



PROTECTION THROUGH CULTURAL MEDIATION

HANDBOOK



BELGRADE 2020

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Handbook

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ABOUT

Crisis Response and Policy Centre (CRPC) is a civil society organisation founded in Belgrade in 2016. CRPC is committed to the protection of human rights, vulnerable persons and groups and is dedicated to providing assistance and support to refugees and asylum seekers. CRPC is an implementing partner of UNHCR in the area of refugee and asylum seekers' protection.

The authors are grateful to CRPC team past and present, whose hard work and input provided the empirical basis and valuable contributions for this publication.





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EDITOR'S NOTE

In my view the Handbook presents its case in a complete and comprehensive way. The line of reasoning is clear and the referenced documents that are the basis for the arguments developed are introduced and elaborated upon well.

The ideas in it are accessible to both an interested layman and expert public, and stakeholders. It covers both aspects making its case clear and immediately accessible to the interested public, while the sound academic bases are there, providing additional quality.

The topic itself is both fascinating and ground-breaking, presenting the new phenomenon of inter-cultural mediation, interpreting people and their cultural backgrounds, as well as the spoken words. It is a new dimension in the world of interpreting, opening up new vistas and necessitating – as you rightly argue in the paper, truly bilingual interpreters who are also *bi-cultural*, fully steeped not only in both languages, but cultures as well! And, at the same time, they are trained to be up to the requirements of the situation as cultural mediators.

Vladimir Marjanović, AIIC

A conference interpreter for French and English



INTRODUCTION

This Handbook is based on the definition and principles of cultural mediation developed by NGO Crisis Response and Policy Centre (CRPC in further text) in Belgrade, Serbia. As the field of cultural mediation is newer than interpretation, and as it appeared primarily in a context of migration, asylum, and integration, it is still not standardized despite being widely practised all over the world. Various definitions are available, however, they are either too broad to develop a precise framework applicable to the work of the cultural mediator or they are too narrow, or primarily connected to a particular context such as the health sector, in order to provide a universally applicable standardized framework.

CRPC views cultural mediation as an activity associated with intercultural interaction and as such necessarily linked to intercultural dialogue that strives to build better relations between individuals and/or communities from different cultural backgrounds. A cultural mediator is not a mere conduit of words. The meaning of messages is not contained just in the words being spoken, but the entire cultural context and background of the person speaking. A cultural mediator transfers all cultural content including language in an intercultural interaction to make a human situation clear. It is only natural that a bilingual and bicultural person would help culturally different individuals/groups communicate while being an equal participant in the interaction. A cultural mediator is there to facilitate the genuine meeting of human beings.

The first part of the Handbook presents a definition of cultural mediation in the context of intercultural communication, and explains its elements, characteristics, tools and principles. The second part links cultural mediation to a model of protection in the mixed movement context, and examines its value in the context of desirable human intercultural interaction.

The model of protection developed by CRPC is not limited to emergency response and has been effectively used in other situations such as *transition, inclusion and integration*.

It should be stressed that the definition of cultural mediation and the model of protection presented in this Handbook has been described from observation of fieldwork according to established CRPC practice. Although its application has been observed in the context of Serbia as one of the Western Balkan migration route countries, it has been developed with other possible applications in mind, such as addressing the issues of marginalized ethnic groups, isolated refugee and migrant communities that, despite having lived in a society for a long time, have failed to connect with their general environment in a meaningful way and for effective prevention and reduction of exclusive attitudes.

DIAGRAM OF CULTURAL MEDIATION INTERACTION

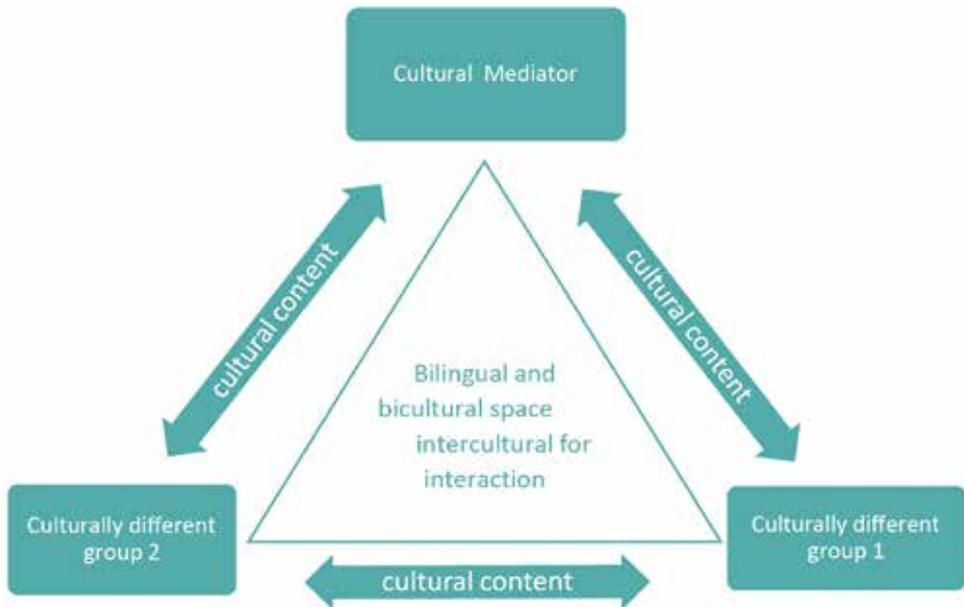


Figure 1

INTERPRETATION AND CULTURAL MEDIATION

At many interpretation events, such as conferences, seminars, meetings, etc., participants belong to the same *speech community*. This means that even though they might come from different countries and speak different languages they all share knowledge of the subject of a conversation. For example, at a conference of physicists everyone shares the same scientific background. The only gap separating them is *the language gap*. The interpreter helps create proper communication among them by making sure that all sides have understood what the other side has said. The interpreter transfers *linguistic content* properly by adjusting for idiomatic expressions, local references, manners of speech, etc.

“It may be possible semantically to respect both the original form of expression and the original meaning by a literal translation, but the result then sounds downright silly or, still worse, rude. The straightforward forms of addressing and modes of expression of certain Scandinavian delegates could seem bare if put, say, into French or Italian; on the other hand, an artificially flowery style borrowed from another language could make a Swedish interpreter sound ridiculous.

In all these cases, in their work indeed, interpreters must bridge the cultural and conceptual gaps separating the participants in a meeting. A conference interpreter

must be able to provide an exact and faithful reproduction of the original speech. Deviation from the letter of the original is permissible only if it enhances the audience's understanding of the speaker's meaning. Additional information should be provided only if it is indispensable to bridge the cultural gaps referred to above; it should in no way involve the interpreter's adding their own point of view to that of the speaker."¹

In fact, language is so interwoven with culture that "...conference interpreters, too, consider themselves not just linguistic but also cultural intermediaries."²

When the interpretation event is taking place outside such formal settings as conferences, seminars and meetings, in informal settings of daily life such as hospitals, police stations, social welfare centres, etc. then not everyone taking part in the interaction is from the same *speech community*. Additionally, there are various kinds of human responses influenced by culture involved in the interaction and this creates a huge difference in communication. Here the culture gap becomes wider than the gap presented by words. The interpreter must make more adjustments in order to ensure that everyone has understood everyone else.

