



EMN Ad-Hoc Query on 2019.44 Language and Communication Policy and Measures in Reception Facilities for Applicants for International Protection

Requested by Martine HENDRICKX on 24 March 2019

Protection

Responses from EMN NCP Belgium, EMN NCP Spain, EMN NCP Sweden, EMN NCP Latvia , EMN NCP Netherlands, EMN NCP Austria, EMN NCP Slovakia, EMN NCP Greece, EMN NCP Lithuania, EMN NCP Finland, EMN NCP Norway (11 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.



Background information:

Reception systems accommodate applicants for international protection from all over the world. This implies that the number of different languages spoken by applicants at any one time can be very high. Knowledge of a national language or a common language may be limited. Furthermore, applicants may be illiterate or have very limited literacy skills. Communication may therefore become difficult. Neither staff nor applicants can express themselves or make themselves understood and this may lead to misunderstandings, frustration and anxiety. The Study and Policy Unit from the Directorate of Policy Support of the Federal Agency for the Reception of Asylum Seekers (Fedasil) is currently elaborating a language and communication policy and would like to know how your country deals with this great language diversity amongst applicants for international protection in reception. A language and communication policy or measures may include the use of interpreters (remotely or face-to-face), translated texts and leaflets, pictograms, cultural mediators, multilingual staff, using other applicants as interpreters, specific settings or conditions during which interpreters may be used, multilingual tools or apps, or any other means of communication. This question does not regard your country's policy on language acquisition nor language lessons given to applicants.

Questions

- 1. Does your country have a specific language and communication policy or guidelines for applicants for international protection in reception? If so, what does the policy or guidelines consist of?**
- 2. If no explicit policy or guidelines exist, does your country implement specific measures or practical solutions to enable or improve the communication with applicants for international protection in reception? If so, which measures or practical solutions are in place?**
- 3. Has the effectiveness of the policy or measures/practical solutions ever been evaluated?**
- 4. Are you aware of studies/research on language and communication with applicants for international protection in reception conducted in your country? If so, can you provide links or soft copies of this research (in English/French/Dutch/German)?**

Responses

EMN NCP Belgium

Wider Dissemination: Yes

Martine HENDRICKX, Practitioners (Government Officials only)

1. No, there is no specific policy in place. However, the Law of 12 January 2007 on the reception of asylum seekers and of certain other categories of foreigners (Reception Act) has some provisions relating to language and communication: Art. 11 states that, when assigning a reception facility, Fedasil ensures that this place is adapted to the needs of the applicant. The assessment of the adapted nature of the reception place is based on criteria such as the knowledge of one of the national languages. So if an applicant speaks French, Fedasil will try, within the limits of the number of available places or the presence of other priority

