



CITIZEN PARTICIPATION
IN PLANNING & MANAGEMENT OF PUBLIC SPACES
A CASE STUDY OF THONG NHAT PARK IN HANOI, VIETNAM

By Nguyen Thi Hien
for Center for Action for the City

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Short presentation of the author

Ms Hien has graduated as an architect in Kiev, Ukraine and later got her master decree in public economics and administration from the Solvay Business School, University Libre de Bruxelles. She has attended a number of international training courses on urban planning and management. She has 15-year working experience in construction field and more than 10 years of working in urban development consultancy. She has been involved in a number of researches on housing, public spaces, provision of urban services, urban development sector analysis as well as participated in projects of urban and rural water supply and sanitation, development of socio-economic development planning, administration reform, coordination of Vietnam Urban Forum etc. She also has an experience in managing her own urban consulting business, however, currently, she works as an independent expert.

I. Introduction

1.1 Background

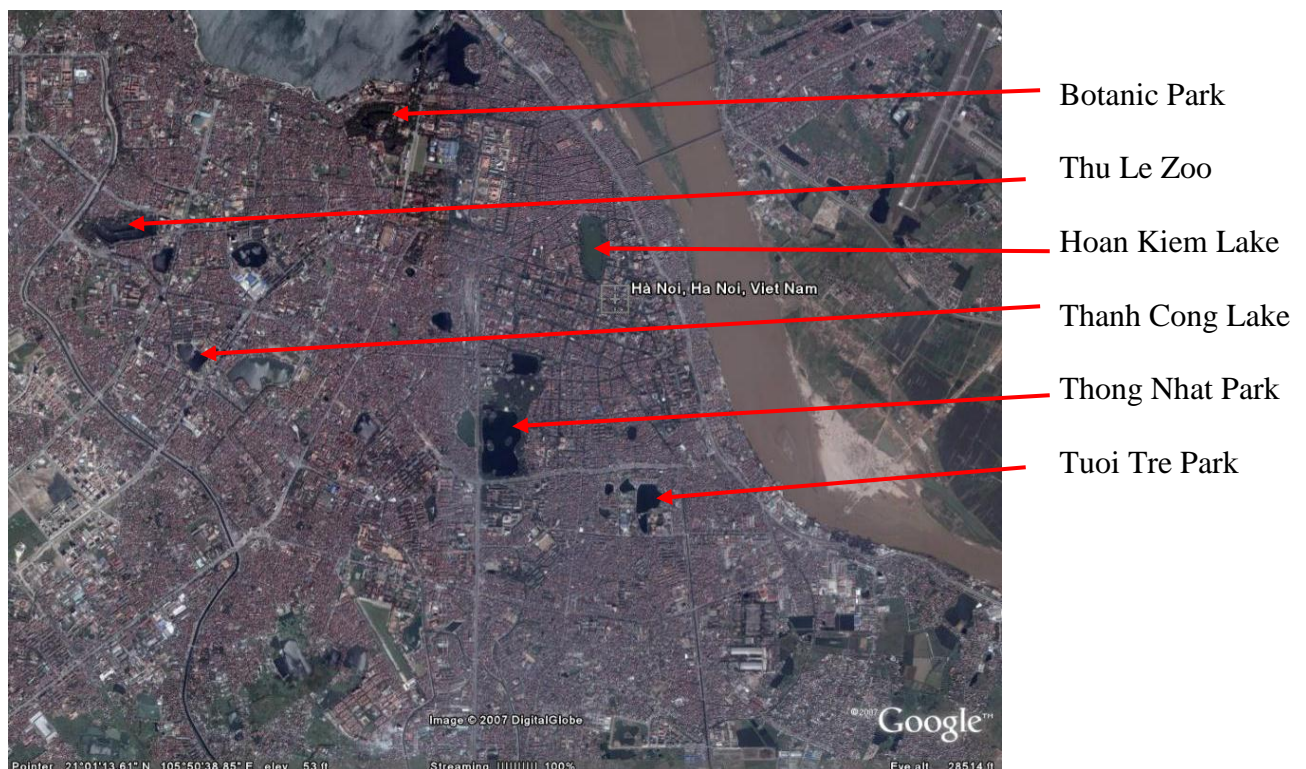
General

Vietnam has experienced a rapid process of industrialization and modernization, with the cities playing a role of economic engine. The Government sees environmental protection as an inseparable part of the national socio-economic development strategy, where green spaces play an important role. The government, in its current public administration reform, is committed to improve public service delivery including the urban services, with the users to be put in the center.