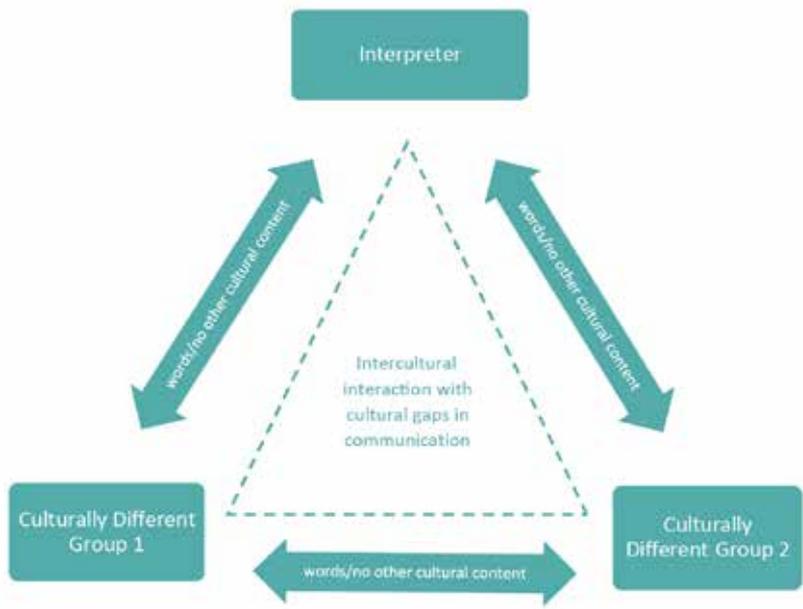


Figure 2

If the interpreter is to ensure proper communication in such settings, they will be doing more than interpretation. They will naturally begin to perform cultural mediation. This will broaden their role in the interaction making them an equal participant in the communication instead of being a passive and invisible conduit.

1 Roderick Jones. *Conference Interpreting Explained*. St. Jerome Publishing, Manchester. UK & Northampton, MA.
2 Wang. C. *Interpreters = Cultural Mediators?*, University of Westminster (2017). Available at: https://www.researchgate.net/publication/320191250_Interpreters_Cultural_Mediators

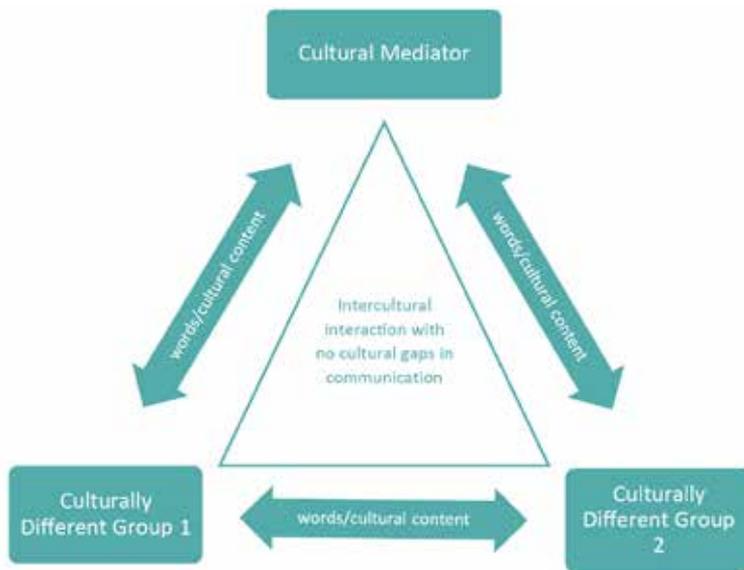


Figure 3

“Bancroft (2015:14) highlights, although some countries adopt formal guidelines dictating interpreting practice, on the ground most community interpreters make decisions about their role *nearly by instinct*. The interpreters see that they do take part in the interaction. To some extent (sometimes greater, sometimes lesser), [interpreters] perceive that they play a role in building trust, facilitating mutual respect, communication affect, as well as message, explaining cultural gaps.” Llewelyn-Jones and Lee (2014:9) argue that the role of the interpreter has been defined in such a way that the interpreter cannot act naturally so community interpreters “can only help to normalise dysfunctional interactions by acting normally. So, by providing the interpreter with greater freedom interpreters can be more effective in facilitating successful interactions”.³

We can say that due to the change in setting when the interpreter takes on a broader role, a different interaction appears in intercultural communication and this is the cultural mediation interaction.

There have been various attempts at finding a term for this interaction and at classifying it as a kind of interpretation but without any conclusive result.

“Community interpreting: Perhaps the most controversial of the terms used to differentiate between types of interpreting (see Mikkelson, 1996 a & b; Roberts, 1994), it refers to interpreting that ‘enables people who are not fluent speakers of the official language(s) of the country to communicate with the providers of public services so as to facilitate full and equal access to legal, health, education, government, and social services’ (Carr et al., 1997).

3 Ciordia, L. S. *Context-based approach to community interpreting. Perceptions and expectations about professional practice in the Spanish context.* International Journal of Language, Translation and Intercultural Communication (2016). Available at: <https://ejournals.e-publishing.ekt.gr/index.php/latic/article/view/10655>

This type of interpreting is also known as *liaison*, *ad hoc*, *three-cornered*, *dialogue*, *contact*, *public service*, and *cultural interpreting*; there is very little consensus about the definitions of these terms and whether or not they are synonymous (Gentile et al., 1996; Carr et al., 1997).⁴

This is due to insistence upon continuing to see the interaction as involving only interpretation and the failure to admit that a different interaction is taking place and a different role is required from the interpreter. It is misleading to compare interpretation with cultural mediation as if they were opposing activities.

In the context of intercultural interaction, linguistic content is a part of cultural content, and cultural mediation is a distinct activity of which interpretation is a part. While interpretation alone might be considered adequate to meet the needs of interactions occurring in specific settings such as conferences, seminars and meetings, this is not the case in community settings.

“*Determining the interpreter’s* role is regarded by Pöchhacker and Schlesinger (2005:162) as ‘the most widely discussed topic and the most controversial one’ in the field. The explanation for this focus arises from the debate about the visibility of the interpreter, his/ her presence at the speech event and the fact that, although the ‘official role was that of a passive participant’ (Lang, 1978:241), community interpreters are frequently active participants. The question underlying is to which extent it is legitimate for an interpreter to interact and mediate.”⁵

This confusion is reflected in the field of cultural mediation regarding what exactly is the job of the cultural mediator. The field “is fairly chaotic due to the variety of terms used. Of course, the use of different terms reflects the different genealogies of the phenomenon detected in each country and the different roles assumed. Interpretation is a registered profession with all legal rights, therefore a professional interpreter has to follow certain standards and a code of conduct including among others the verbatim conveyance of involved parties’ wording. In contrast to interpretation, intercultural mediation is not a registered profession; thus, the role of intercultural mediators is not clearly defined and acknowledged. Therefore, the practice does not follow a standardized code of conduct, and it is not exercised within a certain legal framework”.⁶

This has led to the emergence of several different conceptions and definitions of cultural mediation. It has been studied mainly in its relevance to migration.

“Whilst the academic literature dealing with issues of migration and integration in Europe is vast, the phenomenon of intercultural mediation is not widely studied.