reception needs, to assign the applicant to a reception facility located in the French-speaking part of Belgium. Article 14 states that the Federal Reception Agency has to provide an information brochure written in "as far as possible, a language that the applicant understands". And according to Article 15, the Federal Reception Agency has to guarantee the access to social interpretation services: "the Agency or the partner shall ensure that the beneficiary of the reception has access to social interpretation and translation services in the exercise of their rights and obligations (...). The Agency or partner may conclude agreements with services or organisations specialised in the field of social interpretation and translation". It concerns 'social' interpreters – these are certified interpreters who are trained to interpret in social contexts. They may be contacted by telephone or be booked to interpret on site. Also, at the operational level of Fedasil, there is no comprehensive language and communication policy. Dealing with multilingualism has never been an official priority since the creation of Fedasil in 2002. Nonetheless, various initiatives have emerged over the years, including to meet legal obligations stated in the Reception Act: Firstly, various informative documents have been translated in several languages for applicants over the past decade. The most recent is the translation of the new internal rules and regulations of the reception centres in October 2018 in 12 different languages (Dutch, French, Albanian, Arabic, German, English, Lingala, Pashtu, Fula (Peul), Russian, Somali and Tigrinya). The internal rules provide that applicants for international protection may file a complaint against the reception structure, orally or in writing in Dutch, French, German or English. If a beneficiary does not agree with a decision with regard to medical assistance, a written appeal can be submitted in Dutch, French, German or English. If a resident does not agree with an imposed sanction, an appeal can be made in writing in Dutch, French, German or English. A second set of initiatives concerns the collaboration with social interpretation services. Over the years, there have been several consultations with organisations specialised in the field of social interpretation and translation about, inter alia, the hourly rate for interpretation services. In the reception network it was opted to work with mainstream social interpretation services instead of working with own interpreters, as is the case with the Office of the Commissioner General for Refugees and Stateless Persons, for example. Thirdly, the minimum standards for reception that have been in force in the reception network since July 2018 contain various provisions relating to dealing with linguistic diversity and work towards a well-thought-out policy that recognises the problem of multilingualism and seeks to provide appropriate guidelines. For example: a reception structure is initially expected to register the language skills of residents (standard A18). Fedasil's quality standards also follow the principle that the information about the reception must be provided in a language that the applicant understands sufficiently, but it is not specified that the information must also be provided in writing (A6). Based on the language skills and the communicative setting, it must be considered whether translation or interpretation is required. The point of departure is that "the communication between the staff of reception structure and the resident takes place in a language that both conversation partners sufficiently understand. The resident is given the opportunity to express himself and to be understood relating all aspects of daily life."(A18) If fluent communication cannot be guaranteed, an interpreter must be involved in the social and legal guidance provided to the applicant (A18), as well as in the medical support (B19) and the psychological support. Upon arrival in a reception structure, it is normally foreseen that a social intake is done with a social interpreter if necessary. But because the reception structure usually does not know in advance which language a new resident speaks, the offer of interpreters is scarce, and there is an expectation to conduct an intake within four days, the conversation is often held without a social interpreter. It is the responsibility of the reception facility to provide access to interpreters. Preference is always given to social interpreters or intercultural mediators. Other residents or staff members can only interpret with the resident's agreement. This is possible at the request of the resident or in urgent cases, but never in the context of psychological counselling (B23). In addition, minors may never be used as interpreters. The quality standards do not express a preference for interpreters by telephone, on site or via the internet (Skype). The reception structure must pay for interpreting services (C15) if there is no free offer, including any trips that have to be made in this context. The quality standards give great discretionary power to reception centres and the individual decision-making process of social workers. Moreover, it is noticeable that nowhere, both in legal and operational terms, explicit attention is paid to the accessibility of communication, both in terms of clear and neutral communication. In summary, both in legal and operational terms, relatively little has been formalized concerning language diversity in reception.

2. Besides the use of 'social' interpreters, the following means of communication are in use: - translated texts such as information leaflets and the internal rules; - pictograms, mainly regarding safety and house rules; - multilingual staff who can perform their duties directly in a language the applicant can understand; - at times, multilingual staff is called upon to translate/interpret; - applicants who reside in the same reception facility may be asked to interpret. There is currently a

project ongoing to provide some basic interpretation skills to some of these “assistant” interpreters; - applicants may ask a relative or friend to interpret; - Fedasil’s quality standards provide for the use of certified interpreters, especially in ‘sensitive’ contexts; - there are some volunteer cultural mediators available in some of the reception facilities; - a system of video interpretation via webcam is available for doctors and medical units. This is organised by the Ministry of Health - there are some multilingual websites available (for example Zanzu.be on sexual and reproductive health); - there are some multilingual apps available and Fedasil will launch later this year a multilingual mobile app with information for applicants; - multilingual animation films (on internal rules, on vaccinations).

3. It has only been evaluated indirectly. For example, an extensive study on vulnerable persons in reception was carried out and one of its findings was the lack of interpretation, and the lack of interpreters trained to interpret in sensitive contexts.

