, the penalties for cutting down urban trees are merely symbolic, failing to deter individuals from damaging urban vegetation. This inadequacy in regulatory measures further undermines the law's ability to protect green spaces effectively.

AS 4. The Forestry Code without the urban tree

The recent changes in the Forestry Code have resulted in urban trees being protected solely by the symbolic sanctions specified in Law 24/2007. Before the implementation of Law 197/2020, which updated the Forestry Code, individuals who cut down urban trees faced severe penalties, including imprisonment. However, since 2020, the perception has shifted: the costs associated with cutting down trees in urban areas are now seen as relatively low, while the benefits of clearing land for construction have become more attractive and profitable. This shift in perception indicates that the amendments to the Forestry Code have significantly reduced the deterrent effect of the law. As a

result, more people are inclined to clear their parcels of trees to make way for new developments, something signalled by one of the experts from the Metropolitan Level. This change has led to a decrease in the quality of UPGS by reducing the tree canopy in Romanian cities, including Bucharest. The weakening of penalties has thus encouraged urban deforestation, adversely impacting the overall green space and environmental quality in urban areas. Deforestation was initiated by the private landowners of the restituted parcel from IOR Park, an initiative that led the community into protests.

AS 5. Law on conditions for property rights restitution (L 10/2001)

Another AS involves the implementation of the Law on Property Rights Restitution. Five interviewees highlighted that the in-kind restitution of unsuitable parcels for construction has caused numerous conflicts, serving as a crucial driving force in urban planning issues. For instance, *D1* noted: *"The problem is that some owners have been given possession or had land restituted to them which is not suitable for construction. It should be used for something else: green spaces, parking lots, etc."* (Annex 3, Pos. 52, 2024, [translated by the author]). The restitution process did not consider the urban planning set for certain areas and still granted possession of numerous parcels, leading to overcomplications. These complications were further fuelled by the mismatch caused by some of the in-kind restitutions, which were not done on the same parcel but somewhere else of similar value (N2, Annex 3, Pos. 44, 2024). This overcomplication and competition over UPGS becomes puzzling, especially since Law 10/2001 states that there should be no in-kind restitution of a parcel of public interest; instead, it should be compensated through other means. *N2* emphasized: *"The fact that restitutions were made ignoring this principle demonstrates a major problem at the administrative level."* (Annex 3, Pos. 40, 2024, [translated by the author]). Part of the problem is elucidated by N1, who mentioned the lack of expertise within the Restitution Commissions of the Local Council. These commissions were active until 2013, when property restitution applications were still accepted. She stated:

> *''The members of the commissions at City Halls responsible for land restitutions were not individuals who understood the overall functioning of an area or neighbourhood. They believed that if a space was free of constructions, even if it was adjacent to a building or if it was a green space like a playground, it could still be restituted. […] Those who approved the restitutions did not consider the functioning of the city as a whole; they simply tried to find an empty space to restitute it to someone.''* (Annex 3, Pos. 16, Pos. 48, 2024, [translated by the author]).

As a result, municipalities now have little urban public space left for development, leading to fragmented urban planning.

5.2.3. Metropolitan Level

AS 6. Outdated PUG (General Urban Plan)

A conflictual AS highlighted by most interviewees is the outdated nature of the current General Urban Plan (PUG). Written in 2000, this plan should have not only been updated every ten years, but the original version was also compiled in a rather incomplete manner. As *D2* pointed out: *"Those who worked on the 2000 PUG know that it was still in progress at the time of its adoption. Therefore, it does not have all the necessary approvals and was not fully completed. It was a step forward for that period, but it should have been updated and properly finalized afterwards."* (Annex 3, Pos. 16, 2024, [translated by the author]). Due to limited resources, the PUG often failed to reflect the in-situ reality. In many cases, private parcels were labelled as green spaces for future construction, disregarding the property rights regime of those parcels. Consequently, many private individuals found their parcels overnight labelled as green space, preventing them from building anything due to Law 24/2007, which restricts any construction on green space. Conversely, the PUG also designated many green spaces as suitable for construction. In the case of IOR Park, this was a crucial factor in the current conflict over the restituted parcel. *D3* explained: "*Unfortunately, this PUG, which is 25 years old, is still in force and adopts the CA2 regulation, specifying that the parcel is not a green space but a neighbourhood centre.*" (Annex 3, Pos. 28, 2024, [translated by the author]). This situation, combined with the fact that restitution was done without regard for urban planning, led to the restitution of this parcel, which is highly valued by the local community. Another example of the conflictual outcomes of the outdated PUG is seen in the Floreasca Neighbourhood. When asked about the causes of the neighbourhood's densification, the representative of City Hall of District 2 replied: *"The PUG did not designate them [the green spaces between blocks] as green spaces. In the PUG, it is no green space; it is L3A and L2A. Only a very small part of the neighbourhood was classified as such, specifically Floreasca Park, and even that only partially."* (D2, Annex 3, Pos. 28, 2024, [translated by the author]). The growing mismatch between what is written in PUG and the in-situ reality, has encouraged, over the years, the constant adoption of derogatory Urban Zonal Plans (PUZs). These are essentially requests from private owners to exempt their construction plans from PUG regulations, arguing that the latter are outdated. These requests typically apply to small territorial levels, specifically at the parcel level. The exception soon became the standard with derogatory urbanism becoming something widely practiced among private landowners wishing to develop on certain parcels (M2, Annex 3 , Pos. 32, 2024). This, eventually, lead to the fragmented urban planning that is witnessed nowadays.

5.2.4. Intersectional Metropolitan-District Level

AS 7. Reduced Capacity of Local Public Administration

Returning to the reduced capacity of the Local Public Administration, this encompasses the perceived capacity of the proprietor to manage UPGS. At the Metropolitan level, the state company ALPAB (Bucharest Lakes, Parks, and Leisure Administration) is in charge. ALPAB's management of Herăstrău Park and other metropolitan parks in Bucharest reflects its overall quality of management. During the interview with the representative of ALPAB, two main concerns were raised. Firstly, there is a lack of funds received from the general fund of the City Hall of Bucharest. Secondly, there is a reduced capacity to spend the allocated funds efficiently, indicating a deficiency in fund management:

> *''For example, we open a commitment and say we will repair pathways in a park, with an estimated cost of 10 million lei. We start the work and find out, as the year progresses, that the work is not advancing and that not all the funds will be used, but we can no longer stop the work because we have made a commitment. It would be much better if the supplier informed us in advance that instead of executing 10 million, they would only manage to execute 6 million. Then, we could reintroduce the remaining 4 million into the budget, allowing us to use them for other objectives. The problem is that the supplier always hopes until the last second to recover and deliver everything they planned on time, eventually ending up at the end of the year with unfulfilled commitments. Last year, we had open commitments amounting to 89% of ALPAB's budget, and the achievements at the end of the year were 58%, with the difference being open commitments where the goods were not delivered, or the works/services were not completed.''* (M1, Annex 3, Pos. 32, 2024, [translated by the author]).

Another aspect discussed during the interviews was the uncompetitive working environment within the Public Administration. With little to no means to advance their careers, employees are not incentivized to work efficiently or improve the overall performance of the state company. This issue is also highlighted by the representative of County Council of Ilfov: *"No one wants to come work for the public administration. No one. Those with signing authority prefer to rather do two projects a month and earn the same money. People are discouraged when they see that it has become common practice to be sued personally, as if we, as civil servants, work here as individuals, not for the institution."* (D1, Annex 3, Pos. 48, 2024, [translated by the author]). The interviewee also mentioned the increasingly common risk of personal lawsuits in public service roles, which significantly discourages both new hires and current employees, often leading them to only perform the bare minimum. These disadvantages have led to a lack of expertise among the employees who work for municipalities. Consequently, the proprietors of UPGS at the district level share the same limitations as ALPAB at the metropolitan level. District municipalities, similarly to ALPAB, suffer from a lack of funds directed towards UPGS construction and maintenance, as noted by several interviewees. This creates a Metalinkage with the perceived blockage mentioned in AS 5, where municipalities often lack the funds to proceed with expropriation or bidding for new landscape projects.