4 Mikkelsen. H. Interpreting is interpreting – or is it? Originally presented at the GSTI 30th Anniversary Conference, January 1999, available at: <https://acebo.myshopify.com/pages/interpreting-is-interpreting-or-is-it>

5 Ciordia, L. S. Context-based approach to community interpreting. Perceptions and expectations about professional practice in the Spanish context. International Journal of Language, Translation and Intercultural Communication (2016). Available at: <https://ejournals.e-publishing.ekt.gr/index.php/latic/article/view/10655>

6 Research report on intercultural mediation for immigrants in Europe. Hellenic Open University, June 2015. Available at: http://www.mediation-time.eu/images/TIME_O1_Research_Report_v.2016.pdf

The discussion dates back to the '80s with reference on official documents on 1990 (in the context of the theoretical discussion on interculturality). In most countries surveyed, the academic literature is very limited and dates back to the '90s and 2000s. Another important aspect of such studies is the use of the concept of intercultural mediation upon implementation of relevant EU projects.”⁷

According to CRPC, despite its apparent social nature in community settings, the cultural mediation interaction should not be seen as a *social interaction*, but as a *human interaction* and the cultural mediator is concerned not just with ensuring successful interpretation but also with the human situation it presents, as the interaction belongs to and contributes to the larger domain of intercultural dialogue on a community level. “The ‘White Paper on Intercultural Dialogue’ emphatically argues in the name of the governments of the 47 member states of the Council of Europe that our common future depends on our ability to safeguard and develop human rights, as enshrined in the European Convention on Human Rights, democracy and the rule of law, and to promote mutual understanding. It reasons that the intercultural approach offers a forward-looking model for managing cultural diversity. It proposes a conception based on individual human dignity (embracing our common humanity and common destiny). It reasons that intercultural dialogue is impossible without a clear reference to universal values — democracy, human rights and the rule of law. It is a means of promoting awareness, understanding, reconciliation and tolerance, as well as preventing conflicts and ensuring integration and the cohesion of society. The corpus of human rights recognises the dignity of every human being, over and above the entitlements enjoyed by individuals as citizens of a particular state. This corpus of human rights acknowledges our common humanity and the unique individuality of all. If there is a common identity, then, to be realised, it is an ethos of respect for the equal dignity of every individual and hospitality towards the wider world. Intrinsic to such an ethos is dialogue and interaction with others.”⁸

CRPC is committed to the upholding of basic human rights and considering guidance provided by relevant international documents on intercultural dialogue the only appropriate context for intercultural communication is our shared human identity despite our cultural differences.

Communication is an immensely powerful tool. For this reason, it is extremely important for the cultural mediation interaction to be firmly grounded in ethical principles. It is understandable that a bilingual and bicultural person mediating between two culturally different groups would be in a position that can easily be used to exert an inordinate amount of control over the interaction. Their work must be strictly professional to ensure that they do not impact the interaction negatively. Therefore, the interaction must be *ethically controlled*.

7 Ibid.

8 Intercultural Dialogue “Living Together as Equals in Dignity” Launched by the Council of Europe Ministers of Foreign Affairs at their 118th Ministerial Session (Strasbourg, May 7, 2008). Available at: https://www.coe.int/t/dg4/intercultural/Source/Pub_White_Paper/White%20Paper_final_revised_EN.pdf

Arguably bilingual and bicultural persons, such as those born in mixed marriages, those that have moved from country of origin to another country and are integrated, those with extensive knowledge and experience of another language and culture, are most likely to be free from bias, prejudice and misinformation that might be found in persons without this background. These categories of bilingual and bicultural persons are potential candidates for becoming cultural mediators as they can serve as a powerful human link between the two groups they belong to. They can become valuable common points of reference for both sides across the language and culture gap if they can participate in the interaction as equals. CRPC has a team of cultural mediators that include the categories described above. Providing professional training to such individuals to become cultural mediators whose work includes linguistic interpretation has shown to be a successful strategy for utilizing their bilingual and bicultural potential.

Also, the CRPC definition of cultural mediation looks at the cultural mediation interaction as the basic unit of intercultural communication with very distinct boundaries, and a cultural mediator plays a very clearly outlined role with its specific normative framework. The advantage of having such a definition is that it is not related to a particular context and can help standardize the field of cultural mediation.

DEFINITION OF CULTURAL MEDIATION

Cultural mediation occurs when cultural content communicated in a three-way joint interaction between culturally different groups is mediated by a person bilingual and bicultural in relation to both groups, in order to prevent cultural differences from hindering mutual understanding as individual human beings with a shared human identity.

According to the definition, cultural mediation takes place when two Culturally Different Groups (CDG1 and CDG2 in further text) are interacting and a person mediating their interaction has knowledge of the language and culture of both groups. The interaction is also three-way which means that the cultural mediator (CM in further text) is the third participant. The interaction is also of a joint nature as all three participants are equal as if in a conversation. The cultural mediator strives to ensure that cultural differences do not hinder the communication taking place between participants as human beings that share the same human identity. Cultural mediation does not mean that social ills such as Harmful Traditional Practices⁹ (HTP in further text) or other customs that violate human rights should be *justified/ignored/explained* away as acceptable cultural norms. In this sense the cultural mediation interaction should have a humanizing influence on intercultural communication.

A mediator is a bilingual and bicultural specialist, “The cultural mediator is bicultural in the sense that is mentioned by Roy (2002): Bilingual, bicultural specialists:

⁹ Such practices usually include Female Genital Mutilation (FGM), early and forced marriages, honour killing and other. More on this: CRIN. *Forms of Violence: “Harmful traditional practices”*. London: CRIN, April 13, 2013. Available at: <https://archive.crin.org/en/library/publications/forms-violence-harmful-traditional-practices.html>

By the end of the 70s and 80s most descriptions of interpreters acknowledged the fact that interpreters must be sensitive to the fact that they are communicating across cultures as well as across languages.”¹⁰

CULTURAL MEDIATION INTERACTION EXAMPLE 1:

A patient, a young man from Afghanistan, receives intravenous treatment at the medical unit of a refugee/migrant reception centre and a nurse administering the therapy pricks her finger on the needle. The nurse must be tested for diseases transmitted via blood such as HIV, HEP, etc.

The staff at the medical unit finds it suitable for the patient to be tested for these diseases in order to ease the anxiety of the nurse. They insist that the patient stays locked in the isolation room of the medical unit until the test can be arranged, as beneficiaries of the centre tend to leave without notice and sometimes never return. However, the medical team refuses to provide any explanations of these planned actions to the patient.

There is no binding legal order to which the patient must comply. He also does not know about diseases transmitted by blood and is offended by the idea that he should be detained in the isolation room. However, he is ready to take the test and promises to return.

The cultural mediator explains the situation to the patient and also conveys to the medical team that the patient is not being irresponsible, but is simply not aware of the risk posed by a needle prick or the anxiety of the nurse and, rightfully, does not wish to be detained.

For the situation to be resolved without conflict it is important to reach a compromise and it is reached when the patient is provided with necessary explanations and agrees to be detained for a few hours out of consideration for the concerns of the medical staff.

In the example seen above there are clear instructions for *intervening*. Intervening cannot be equated with interfering. Interfering implies that the step taken had a negative impact on the communication, created more obstacles or led to conflict. The cultural mediator must always act in accordance with their ethical principles so that his/her role in the interaction never exceeds the scope of their work.