4. To our knowledge, there is no language and communication research specifically conducted on applicants for international protection in reception facilities. There is research on discourse analysis during the procedure for international protection (Katrijn Maryns, 2006), but not in reception facilities. However, there are currently a number of ongoing studies concerning communication in reception. These are ethnographic and sociolinguistic studies, results of which are expected by end of 2019 or in 2020. A study on illiteracy specifically amongst applicants in reception is also being carried out.

EMN NCP Spain

Wider Dissemination: Yes

Gladys Roy Chicharro, EMN NCP Spain

1. The Directorate General for Integration and Humanitarian Attention (DGI AH) of the General Secretariat for Immigration and Emigration establishes a framework for action to assist applicants and beneficiaries of international protection. In this framework, instructions are given on the content of the translation and interpretation activities that can be provided in this area of I. P. This framework is part of all the annual calls for grants that support NGOs specialized in I.P. for the attention to this group. Each NGO establishes its own protocol of action although they are usually very similar. The objective of these actions is: - Facilitate communication between the beneficiaries of the program and the public and private services with which they are related in the development of the individualized integration itineraries. - It also aims to ensure a correct understanding of the information, advice and benefits received. To carry out these tasks, the social organizations have a team of translators and interpreters specialized in the subject and competent in the translation and interpretation of all the necessary languages and dialects. These interpreters provide their services according to the needs set by the applicant and carry out the translation of necessary documents as well as interpretation work in front of various public services that the applicant needs to use (eg: employment office, health centers, educational centers, etc.). In addition to the above, in the DGI AH's own centers, the figure of the interpreter is also used if necessary.

2. See previous answer.

3. The NGOs make an assessment of the translation and interpretation service that is carried out through the feed-back obtained from both the applicant/beneficiary of P.I. and the translator himself/herself. In addition, there is a monitoring of the number of translations / interpretations that are made, the number of people served, the duration, the language, etc.

4. N.I.

EMN NCP Sweden

Wider Dissemination: Yes

Marie BENGTSSON, EMN NCP Sweden

1. In Sweden everyone has a right to understand and be understood when in contact with authorities. In other words interpretation will be used when needed. If/when interpretation is needed will be decided on a case-by-case basis. This is not specific to reception centers.
2. Of course to some extent you can try to recruit staff talking the main language of the applicants in the reception center. Interpretation over telephone can also be used.
3. Not to the best of our knowledge
4. No

EMN NCP Latvia

Wider Dissemination: Yes

Stanislavs LOPATINSKIS, EMN NCP Latvia

1. No, there is no specific policy in place.
2. Following communication are in use: certified interpreters; - translated internal rules (for now translated in 5 different languages – Russian, English, Arabic, Farsi and Kurdish. Depending on the influx of asylum seekers and the country of origin, we can translate into other languages);- translated house rules (such as fire safety, electrical safety); translated information leaflets;- multilingual staff who can communicate in a language the applicant can understand (at this moment most applicants are speaking in Russian language);- Red cross is providing cultural mediators for applicant;- multilingual medical staff is available for applicant and if necessary certified interpreters. There is system of video interpretation via webcam if it's necessary.
3. There was no evaluation yet.
4. There is no language and communication research specifically conducted on applicants in reception facility.

EMN NCP Netherlands

Wider Dissemination: Yes

Linda Burger, EMN NCP Netherlands

1. Yes, the Netherlands has specific language and communication policy / guidelines for applicants for international protection in reception. IND: During the application procedure, the applicant is entitled to an interpreter. In principle, this needs to be an interpreter confirmed by oath. However, in case interpreters confirmed by oath are not available, but there is an urgent need for interpreters, the Immigration and Naturalisation Service (IND) could approach interpreters who are not confirmed by oath. Furthermore, a code of conduct has been established for interpreters who work for the IND. COA: At the Central Agency for the Reception of Asylum Seekers (COA) an interpreter can be requested. COA will cover the costs. Even when an asylum seeker needs an interpreter when visiting a medical care provider, the COA pays the costs. Often, an interpreter is available within a few minutes by telephone. COA contracted a professional party who delivers the services and who contracts professional interpreters on a base that is stated in a schedule of requirements. Furthermore, the house rules of COA are offered in several mother languages of the inhabitants and COA has a website especially for asylum seekers (www.mycoa.nl). The information on this site is