Situation of Hanoi public spaces

Public spaces are shrinking

Picture 1: Not many public parks exist in densely populated inner Hanoi



Source: Google map

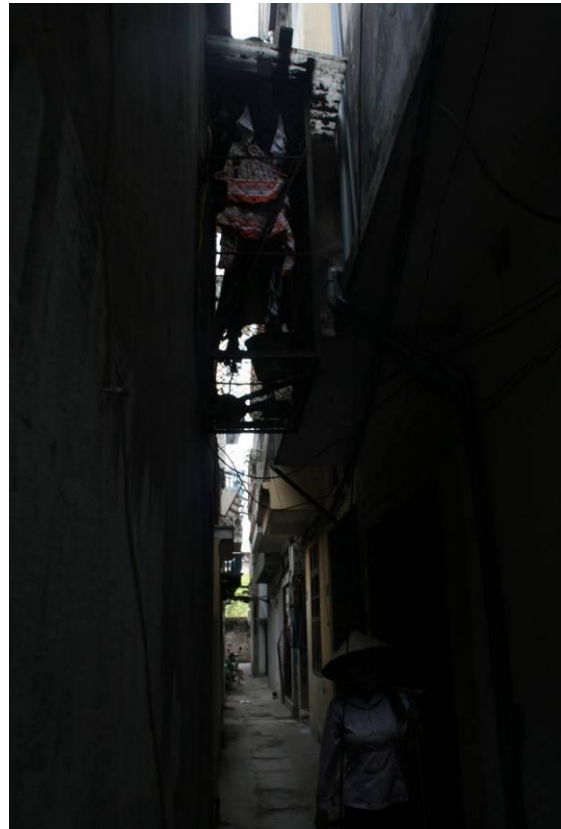
Ever since the time of Doi Moi, public spaces in Hanoi have been shrinking for various reasons. Many green spaces, ponds and lakes, playgrounds, alleys etc. have been turned into housing, offices, workshops, shops etc. Not only large areas have been occupied, in-filling construction, where even small spaces between existing buildings were built on, has significantly contributed to the change of land use. According to the Hanoi Integrated Development and Environmental Program (HAIDEP) in 2006, the park area per head is only 0.9 square meter in 9 inner-city districts of Hanoi, and even 0.05 square meter in densely urbanized Hanoi districts such as Dong Da or Gia Lam, compared with the current

Vietnamese design standard of 7 m³ for large cities. For years, a gradual privatization of these public parks has been taking place, undermining their “public” meaning.

Existing public spaces are poorly managed

Picture 2: Public spaces in a low-income area of Thuong Dinh Ward, Hanoi

Source: Nguyen Thi Hien



The remaining public spaces are not always well managed. In many housing areas, as a result of spontaneous construction, there are narrow, often flooded alleys, with few trees available. Community meeting rooms or clubs are usually facilities of poor quality and are often being used only for formal meetings. Playgrounds are not available or too small, often degraded with primitive facilities. Many public spaces are used for storing/processing construction materials, vehicle parking, selling goods etc. by private people. This situation is more severe in remote housing areas, where the low-income groups and migrants are living, and where the government supervision is not adequate. Most of major city parks are fenced, with paid entrance and therefore are not an attractive destination for many low-income people to visit. Beside, many public parks are reported to have foul-smelling lakes with standing water, degraded sidewalks, poor lighting, and lacking of public toilets, protecting roof, benches and essential facilities for exercise and for children to play.

Not enough public spaces are being designed in new urban development areas

As many investors are interested in making immediate profit from the land value rather than caring about the quality of life of the residents, many new urban areas do not have enough public spaces. In cases where new development areas include public space, they are designed in such a way that they are not convenient for the people to utilise.

Introduction of Thong Nhat Park

Thong Nhat Park is located in Hanoi city center. It was built during 1960s by voluntary labour of Hanoians and has been the symbol of the country's dream of unification¹. With its nearly 50 hectares, it includes trees, grass areas and waterfront, Thong Nhat Park today remains the biggest green park in inner-city Hanoi, serving as a lung to provide oxygen for people and accommodation for many animals and plant species. The park is where hundreds of people come daily to relax, do exercises, play and communicate. The park is the place where mass social activities are organized such as flower festivals, art shows, fireworks, children's summer camping, charity activities and those for peace or against the social evils etc. Thong Nhat Park is managed by the Hanoi Department of Construction. Its operation and maintenance tasks are assigned to the Thong Nhat Park State-owned Company Limited.

Similar to other parks of Hanoi, Thong Nhat Park has lost a part of its territory to the private sector over the past decades. The south-eastern part was turned into a housing area for hundreds of households, preventing direct access to the park. Along the east side, the management company built an office for rental to earn more revenue. The northern side is occupied by different game shops, a beauty salon, dancing club, restaurants, and car washing shops. Furthermore a number of vendors are doing business inside the park's territory. Picture 3 shows the park territory nowadays compared with the one of 1960s.

