



An Assessment Standard of Service Accessibility The Mediation Grammar

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Enabling immigrants to easily know and exercise their rights

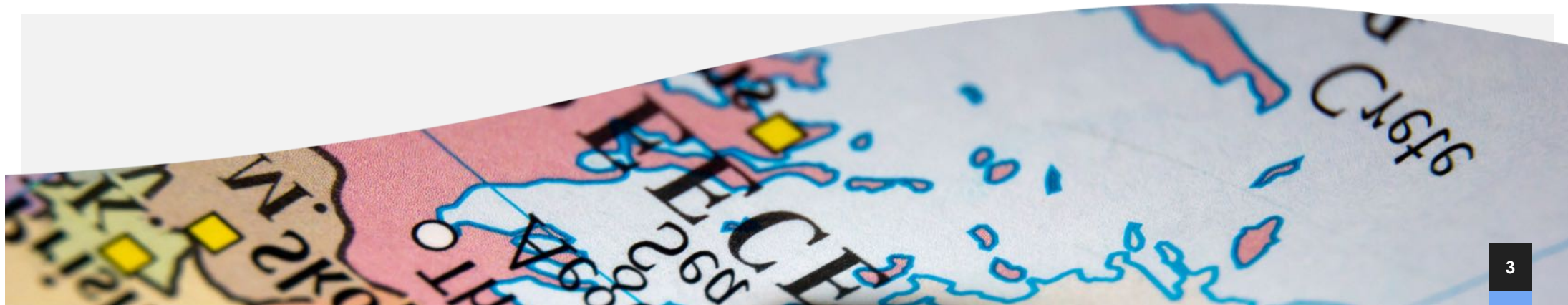
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What is the Mediation Grammar?



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A collection of minimum requirements for enforcing the informational rights of foreign (non-EU) immigrants, asylum seekers and refugees legally entitled to stay in the territory of a Member State of the European Union.

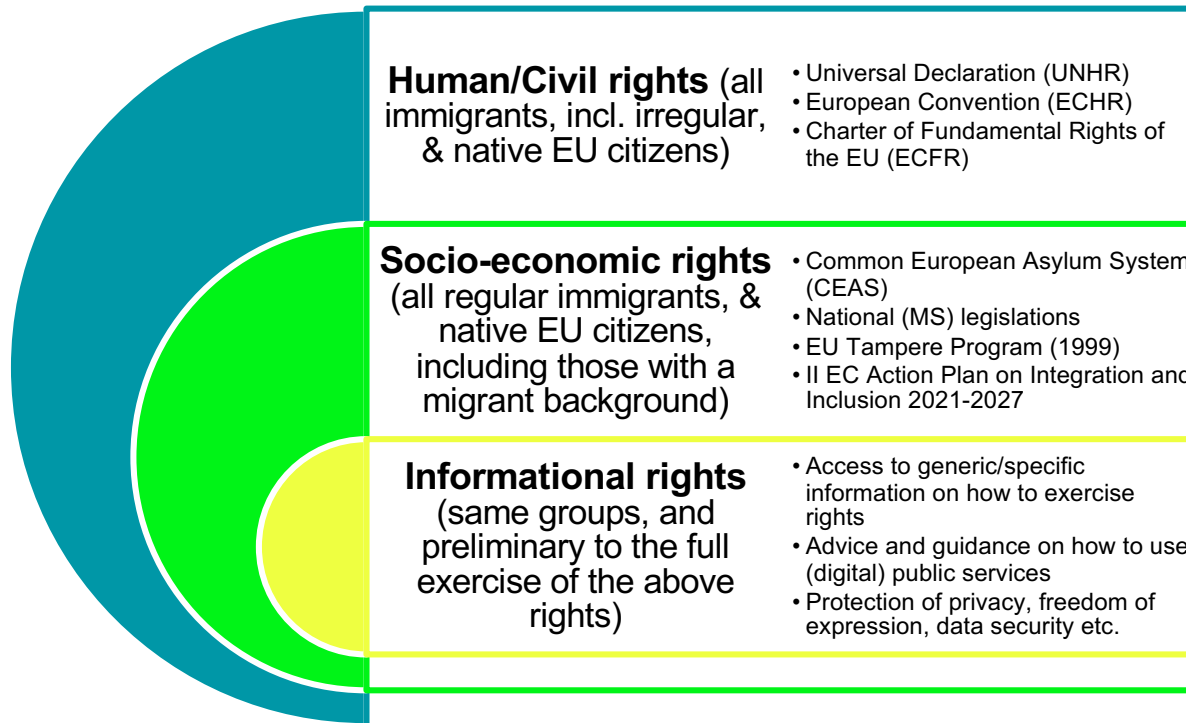


What is the Mediation Grammar?