AS 8. Absent Local UPGS Inventory

Another serious Action Situation is the absence, incompleteness, or impracticality of the Local UPGS Inventory, also known as "The Green Registry," despite it being mandated for all municipalities by Law 24/2007. This situation is strongly linked to the reduced capacity of the Local Public Administration, particularly in terms of ineffective fund distribution. This issue affects both the City Hall of Bucharest and the district municipalities, none of which currently have an updated and operational Green Registry. The lack of a functional Green Registry leads to significant challenges in managing UPGS. Without accurate and up-to-date information on the location, quantity, and condition of UPGS, it is nearly impossible to maintain these spaces effectively or to manage property rights adequately. As one interviewee pointed out, the lack of a Green Registry may also stem from a reluctance to ensure decisional transparency by local authorities:

> *''Still, there remains a problem of lack of political will because if there is political will, many issues can be resolved. [...] There are also mayors who run for office promising to 'plant ten thousand trees'. If you have a Green Registry, the first thing you check is whether ten thousand trees have been planted or not, and once they are planted, you could see how many of those ten thousand trees have actually survived. Most likely, for these reasons, there is no desire to do things better.''* (S1, Annex 3, Pos. 28, 2024, [translated by the author]).

The absence of a Local UPGS Inventory also reduces the capacity to protect UPGS in accordance with the law. If UPGS are not documented in this inventory, it becomes challenging to prove their eligibility for protection. Other databases, such as those from the Land Registry (Cadastre), use different terminologies and do not guarantee the protection of these green spaces.

5.2.5. District Level

AS 9. Biased Local Council

Four stakeholders highlight the Local Council's crucial role in the final decision-making stage for approving new constructions, including those on green spaces. The Local Council is comprised of elected political members from different parties, with the party ideology strongly influencing decisions. The representative of the Floreasca Community describes a situation where, due to public pressure, councillors postponed the vote on a highly contested construction in Floreasca, yet: *"the PUD projects were put back on the agenda, and some were voted on three times, the same ones. This is absurd because the councillors who initially voted against them, after three meetings, voted in favour, thereby allowing the adoption of the PUD."* (Annex 3, Pos. 8, 2024, [translated by the author]). Moreover, some interviewees mention the common practice of bribing councillors to vote in favour of certain projects*: "[They] distribute money to all authorities, both the executive ones in a City Hall and the deliberative ones, such as the Local Council. We know very well that sums of money are offered to*

these corrupt groups, to councillors from certain parties. We are not talking about all political groups in the Council, but about a certain faction, those who hold the majority." (M2, Annex 3, Pos. 44, 2024, [translated by the author]). These actions result in the improper representation of local communities, with the interests of certain groups prioritized over the public one.

AS 10. Excluded Local Communities

The feeling of not being properly recognized is strongly linked to the exclusion of local communities from the decision-making process. As *M1* elucidates: *"Unfortunately, there is no legal interdependence between the manner of granting property rights on the [Herăstrău] Park's territory and the relationship with the community."* (Annex 3, Pos. 8, 2024, [translated by the author]). Moreover, some stakeholders stress that citizens are not active enough and take little to no initiative when faced with decisions causing them impairment. This lack of action can also be interpreted as an outcome of the recently received personal lawsuits against some civic members for hindering the construction of real estate projects, as depicted by the representative of Floreasca Civic Group: *"They sued us as individuals. Three citizens from the group have been sued, all the presidents of the associations involved in this process. They are demanding one million EUR in damages collectively, and in the lawsuit, it states that we harassed the authorities with petitions and organized a protest, even though these are constitutional rights."* (FC, Annex 3, Pos. 16, 2024, [translated by the author]). The lack of legal frameworks that incorporate community input into property rights decisions, coupled with the legal intimidation faced by active citizens, contributes to the feeling of disenfranchisement among local communities.

5.2.6. All Levels (National-Metropolitan-District)

AS 11. Litigious Court Disputes

Besides organizing protests, the local community often seeks court intervention to have their voices heard, hoping that the judicial system will settle disagreements. All interviewees mention at least one court intervention as relevant to the subject matter or as something they have been involved in. While courts at national, metropolitan, or district levels do settle disputes over UPGS conflicts, their decisions often exacerbate the feeling of disenfranchisement experienced by various actors. The judicial system tends to favour property rights over urban regulations, despite the fact that in 2011, Law 350/2001 regarding territorial planning and urbanism was elevated to an organic law. *"Equality was established between property and planning [...]. It is the moment when, if planning is done coherently, the public authority has the power to temporarily and justifiably prohibit you from using your property."* (M3, Annex 3, Pos. 38, 2024, [translated by the author]). Constant litigation also

presents challenges for local authorities, who find themselves caught between conflicting demands from different stakeholder groups. *"On the one hand, there are the residents of the area who want parks, but never on their own land, always on someone else's land. On the other hand, there are those who own land and whom you cannot force to build a park, because they will immediately demand financial compensation."* (D1, Annex 3, Pos. 16, 2024, [translated by the author]).

AS 12. Absent or Outdated Data Bases

Another significant conflictual AS, which is influential across all levels of governance, is the absence of complete and updated databases in various domains related to urban planning. Besides the lack of a Local UPGS Inventory, local authorities face challenges due to inadequate topographic measurements and historical archives. Historical factors such as Ceaușescu's destruction of the National Archives during communism, as well as frequent fires in archives of different local authorities in Bucharest, contribute to these shortcomings (S1, Annex 3 , Pos. 8, 2024). The absence or incompleteness of these databases complicates processes such as tracing the legal history of parcels during a due diligence process. Despite these challenges, many laws require and heavily rely on accurate database information. When local authorities make decisions based on incomplete or missing data, it raises questions about the validity and fairness of those decisions. One of the representatives of the National level highlights the critical issue: *"We don't have an integrated database on this subject. So, we do not have a T0 [baseline] to refer to."* (N2, Annex 3, Pos. 8, 2024, [translated by the author]). In the absence of necessary data, laws are subject to multiple interpretations, which can lead to selective application rather than consistent and universal enforcement. This inconsistency contributes to ongoing conflicts over UPGS, as stakeholders perceive discrepancies in how laws are applied across similar situations.

AS 13. Strong Informal Collaboration between Real-Estate and Public Authorities

Besides the bribing aspect mentioned earlier in AS 11, some stakeholders stress the informal communication between the employees from local public administration and the real estate companies or individuals. *''At one point, it seemed to us, because we have discussions with both officials and the political apparatus, which includes city hall officials or local councillors, that these public officials employed by the city hall teach new property owners how to circumvent the law or where the loopholes are to resolve these issues.''* (FC, Annex 3, Pos. 16, 2024, [translated by the author]). This aspect is also mentioned at national level where the writing of laws is perceived as being highly influenced by the real estate industry (M2, Annex 3, Pos. 40, 2024). This results in a smoother approval process of advancing the real estate sector in cities.

AS 14. Misaligned General Mentality

All interviewed experts highlighted varying perspectives among actors regarding how UPGS should be governed. They emphasized that a significant driver of these conflicts is the limited education on green space protection among both decision-makers and the general public. This educational gap contributes to differing priorities and approaches to UPGS management. The diverse interests and perspectives often result in fragmented collective action from the local community: *"We observe a lack of solidarity and concentrated action among citizens."* (HC, Annex 3, Pos. 52, 2024). This fragmentation can also be attributed to the exclusion of the local community from decision-making processes when they are not sufficiently vocal about their needs or concerns.