Picture 3: Unification Park today (green and waterfront spots) compared to its original area of 1960 (yellow frame) and some current facilities in its territory



¹ From 1954 to 1975, Vietnam was split into two parts, with Northern part was under Socialism regime while Southern part was influenced by the US

Not long time ago, a big foreign investment company had obtained a government license to build a Novotel Hotel on the Park at the western side of Thong Nhat Park. This was stopped by the people's protest in April 2009. In 2007, information about an intention to establish a commercial and amusement center called "a small Disneyland" in Thong Nhat park's territory was disclosed by a business representative and reported by media. The park would experience a big change in its land use (see Picture 4). This time, again, the citizens did not want to let it happen. There was a social wave to protect the park from those investors though mass media, workshop etc. As a result, the intended start of the project has stopped until nowadays. This shows that citizen participation in planning and management of public spaces has its power and the process and the outcomes became the reason for carrying out this research.

Picture 4: Current use of Thong Nhat Park....

Source:

<http://vietnamnet.vn/bandocviet/2007/08/727383/>



...compared with its future dreamed by the private investors

Source:

<http://www2.vietnamnet.vn/xahoi/dothi/2007/02/661510/>



Identification of problems

The situation described was caused by

- 1) lack of land resources in Hanoi City, and
- 2) poor government management, in which the lack of the citizen participation in the decision making significantly contributes to poor planning and loss of public open space.

While the country is striving for economic growth, not enough attention has been paid to the aspects that could ensure a sustainable development. Shrinking and badly managed public and green open spaces leads to the degradation of living conditions for urban citizens. Lack

of government awareness regarding the quality of development, weak redress mechanism and a weak voice of civil society are assumed to contribute to the issue.

The questions are

- 1) would this happen if there was adequate citizen participation in the planning and management of public spaces? and,
- 2) what is to be done to improve the citizen participation to resolve the issue and to contribute to sustainable development?

It is worth to note that in-depth studies of governance issues in public space planning and management are non-existent yet in Vietnam.

1.2 Objectives

The research was funded by the Embassy of Denmark and implemented by Center for Actions for the City, a Vietnamese non-profit organization. This research has following objectives

1. Review the legal framework for citizen participation in planning and the management of public spaces;
2. Assess the current situation for citizen participation in planning and management of public spaces, linking to the recent case of the private sector's intention to invest in a big amusement project in the Thong Nhat Park's territory.
3. To propose changes for improvements in citizen participation in planning and management of public spaces, particularly in relation to the forth-coming Urban Planning Law.

This research also aims to be a good start to attract different stakeholders to form a network to discuss and join hands for future actions for improvement of public and green spaces.

It should be noted that the citizen participation in this report means the participation of individuals and organizations, which are affected by or interested in but not officially involved in the planning, design, evaluation, approval and management processes of public spaces, however which can express their opinion and play the role of a counterbalance to official planning and development initiative.

II. Current situation of citizen participation

2.1 Legal framework for citizen participation

2.1.1 Regulations on citizen participation

Finding 1: Laws on citizen participation are available, however, the guidance for their implementation is not really appropriate, especially in terms of time and scope for participation

Our legal framework for citizen participation has been extensively progressing. The Constitution and all ordinances, laws, decrees and regulations issued by the National Assembly and the Government ensure the citizens' right in societal management. In general,

these documents stipulate that the government agencies should consult people in the process of making their decisions and that the citizens have the right to contribute and express their opinion. Besides, new laws related to the citizen participation are being developed such as Law on Associations, Law on Access to Information etc. The Public Administration Reform Master Program 2001-2010 emphasizes the need for improving service delivery and specifically in referring to future plans to undertake "...public opinion surveys for making important decisions and policies". The Party and the Government has been interested in the development of a healthy civil society and the investment in building up a strong intellectual force.

However, a number of limitations can be found in the legal framework for citizen participation.

Law on Issuing Legal Documents of Peoples Councils and Committees issued in 2004 and its guiding regulations stipulate a time period of 5 days for agencies and 7 days for people directly affected by the legal documents issued at provincial level and 3 and 5 days respectively at district level (no restriction for commune level is stipulated) to make their comments. This duration seems to be too short, taking into account the time needed for people to recognise, study and comment, especially in the current situation and limited resources for information dissemination.

The Multi-sectoral Circular guiding the implementation of the Mechanism of Community Investment Supervision, with its quite cumbersome mechanism of establishment and operation of Community Investment Supervision Committees, may not encourage people to participate. Besides, the financial sources for community activities funded by the local authorities in order to supervise themselves would create a conflict of interest.