A collection of **minimum requirements** for enforcing the **informational rights** of foreign (non-EU) immigrants, asylum seekers and refugees **legally entitled to stay** in the territory of a Member State of the European Union.



Some background definitions



→ Informational rights are (part of) human rights!

Evidence from the easyRights project

A mapping of public services for the migrants done in the four pilot locations of Birmingham (UK), Larissa (EL), Malaga (ES) and Palermo (IT) showed that **there is a direct association between the deployment of each service and a list of human rights, which are at risk of not being enforced** if the concrete instantiation of the corresponding service does not materialise in full or with the right timing.

→ Informational rights are (part of) human rights!

	Pilot	Pilot	Services	Connected general rights	Legal basis of protected rights	List of individual rights	Consequences of lack of recognition of rights
Pilot	Malaga	Larissa	CERTIFICATE OF NATIONALITY	Right to citizenship Right to privacy and personal protection	Art. 15 Universal Declaration of Human Rights Resolution no. 50/152 of the United Nations General Assembly Art. 8 European Convention on Human Rights	Right to identity Right to the development of one's personality and enjoyment of all civil rights provided by the Constitutions of the countries for which it is requested	non- enjoyment of fundamental rights provided for in the Constitutions of Countries where the certificate is requested
		Larissa	CERTIFICATION OF RESIDENCE	Right to respect for private and family life	Art. 8 European Convention of human rights. Art. 7 EU Charter of Fundamental Rights.	Right to family reunification Right to the protection of the family unit right to the development of one's personality and fulfilment Right to integration	In the case of service denial, the possible consequences are non-integration, lack of stability, lack of protection of his/her domicile, and possible family breakdown
		Birmingham	VEHICLES COMPLIANCE WITH CLEAN AIR ZONE CONSTRAINTS	Freedom of movement Right to life Right to health Right to a healthy environment	Art. 1,2,7 EU Charter of Fundamental Rights Art. 2 European Convention of human rights.	Right to live in a healthy environment, Obligation of States and the European Union to make the environment healthy Freedom of movement	Discriminatory inhibition of freedom of movement Air toxicity, with consequences on health
Pale							
	Malaga	Birmingham	RIGHT TO PARTICIPATE TO PUBLIC CONSULTATIONS	Right of assembly Right to integration Right to vote	Art. 11 European Convention of human rights Art. 12 EU Charter of Fundamental Rights Art. 3 Protocol 1 annexed to European Convention of human rights	Right of assembly Right to integration, Right to vote	In the case of service denial, the possible consequences are non-participation to a community and non-integration

Evidence from the easyRights project

We suspect, although we cannot prove it, that due to the heterogeneous status of service supply (eco)systems across the EU Member States and within each of them, **the basic tenet of the EU CEAS (Common European Asylum System)**, which is to guarantee that regular migrants, refugees and asylum seekers are treated fairly and equally wherever they apply, **is not enacted in the same way in different EU locations and/or at different points in time.**

→ Informational rights are (part of) human rights!



International evidence (2019)

“The quality of integration policies for beneficiaries of international protection varies widely across European countries, in spite of the standards set out by EU and international law”

The NIEM project was co-funded by the European Union through the Asylum, Migration and Integration Fund, the International Visegrad Fund and Foundation Open Society Institute. It was led and coordinated by the Institute of Public Affairs (Poland), with the Migration Policy Group as the coordinating research partner.