5.3. Modelling the Current Network of Action Situations

The Actions Situations were linked to form the current Network of Action Situations through Metalikages. These Metalinkages have the same attributes as the Linkages from an AS, but the difference is that they navigate between AS and across the governance levels. The detailed depiction of the current NAS is provided in Figure 7. Mapping of the current NAS corroborates initial assumptions from the literature review, confirming the systemic nature of the issue where elements are intricately interconnected. Importantly, the impact pathways, namely the Metalinkages, operate both vertically and horizontally, indicating a nonlinear system. It also demonstrates that the AS are not dependent on the governance levels, and four of the ASs actually succeed in transversing across all levels, indicating their strong influence. While the supranational level is distinct from the rest; the national, metropolitan, and district levels tend to intertwine. This is a clear sign that the driving forces behind conflict dynamics are not perceived as a direct cause from the supranational activity, but rather that, on metropolitan and district level, things start to become complex. This accomplishment represents the final step of the first stage of modelling intended for this study.

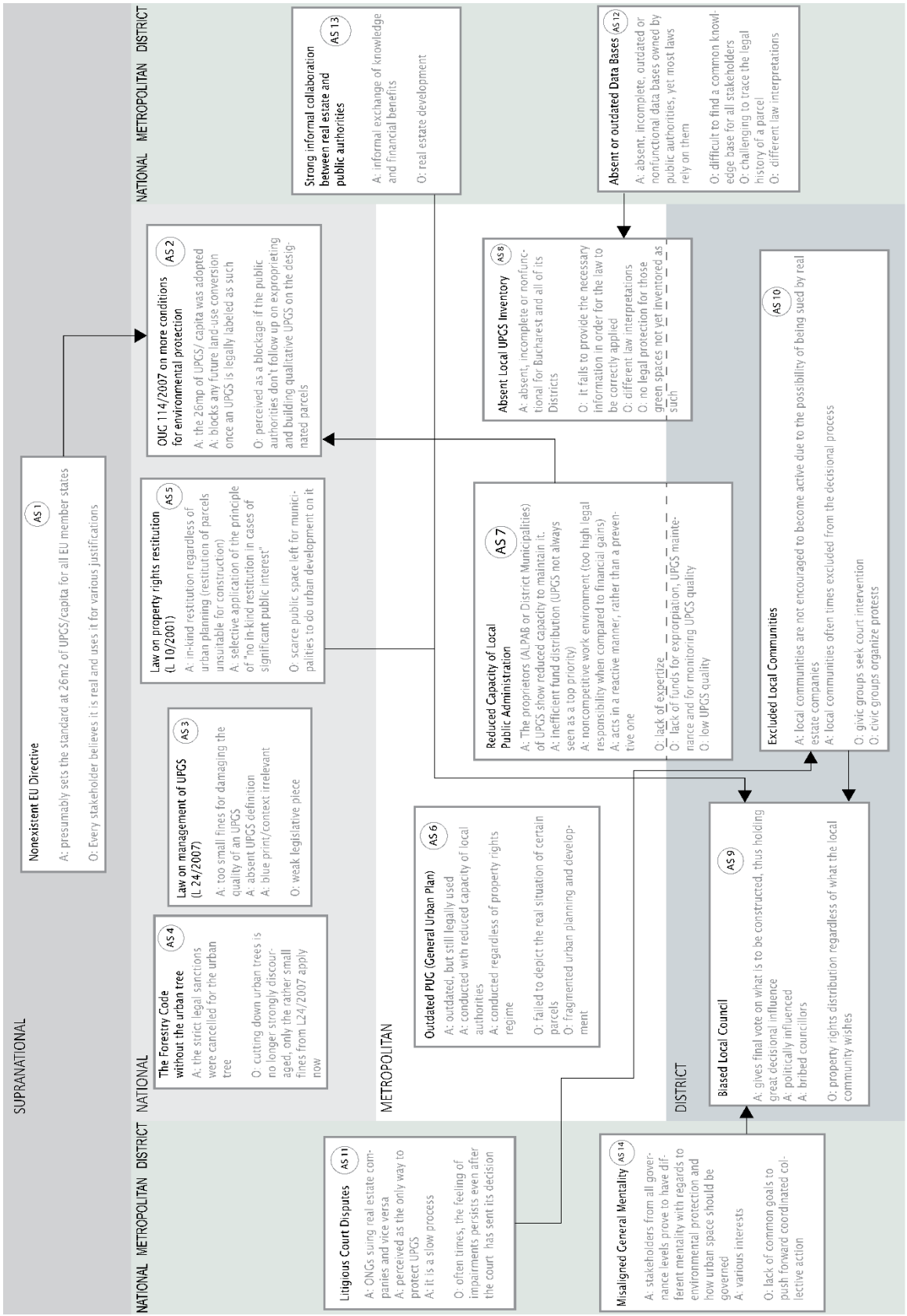

Figure 7. Current Network of Action Situations (NAS) for the governance of Urban Public Green Spaces (UPGS) in Bucharest. This figure shows the components of each Action Situation and the Metalinkages that connect them across governance levels. (author's own work)

6. Discussion

6.1. Results in Relation to Current Studies

The types of conflictual *Actions* identified in this study are similar with conflicts found in other Eastern European studies. The Polish cities also experience fragmented green infrastructure as a direct cause of uncoordinated urban development (Petrișor et al., 2021). Moreover, according to Sechi, Bērziņš and Krišjāne (2022), recent years have highlighted challenges in managing urban green spaces in the city of Riga, particularly due to top-down governance that exacerbates conflicts between local authorities and environmental activists. Power imbalances affect decision-making, often prioritizing construction or parking development over preserving green spaces, reflecting a neoliberal view of space as an exchangeable commodity rather than a public good. The destruction of Marsa parks in Teika, despite local opposition, exemplifies these issues, revealing a lack of transparency, resident involvement, and the gradual erosion of public green spaces. These conflicts are in tune with the identified Actions of the current NAS, as Bucharest also struggles with excluded local communities from the decisional process. In the case of Prague, Soukupova (2020) finds that conflicts over green spaces are shaped by issues such as urban modernization, heritage preservation, and the demands of tourism. The focus on large-scale construction and transportation infrastructure often took precedence over environmental considerations, leading to a decline in the quality of urban life.

The need to categorize the types of conflicts, or as in the case of this study, the types of components that comprise an AS (Actors, Actions, etc.), is echoed in other studies addressing conflicts around green spaces in Bucharest. For example, Onose et al. (2023) discuss conflicts surrounding major parks of Bucharest. The most frequent category of conflicts identified was land-use conflicts, which include restitution conflicts, illegal building, urban projects, and clearing. Onose et al.'s study utilized mass media articles to identify these conflicts, demonstrating that newspaper articles are considered a solid source of information on this issue by other researchers as well. While Onose et al.'s study effectively identified conflict typologies, applying NAS in this study allowed for a deeper understanding of how these conflicts interplay by constructing ASs. Similarly, Nae and Turnock (2011) address green spaces conflicts and adopt a methodology that includes semi-structured interviews with experts in the field, proving that this is an effective strategy for this type of research. Nae's team also concludes with typologies of conflicts and describes them briefly, aligning with the coded categories from this study's coding scheme. Therefore, using thematic coding was consistent with the methodologies employed by other scholars, with the categories being well-aligned across different studies. Notably, there is a significant difference between this study and those of Onose, Nae, and Turnock. While their objective is to identify conflicts, this study aims to model conflict dynamics, thereby adopting a systemic

perspective. Besides these two studies, most scholars have focused so far on unfolding environmental issued that Bucharest is struggling with (Iojă, 2022) or on analysing the quality or quantity of vegetation over the years (Cârlan, 2021; Petrișor, 2015), or on analysing how sustainable urbanism and landscape architecture could improve the quality of life through various projects (Sfârlea, 2019). Therefore, the topic of green space conflicts, from a governance perspective, is still emerging among Romanian scholars.