In the example where the patient from Afghanistan is unaware of diseases transmitted via blood and is consequently unable to understand the situation in which he finds himself, the cultural mediator intervened to clarify the situation for both the patient and the doctor. They also made efforts to resolve the conflict by presenting the situation objectively to both sides and called upon each side to have consideration for the other for them to reach a mutually acceptable solution.

¹⁰ Caiwen Wang. Interpreters = Cultural Mediators? University of Westminster, January 2017. Available at: https://www.researchgate.net/publication/320191250_Interpreters_Cultural_Mediators

MAIN ELEMENTS OF CULTURAL MEDIATION

In the cultural mediation interaction, cultural content is mediated by clarifying cultural differences and by applying cultural information to communication. This means that not only will a mediator point out cultural differences, they will also communicate with each participant in the most effective way knowing how to approach, address, choose words, organize information depending on the participants' background, prior experience, perceptions and worldview.

CHARACTERISTICS OF THE CULTURAL MEDIATION INTERACTION:

- **CONTEXTUAL MESSAGES**

The cultural mediator must listen to messages in their context and convey them as such. Cultural knowledge is the resource for proper understanding of verbal/non-verbal messages. Messages conveyed from both sides should be listened to together with their possible context and, wherever missing context might lead to misunderstanding or conflict, it should be clarified to both sides.

The interaction should consist of each side that is listening to the entire verbal/non-verbal and contextual message and understands it.

EXAMPLE:

Patient to nurse: *I don't know what these diseases are that you are talking about.*

CM: *As the patient is from the rural area of a country where awareness about these diseases is very limited, he does not know about them.*

Nurse: *Tell him he must be tested for these diseases and he must cooperate.*

CM (to patient): *The nurse is very upset and afraid. She is worried she got a serious disease that spreads through blood. She pricked her finger on the needle with your blood on it. If you test for these diseases and you don't have them she will not be afraid and you will also know you are not ill from any such disease.*

- **VALIDATION**

The interaction must also be of a nature that each side feels that their message has been validated. The cultural mediator must be alert to the possibility that at any given moment during the interaction one or both sides might not be able to validate the message from the other side. The cultural mediator must then introduce validation into the interaction by letting the sides know that the message has been validated by them.

Validation does not mean approval. Ideally it means that the message has been heard, understood and conveyed to all sides and that all sides are aware of this.

EXAMPLE:

Woman to police officer: *Please tell the police officer that I must see my husband today.*

CM: *I understand that you are worried and feel afraid without your husband, but as the police officer has already explained, your husband is not accused of a crime. He is being kept in custody because he is a witness. He will be released soon and you will be able to visit him next week. However, I will convey your request once again.*

- **RECIPROCITY**

The interaction must have reciprocity. This means that each participant in the communication will be a source/recipient, including the cultural mediator. The structure of the interaction puts all three participants on an equal basis. The cultural mediator must not dominate the interaction by leaving out one or the other participants involved.

EXAMPLE:

Doctor: *Please tell the patient that he must take the medicine on time every day as I have prescribed it and to drink plenty of water.*

CM: *The doctor has advised you to take your medicine regularly and to drink a lot of water. Water is good for you as it hydrates you and cleanses your body from toxic materials. You smoke a lot and it will be good for you to drink more water.*

Patient: *Yes, I understand.*

This is an observation by the CM and while it could be correct it is a mistake to talk a lot or to pressure anyone, or to start giving advice.

- **FLEXIBILITY**

The interaction should contain flexibility. Ideally this means that each side is ready to amend their stand if an issue is to be settled. However, in the absence of this ideal situation, the cultural mediator must learn not to take an opinion-based stance during the interaction and to introduce flexibility.

EXAMPLE:

Beneficiary: *Please convey to the social worker that I insist upon being provided with other accommodation as this place is completely inadequate for the needs of my family.*

CM: *The gentleman wishes you to provide them with other accommodation as according to him the current one is not adequate for the needs of his family.*

Social worker: *It is impossible to provide other accommodation as all specified criteria have been met.*

CM to beneficiary: *I understand that it is difficult. I know that back home you are used to a different lifestyle and housing is different there. But here this kind of accommodation is considered suitable for a family of three. It will just take time to get used to the change.*

TOOLS OF CULTURAL MEDIATION

The CM uses specific tools¹¹ to ensure that desired characteristics are created in the interaction:

- **INTERPRETATION**

Interpretation is one of the tools of the cultural mediator. The cultural mediator will interpret faithfully adjusting for cultural content in the language.

EXAMPLE:

Psychiatrist: *Please take the medicine regularly. I am sure it will help relieve your panic attacks.*

CM: *Use the medicine regularly. The doctor is sure that it will help you with panic attacks.*

Patient: *Inshallah.*

CM: *She expresses her faith in God that the medicine will be beneficial. The expression means as Allah wills, and signifies that she is willing to take the medicine while praying for the desired outcome.*

- **REFORMULATION**

The cultural mediator will often need to reformulate messages as with interpretation alone the message might seem to be culturally inappropriate, offensive, or difficult to understand. The cultural mediator will politely explain to the conversation participants why they need to reformulate.

“One of the most significant tasks a mediator performs is noticing the behavioral differences and their background, parties’ expectations and habits, pointing out the cultural standards and providing help to understand them. Sometimes it is significant to reformulate the messages so that both parties understand them.”¹²

11 For IOM’s version of these tools as components of cultural mediation and similarities please see: Agnes Ebenberger, Ivan Idris, Ferdaus Momand and Saman Vjestica, *Cultural Mediation Competencies Curriculum*, IOM 2019.

12 Agnieszka Olszewska, *Cross-cultural differences in international succession mediation*. Available at: <https://www.fomentonet.eu/2019/03/27/cross-cultural-differences-international-succession-mediation/>

EXAMPLE 1:

Social worker: *According to the law, you are a child in need of social protection as you are under 18 and you are travelling alone.*

CM: *(to social worker): I will need to reformulate this as the child is from a country where such services do not exist. (To child): In this country anyone under 18 is considered a child according to law and as you are not with an adult that can take care of you, an institution that provides care to all children in your position will help you.*

EXAMPLE 2:

Doctor: *Please take a shower next time when you come in for your examination. Oh my God how it smells?*

CM to patient: *The doctor advises daily showers and maintenance of personal hygiene. It is very good for health (omits the remark about the smell and advises the doctor that their behaviour is inappropriate).*

• INFORMATION/EXPLANATION

When the original message is relayed with the presumption that the other side already has some previous information that they do not, the cultural mediator might need to convey some additional information as some might be missing in the original message. They can either ask the conveyer to clarify the message or, with their consent, offer additional information on their own.

“The Time project for training intercultural mediators outlines that the ‘task range’ of the ‘intercultural mediator includes: linguistic interpreting, provision of information, explaining the migrant’s culture to the local professionals and *vice versa*, conflict prevention...”¹³.