The evaluated dimensions of integration included:

- **Legal integration:** residency, family reunification, access to citizenship
- **Socioeconomic integration:** housing, employment, vocational training, health and social security
- **Sociocultural integration:** education, language learning and social orientation and building bridges

The European benchmark for refugee integration:

A comparative analysis of the National Integration
Evaluation Mechanism in 14 EU countries



Baseline Report



International evidence (2008)

“Faced with more pressing concerns – finding work and housing, and schools for their children – for many migrants, and newcomers in particular, learning the language of the host society is not considered a top priority. Nor are language courses a priority for employers who may make arrangements for workers’ accommodation but are less concerned about providing support for language learning”.

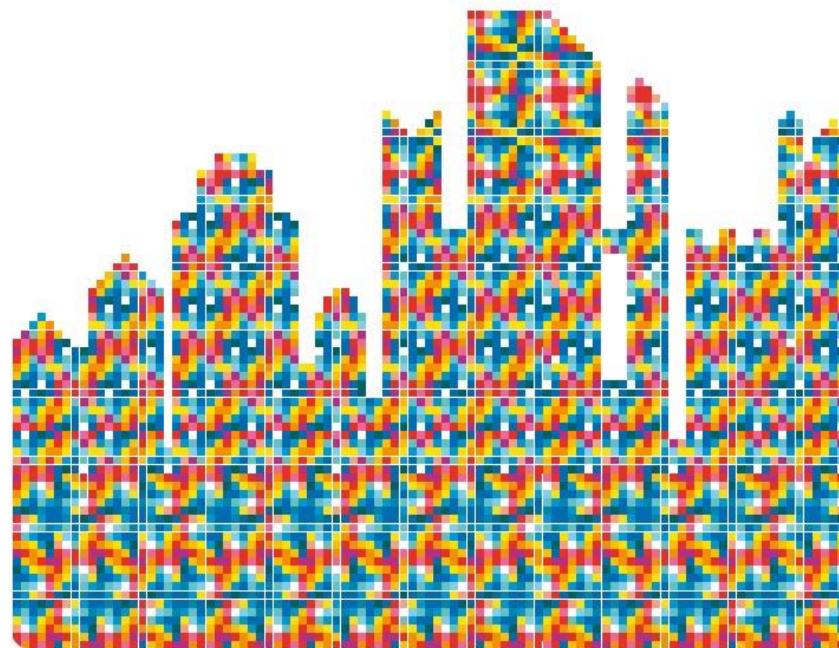
“Some cities face a challenge in reaching some migrant groups to inform them of language learning opportunities, and how to access them. This lack of awareness has been identified as a major reason for the low intake in language courses in some cities. Migrants are sometimes reluctant to take language courses if they have a job already, or if they have children to take care of”.



Benchmarking Integration Governance in Europe’s Cities



LESSONS FROM THE INTI-CITIES PROJECT



International evidence (2008) foll.

“Engaging in a benchmarking exercise with other municipalities and with counterparts at national and European levels, municipalities can develop indicators as a means to monitor their performance and with a view to raising standards in migrant integration. Once good practices have been identified, leading municipalities, national associations of cities and government ministries have a key role to play in sharing practices”.

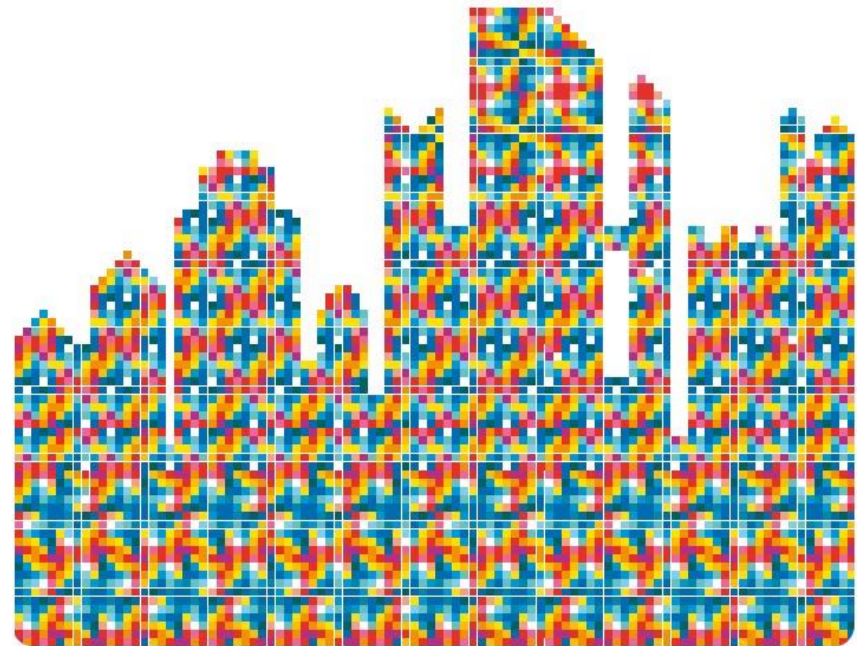
“Performance management mechanisms should be designed in consultation with partners and performance reviewed collectively. It is important that partner organisations have a clear understanding of their performance and of where the municipality sees potential for progress”.