The absence of prior applications of Network of Action Situations on UPGS by other scholars necessitated innovative approaches in this study's research design. The extra work is shared among scholars who used NAS for other nexuses and they encourage further development of NAS towards a more standardized framework in order to facilitate comparison across studies and to have a unified reference point (Kimmich, Baldwin, et al., 2023). Kimmich, Baldwin, et al. (2023) systematize three main strands of themes across NAS applications: the temporality of relations between ASs, complementarities and disconnects of ASs, and strategic actors, power, and discourses. Among these strands, this study potentially aligns with the second strand, as it examines commonalities within the components of ASs and explores linkages that lead to conflictual outcomes. Regarding the unit of analysis, namely AS, most scholars construct their own interpretation of what an AS should include, but remain consistent with the idea of identifying social spaces where Actions recur and where Actors interact and cause Outcomes. Something that this study also subscribed to.

Most NAS studies focus on a single level of governance, typically at the subnational level (Kimmich, Ehlers, et al., 2023). However, there are also some multi-level studies, including those on multi-level infrastructures (Cox, 2014; Kimmich, 2013), cross-boundary rivers and pipelines (Gritsenko, 2018b; Sendzimir, Flachner, Pahl-Wostl, & Knieper, 2010) and value chains (Villamayor-Tomas, Grundmann, Epstein, Evans, & Kimmich, 2015). Cox (2014) uses NAS combined with MLG, but in a different manner than this study. He follows the actors and their actions and concludes on two very localized governance levels. Additionally, numerous NAS studies use levels of analysis from CPR, namely constitutional, collective and operational choice levels. In the case of Kellner (2022), she tries to find system gaps in the NAS of how a river is managed. This approach proves once again that NAS is mainly used at small scale levels and using CPR's choice levels are effective in such levels of analysis. However, in the context of this study, MLG was constructed based on what a typical metropolis like Bucharest would have in terms of governance levels, therefore, higher and broader levels of analysis were adopted. Relying on the arenas of choice from CPR would have been too dependent on accurately identifying the actors from the CPR framework. The Romanian governance system, including its legislative, judicial, and administrative systems, views UPGS as either private or public. This strict duality made it challenging for the study to accurately map the actors mentioned in

interviews in relation to Ostrom's types of property rights holders, which typically refer to situations where the good is common or has unknown property rights. Therefore, the CPR framework is not entirely fit to portray the actors involved, and adopting a structure from another scholarship, such as MLG, managed to increase the study's resilience and prevented potential pitfalls.

6.2. Modelling an Improved Version of NAS

A first step in constructing a potentially improved version of NAS was to take into consideration the suggestions made by the experts during the interviews (see Annex 5). At a first glimpse, most suggestions mirror the previously mentioned problems. For instance, the absence of an UPGS inventory was simply suggested to be finally conducted. Some suggestions can be interpreted as Actions, whereas some as Outcomes. Certain recommendations are highly technical, such as setting a clear deadline for authorities to prevent private entities from building on parcels designated to become UPGS, or ensuring that urban certificates clearly state the current function of a UPGS to avoid misinterpretations. In contrast, other recommendations are very vague and can be interpreted as high goals, such as transforming the political leadership.

In contrast, the idea of making courts more restrictive towards NGOs that sue municipalities is unlikely to improve NAS. As Halpin (2009) mentions, this remains a crucial aspect of democracy, and maintaining a flexible processual quality is essential. NGOs already face significant challenges in formation and operation, including limited financial resources to fight municipalities in court. Those few that do have the means, such as Eco-civica, often support smaller NGOs or civic groups by representing them in legal battles. Furthermore, the justice system must remain impartial and neutral. It is not feasible or appropriate to request that the judiciary offer more weight or favour to public administrations. The integrity of the legal process depends on treating all parties equally, without bias towards governmental entities. Despite these, it is true that the integrity of the Romanian judicial system is often time questioned (Ristei, 2010).

Moreover, the suggestions made in direct relation to the spatial samples were excluded. Recommendations such as changing the drinking fountains in Herăstrău Park with friendlier ones for birds, although having the potential of an immediate impact, it is too localized for the construction of the governance system as a whole. The struggles that they respond to remain relevant for the type of UPGS that they represent, but do not align to the approach of thematic coding, as they cannot be linked to other Actions or Outcomes.

Further on, this study opens a debate on each improved version of the 14 Action Situations.

AS 1. Replace the nonexistent EU Directive with pertinent international and European directives and policies

At supranational level, the nonexistent European Directive should be prevented from exercising its influence on the national legislation and instead, real and quality oriented European directives and policies should start exercising a beneficial influence on the national level. Policies such as the Nature Restauration Law or the New European Bauhaus movement hold strong potential in helping Bucharest to tackle its issues with UPGS governance. Additionally, quality standards developed by either the International Society of Arboriculture or the European Nursery Association can be extremely helpful in shifting the national legislation from quantity oriented towards quality oriented. It is worth mentioning that while these suggestions are pertinent, it could be challenging to integrate them into national legislation as the current Romanian urbanism, in relation to the European policies, only takes into account those with legal sanctions and ignores the one with suggestive quality. This can jeopardize these previously mentioned impacts of the suggested international policies. At the European level, several directives indirectly address UPGS, such as the Water Framework Directive (2000/60/EC) and the Habitats Directive (92/43/EEC). However, there remains a strong need for legal instruments specifically targeting UPGS, such as dedicated EU directives that member states would be required to transpose into their national legislation. Regarding the improved version of NAS, another AS1 was not constructed to replace the existing one because the potential outcomes of the suggested policies are too uncertain to accurately design all the components of a new AS. Therefore, they are simply depicted as Actions.

AS 2. OUG 114/2007 on more conditions for environmental protection

While quantitative indicators are a solid foundation for ensuring citizens' access to UPGS, it is crucial to complement them with quality indicators. In many countries, national quality standards play a key role in the development, construction, and maintenance of UPGS. For instance, The Netherlands have established specific quality standards for vegetation in urban spaces, ensuring plants are trained to withstand harsh urban conditions (Norminstituut Bomen, 2022). Additionally, they have standards for assessing the quality of public spaces (CROW, 2023). Unfortunately, Romania has yet to develop such quality standards for urban vegetation or landscape architecture. Existing standards, inherited from the Communist Era, focus on forestry and fruit trees intended for production rather than leisure. Therefore, a valuable influence at the international level would be the formulation of national quality standards and the integration of quality indicators into legislation.

Moreover, as one of the national level representatives pointed out, there is an ongoing debate about the restriction on constructing on parcels designated by the PUG to become UPGS. Over the past 24 years, public authorities have failed to address this issue, leaving certain private landowners

uncompensated. The question arises: *"For how long should this restriction remain in place?"*. This situation is increasingly seen as unjust for private owners who have not been compensated or benefited from their land. Therefore, more specific conditions, particularly concerning time, should be established regarding this restriction.

AS 3. Law on management of UPGS (L 24/2007)

Currently, the updating project of this normative act, PL-x no. 668/2018, holds immense potential to transform the existing weak legislation into a more effective framework. However, the project has encountered numerous obstacles due to various interests attempting to influence its final form. Although traditional, fines remain effective in discouraging damage to the quality and quantity of UPGS. Consequently, Law 24/2007 should revise its fines accordingly, avoiding fixed amounts in favour of a formula that can easily adjust to the value of the affected UPGS. Furthermore, the law should be expanded to include a clear definition of what constitutes UPGS.