The Circular No. 07/2008/TT-BXD of the Minister of Construction guiding the implementation of the Government Decree No. 08/2005/ND-CP on Construction Planning is more progressive than the previous regulations by dividing planning process into two stages for citizen participation, including 1) development of planning tasks and 2) planning design. Interestingly, this document, however, has lacked behind and failed to meet the real need right on the date that it came into force. The drafting agency did not pay attention to the case of Thong Nhat Park, which happened one year before the issuance of this Circular, and which could have guided its content. In this case, the citizens protested the investment purpose of Tan Hoang Minh and Vincom Corporations, who wanted to turn this public park into a private amusement park. This poorly conceived investment purpose would have lead to inappropriate planning tasks and planning designs. The protests related to the Thong Nhat Park emerged from residents, experts and organisations, which to a great extent were not located or living in the project area. The Circular's suggestion that citizens' participation would be limited "to get opinion of organisations located and individuals living in the planning area", would narrow the scope of participation unnecessarily.

In actual fact the detailed planning tasks for the said amusement park in the Thong Nhat Park was submitted to the Hanoi People's Committee for approval without consulting the citizens. In this case, the government agencies and the investors could not be blamed for not collecting the citizen feedback on the planning tasks, because the regulation guiding this came in force after the approval occurred. However, it is interesting that in such a legal circumstance, the intended start of the project had been stopped by the citizen protest. This means that the citizen participation did really have the power and could not be avoided. Similar things happened previously with several buildings located around Hoan Kiem Lake and recently

with December 19th Market and Novotel Hotel on the Park, the construction of which was forced to be change or stopped, and thus show the same experience.

It is worth to note that there are not enough regulations for citizen participation in the management of urban services. At central government level, the Government Decree No. 31/2005/NĐ-CP on the production and provision of public products and services, which includes the management of parks and green spaces, does not have any regulation on obtaining the user's opinion on the service quality. At the city level, the Decision of the Hanoi Peoples Committee on issuing the Charter of the State-owned Thong Nhat Park Company Limited, while promulgating rights and responsibilities of this company, does not mention whether it should solicit users' opinions as a basis to improve its performance.

2.1.2 Regulations on information dissemination

Finding 2: Regulations for information dissemination are available, however there is insufficient information provided, and a lack of guidance for the citizens how to reach information in an effective way

A number of government regulations on information dissemination have been issued. In general, these documents stipulate that the government agencies should provide and regularly update the information on the Government and City's portals as well as on the websites of related sectoral departments and districts. Construction planning is to be exhibited for people to know what is going to happen with their living areas. Government agencies (in the case of the Hanoi Authority for Planning and Investment) in charge of providing information for businesses are available. However, as reported by the interviewed students, the government websites are rather a formality because they are very poor in terms of the information provided. After several years of its existence, the Hanoi Portal is stuck in its first development stage. Actually, it was really difficult for the Research Team, during the time of carrying this research in October 2008, to find out, for example, a map showing in which territory of which wards the Thong Nhat Park is located. It was equally difficult to get a confirmation regarding the planning status of park or any information related to the project intended by the Tan Hoang Minh and Vincom in this park on the official websites of Hanoi Peoples Committee. Besides, there is a lack of guidance on where to find any information of different aspects of planning. For example, not everyone would know that the website of the Hanoi Department of Planning and Investment is www.hapi.gov.vn, where the "hapi" is the short English name which is not understood by many Vietnamese. It is also worth to note that, at the time being, a majority of the general public are not computer literate and that poor people may not be able to afford to buy a newspaper to update them with information.

The preparation process for the intervention by the private sector in the Thong Nhat Park so far occurred based on an agreement between the government agencies and the investors. The information about the process was disclosed rather by an informal source than by a government announcement. In this case, it appears that Hanoi City has not followed its own Decision No. 22/2007/QĐ-UBND dated 09/02/2007 guiding the administrative procedures of management of non-state funded investment projects, which says that the official websites of Hanoi Peoples Committee shall post the list of investors registered for investment projects. This has caused not only the public unawareness about the intended project but also a misunderstanding between the investors. It happened that Vincom proceeded with their investment proposal alone, not knowing that the location has been approached by Tan Hoang Minh beforehand. At the result, they had to form a unexpected joint venture.

2.1.3 Regulations on government feedback of citizens' opinions

Finding 3: Lack of clear legal framework on government feedback of citizens' opinions may discourage the citizen participation

While the collection of citizen opinion has been increasingly promoted, there is not enough legal frameworks for the government feedback to the public. A good example was found in the Law on Media, in which Heads of mass media have a right to ask government agencies and officials in charge to respond to the issues raised by the citizens on the media. Further the Ordinance on Implementation of Democracy in Communes, Wards and Town issued in 2007 stipulates that the content and results of citizen opinion surveys on issues concerning the decision making power at the ward level, should be made public. However, related to the higher levels, it is difficult to find articles saying that government agencies, after collecting the citizens' opinions, should disseminate the result in a transparent way.