Benchmarking Integration Governance in Europe's Cities



LESSONS FROM THE INTI-CITIES PROJECT



The current approach to QoS (2015 – 2017)

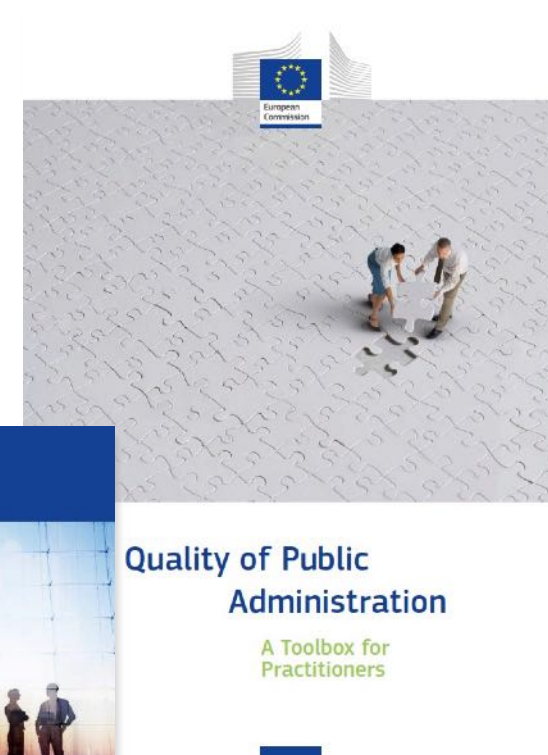
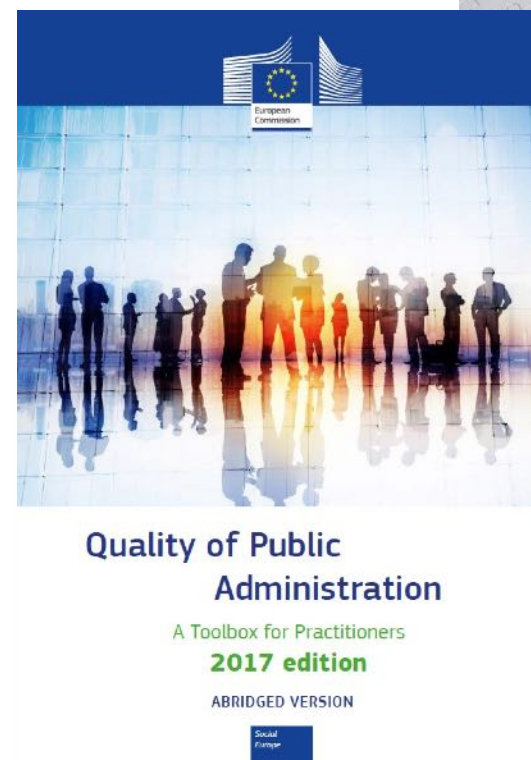
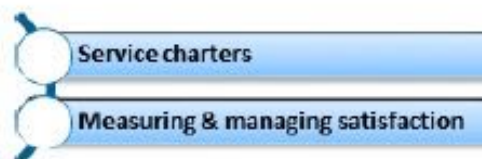
3.4. Total quality management

The quality of the public administration is important for economic competitiveness and societal well-being. In the context of increasing demands and diminishing resources, public sector organisations need to become more effective and efficient. Total quality management (TQM) is about the permanent mobilisation of all the resources to improve - in a continuous way - all the aspects of an organisation, the quality of goods and services delivered, the satisfaction of its stakeholders and its integration into the environment. In this respect, quality management has become synonymous with organisational development.