provided in Dutch, English, French, Armenian, Arabic, Persian, Russian, Somali, Tigriniya and Turkish. The site consists of 2 parts: general information and local information. For information purposes, professional translators translate. Google Translate is also used for local information (such as announcements of activities). This is not satisfactory.

2. COA: COA constantly tries to improve the way they communicate with their residents, this also includes translation services. NIDOS: The Dutch Council for Refugees (Nidos) works with volunteer interpreters. In addition, this organisation wants to start an experiment with a 'interpreter telephone.' Voluntary interpreters could be contacted by phone. In a document about unaccompanied alien minors from Eritrea by NIDOS it is stated that often the choice needs to be made whether communication will take place by written language, other asylum seekers or / and Google Translate, or whether a professional interpreter is required because of the importance of the information that will be discussed. In addition, Nidos recommends to visualise as much as possible and to create for instance tables that show who the unaccompanied alien minors can approach for which questions. (<https://www.nidos.nl/wp-content/uploads/2018/05/Toolkit.pdf>)

3. In 2007, the Research and Documentation Centre of the Ministry of Justice and Security evaluated measures from 2003 with regard to the demand, supply and mediation of interpreters who work in the field of Justice. (<https://www.wodc.nl/onderzoeksdatabase/evaluatie-marktwerking-tolk-en-vertaaldiensten.aspx>) IND: Interpreters who work for the IND are evaluated on an individual basis. COA: the quality of interpreters is monitored constantly. Whenever an interpreter delivers a bad job COA fills in a form with the complaint and look for a satisfying solution. The number of complaints over the year is less then 3 per month. An interpreter who performs below expectations for a few times will not be contracted anymore.

4. COA does not have studies or reports on this other than the management info they receive from their contracted party.

EMN NCP Austria

Wider Dissemination: Yes

Martin Stiller, Wider Group

1. After a public tender, the company ORS Service GmbH is exclusively authorized – in the Federal State's range of authority – to look after persons in need of help and protection who are accommodated in federal accommodation centers. The determination of language and communication strategies or such guidelines therefore does not take place at Federal State's level but behooves the ORS Service GmbH. --- Source: Ministry of the Interior

2. The framework agreement between the Ministry of the Interior and the ORS Service GmbH stipulates that the most important languages must be covered by the company's support staff and that interpreters are to be consulted if necessary. Currently, a video interpretation system regarding the languages that cannot be covered directly is being tested in the federal accommodation centers. Furthermore, in the federal accommodation centers information material is available in the most common languages. --- Source: Ministry of the Interior

3. The evaluation regarding language needs takes place continuously. The support staff is deployed in the federal accommodation centers as required. --- Source: Ministry of the Interior

4. No. --- Source: Ministry of the Interior

EMN NCP Slovakia

Wider Dissemination: Yes

Simona MESZAROSOVA, EMN NCP Slovakia

1. Pursuant to the Act on Asylum n. 480/2002, a designated employee of the Migration Office of the Ministry of Interior no later than 15 days after the beginning of proceedings, informs the applicant on his/her rights and obligations, possible consequences of non-compliance or breach of his/her obligations under the Act on Asylum, and on access to legal aid. S/he shall also provide the applicant with information on NGOs dealing with the care of asylum seekers and persons granted asylum; instruction and information shall be provided in a language reasonably assumed to be understood by the applicant and, as far as possible, in writing. The Migration Office issues the internal rules of the asylum facility in the Slovak language and ensures its translation into foreign languages according to the needs of foreigners. In addition to social workers, cultural and non-governmental cultural mediators are employed in the reception centre and accommodation centres, where they can, if necessary, use an interpreter (AMIF project for facilities) to a certain extent. In practice, employees of the asylum facilities also use picture dictionaries, pictograms, leaflets are translated into the languages of the most frequent countries of origin, or other applicants, who can interpret the information in a particular situation are invited.