The Public Administration Reform (PAR) Master Program 2001-2010 emphasizes the need for improving service delivery and to some extent enhancing accountability of the public service delivery agencies. For instance, the PAR Master Program specifically refers to future plans to undertake "public opinion surveys for making important decisions and policies" and the action programs details further measures and actions towards this end such as citizen's feedback systems. However, the said plans, which have been tested in the form of a pilot Citizen Report Card Survey carried out recently in 4 cities of Vietnam, have not been institutionalised.

2.2 Current situation of citizen participation

2.2.1 Role of citizen participation

Finding 4: The role of citizen participation in public affairs is well acknowledged

All interviewed people have recognized the role of citizen participation. The reasons listed by different stakeholders are also similar. In their opinion, public spaces belong to all people; and the citizen participation is important simply because they are users, who know best how to make the spaces better. Besides, many residents said that the people's collective brain is smarter and more representative than that of a small group of government staff.

According to the interviewed experts and media representatives, citizen participation would help balance the interest of all stakeholders including state, investors and people, where everyone feels that his/her interest is respected, leading to more consensus. Especially, the participation helps raise people's social awareness, so that they, when necessary, can sacrifice a part of their demands for the majority of stakeholders.

It is worth to note that while agreeing that it is necessary to have citizen participation, some government staff was concerned that this could cause delay or stop of a number of intended projects.

2.2.2 Citizen social awareness, willingness and capacity to participate

Finding 5: The citizens, including the poor and less educated, have social awareness, capacity and willingness to participate

There is a difference between government officials and other stakeholders in their perception about the people's social awareness, willingness and capacity to participate. Some interviewed government staff stated that most of residents do not care about social benefits but rather their individual ones. Furthermore the officials were of the opinion that ordinary people do not have knowledge about construction planning and therefore have no capacity to contribute. Most of them are also considered not to be literate regarding the legal framework and some cannot even submit their complaints to a right place in order to get any impact. A high ranking member of a mass organisation shares this opinion, confirming that people, especially those living in cities, do not care about societal aspects but only their own interest. However, this respondent explained the cause of this negative attitude in a different way, saying that people have been disappointed with the way the government staff has dealt with their complaints.

The other stakeholders including the park users have the opposite opinion, saying that even the poor and low educated can contribute if their needs are affected. Besides, some experts believe that people nowadays have more access to information with which they became more independent thinkers, have more social and environmental awareness and understand that a green park is a public property, which is to be protected and if being well mobilised, they can contribute a lot of innovative thinking in planning. Further one should not forget that there are not a small number of intellectuals living in each community together with other people, who can contribute. Some media representative believes that the government, if knowing how to utilize the citizen's brainpower, "it can open doors that are believed never could be opened". The people's willingness to participate was proved to be true as all of them answered to the Research Team's questions with enthusiasm.

2.2.3 Participation level by different groups of stakeholders

Finding 6: Media is the most active channel for transferring the public opinion and the experts are more active in participating, while the mass organisations and the users are not

Media is praised by all interviewed people to be the most active in transferring information. Most people interviewed knew about Thong Nhat Park case through mass media, which also, visa versa, posted their opinion for public viewing. An expert from a domestic NGO commented that compared with the situation 5 years ago, media has been much more active recently.

The experts are reckoned by all people interviewed to play an active role in contributing to the planning and management of green spaces. They are especially highly appreciated by the government officials who believe that they, when giving feedback, can also suggest good solutions. The Thong Nhat Park case showed that the experts reacted, mainly through mass media in a prompter way as individuals rather than on behalf of their professional associations. Among the professional associations related to construction planning and management and green parks, only the Association of Construction and Urban Development Planners has organised two workshops to discuss the issue. To act as an organisation, as reported by a planner, more time and financial resource are needed than as for individuals.

The mass organisations are reported by the interviewed people to be passive in their participation. They were reported not to have any opinion on the Thong Nhat Park case. Some representative of an organisation said that the issue of Thong Nhat Park is not related to their main activities.

The users' participation is reported by all interviewed people to be very weak. Most of them said that people give their comments only when being directly asked. This was confirmed by Thong Nhat Park users who said they would have their comments but have no chance to present them out because "the government never asks our opinion", "we don't know where to report to" and "we've heard that the Park has an opinion collecting box but we don't know where it is". Some expert who said that most of opinion boxes or telephone hotlines are not working properly. In many cases, the person in charge of the hotline leaves his/her position when the citizens call.