EXAMPLE:

Social worker: *You must enrol your daughter in school as soon as possible as the school year has already started.*

CM: *I will need to say that in this country primary education is an obligation by law for both boys and girls and that we do not have separate schools for girls, as the family comes from a rural area of a country where young girls are often not sent to school and frequently to an only girls’ school.*

The cultural mediator might also need to provide further explanations to either side in order to make sure that the message has been understood properly. It is common for any side to ask questions regarding some message that is not clear

¹³ Time Project Partnership 2015, Intercultural Mediator Profile and Related Learning Outcomes. Available at: http://www.mediation-time.eu/images/TIME_O3_intercultural_mediator_profile.pdf

to them and the cultural mediator should ensure the message is explained in response by keeping both sides informed on the need of further clarification.

EXAMPLE:

Patient: *Tell the doctor I cannot afford to drink four litres of water a day. It is expensive. We only have tap water.*

CM to doctor: *The patient has not been drinking four litres of water daily because he buys water. In his country tap water is not drinkable and he thinks he must purchase bottled water. Perhaps you should explain to him that tap water here is drinkable and that he will not become sick from drinking it?*

- **CONFLICT MANAGEMENT/NEGOTIATION**

The cultural mediator must be aware of general methods of conflict management and negotiation but during the interaction they will use these methods while applying cultural information to the communication, choosing the right form of address, taking the culturally appropriate approach, selecting the right words, presenting the issue in a culturally more acceptable way, etc. Cultural information is applied to communication throughout the interaction, but it is particularly useful in conflict management.

EXAMPLE 1:

SOCIAL WORKER to Unaccompanied and Separated Child (UASC in further text): *Please tell the boy that he has to proceed to the accommodation facility now. He cannot live on his own.*

CM conveys the message.

UASC: *I will not accept accommodation at a facility so far from the city. My father told me to stay in the city where my brother can find me and I will not go anywhere without him.*

CM: *It is very good and loyal of you that you wish to follow the advice of your father but no other accommodation is available and I am sure if you contacted your father and explained the situation to him, he would understand. Perhaps we could ask the social worker to contact your father and help find your brother?*

In order to reach solutions, the cultural mediator will make an effort to clarify the situation to both sides, and to ensure that each side understands the other side completely so that a solution might be found in the best possible manner.

- **SUPPORT**

The cultural mediator should have a supportive attitude and might often need to assist a participant in the interaction to stay calm and overcome negativity. This kind of supportive

attitude should not encroach upon the role of a professional mental health care provider or involve irresponsible statements such as “everything will work out”.

EXAMPLE:

Mother: *I have to report that my teenage daughter is gone missing. She did not return from school. I have checked with all her friends. Something terrible must have happened to her.*

CM: *Please sit down and have a glass of water. Now slowly tell me what is going on and we will report it to the police.*

Support should not mean providing false hope by saying such things as “I am sure your daughter is fine and she will return home soon.”

As we have seen, cultural mediation should employ tools for establishing a certain kind of interaction which should have specific characteristics mentioned earlier. Otherwise, it will not be considered a successful interaction.

GUIDING PRINCIPLES OF CULTURAL MEDIATION

In any interaction assisted with cultural mediation CDG1 and CDG2 are variables that cannot be controlled. The cultural mediator is the only variable in the interaction that can be controlled; therefore, it is imperative that the cultural mediator follows certain principles, in order to ensure a successful interaction. These are the guiding principles of cultural mediation:

- **OBJECTIVITY**

Objectivity means the ability to have a realistic view of an overall situation and the interaction associated with the situation. It is to be expected that a well-trained cultural mediator shows greater levels of objectivity compared to other participants in an interaction.

Other participants might bring their personal interests, emotions, biases, viewpoints and temperaments to an interaction and might be unable to grasp a situation objectively.

Lack of objectivity is one of the obstacles in successful communication.

The objectivity of the cultural mediator is the same as the objectivity of the interpreter. The interpreter, according to their interaction, is objective when he/she faithfully conveys the message.

“The conference interpreter must be able to provide an exact and faithful reproduction of the original speech. Deviation from the letter of the original is permissible only if it enhances the audience’s understanding of the speaker’s meaning. Additional information should be provided only if it is indispensable to bridge the culture gaps referred to above:

it should in no way involve the interpreter's adding their own point of view to that of the speaker."¹⁴

Whenever a cultural gap appears, the interpreter is to fill it by providing additional information and to reformulate when it enhances the audience's understanding. These are the same techniques that the cultural mediator uses to ensure good communication. They are also maintaining objectivity when they provide the right context for the message based on their cultural knowledge. Often, as cultural mediators are working in a refugee and migrant context, they might feel too involved in the cause of those they perceive as *disenfranchised* and enter into needless conflict with those they perceive as *violating their rights*. This imbalance should be kept in check.

- **EMPATHY**

In an interaction, CDG1 and CDG2 do not necessarily need to be able to empathise with each other. The cultural mediator will be able to introduce empathy in the interaction. They will assist the different sides in validating messages.

In a way this is also similar to what the conference interpreter does.

"The conference interpreter, in a way, becomes the delegate they are interpreting. They speak in the first person when the delegate does so, not translating along the lines of 'He says that he thinks this is a useful idea...' The conference interpreter must empathize with the delegate, put themselves in someone else's shoes and espouse their cause. The male interpreter must be able to say, 'speaking as a woman who has gone through four pregnancies...' in a perfectly natural and convincing manner."¹⁵

Of course, the cultural mediator in their interaction will not employ this technique, but their empathy will consist of understanding the concerns of each side in the interaction and conveying them to the other side accurately. In the cultural mediation interaction example 1, of the Afghan patient and the nurse, the cultural mediator was able to empathize with the concerns of both the Afghan patient and the nurse.

- **NON-DISCRIMINATION OR EQUALITY**

Stereotypes are an inevitable part of our mental processes. It is important to understand that they are indeed just simplified information or misconceptions and not facts.

Stereotypes usually tend to be negative and are the basis of prejudice and discrimination that can often have very serious consequences for a particular social group.

For example, children are often disbelieved when they are speaking the truth and are often not paid much attention to. It is assumed they did not understand a situation well and that they are imagining things or just making up lies.

This is the reason why very often children are not believed when they say that they were

¹⁴ Roderick Jones. *Conference Interpreting Explained*. St. Jerome Publishing, Manchester. UK & Northampton, MA.

¹⁵ Ibid.

sexually abused by an adult, especially if that adult is a respectable member of society or a trusted friend or family member.

Women might also not be found credible or ignored by men because they *do not know enough to have valuable opinions*.

The cultural mediator should be free of discriminating attitudes and strive to ensure that the interaction is free of discrimination.

- **IMPARTIALITY**

Our personal preferences, our perceptions of those whom we interact with can affect our communication. Lack of impartiality is an obstacle in communication that can be addressed if the cultural mediator is constantly aware of this issue and can keep personal preferences in check.

- **TOLERANCE**

Tolerance is one of the most important principles of cultural mediation. During communication it is common to be annoyed or provoked by another person's opinion or attitude. The cultural mediator should be able to tolerate this and not display their personal reactions. There are many times when a person thinks they are sure they are right about a certain issue, and even if this might be true, the cultural mediator should not take a personal stance and intervene only to ensure a successful interaction.

- **RESPECT**

The cultural mediator should approach participants in an interaction with respect. This means that they should listen with concentration and not force their view of a situation upon any participant even if it might be obvious that one or both are being irrational or making the wrong choice. The cultural mediator must respect the agency of each participant.