2. See Q1

3. In practice, there is a need for an available interpreter more often due to the communication barrier, and it is not always easy to find one who deals with specific languages in real time. As the Slovak Republic does not yet have the State Integration Program, the issue is solved on ad hoc basis.

4. We found some potentially related studies, unfortunately available in Slovak only. Abstracts are in English though. Tlmočenie v štátnej správe: deskriptívne a preskriptívne prístupy/ Interpreting in the public sector: descriptive and prescriptive methods
https://www.academia.edu/14802192/Tlmo%C4%8Denie_v_%C5%A1t%C3%A1tnej_spr%C3%A1ve_deskript%C3%ADvne_a_preskript%C3%ADvne_pr%C3%A1stupy Tlmočenie, migranti, štát rozpoznávanie jazykových registrov/ Interpreting, migrants, state: recognition of language
https://www.academia.edu/27239887/Tu%C5%BEinsk%C3%A1_H._2015b._Tlmo%C4%8Denie_migranti_%C5%A1t%C3%A1t_rozpozn%C3%ADvanie_jazykov%C3%BDch_registrov._In_Jazyk_v_politick%C3%BDch_ideologick%C3%BDch_a_interkult%C3%BArnych_vz%C5%A5ahoch_Sociolinguistica_Slovaca_8_Bratislava_Veda_p._243-258 Slová a moc. Prípadová štúdia zo súdneho pojednávania/Words and power: The case study from interrogation process
https://www.academia.edu/30906355/Slov%C3%A1_a_moc._Pr%C3%ADpadov%C3%A1_%C5%A1t%C3%BAdia_zo_s%C3%ADdneho_pojedn%C3%A1vania._Words_and_power._The_case_study_from_the_interrogation_process Akože, nejaký: reč na súde mimo zápisnice. Prípadová štúdia súdneho pojednávania so žiadateľom o azyl/As if to say, kind of: courtroom talk not in the record. A case study of court proceedings with an asylum applicant
https://www.academia.edu/38057204/Ako%C5%BEe_nejak%C3%BD_re%C4%8D_na_s%C3%BAde_mimo_z%C3%A1pisnice._Pr%C3%ADpadov%C3%A1_%C5%A1t%C3%BAdia_s%C3%ADdneho_pojedn%C3%A1vania_so_%C5%BEiadate%C4%BEom_o_azyl

EMN NCP Greece

Wider Dissemination: Yes

Athena BALOPOULOU, Practitioners (Government Officials only)

1. The Social Integration Directorate of the Ministry for Migration Policy does not have a specific language or communication policy for applicants for international protection in reception, as the Reception and Identification Service and the Asylum Service are the competent authorities for the reception and the asylum procedure of refugees. However, the enhancement of intercultural mediation services is a priority and one of the main goals of our Division as it is also inherent through several actions proposed in the National Integration Strategy of the Ministry for Migration Policy which is now being finalized. In July 2018, the Governmental Council for Social Policy adopted the new National Integration Strategy (NSI) for immigrants, asylum seekers and beneficiaries of international

protection, which was developed by the Ministry of Migration Policy following cooperation with the relevant Ministries. The NSI was set under public consultation in January 2019. The consultation was successfully completed in February 2019.