AS 4. The Forestry Code

In line with the logic that urban trees contribute to urban forests, the urban tree should be reintroduced into this law. However, if Law 24/2007 is updated with more detailed sanctions, it may not be necessary to apply these changes to the Forestry Code anymore. Although, dual protection under different laws would provide greater long-term resilience. As previously observed, if one law excludes sanctions on urban trees, they are left completely unprotected unless supported by another law.

AS 5. Law on property rights restitution (L 10/2001)

The restitution of property officially ended in 2011, so there is no need to modify the law governing it. Preventive measures are largely unnecessary, as future restitutions are no longer a concern. What can be improved, however, are the ongoing court disputes regarding unsolved restitutions. In such cases, the public interest should be prioritized, as exemplified by the situation with IOR Park. Additionally, as suggested by the representative of City Hall of District 2, local authorities should develop Action Plans to recover parcels that were privatized. Instead of compensating private owners in-kind, as it was done previously, monetary compensation should be considered. This approach would make more land available for the development of UPGS.

AS 6. PUG (General Urban Plan)

In updating the General Urban Plan, public-private partnerships could play a crucial role in enhancing the capacity of public authorities to accurately assess the in-situ conditions of UPGS. The first step in facilitating this update would be to inventor UPGS. The update would bring clarity to property rights

associated with certain disputed parcels, especially if combined with a systematization on the land acquisition procedures. The latter would act in preventing conflicts to arise. Additionally, urban planning requires a comprehensive approach, which can be supported by the development of action plans and green infrastructure strategies. These should include a thorough analysis to identify parcels that can be reclaimed for public use, ideally near existing UPGS, with transparent funding allocations. This strategy would ultimately aim to create an interconnected network of UPGS. The recommendations from interviewees align with successful practices adopted by other European metropolises, such as Barcelona, to achieve such an integrated approach (Langemeyer et al., 2020).

AS 7. Local Public Administration

To address the lack of expertise in public administration, a valuable recommendation is to encourage specialists from the green sector, such as landscape architects, to take on decision-making roles in the management of UPGS. Although increasing their salaries remains challenging, allocating more funds toward UPGS maintenance and development could be more feasible. This could be facilitated through public-private partnerships. Additionally, one of the metropolitan level representatives suggested that public authorities should clearly define the function of a parcel when issuing an urban certificate, particularly when it is designated as UPGS, thereby eliminating the possibility of multiple law interpretations.

AS 8. Local UPGS Inventory

As previously mentioned, maintaining an updated and functional local UPGS inventory would greatly benefit both the PUG and the resolution of issues related to non-functional databases. Multiple technologies are now available to streamline the data-gathering process, such as specialized apps for smartphones. Many municipalities around the world are engaging citizens in crowdsourcing activities by granting them access to inventory platforms where they can input the location of trees, upload pictures and so on (PlanIT Geo, 2024). This participatory approach enhances the accuracy and comprehensiveness of the data collected. It is important to emphasize that, even when conducted accurately, a UPGS inventory lacks legislative power in Romania, being merely a tool for urban planning without any associated sanctions. Therefore, without legal authority, the quality of the inventory is often times perceived as irrelevant, which could be one of the reasons many municipalities fail to invest in it.

AS 9. Local Council

To reduce the susceptibility of local councils to bias, a transformation in political leadership is necessary, one that prioritizes decisions benefiting the public interest, as the Floreasca Civic group representative stressed. This transformation is crucial since the local council represents the human

component of the governance system of UPGS. Unlike the other ASs, the outcome of AS 9 is closely tied to the profile of the individuals working within the Local Council. Furthermore, although a formal negotiation process between public authorities, real estate, and the local community is supposed to take place, this often does not happen in practice, as one of the Metropolitan representatives mentioned during the interviews. When approving PUZs or PUDs, it is crucial to remember that these tools were intended for public benefit, as outlined in Law 350/2001. Since private entities were allowed to develop PUZs for individual parcels, rather than the public authority developing PUZs for entire zones, the public utility of these tools has been compromised (OAR, 2023). Therefore, the practice of private, parcel-based urbanism should be restricted to restore their intended public purpose.

AS 10. Local Communities

If genuine negotiations were to take place, they would encourage citizens to become more active and vocal about their needs and desires, thereby helping them accept or shape changes within their community. Here, the Governing of the Commons (Ostrom, 1990) is helpful in understanding how local communities could become leaders in governing the natural resources within their community. Among Romanian scholars and practitioners, the concept of collective management of urban space by citizens has become a trend. For instance, Emre et al. (2022) document a project centred around the concept of governing urban commons. The "City School" initiative, launched in 2011 by studioBASAR, an architecture firm based in Bucharest, organizes workshops with residents from various neighbourhoods, utilizing the city's public libraries as community hubs. This ongoing project has led to the creation of two pilot initiatives, including gardening projects, which provided hands-on experiences for participants. More significantly, it fostered a deeper sense of participation, collaboration, and trust among those involved, laying a strong foundation for effective governance of the urban commons.

AS 11. Court Rulings Disputes

Citizen inclusion helps in preventing conflicts from escalating to court rulings (Bingham, 2006). Additionally, the uncertainty surrounding various restitution cases should finally be resolved, determining which are legal and which are not, so that the focus can shift from longstanding land disputes to integrated development. Once a restitution is clearly labelled as illegal, this could facilitate a stronger law enforcement. The need for a more effective law enforcement is suggested by the interviewees not only in the case of court disputes, but across all governance levels, including requests from the citizens to sanction restaurants that are too loud at night.

AS 12. Data Bases

As previously mentioned, updating databases through UPGS inventories and current topographical measurements of public spaces is essential. This would enable open-access data, allowing all stakeholders to refer to the same information. Aligning databases across different domains would also help in harmonizing the legislation and standardize terminologies, resulting in clearer urban and environmental policies.

AS 13. Public-Private Relation

The relationship between public authorities and private entities should be strongly encouraged, but it must be conducted transparently and ethically, with the ultimate goal of serving the public interest. Mediated and coordinated communication among stakeholders is pivotal to improving the current state of UPGS. This approach can facilitate the negotiation process outlined in AS 9 and highlight alternative methods of resolving issues without resorting to court intervention. For example, the city of Rotterdam adopted a "hybrid" approach, balancing autonomy and collaboration, which fosters adaptive and resilient partnerships, essential for successful urban regeneration (Vandenbussche, 2018).

AS 14. General Mentality

Ultimately, fostering a general mentality where individuals share a common vision of how their city should be managed is crucial. The interviewees call for better environmental education, for solidarity, and for caring for the environment and for the national heritage. This mindset underpins all other ASs, with a particularly strong influence on transforming political leadership and aligning agendas towards the public interest.

In comparison to the current NAS depicted in Figure 7, the improved version shown in Figure 8 introduces more Metalinkages between ASs and their components. This enhancement demonstrates that implementing the interviewees' suggestions, along with recommendations from other studies, creates a network focused on improvement rather than conflict. The new Metalinkages build upon the existing ones and extend to more components within the system, facilitating a smoother transformation. Some conflictual Outcomes remain unresolved, primarily because the improved NAS aims to be realistic about certain subjective aspects, such as varying interpretations laws. This diversity is expected to persist as a fundamental aspect of a democratic system that allows for differing opinions. The goal of the improved NAS, in the case of legislation, is to reduce the number of conflictual law interpretations that hinder UPGS protection, focusing on reduction as a more achievable objective rather than an unrealistic expectation of uniform legal interpretation.