- **CONFIDENTIALITY**

The principle of confidentiality is part of the ethical codex of all cultural mediators and they will sign contracts with clauses relating to this at their workplace. All cultural mediators must respect personal information.

The abovementioned principles form the normative framework of the cultural mediator that is much wider than that within which the conference interpreter operates. In the interaction given as an example, the cultural mediator assisted a patient from a country with only a few medical facilities, where the general awareness level about diseases transmitted via blood is not high and general attitudes about health tend to differ from attitudes in a western country.

The cultural mediator also assisted the doctor who takes it for granted that the patient is aware of the concept of diseases transmitted by blood and will be able to understand

the medical staff's reaction to the needle puncture incident, and the steps that might be taken following it. Hostility arises when the medical staff perceives the apparent unconcern of the patient as irresponsibility rather than lack of information and cultural difference.

Due to these factors, the patient also perceives the medical staff as being unreasonable and aggressive and feels defensive and hostile. The patient will refuse to be detained as any other person would do in their position.

The cultural mediator needs to interpret, ensure provision of missing information to both sides, reformulate messages, encourage or provide explanations and be supportive to each side, understanding the concerns of each. These tools are applied according to the guiding principles to ensure that the interaction is successful, in the sense that all necessary characteristics are introduced into it. The situation is resolved through compromise. The ethics of the cultural mediator will also ensure that they do not cause interference and that whenever they intervene it is to improve communication and to ensure no gaps are present as a result of failure in accurate transfer of all cultural/linguistic content present in the interaction.

The success of the interaction cannot be measured by the outcome, in the sense that even if the interests of all sides are not satisfied, it is the nature of the interaction itself that will determine its success and not the specific outcome for any of the sides concerned.

If the interaction is one in which all sides feel that their messages were understood, they were validated, they were an equal participant in the interaction, then even if the outcome does not satisfy the interests of one or more of the sides, participants will walk away from the interaction feeling much different than they would if the interaction were without these characteristics. If all the above characteristics are present in the interaction it will be considered successful.

If one of the sides is xenophobic or discriminatory for some other reason, or if a service provider is violating the rights of a client, it might not be possible to introduce certain characteristics. The question arises that if the CM takes part in an interaction in which the rights of a less empowered side have been violated or are at the risk of being violated, what is the scope of their intervention?

The scope of intervention depends on legal and procedural frameworks, and mechanisms of civil response available in each environment. If it is possible for the cultural mediator to take remedial steps to minimize the negative impact of an interaction in line with the procedures of the organization that employs them or according to their duties as citizens, their actions cannot be seen as interference. If steps can be taken during the interaction through communication or if it is more constructive to take them after the interaction, both would be legitimate ways of intervening for the CM.

Cultural mediation can often be confused with conflict management. In fact, many definitions limit it solely to conflict management/prevention/reduction or emphasize the aspect of conflict management too much. There could be a lot of conflict management in

a cultural mediation interaction, but it does not define the interaction. We can imagine such intercultural interactions occurring spontaneously throughout history everywhere in the world where human beings from different cultural groups were encountering each other, frequently without conflict, and very often for the exchange of knowledge. The cultural mediation interaction exists a priori but its participants determine its purpose and ethics. If we wish our intercultural communication to improve in order to have successful relations among culturally different groups, then we must clearly define the purpose and ethics of the cultural mediation interaction. Participants from culturally different groups are not obliged to follow this normative framework, but the CM must hold to this purpose and ethics and perform conflict management whenever necessary. However, an ethically controlled cultural mediation interaction is preventive of conflict by its very nature, as it provides people from culturally different groups a chance to meet under the best possible circumstances to understand each other, and this is its purpose.

Many educational activities where a person is imparting knowledge about another culture to their cultural group are confused with cultural mediation. For example, a bilingual and bicultural professor that conveys cultural knowledge to their students removes misperceptions and reduces conflict. A student voices that a certain society is primitive because they still practice child marriage. The professor might clarify by reminding that certain groups in the student's own society practised this until very recently. While certainly it is HTP, in many societies this also occurs due to reasons such as extreme poverty, and it is not fair to pass judgment on a particular cultural group just because of certain social ills which are present among them and practiced by some. Cultural information has been applied to the communication to reduce conflict, but this is in the service of education. We can say that a cultural mediation element is present, but the interaction is not a cultural mediation interaction.

The reason for this is that in a cultural mediation interaction there must be two sides, CDG1 and CDG2. Both sides must be persons for intercultural communication to take place. It is not possible for one side to be the environment. For example, if a CM informs CDG1 about the culture of CDG2 without CDG2 being present, this is just providing information, not cultural mediation. It is not accurate to assume that cultural mediation can be performed by those that are not bilingual in relation to both CDG1 and CDG2. The reason is that direct communication with a culturally different group in their own language is essential for gaining the kind of cultural knowledge that is required for cultural mediation. In our own cultural environment, we feel comfortable facing various situations and encountering various people because we have enough cultural information in order to apply it to our communication in various situations, to know how to act and respond. It is not possible to acquire this kind of practical cultural knowledge that is relevant to communication without direct contact in the native language of a culturally different group. This cultural knowledge is very different from cultural competency.

Cultural competency is more of a subjective attitude of acceptance of diversity as well as having information about other cultures acquired either without direct contact with that cultural group or acquired through direct contact in a third language. This is not

enough to perform cultural mediation. A very different picture of the culture is revealed when the direct contact is in the native language of a cultural group and also equips the person with culture specific communication skills that are vital to the effective mediation of cultural content.

It is also not accurate to assume that if we learn the language of another group without direct contact with them and without any practical cultural knowledge about them, we would be able to perform cultural mediation.

The degree to which cultural content needs to be mediated can vary in the cultural mediation interaction and will determine the kind of tools that the cultural mediator will need to employ. The more culturally competent the two sides are, the less the need for other tools such as information and explanation, and more for interpretation.

In situations where CDG1 and CDG2 both speak a *lingua franca* such as English and the presence of a CM is required only to clarify cultural points but no interpretation occurs, the CM should still be bilingual in order to be able to fully grasp the situation and properly execute their role in the interaction. It is possible for cultural mediation to be performed by a cultural mediator that speaks the second language of a culturally different group. Having said this, this can occur if the group shares the same geographical area and has a culture very close to the culture that the cultural mediator specializes in, and the second language is culturally close. For example, a cultural mediator for Arabic can perform cultural mediation for Kurds if they speak Arabic as a second language. Another case is of Pashtuns that speak Urdu as a second language. A cultural mediator for Urdu will be able to perform cultural mediation for them because of close cultural ties as a lot of cultural knowledge is applicable.

As we can see from these examples, the cultural mediation interaction will always involve two culturally different groups (CDG1 and CDG2) and one cultural mediator (CM). Any interaction might involve any number of individuals from different cultural backgrounds and possibly more than one cultural mediator, however this does not affect the basic unit of interaction and its shape will remain the same, always involving three sides.

As Figure 1 of the cultural mediation interaction shows, the basic requirements for the interaction are two culturally different sides and one cultural mediator. For example, it can happen that a CM might be bicultural and bilingual in relation to more than two culturally different groups, but this will not affect the basic form of the cultural mediation interaction.

