

Legal issues: lessons from the good practice examples proposed by the partners

According to the objective of Iasi as partner in Civic eState project, which is to transfer, with appropriate adaptations and improvements, the good practices of project partners in the management of urban goods, we have started, within our ULG, to identify and discuss the local legal context and barriers regarding property, involvement of civil society and co-administration of urban assets.

It was very important to establish the relation between the Romanian legal context and the legal concepts and instruments proposed by the mature cities of our network.

Thus, the Declaration of Urban Civic and Collective Use of Ex Asilo in the City of Naples highlights that Naples disposes of a definition of the term “common good”, that is the base of all the principles concerning the public-civic management of common goods. The city of Iasi lacks a definition of the term “common good” and this fact generates a lot of difficulties regarding the creation of public-civic management structures.

Another aspect stipulated is the regulation of the public-civic use/management of the building, without an agreement signed between the contracting parties, which is not the case of Iasi.

Another good practice example was the Agreement between the City of Barcelona and the Can Batllo Self-Managed Community and Neighbourhood Space Association in the City of Barcelona.

In Barcelona, it is established a Civic Heritage for Community Use and Management Program to support the community use and management of municipal public assets under an institutional and legislative framework that enables the citizen participation to community use of public assets. Again, the City of Iasi does not have a similar conceptual and practical framework.

A standard regulatory document, which was discussed with our partners, is the Regulation on Collaboration between Citizens and the City for the Care and Regeneration of Urban Commons of the City of Bologna.



Bologna Regulation is very useful, giving us some ideas and providing a series of definitions and a framework of principles that can regulate the public-civic management of commons.



From the perspective of these examples, they help us to better understand the concepts, give us a basis to develop the approach proposed in the project, some ideas to try to support a potential legislative change. At the same time, they show us that there are some legal difficulties to take into account, generating a series of risks for the phase of the effective implementation, due to the gap between the legal conditions and principles stated by the documents representing the good practices examples from the cities having large experience on this field and the Romanian legislation.

Dorina Ticu, City of Iasi - ULG Member – Creative lawyer | Iasi, 12th May 2020