4.5. Committing to service standards and measuring satisfaction

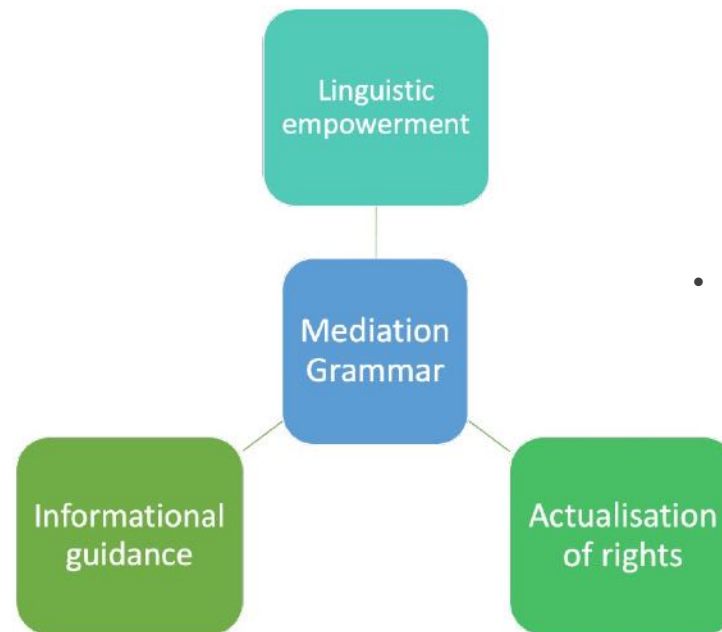
Ultimately, the test of good service delivery is whether it has lived up to the needs and expectations of the customer. This brings us full circle back to the first step - understanding what users want (topic 4.1). Administrations have two potential instruments to define and check performance. The first is to codify user expectations in the form of service charters: committing to a set of standards against which services can be judged. The second is to engage in measuring customer satisfaction to ensure performance levels are being reached, and ideally exceeded. In both cases, these tools can be a catalyst for action and further innovation.



Our proposed approach

- **Preliminary orientation**, ie. giving to newbies or unaware migrants and refugees a global overview of where to find answers to which questions/needs;
- **Specific advice**, putting prospective beneficiaries in the best possible condition to overcome the technical and educational/cultural barriers to access and/or utilise available services in full;
- **Helpdesk and troubleshooting**, ie. providing continuous support to the fruition of (especially the natively digital or digitalised) local public services made available to them.

- **Basic vocabulary learning**, to avoid the risk of not even grasping the meaning of what is being asked to the migrant in the framework of the host country's legal, social and cultural context;
- **Pronunciation training**, to help the non-native speakers overcome some issues that result from a different spelling habit or even the absence of some sounds from the spoken vocabulary of the country of origin.