2.2.4 The causes

Finding 7: Citizens are not fully aware of their right to participate, do not really feel that they have representatives to raise their voice and lack of their trust in terms of the ability of the government to change

The government staffs could list a number of regulations related to the citizen participation in a quite comprehensive way. It shows that they are well updated regarding the legal framework in their daily work. The representatives of mass organisations, of media and of experts were also aware of the citizen right to participate in general, but many of them were not able to point out in which documents this is stated. Nevertheless, most of the interviewed people believe that the legal framework for citizen participation is sufficient and good enough, while its implementation is rather bad. The reason for this, as reported by a retired senior government official, is that some government staffs do not want to loose their power. On the other hand the users do not seem to know their right to participate. All interviewed residents said they don't know about any regulations dealing with this issue.

Some interviewed government staff lists the people's lack of capacity and low societal awareness as one of reasons for their weak participation. Besides, some expert said that the long time of support through government being subsidies has made people become passive. On the other hand most of experts interviewed said that people, while acting as individuals, may be weak, they could have much more power, if acting through organisations, representing their interests. However, the existing mass organisations such as Fatherland Front, Women Union, Youth Union etc., as reported by the experts including a leading member of one of them, have not fulfilled their responsibility of being a bridge between the government and the people. Besides having a weak capacity, the problem of the mass organisations is that they are financially dependent on the government and therefore, by nature, they belong to the public sector rather than really represent interest of their members. Last but not least, according to some respondent, mass organisation's opinions are also not seriously taken into consideration by the government.

The interviewed residents said that they have no chance to contribute, because of the fact that at the meetings at community level to discuss issues affecting the local people only leaders of mass organisations and block captains are invited. These people are believed by the residents not always bringing the real problems into the discussions.

The most important reason that makes people not willing to participate, as reported by almost all interviewed respondents except the government officials, is that they do not believe that their opinion would be taken into consideration by the government. To illustrate this statement, they said that they never receive any feedback from the government on their comments. On the other hand they see that most of their complaints do not lead to any improvements. Further more, many people are hesitant to state their opinions, which could be

considered “wrong”, to avoid possible troubles. It is worth to note that the youth seems to be more pessimistic on this issue than the other groups. As a result, as reported by a media representative, people can just share the anger between themselves, while the youth post their disappointments on their blogs.

2.2.5 The impact

Finding 8: Lack of citizen participation would likely result in unsustainable development, waste of resources and citizen disappointment.

Many people among the interviewed groups believe that the “mini Disneyland” project intended by the Tan Hoang Minh and Vincom would go ahead, if the citizen protests did not stop it. The impact, they said, would be disappearance of trees and green areas, no space for social interactions, reduced public benefits, traffic congestion etc. Some pointed out that many construction plans were wrongly designed and can not be realised because of lack of citizen participation. In other words it would result in unsustainable development.

Many people interviewed realise that the citizen intervention started after big efforts by the city authorities and businesses in the process of the project development, on different meetings, planning tasks, feasibility study etc. To stop the project, according to them, has led to the waste of resources.

In general, people are not optimistic that their opinions are taken into serious consideration by the government. Despite the recent announcement of the Hanoi Peoples Committee about their commitment to keep Thong Nhat Park for public benefit, some people of different interviewed groups believe that the government and the investors are still doing something together in secrecy to appease the businesses, not disclosing it to the public. The government staffs are more tolerant, believing that the case was rather an accident, in which the city leaders were misled to support such an unsuitable project, being rather eager to accelerate the city development to make Hanoi more competitive rather than because of their possible private interest in the project.

III. Stakeholder suggestions for improvements

3.1 Planning and management of public spaces

3.1.1 Government staff attitude toward citizen participation

Suggestion 1: Government should adopt a more constructive attitude toward the citizen participation

The interviewed development experts, the youth and media representatives emphasise that civil servants should understand that the government mission is to meet the needs of the people and make people happy and therefore they need to consult with the citizens in order to make good decisions. In their turn, the government, as said by an interviewed international expert, “should encourage people to contribute their opinion by telling them that their benefits could be threatened if they do not participate”. He said that a strong government is one which can face the citizen reactions and be ready to make changes. Other experts said that a good government attitude towards the citizen participation would build up people’s trust so they would contribute in a constructive way and support the implementation of government policy. The youth, among the interviewed groups, seem to be the keenest on this.