2. Strengthening the role of mediation services and intercultural mediators is provided in pillar 5 of the new National Strategy for Integration and is promoted through the following actions: i. Employment of Intercultural Mediators in Migrant Integration Centers. Migrant Integration Centers are a “one-stop-shop” model service where foreign citizens (including applicants for international protection) can find “under one roof” a whole range of services (legal advice, information about residence permits, about access in labour market, about language learning and other integration projects and services in the country) and they are set up in cities with high concentration of migrants/refugees. According to the Guidelines for the Operation of Migrant Integration Centers, the hiring of intercultural mediator is mandatory in order to facilitate the communication between migrants and public services or local authorities/offices. ii. Development of a job profile of the intercultural mediator. The Social Integration Directorate acknowledging the very important role of intercultural mediators in overcoming linguistic barriers as well as bridging cultural differences has elaborated in collaboration with experienced agencies and social partners (General Federation of Employees, Hellenic Confederation of Professionals, Craftsmen and Merchants) the job profile of intercultural mediator. It is the intention of the Ministry for Migration Policy to institutionalize the job of the intercultural mediator in order to enforce its credibility and to improve the quality of services provided. iii. Enhancement of intercultural mediation services in Migrant Integration Centers and Community Centers. The Social Integration Directorate has planned and is currently taking steps in order to have implemented a project of training and employing 70 intercultural mediators in Migrant Integration Centers (MIC) and Community Centers (CC) in 57 municipalities all over the country. The project’s aim is twofold: a) to cover the needs of MICs which are either understaffed or need more than one mediation languages, and b) to staff with intercultural mediators CCs which do not have MICs units, but which provide services to a significant number of migrants/refugees.

3. The Social Integration Directorate is in close collaboration with the Migrant Integration Centers collecting feedback about their operation. Through the mail that is exchanged and the meetings that took place, the effectiveness of intercultural mediation was repeatedly reported; therefore our Directorate proceeded to the expansion of the project in 57 municipalities. Also, the fact that 57 municipalities wanted to take part in the relevant project implies that intercultural mediation is a successful measure.

4. There have been numerous studies/researches regarding the reception conditions of applicants for international protection from Universities and other national and European entities, but, in Greek. If there is an interest for these, please contact us at emn@immigration.gov.gr

EMN NCP Lithuania

Wider Dissemination: Yes

Vytautas EŽERSKIS, EMN NCP Lithuania

1. No.

2. Yes. -During the communication with applicants for international protection the help of interpreters is constantly used (in receiving services as well as during interviews, etc.). Both face-to-face and remote translations (via video calls, Skype or phone) are provided. -During the increase of the applications from Syria, Arabic translator was always present at the reception facilities. -Officials working with the applicants can speak either Russian or English which often helps to communicate well. Recently majority of applicants can communicate in Russian. -Leaflets are also handed out in several languages. Internal policies, contracts, rights and duties are presented in various languages to applicants for international protection and/or translated on the spot by interpreter. -Power point presentations with pictures (to introduce Lithuanian history, geography, childcare) are also provided in Lithuanian language as well as translated to the language the applicant understands.

3. N/A

4. Not to the best of our knowledge.

EMN NCP Finland

Wider Dissemination: Yes

Rafael BÄRLUND, Practitioners (Government Officials only)

1. Finland does not have one specific policy or guideline. The issue is included in several different guidelines, e.g. when applicants are given information, when an interpreter is needed, that translated information material is to be used etc. The Act on the Reception of Persons Applying for International Protection includes provisions on interpretation and translation.

2. The use of interpretation and the translation of information material (flyers, posters, information leaflets). The amount of translated information material has increased a lot during the last 3-4 years.

3. No, as there is not a single policy on the issue. Information on social and health care requires a different approaches compared to information on work and studies. Therefore the effectiveness should be evaluated more regarding the contents than the means of communication.

4. There is at least one master's thesis that's close to the topic, although it is only available in Finnish.

EMN NCP Norway

Wider Dissemination: Yes

Kathleen CHAPMAN, EMN NCP Norway

1. Norway is delayed in providing response, but we hope to deliver by May 10th

2. x

3. x

4. x