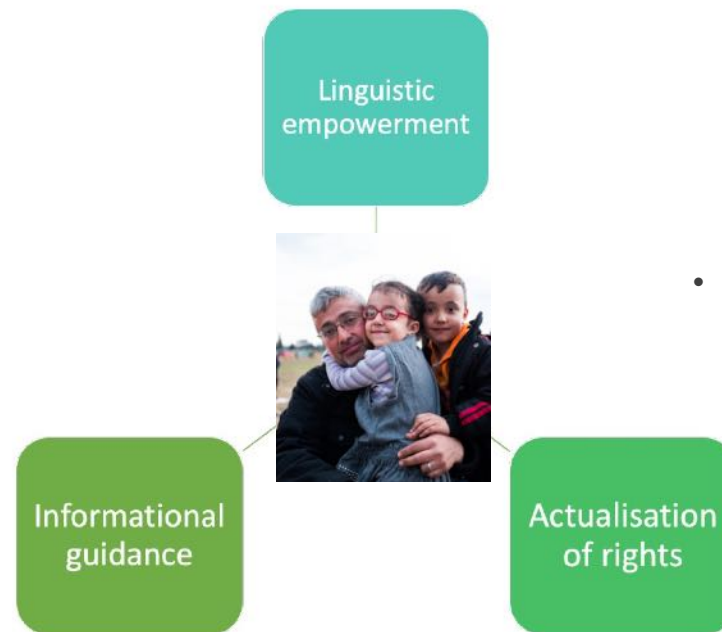


- **The capacity, or empowerment, to take benefit of:**
 - The full range of available services to the asylum seekers (**Horizontal actualisation**);
 - The full extent (coverage or intensity) of a certain service, identified as target for fruition (**Vertical actualisation**);
 - The possibility of conditional access to additional/derived services, that is the fruition of another range of services, which are conditional on accessing the first. Ex.: until an ID card is obtained there will be no way to formalise a regular work contract (**Extended actualization of rights**).

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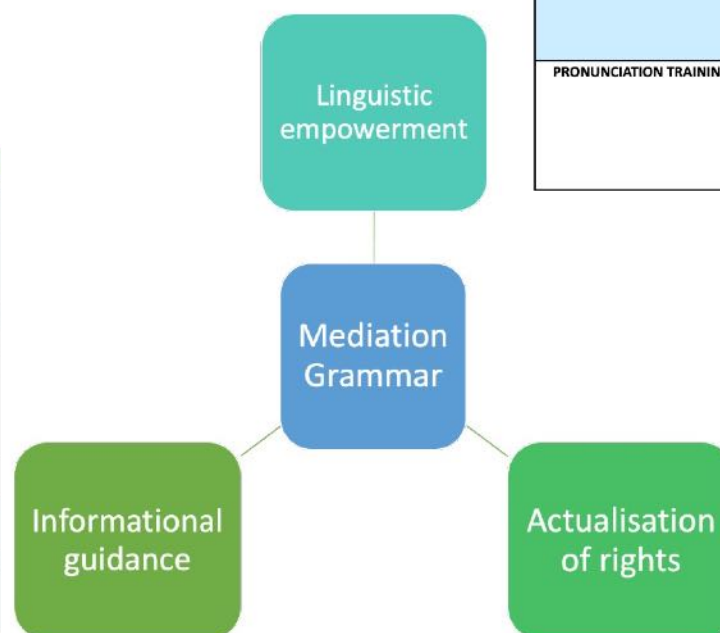
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How can we measure it?

INFORMATIONAL GUIDANCE	A - BASIC	B - INDEPENDENT	C - AUTONOMOUS
PRELIMINARY ORIENTATION	Knows whom to ask for the information needed on the exact location of the service providers of his/her interest. Interaction during face to face (or remote/virtual) Q&A is however limited and made difficult by several communication problems.	Can interact with orientation service providers in a relatively clear and self-explanatory manner. Does not seem to run huge risks of being mis-understood and can correct most of his/her wording mistakes keeping global conversation with a fairly even tempo.	Can make deep questions to the orientation service providers on complex procedures and understand received answers in full. During conversations he/she can still be hesitant when searching for patterns and expressions and this may generate quite a few noticeably long pauses.
SPECIFIC ADVICE	Knows generically what to do but has doubts and concerns on how to do it, in which procedural order, using which document templates, respecting which deadlines etc. He or she may not be in the condition of understanding received advice in full.	Has a sufficient knowledge of language and procedures to be able to make precise requests for clarification. However the requirements of the current procedure may be too tight for him or her to give a complete and timely execution to them, also because of lack of some specific knowledge and experience.	Is able to fulfil most of the duties imposed by the specific administrative procedures and may only be prompted to making very specific questions in case of limited and localised concerns or dilemmas on how to proceed. Generally will not need a dedicated support to the finalization of his or her tasks.
HELP DESK AND TROUBLESHOOTING	Has very limited capacity of interacting with dedicated support services during his or her operation of procedural tasks. Such circumstance may be source of mistakes that are either neglected or can paralyze execution.	Can interact with help desk and troubleshooting service staff timely and effectively, although receiving written instructions may be preferred to verbal ones and even in that case, some degree of misunderstanding may survive.	Is able to take full benefit from the interaction with dedicated support services and still lead the underlying procedural tasks to full completion. Can also ask for advice on behalf of third parties and be effective in transferring it appropriately.