3.1.2 Planning and management based on the people's need

Suggestion 2: Citizen participation should be in all planning steps including the identification of planning purpose where the user's need is taken into consideration

Many interviewed people including users, experts and government staff advise that citizen participation should start right at the identification of planning and investment needs, by defining why people use public space (in this case to Thong Nhat Park) and what they want the park to be. This can serve as a basis for creating any planning or investment idea. Following steps of planning tasks and planning design also need people's feedback to provide knowledge regarding people's acceptance of the proposals.

The reasons making the interviewed people care about "the need identification step" is supported by a recent report which revealed that the main people's activities in the park are to walk, relax, do exercise and to interact (45.5%, 33.9%, 55.7% and 15.1% respectively). Less than 15% responded that they come to the park for other purposes². These conclusions made from the survey results are supported by all interviewed Thong Nhat Park's users who said that, in contrary to the intention of Tan Hoang Minh and Vincom to change Thong Nhat Park into a modern Disney Land, people come primarily there for exactly the above listed purposes. Therefore, it is important that the need of most people coming to the park should be taken into consideration.

Picture 6: Public park is where people of different walks of life come for the similar humble purposes of relax, communication and doing exercises and who's need should be taken care (Source: Vietnamnet)



² HAIDEP



3.1.3 Methods for citizen participation

Suggestion 3: Transparent information dissemination, clear receiving address and good feedback mechanism should be in place

In order for people to participate, sufficient information should be provided, so the citizens can be well prepared for contributing their opinion. To put information on a board in front of the park, information through mass media, leaflets, organise exhibitions etc. are listed by those interviewed.

Methods for collecting opinions that are suggested by interviewed people, are not different from those already available, namely survey cards with limited number of questions; interviews, internet survey, citizen receiving rooms, hotlines, opinion boxes, conferences and workshops for professionals, community meetings for the residents etc. however the interviewees want to make sure that they really work. While the youth have a favour in e-communications, the middle-age park users prefer to contribute their views through opinion boxes and/or direct interviews. Some expert stresses that the government should accept the reality that the people may be passive and respond only when being asked. There is a suggestion that at public hearings, media should be involved as an intermediary, as meeting notes made by government staff often do not represent the public opinions. Another suggestion is to hire an independent consultant to be in charge of the hotline who will be paid based on the number of incoming calls.

The most important for all respondents is the necessity of a mechanism to respond to the citizen opinions. Transparent dissemination of survey results, for example, how many people agree or disagree with the topic raised should be in place. It would be appropriate if this is followed by a government action plan for improvement. An international expert said that such a mechanism would build up the people's trust for the authorities, so that they will continue to contribute. A retired high ranking official said it is good if the Government reserves a part of its operation budget to finance the government costs for citizen

participation, which include costs of information dissemination, salary for staff in charge of collection and processing the opinion as well as of giving feedback to them.

3.2 Stakeholder network

People interviewed have different opinions on whether a network of people/agencies interested in planning and management of public spaces should be set up. While some experts are eager to organise such a network, some other said that such a network already exists, which is the Association of Green Park Experts, who, by the way, has had no say in the Thong Nhat Park case. A retired high ranking government official suggested that it would be better if public spaces become a topic for a bigger network called “Vietnam Livable Cities”. Some interviewed government officials said they would participate in the network to obtain more knowledge. However, they would be hesitant to make any personal comment because “the rules of the state servants are that only authorised people can make official statements”. The youth are more conscious saying that their interest to participate depends on who would coordinate the network/forum to make it really effective. However, some were not optimistic about this, saying that resources are needed to run the network, and the coordination process among the network members can delay the intervention. They suggest that emerging issues could be promptly raised by any interested party, to which the others later would join hands, if they want.

IV. Conclusions and Recommendations

4.1 Improve the legal framework for citizen participation

Legal framework is the basis for the citizens to participate. This framework exists but does not seem to work well. A number of problems that happened in the process of the re-planning Thong Nhat Park have shown its limitations. It is therefore important to review the legal system for citizen participation to ensure a more effective planning and management of public spaces.

In order for the citizens to participate, it is important to *ensure their accessibility to information*. Timely and sufficient knowledge about government regulations for citizen participation, on management of construction planning and investment, information on intended or on-going projects etc. should be well disseminated, based on clearer guidance on what to find where. Television, newspapers, internet, leaflets, community discussions and meetings would be means to use. It is understood that nowadays websites are the most effective way of information dissemination, where information could be found at anytime in any place at a very low cost. Quality of websites of central and local governments should be improved for the citizen’s easy search in a systematic way. Besides, mass media should be actively used for guidance to sources of information. Other more expensive ways for the provision of information such as exhibition, presentations, interviews etc. should be used when necessary. Having enough information, the citizens will be well prepared to give their comments.