TYPES AND COMPETENCIES OF CULTURAL MEDIATORS

Observation of cultural mediation shows that there are three basic types of cultural mediators.¹⁶ These types are also applicable to the discussion of cultural mediation outside the protection context as bilingual and bicultural specialists.

¹⁶ CRPC defines three types and related biases of cultural mediators similarly to IOM. For more information see: Agnes Ebenberger, Ivan Idris, Ferdaus Momand and Saman Vjestica, *Cultural Mediation Competencies Curriculum*, IOM 2019.

“Cross-cultural management research suggests that bicultural-bilinguals are ideal cultural mediators as they are able to access dual cultural frameworks and seamlessly switch back and forth between these.¹⁷”

“Traditionally, the role of intercultural mediator is played by an immigrant who has lived in the host country for long enough to acquire a good knowledge of the language and the cultural codes and to have worked through his/her own experience of migration.¹⁸”

Related to this category, a bilingual or bicultural person, whether an immigrant that is fully integrated in a host country or a person born from a mixed marriage, both will be considered as those from the country of origin.

- **CM FROM COUNTRY OF ORIGIN**

Certain people due to their background could be potential candidates for becoming cultural mediators. A person born in a mixed marriage where one parent is from the country of origin of a particular group and the other from the host environment is bilingual and bicultural due to the circumstances of their birth. Another potential candidate might have emigrated from the country of origin but completely integrated in the host environment.

In the experience of CRPC, these two kinds of people are potentially the best candidates for being CMs and if they acquire necessary skills and competencies, they can perform cultural mediation in its most effective form. A CM is a person that two culturally different groups should ideally see as a person that understands them (this type of CM is most likely to be perceived by both culturally different groups as a person they can relate to and trust).

Such a CM will be able to reduce *otherness* in the interaction most effectively. Asylum seekers, refugees and migrants will most easily see such a CM as a person that understands them as well as a person that can connect them effectively with the host environment. The host environment will also see such a CM as a person that understands them and can help connect them effectively with asylum seekers, refugees and migrants.

SPECIFIC BIAS

Based on CRPC’s experience, the CM in this category might have two kinds of bias that must be avoided/removed.

They might have sentiments against their country of origin and might put too high a value on the positive aspects of the host environment. They might develop bias towards people who come from their country. Their supervisors ought to be aware of this and work with CMs in order to diminish such bias.

17 Torsten V. Ringberg, David Luna, Markus Reihlen, Laura A. Peracchio, *Bicultural-Bilinguals: The Effect of Cultural Frame Switching on Translation Equivalence*, Volume: 10 issue: 1, page(s): 77-92. Available at: <https://doi.org/10.1177%2F1470595809359585>

18 *Refugee Protection and Service Delivery project*. Available at: <http://resettlement.eu/sites/icmc.ttp.eu/files/Cultural%20Mediation%20Discussion%20paper.pdf>

On the other hand, they might have a high and unrealistic regard for their country of origin and might not be able to accept that refugees/migrants have a valid reason for leaving it. This is especially problematic when it comes to HTP as they might not perceive them as such. Supervisors need to invest suitable time and adequate trainings and, if those efforts are unsuccessful, a person cannot be assessed as a CM.

- **CM FROM HOST ENVIRONMENT**

The second type of CM is a person that is from the host environment, has excellent knowledge of the culture and language of a country of origin, and has spent some time in it or with a community from it.

“In France and Italy, Cultural Mediator exists in law as a recognised profession. In Italy, it is possible to attend a course organised by the local authorities or regions, mostly free-of-charge, in order to qualify as a Cultural Mediator. Italian universities have started offering Master’s degrees in this field, for example the University of Milan offers specialised degrees in Linguistic and Cultural Mediation. However, there is still no standard curriculum among teaching institutions and organisation, and training periods may vary from three-day to two-year programmes.”¹⁹

SPECIFIC BIAS

The specific bias here might be an unrealistic idealisation of the country of origin. It can also relate to a specific political regime which de facto causes plight among people and a CM might be unable or unwilling to comprehend this. Sometimes spending time in another country amidst another population group can also create negative perceptions about that population based on various personal experiences. Supervision should ensure that such biases are not affecting professional integrity.

- **CM FROM REFUGEE/MIGRANT POPULATION**

The third type of CM comes from among the refugee and migrant population that has integrated in the host environment to the degree that they can speak the language and have some knowledge of how the environment functions. Their value as CMs might be limited by the degree of their integration in their host environment but with proper training, guidance and caution in assigning tasks can make them also useful in earlier phases of integration.

“Civil society organisations became the first providers of language services for migrants accessing Italy’s public services. The people these organisations sent to assist the public service providers were not trained interpreters, but members or friends of the associations (often fellow migrants) who did not just interpret for the newly-arrived

¹⁹ Ibid.

migrants, but also pursued the goals of these voluntary organisations by supporting the migrants, advising them and helping them to claim their rights, basing their role on empathy and advocacy. According to Capitani, this linguistic and cultural mediation began in the larger towns and cities of Northern Italy at the beginning of the 1990s, “initially as a creative and self-organised solution to help public sector workers (in education, health and the social services) look after foreign public service users.”²⁰

SPECIFIC BIAS

This kind of CM might have an overly critical view of country of origin. This person can also be affected by traumatic events in their personal lives that forced them to flee the country of origin. Supervisors need to be especially careful as many of the events CMs are exposed to can re-traumatise them. Such CMs should be asked not to conduct case management in such instances. They should be encouraged that once they recognise the risk, they talk to the supervisors who will transfer the case to another CM. Another option can be that, if the CM is unable to see that certain cases can re-traumatise him/her, supervisor will need to intervene instantly and transfer the case to another CM.

Apart from these main biases, all three types might have other kinds of preconceptions or misconceptions that could affect their ability to apply the principles of cultural mediation. These are addressed by initial training and good supervision. At CRPC CMs that work within a specific context related to protection of refugee/migrant population, do not receive and handle service requests, unless exceptional circumstances are present. Requests are received by a supervisor with required experience in cultural mediation, protection work and case management, qualified to monitor the work of cultural mediators, and tasks are carefully assigned as CMs are all individual and different human beings with varying abilities, and varying levels of experience. Tasks are coordinated and monitored through suitable supervision.

ESSENTIAL COMPETENCIES FOR CULTURAL MEDIATORS:

- **Language skills:**

The CM should have excellent command over the languages they speak. Preferably they should also speak another language that is spoken widely in the world, such as English, French or Spanish.

- **Interpretation skills:**

The CM might not need to have the skills of a trained and experienced conference interpreter, but they should be able to perform consecutive interpretation. There

²⁰ Amalia Amato, *Cultural mediators in Italy: A new breed of linguists*, January 2011, Available at: https://www.researchgate.net/publication/288761243_Cultural_mediators_in_Italy_A_new_breed_of_linguists

are several settings such as courts, police stations, asylum hearings, etc. that require efficient consecutive interpretation.

- **Interpersonal skills:**

The CM should develop good interpersonal skills. Addressing people with a wide range of backgrounds requires the ability to be able to talk to them on the level that is relevant to them.