LINGUISTIC EMPOWERMENT	A - BASIC	B - INDEPENDENT	C - AUTONOMOUS
VOCABULARY LEARNING	Grasps the general meaning of legal and regulatory texts and knows a small number of essential words associated with the different procedures of his or her interest.	Can make questions and ask for precise clarifications while at the same time not being completely familiar with all the terms and sources of information related to local bureaucracy.	Has a good command of bureaucratic jargon and the meaning of technical expressions and procedural tasks, requirements and deadlines.
PRONUNCIATION TRAINING	Holds a good command of a broad range of terms but has difficulties with intonation and correct spelling due to differences in his or her spoken language habits.	Can produce clear, smoothly flowing, well-structured speech, however still with occasional or recurrent errors, which are not always corrected when they occur.	Is able to pronounce all the sounds of the new language fluently and almost effortlessly, although problems in understanding the most difficult concepts can stay.

ACTUALISATION OF RIGHTS	A - BASIC	B - INDEPENDENT	C - AUTONOMOUS
HORIZONTAL ACTUALISATION	Is largely unaware of the full range of services available to him / her in dependence of both legal status and local or contingent situation. Same goes for related third parties (eg. relatives).	Can navigate the full range of available services to locate his or her needs and requirements but is not completely informed of the full content and potential interest / value of each of them.	Is perfectly aware of the range of services available to him / her and the conditions for their availability and fruition. Knows also a lot about the evolution across time of the configuration of each service and the cases of new entries or variation of existing ones.
VERTICAL ACTUALISATION	Has never had a complete experience, or only a very partial one, of the full process starting from the preparation of an application and ending into the acknowledgment of the right to a certain service. Can make a limited number of exploratory questions.	Has gained a full or almost full understanding of the process and its implications, either because of previous trials or a good level of comprehension. Can initiate discourse, help the discussion along track and be concrete and up to the point in asking for what he or she needs.	Has had previous, if not also multiple experiences of access to that specific service and is therefore able to make only the needed requests for specific clarifications. Sometimes he or she also takes the leadership of a group of beneficiaries, for the interest of whom may be induced to interact further.
EXTENDED ACTUALISATION	Ignores that in case of partial or lacking recognition of a certain service or right, there may be others in jeopardy for him / her self and/or for third members of his / her family or community.	Can identify a non immediately visible pattern of reciprocally conditioning services or rights and act accordingly to prevent certain unwanted implications or consequences from materializing.	Has gained a broad and full picture of his or her rights and those of his or her family or community members. Can create original and coherent patterns to create opportunities that are not immediately or obviously available to grasp.

Suggested pathway



Step 1

- Identify a service in a certain (pilot) location
- Gather a number of actual or potential beneficiaries of that service from within the migrant population
- Make questions associated to the 3 dimensions of the MG

Step 2

- Aggregate received answers from the respondents panel
- Calculate statistics and compare them with those of a) same services in other locations, b) same migrant population in other locations/services, c) other services in the same location

Step 3

- With or without an intervention from the service provider (in a continuous improvement logic), reiterate the exercise and compare new with old results

Suggested pathway



Step 1

- Identify a service in certain (pilot) location
- Gather a number of or potential beneficiaries that service from within migrant population
- Make questions associated to the 3 dimensions of the MG



population in other locations/services, c) other services in the same location



Step 3

or without an intervention from the service provider (in a continuous movement logic), rate the exercise and compare new with old results