It is commonly understood that construction planning should be in place firstly to guide the investment. However, in Thong Nhat Park case, the investment idea came first which might make construction planning become its consequence. Although the case could happen in practice, a question is raised on whether a formal government notice on the intended project should be announced, so that early public reaction could help the government to decide what

to do or not to do in the following stages. Currently, the planning process stipulated in the legal framework includes two steps namely

- 1) development of planning tasks, and
- 2) planning design.

Thong Nhat Park case, where people protested against the purpose of the project, changing the public park to an amusement business, has shown that *the timing for citizen participation should be re-considered*. In order to do this, construction planning process should be divided into more steps which include

- 1) identification of planning purpose,
- 2) development of planning tasks, and
- 3) planning design.

Early citizen participation would help prevent waste of resource and time. Regarding the time for citizen participation in operation and maintenance of public spaces, there should be a periodic public assessment, for example on a yearly basis, for the government to plan future actions.

The duration of assessment of people's opinion should be based on well designed methods of opinion collection at each planning step. The total time for whole planning process, taking into account time for citizen participation, should be adjusted accordingly. It should be noted that effective information dissemination would help obtain citizens' responses in a shorter time.

It is necessary to *establish a transparent feedback mechanism in relation to the citizens' opinions* for people to be sure that their responses are well received and taken into consideration. Any collection of citizens' opinions should be followed by a proper feedback to the respondents. It is necessary, at each level of government, to appoint a person in charge of this task, who is responsible for providing the feedback transparently on the websites, newspapers or on a public information board at the city/district/ward office, even if the citizens' opinions were collected and processed by a hired consultant. In the case of Thong Nhat Park, for example, there should be presentation of the results of a survey on how many people would agree that the private sector investment to transform this public park into an amusement park.

The scope of participation should be enlarged. It is better to have opinions of a larger scope rather than just from agencies located in the area and people living in the project areas. Any project could be of interest for a larger population that could contribute with valuable comments. The planning of Thong Nhat Park should benefit from getting the opinions of all Hanoians and even at larger scope, because it affects and is of interest of not only people living in the wards the park is located. It is worth to note that Vietnamese citizens nowadays have become more knowledgeable and are aware of both their rights and social responsibilities. Beside, the information technology, which becomes more and more popular even among the grassroots, would provide a tool for a better, cheaper and faster communication. On-line citizen participation would be dominating in the coming future and needs an effective mechanism for this.

It would be appropriate if *government would have a separate budget to finance the citizen participation*. This budget would cover the government expenses for information dissemination, opinion collection, processing and feedback. Furthermore it is important that government provides a budget for professional organisations to carry out research and studies

as well as for consultation and feedback in order to obtain sufficient information for making better decisions.

4.2 Enhance role of mass and non-government organisations

It is surprising that some representative of a mass organisation said that the issue of Thong Nhat Park is not related to their main activities. Mass organisations are understood to represent the interest of their members in whatever the issues might be. The existing mass organisations (Fatherland Front, Women Union, Youth Union, Veteran Union etc.) could be most efficient in linking the government with the members, having an advantage of owning a good network among the population. These organisations should reform their working mechanism to have a really independent position in representing the interest of their members.

To date, no official documents have directly mentioned the term “civil society” in Vietnam. However, in fact, no one can deny the existence of such a force. Most of societal organisations in Vietnam work toward poverty reduction, promotion of democracy, socio-economic and professional development. Non-governmental organisations including professional associations should be more active in their contribution to the planning and management of public spaces. Vietnamese organizations should build capacity to be more effective, to improve their reputation, to do advocacy and to attract more funding for projects that contribute to the protection and development of public spaces. In order to promote the role of these organisations, the legal framework for non-government organisations including the Law on Associations should be put in place as soon as possible.

4.3 Promote a network to protect and develop the public spaces

How a stakeholder network for the protection and development of public spaces could work was not actively discussed by the people interviewed. It was stated that this was due to lack of money and long decision making processes. However, it should be noticed that a network is already in operation, under the leadership of the Vietnam Planning and Urban Development Association and supported by the Health Bridge (a Canadian NGO working on public health and having a focus on liveable cities). Besides, there are a number of national and international non-government organizations as well as the urban residents, who could be interested in participating in the topic. The Center for Action for the City, a Vietnamese NGO, working on Hanoi Capital’s sustainable development, has expressed its willingness to be the focal point for such a more diversified network.

Coordinating capacity of national organizations should be improved. An E-forum on the topic should be organized, where information, knowledge, good lessons learned, grassroots voices are disseminated and regular discussions are organized. Mass media should be involved to transfer the topic to a wider audience and make it more interactive. The most active agencies such as Health Bridge, Action for the City, Vietnam Planning and Urban Development Association should sit together to discuss action plans on how to link different organizations and people and promote a common standpoint to present to the Government.