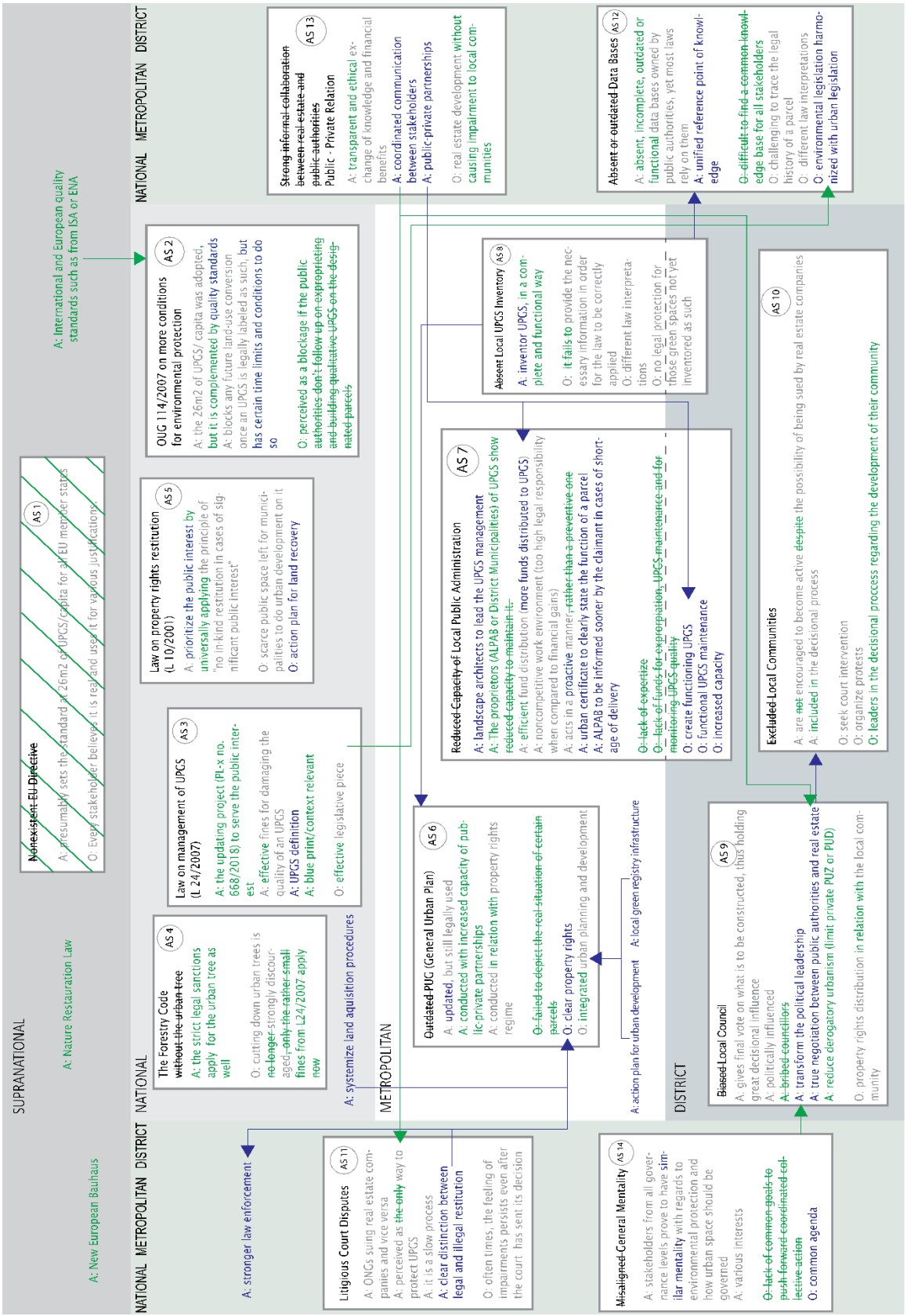

Figure 8. Improved NAS for UPGS governance in Bucharest. Changes highlighted in blue represent the interviewees' suggestions, while those in green reflect the author's recommendations based on reviewed literature. The latter suggestions build on the interviewees' input but take it further by integrating best practices from other studies or cities that have successfully addressed similar challenges. (author's own work)

At a systemic level, these improvements aid understanding but may lack prioritization, potentially discouraging actors from taking action. Often, the complexity of systemic issues is cited as a reason for inaction, making coordinated efforts even less likely.

6.3. Leverage Points

In an attempt to add more practical value to the findings of this study and deepen the discussion on potential NAS improvements, this study revisits the concept of leverage points, as previously introduced in the Theoretical Framework chapter, and suggests that these points can be identified within an enhanced version of the NAS. Building on an improved NAS illustrated in Figure 7 and utilizing Metalinkages, this study examined the high connectivity between key components: AS13 (Public-Private Relations) and AS7 (Local Public Administration); AS8 (Local UPGS Inventory) and AS6 (PUG); and AS3 (Law on Management of UPGS) and AS12 (Databases). The feasibility of these connections was discussed in the previous subchapter, and are now translated into the most viable points for intervention.

By applying the criteria of high connectivity and feasibility, the first leverage point identified is the strengthening of public-private partnerships, which has the potential to significantly augment the capacity of public administration through shared responsibilities. The private sector, with its advanced knowledge of cutting-edge technologies and best practices in UPGS management, could play a pivotal role in enhancing governance outcomes. However, the efficacy of these partnerships is contingent upon the legal obligations of public authorities to implement or utilize the results. Currently, while numerous public-private partnerships exist across the Romanian cities, such as developing best practice guidelines and conducting workshops for public administration personnel, their impact is often limited by inadequate follow-up.

The second leverage point is the continuous updating of the Local UPGS Inventory. This process should go beyond mere updates to include enhancements in the legal frameworks governing the compilation of this database. Accurate and up-to-date data are foundational to effective management. Without a comprehensive understanding of existing resources, municipalities are unlikely to formulate adequate management plans for their green infrastructure. An updated Green Registry would significantly facilitate the revision of the PUG, which this study identifies as a third leverage point.

An updated PUG is critical, as underscored by the majority of interviewees, since it underpins all urban planning tools and regulations. The development of a new PUG must be as meticulous as possible, and the increased capacity of local authorities, due to public-private partnerships, will be crucial in

minimizing potential biases. Nonetheless, this third leverage point remains at risk, since the PUG update could introduce new challenges rather than resolve existing ones.

A fourth leverage point is the ongoing project to amend Law 24/2007, which governs the management of UPGS. Although currently stalled in the legislative process, this project holds the potential to significantly influence UPGS management on a national scale. Initially drafted by experts in landscape architecture, the law has undergone amendments that may have shifted its original focus on UPGS protection. If revised appropriately, this legislation could clarify existing ambiguities in UPGS governance and impose more stringent legal requirements for enforcement.

6.4. Methodological Limitations

Once the results were presented, the distinctions between the three spatial samples became less apparent. This was largely due to the experts' responses not being detailed enough to support the development of distinct timelines for each case study, or to thoroughly explore the conflict dynamics within the communities. Additionally, the study's objective of creating a more generalized system contributed to this lack of specificity. The questions were designed to address higher-level issues rather than focusing solely on the community level. Consequently, this led to a blurring of the distinctions between the three spatial samples in the results section. However, it's important to note that these were primarily used as a means to collect data for understanding conflict dynamics within the broader governance system of UPGS and were not the central focus of the study. Bucharest was the primary case study, representing a large city grappling with conflicts related to UPGS. Therefore, even if different spatial samples or typologies of UPGS had been chosen, the results would likely remain consistent. However, if a different city had been selected as the case study, the results might not have been representative of other Eastern European metropolises. This is primarily because Bucharest is Romania's only metropolis, while other cities in the country are significantly smaller. Furthermore, Bucharest has specific characteristics, as outlined in the Methodology, that strongly influenced the findings. For example, some Romanian cities have up-to-date PUGs, which distinguishes them from Bucharest. This study had higher expectations from Herăstrău Park with regards the identification of a more diversified pool of actors, but it was extremely challenging to uncover detailed information about the property rights holders within that park. As a result, the anticipated diversification of property rights holders was not fully realized, and the actors mentioned were similar to those in most UPGS contexts. Regarding IOR Park, from the multi-media literature, the property rights status is depicted as unclear, but as the experts clarified, the debated parcel is in fact linked to private rights. From a legal standpoint, its property rights are very clear. From a sociological aspect, the high contestation makes them unclear. In the case of Floreasca Neighbourhood, the durational

perspective demonstrated that the effects of certain decisions taken after The Revolution cannot be reversed, such as the process of land restitution, especially when certain parcels already host buildings on them.