Next steps

← → ↻ boss.cen.eu

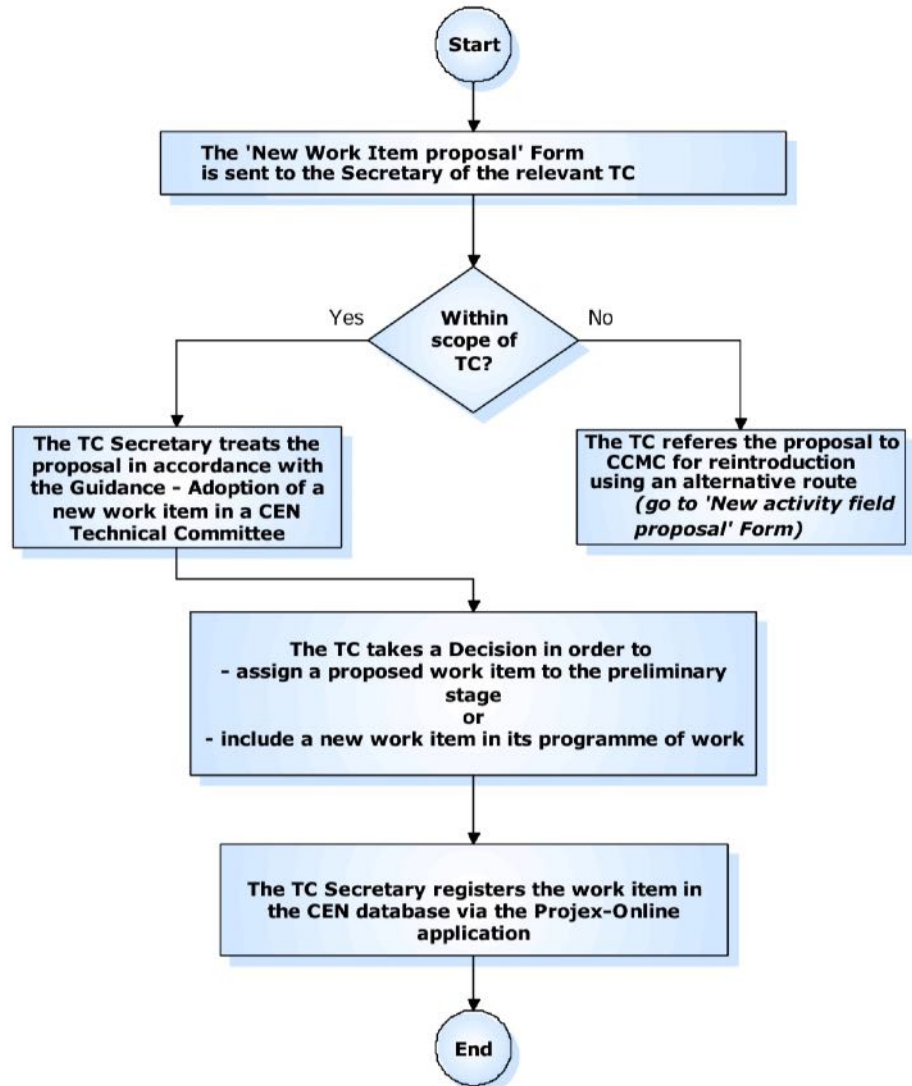
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TECHNICAL STRUCTURES STARTING NEW WORK DEVELOPING DELIVERABLES

Business Operations Support System

The Business Operations Support System (BOSS) aims at providing practical information to those actively contributing to the development of deliverables within the CEN system. It clearly describes processes and gives access to instructions and guidance for their day-to-day work.

Proposal for new work using the 'New Work Item proposal' form



In sum, the Mediation Grammar is...



...A user centred tool for benchmarking and evaluating EU MS integration policies.

- A **voluntary standard**, focused on user empowerment (WHAT) rather than the delivery machine (HOW)
 - Service providers are left free to organise services at their best
 - However, the mechanism forces public authorities to understand and meet the needs of beneficiaries
- A **maturity model**, showing progression in capacities (CAN DO) and integration (HAS RIGHTS)
 - Leaving room for continuous improvement
 - Supporting equal access to services (rights) in diverse conditions/locations/times
- Based on the easyRights experience, we think of the Mediation Grammar as supportive of **digital transformation of the public sector**, thanks to Artificial Intelligence and other ICT solutions.

“

What really unites us is not ethnicity, or nationality, or religion... It is the idea that you can come from humble circumstances and do great things. That it doesn't matter where you come from, but where you are going.

”

CONDOLEEZZA RICE, FORMER US SECRETARY OF STATE



THANK YOU

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easyRights