The expert sample, while intended to be representative of each governance level, cannot fully capture the diversity and complexity within each level. If a different expert sample had been chosen, focusing more on the HoReCa sector rather than building on MLG, the results of this study might have been different. However, despite efforts to engage with professionals from the private sector, the study was unable to secure their participation within the limited timeframe. Although this study aimed to select the most relevant decision-makers, the approach is inherently limited, which significantly impacts the results and introduces a degree of subjectivity. It is important to note that all the gathered information reflects the prioritization of the participants, as the interviews had limited time. Therefore, the identified ASs are the prioritized ones, meaning that other ASs could still exist in the UPGS governance system but were not revealed in this study, due to methodological limitations. If the interviews had lasted 2-3 hours, they would have undoubtedly provided much greater depth to the analysis. However, securing such extended time with these experts was unfortunately not feasible.

7. Conclusions

The current NAS model clearly demonstrates that the UPGS governance problem in Bucharest is systemic. No single AS was identified as being particularly problematic, instead, all ASs hold equal weight in forming the network. Adopting a systemic perspective was useful in moving beyond a singular conflict to understand dynamics across the entire governance system of UPGS, as well as the connected domains that influence such a nonlinear system. The governance perspective, although understood by this study in its larger sense, tends to focus on policy making in the Results section and on the government officials from all levels, proving that in Romania, the governance is still seen as *the government*. As the results show it, the policies make up a great part of the coding scheme and later of the system.

Results from the interviews indicate that adopting a qualitative approach was more effective and efficient for understanding conflict dynamics, especially given the time constraints of this study. Most interviewees complained about missing or incomplete databases or archives, highlighting the significant challenges that would have arisen if a quantitative approach had been used. Although the results are heavily influenced by the interviewees' perceptions, they can still set a precedent for researching UPGS governance as a system and can assist future studies that aim to adopt quantitative methods.

Regarding the actors in these conflicts and using the Common Pool Resources scholarship (Schlager & Ostrom, 1992), it is notable that the results are insufficiently aligned with the category of property rights holders in Ostrom's Bundle of Rights. The legislation and current governance system are not developed enough to incorporate the concept of common property and tend to reinforce the ambiguity by quickly assigning property rights either to private or public entities for UPGS management, leaving no room for common property. There is a prevailing belief that what is *common* must necessarily be *public* and therefore managed by the public administration. Additionally, the concept of the *communal entity*, referring to the collective identity of all Bucharest citizens, as outlined in the theoretical framework, is not reflected in the perceptions of stakeholders. Instead, individuals tend to identify themselves as either private or public entities, rather than as members of a unified community.

Applying NAS was crucial in understanding how every conflict is interconnected. It holds an impressive capacity to incorporate complexity. This framework could have included more ASs, but it was limited by the study's resources. It was remarkable in tracing intimate links, such as between an Action from one AS and the Outcome of a completely different AS, even from a different governance level and field of activity. These linkages, although not fully emphasized in Ostrom's theory, played a significant role in modelling the current NAS. Future studies are strongly encouraged to focus on these linkages as they hold great potential for better understanding conflict dynamics. As mentioned in the Results section, the current NAS was heavily action-oriented, demonstrating that NAS was more effective at unfolding conflictual Actions rather than describing various characteristics of Actors. Therefore, future NAS studies could develop this aspect of the framework to better illustrate how actions depend on the actors involved. The chosen variables for constructing the NAS, as depicted in Table 1, were indeed useful for identifying adequate spatial samples and developing the coding scheme.

Regarding the previous assumption of NAS needing more structure, this can now be debatable. In this study, the results, specifically the NAS model, prove that NAS does not necessarily graft onto Multi-Level Governance. When combining the two during the modelling stage, most ASs "broke through" the structure because they influence either two or three different levels. This does not suggest that MLG is dispensable during the modelling stage, but rather that NAS can depict conflictual Actions across different fields of activity and governance levels. One pertinent conclusion reached through MLG is that the issue of UPGS governance in Bucharest gains complexity at the national level and peaks between the metropolitan and district levels, proving that the problem is more internal rather than influenced by international ASs or entities. MLG was utterly indispensable in the spatial sampling and expert sampling phases. Without it, the study would have lacked coherence in identifying adequate sources of information. Therefore, even though MLG may not be as convincing during the modelling

stage, it was crucial during data gathering and research design. Moreover, adding the Community Level among the governance levels was indeed plausible for modelling the District Level, using the three communities as a basis. It was wise to limit the use of the community level to the data collection stage, as interviewees did not reveal many details about problems between neighbours or very localized issues. The invited citizens truly represented their community as a whole in relation to other stakeholder groups.

Participants' insights into the temporal aspects of conflicts were crucial, as many conflicts still have enduring effects. The timeline depicted in Figure 5 does not necessarily indicate a clear future direction for UPGS governance. While there are normative acts that protect UPGS, such as the 2018 Administrative Code which prevents ALPAB from signing contracts with economic operators, there are also acts that undermine UPGS protection, like the exclusion of urban trees from the Forestry Code in 2020. No definitive shift has occurred, leaving the possibility for the current NAS to evolve towards a less conflictual scenario. The open-ended nature of this timeline signifies that UPGS governance remains a high priority for all the actors involved. It aligns with the varied responses of the interviewees, who frequently demonstrate determination to shift UPGS governance towards their respective agendas. Although, specific historical events are not explicitly included in the current NAS model, acknowledging them was essential for its initial construction. For example, while land restitution may no longer be occurring, its effects remain significant, along with the restitution commissions within local councils that once made these decisions. Although both Actions are now in the past, they continue to exert considerable influence on the current governance system. Consequently, certain outcomes, like the in-kind restitution of parcels deemed to be of public interest, are now irreversible. This suggests that the focus should shift away from lingering land disputes and towards adopting sustainable urban development practices for the future.

The Research Questions, along with their findings on the actors, driving forces, and conflict dynamics, effectively supported the modelling of both the current NAS and an improved version, thereby successfully achieving the Objective of this study. The leverage points discussed in the Discussion section can serve as a foundation for the practical application of this study's results. They were intentionally introduced to help practitioners identify a starting point, which is often challenging when dealing with systemic issues. While these leverage points are meant to be at the forefront of the transformative process for improving the overall governance, they represent just the initial steps. Equal importance is given to the other suggestions discussed in the Discussion. As the perceived timeline indicates, the timing remains appropriate for initiating these efforts, in order to maintain a chance at a less conflictual scenario for the governance of UPGS in Bucharest.

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Annexes

Annex 1. Guiding questions for interviewing the experts

General perception

1. There's a lot of discussion on that with numerous newspaper articles talk about conflicts over UPGS, how is that connected to your organization?
2. Form your organization's point of view, how would you describe these conflicts?

Stakeholder identification

1. Which actors are most directly involved in the conflicts you mentioned?
2. From your point of view, why are they involved?

Durational perspective

1. Has there been a change after 89 that led to these conflicts?
2. If yes, what events marked the arising of such conflicts?
3. If you could place the conflicts you were mentioning on a timeline, would you be able to tell me how they have evolved over time?

Status quo

1. How comes these influences are still present? What reinforces them, maybe in terms of particular practices or specific policies.
2. Has conflict management been applied yet?
3. Was your organization involved? If yes, then how, if not, then why not?
4. Based on your latest knowledge, when was the most recent urban intervention in this case study, and what did it entail?
5. How does your organization perceive the governance of UPGS in Romania/Bucharest/District/ Case study?

Future Outlook

1. If it were for your organization to make only one whish, what would that wish be in order to change the current situation for the better?

Annex 2. Coded newspapers

The coded newspaper articles can be accessed by accessing the following link:

https://drive.google.com/file/d/16ckozSfFrx6Ns1Ji3m8aSODQJhggqWLL/view?usp=sharing

Annex 3. Coded interview transcripts

The coded interview transcripts can be accessed by accessing the following link:

https://drive.google.com/file/d/1HQ8eTE-j0CAx_zxqXBK0-SO-lLpyi9Dn/view?usp=sharing

Annex 4. Coding Scheme of current situation of UPGS in Bucharest

CODING SCHEME	Codes	Number of documents
Total codes across all 12 documents	336	12
Actions		
Public Administration		
too high legal responsibility for each employee	2	2
non competitive work environment	4	4
little capacity	7	4
lack of expertise	6	3
unimplemented green space designation	2	2
lack of funds	7	5
reduced efficiency in fund distribution	1	1
absent monitoring	5	3
Justice		
selective application of law	3	3
real-estate suing people from Civic Groups	1	1
hard to trace legal history of a land	4	4
different law interpretations	4	3
illegalities	6	4
restitution of a different land, similar in value	1	1
property restitution regardless of urban planning	5	4
disputes settled only after court rulings	1	1
justice perceived as the only way to protect UPGS	2	2
Urban Planning		
inadequate measurement of UPGS quantity	2	2
absent data bases	6	5
outdated data bases	1	1
absent UPGS inventory	7	5
fragmented urban planning	2	2
outdated urban regulation	7	6
absent urban regulation	3	3
urban planning regardless of property rights regime	3	2
Practice		
corruption	3	2
bribing	1	1
political influence	9	7
no desire for transparency	1	1
Legislation		
absent quality standards	5	3
too small fines	1	1
ineffective application of law	3	3
weak legislation (incoherent, fragmented, unclear)	10	5
inadequate distribution of legal duties	1	1
blue print, not feasible	3	1
absent legal definition of UPGS	2	2
absent legislation	1	1
Low UPGS Quality	1	1
inaccessible UPGS	2	2
unfunctional UPGS	1	1
undevelopable UPGS	1	1
Community Engagement		
public pressure	4	4
lack of activism	2	2
weak law enforcement	4	2
unclear property rights	2	2
exclusion from decision	3	1
property rights distribution regardless of local community	1	1
different mentality	3	3
poor communication	3	3

Actors		
owner	2	2
Bucharest Municipality	4	3
individuals	5	5
real estate developers	3	3
proprietor	3	3
Romanian Waters	1	1
District Municipality	2	2
ALPAB	4	4
claimant	4	4
authorized user	3	3
Outcome		
hinders UPGS protection	12	5
hinders real estate development	2	2
conflict	12	6
Linkages		
dependencies	9	5
interdependencies	1	1
Urban planning-cadaster disharmony	4	4
Governance levels		
supranational	7	6
national	5	4
Strategies	2	2
The Urban Politics of Romania	1	1
Laws		
Repealed Laws		
Decree 54/1990 (conduct of free initiative economic activities)	1	1
L 59/1974 (land fund law)	1	1
L 58/1974 (planning of territory and urban-rural settlements)	2	
OUG 115/2023 (budgetary measures for public administration)	1	1
Emergency Ordinance no. 115 of December 14, 2023 on certain fiscal-budgetary measures in the field of public expenditures, for fiscal consolidation, combating tax evasion, for amending and supplementing certain normative acts, as well as for the extension of certain deadlines		
L 52/2003 (decisional transparency in public administration)	1	1
L 422/2001 (historical monuments protection)	1	1
L 46/2008 (the Forestry Code)	1	1
O 534/2001 (technical norms for the general land registry)	1	1
L 69/2000 (physical education and sports)	1	1
Art 79 (conditions for altering sports facilities)	1	1
L 213/1998 (public property and its legal regime)	2	1
L 31/1990 (commercial companies)	1	1
L 50/1991 (conditions for executing construction works)	2	2
OUG 57/2019 (the Public Administrative Code)	2	2
The Civilian Code	2	2
OUG 195/2005 (environmental protection)	1	1
Art. 71 (forbids the land-use change of UPGS)	2	2
OUG 114/2007 (more conditions on environmental protection)	5	3
Emergency Ordinance No. 114 of October 17, 2007 for the amendment and completion of the Government Emergency Ordinance No. 195/2005 on environmental protection		
L 33/1994 (expropriation for public utility causes)	1	1
L 255/2010 (expropriation for public utility causes)	2	2
HG 834/1991 (land evaluation of state-owned companies)	1	1
Decision No. 834 of December 14, 1991 (later updated) regarding the establishment and evaluation of certain lands held by state-owned companies (updated until February 4, 2008)		
L 10/2001 (conditions for property rights restitution)	3	3
Law no. 10 of February 8, 2001 on the Legal Regime of Properties Abusively Seized during March 6, 1945 - December 22, 1989		
Art 1	1	1
L 350/2001 (territorial planning and urbanism)	4	3
Art. 34	1	1
OUG 7/2011	2	1
PL-x nr. 418/2023 (The Urbanism Code - adoption stage)	7	6
Amendments to cancel OUG 114/2007	1	1
HG 525/1996 (general urbanism regulation)	1	1
L 18/1991 (land fund law)	1	1
L 107/1996 (water law)	1	1
L 24/2007 (management of UPGS)	8	7
Art. 10	3	2
PL x nr. 668/2018	5	5
metropolitan	1	1
HCGMB 347/2008 (Decision of General Council on air quality)	1	1
PUZ (zonal urban plan)	2	2
derogatory PUZ	1	1
RLU (local urban regulation)	2	2
PUG (general urban plan)	6	5
district	5	4
PUD (detailing urban plan)	3	3

Annex 5. Coding scheme of the interviewees' suggestions

FUTURE NAS	51
more proactive local public authoritties	3
mediated communication btw stakeholders	3
change in general mentality	3
UPGS inventory	3
stronger law enforcement	2
clear distinction btw illegal restitution and legal restitution	2
create functioning UPGS	2
increased funding allocated for UPGS	2
landscape architects to lead the UPGS management	2
common agenda across all stakeholders	2
PUG update	2
Policy making	
UPGS definition	1
quality standards	1
local green infrastructure strategy	1
action plan for urban development	1
action plan for public land recovery	2
claimant to inform sooner on shortage of delivery	1
the restituted parcel from IOR Park to return to public domain	1
true negotiation btw public and private sectors	1
clear property rights	1
systematize land acquisition procedures	1
unified reference point of knowledge	1
legislation clarification	1
time limit for municipalities to recover land	1
environmental legislation harmonized with urban legislation	1
transform the political leadership	1
functional UPGS maintenance system	1
prioritize the public interest	1
urban certificate to clearly state the current function of land	1
less inclusive courts for NGOs	1
bird friendly drinking fountain model in Herăstrău Park	1
more effective PUZ for Herăstrău Park	1
more weight for public administration in court decisions	1
economic opperators from Herăstrău to sign cleaning contracts	1
official public-private partnerships	1

Testimony

I herewith declare that I have written this paper on my own and that I have not used any other sources and materials than those indicated. I properly cited the materials I have relied upon. I have not submitted this document as a master thesis elsewhere.

Freiburg im Breisgau, 13.09.2024