- **Conflict management skills:**

There are several approaches and methods of conflict management that the CM should learn and utilize in their work. Sociologists Robert Blake and Jane Moulton identified five approaches to conflict management that human beings utilize.²¹ These are:

1. Competing, such as powering your way to a win or defending your position;
2. Accommodating (the opposite of competing), by subordinating your own interests to the interests of others;
3. Avoiding, by denying the existence of the conflict or withdrawing from it;
4. Collaborating (the opposite of avoiding); engaging and working together toward a solution;
5. Compromising (the middle ground between competing and avoiding); agreeing on a partially acceptable solution.

The CM should be aware of approaches being taken by participants in the interaction. Using tools such as providing information, explanation and negotiation the CM can encourage constructive approaches. They should also know which cultural information should be applied to communication in order to minimize conflict.

- **Knowledge of subject matter:**

Thorough knowledge of the subject matter that is related to the CM's field of work is important. For instance, if they participate in interactions taking place in a wide variety of settings such as courts, hospitals, police stations, schools, etc. they must have a command over the terminology related to these interactions, and other basic information about procedures related to these settings. Other subjects that the CM should be familiar with are related to the specific context they are working in. As they mostly work with refugee/migrant groups they would be required to know international conventions and regulations applicable to refugees/migrants, national laws applicable to refugees/migrants, governmental, non-governmental, international agencies aiding refugees/migrants, etc. If a CM works primarily with socially marginalized groups that have failed to integrate properly in the host

21 Gleeson, P. *Five Approaches to Conflict Resolution* (2019). Available at: <https://smallbusiness.chron.com/five-approaches-conflict-resolution-21360.html>

environment, they should be aware of their particular issues and mechanisms available for resolving them. If a CM works in the business sector, they should have knowledge of the various subjects counterparts will discuss.

This is similar to the knowledge required for conference interpreters that interpret at a wide range of interpretation events that could be related to politics, legislation, science, fine arts, etc.

- **Training in self-care:**

All cultural mediators should go through self-care training by professionals in order to monitor their emotional and physical well-being in relation to their work. They should be able to identify signs of exhaustion/burnout, to implement healthy stress coping mechanism instead of unhealthy ones and to know when to seek professional help.

In current circumstances while cultural mediation is still not standardized relevant educational background, other knowledge, skills and competencies can vary depending on the specific context of the CM's work.

CULTURAL MEDIATION IN MIXED MOVEMENT CONTEXT

Over the last five years, refugees²² and migrants²³ from different countries such as Syria, Afghanistan, Iraq, Pakistan, Bangladesh, Somalia, Eritrea, etc., are travelling along the countries of the Balkan route in a mixed movement,²⁴ from Turkey across Greece, Bulgaria, Albania, Macedonia, Serbia and onwards to destinations in western EU countries.

Even in the absence of stereotypical or discriminatory attitudes that might stem from the perception of *otherness*, a host environment might find it difficult to interact with people from another culture.

For the CM, culture²⁵ is primarily the environment from which an individual or group is coming, and they will mediate from this standpoint.

It will be very difficult for an individual to realise their rights and access services in an environment that they find foreign and where they might not be able to communicate and function independently because of not knowing the local language. Even if they could use a language such as English, interactions might be inadequate due to the lack of cultural information and orientation. In such circumstances, the environment will also find it difficult to provide suitable services without assistance through cultural mediation.

When working with refugees or migrants, cultural mediation, apart from other competencies, requires knowledge of the circumstances within which they are moving and staying in their host environment,²⁶ and these circumstances will be considered as part of the cultural information required for performing cultural mediation.

Culture also impacts the way people move and the circumstances they face during their movement, and the ways in which they cope with their host environment. In the context of mixed movements, cultural mediation is provided as assistance in interactions between refugees, migrants and the host environment.

22 The 1951 Refugee Convention is a key legal document and defines a refugee as: “someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion”. Available at: <https://www.unhcr.org/what-is-a-refugee.html>

23 “An umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her usual place of residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers: persons whose particular types of movement are legally defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students”. IOM (2019) *International Migration Law: Glossary on Migration*. Available at: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf

24 “People travelling as part of mixed movements have varying needs and profiles and may include asylum seekers, refugees, trafficked persons, unaccompanied/separated children, and migrants in an irregular situation”. IOM (2019) *International Migration Law: Glossary on Migration*. Available at: https://publications.iom.int/system/files/pdf/iml_34_glossary.pdf

25 In this document, definition of culture is pertinent to the definition by American Sociological Association (ASA) which sees culture as “the languages, customs, beliefs, rules, arts, knowledge, and collective identities and memories developed by members of all social groups that make their social environments meaningful”. Available at: <http://www.asanet.org/topics/culture>

26 Agnes Ebenberger, Ivan Idris, Ferdaus Momand and Saman Vjestica, *Cultural Mediation Competencies Curriculum IOM, 2019*

Adequate access to services and realisation of rights is not possible for asylum seekers, refugees and migrants without cultural mediation because of the language and cultural barrier, for example access to health care, legal help, social care support, etc. Cultural mediation provides valuable insights regarding needs and how best to address them, and cultural considerations play a vital part in adequately resolving many protection issues.

Thus, cultural mediation can serve as a central service around which a comprehensive protection system may be constructed in order to address the needs of asylum seekers, refugees and migrants, as well as their host environment.

However, it must be highlighted that cultural mediation is an activity distinct from protection, or humanitarian work of some other kind.

Such a model of protection and the role of the cultural mediator will be explained in more detail in the Balkan mixed movement context.

THE BALKAN ROUTE

Irregular movement assisted by smugglers, particularly through several borders, such as on the Balkan Route, means that those who travel via this method are often being controlled by smugglers. The Balkan Route is a land route in Southeast Europe and Serbia is in the midst of it. Asylum seekers, refugees and migrants usually report that, once they reach Turkey, they either continue to Serbia via Greece and North Macedonia or via Bulgaria. CRPC and Humanitarian Centre for Integration and Tolerance (HCIT in further text) noticed that “during the massive influx of refugees in 2015, Serbia was mainly a country of transit on the route to European Union for the several hundreds of thousands fleeing war and persecution. Even after the EU-Turkey Statement in March 2016 and de facto closure of the borders along the so-called Balkan Route, the perception of those that remained stranded did not change and Serbia was still not considered as a destination country by most refugees, even though transit became ineffective and drastically prolonged compared to 2015 and early 2016”.²⁷

Furthermore, based on the data gathered in 2017, CRPC states that “during the year, the vast majority (95%) of asylum seekers, refugees and migrants CRPC identified in Belgrade, entered the city from the direction of Bulgaria and North Macedonia”.²⁸ Usually fairly large sums of money, often borrowed (sometimes from smugglers), or sums from the sale of everything that a person possesses in their country of origin are invested into reaching a specific destination. Sometimes, the journey is made in stages, with longer stays in each country on the route, payments being made separately for each border.

Regardless of the particular method of financing the journey, smugglers will frequently be the main source of information for asylum seekers, refugees and migrants. Other sources could be members of their own community that have travelled before them and social media.

²⁷ Vukasevic et. al. *Between Closed Borders*. CRPC, Belgrade, 2018, p. 11

²⁸ Ibid. 13.

This kind of information has mostly to do with how to successfully reach one country from another and also information about destination countries.

Most of the time information is being controlled by smugglers and the purpose of this is to keep asylum seekers, refugees and migrants on the move until they reach the destination that they paid for, and in cases of trafficking even upon reaching the destination.

The lack of proper information disseminated to asylum seekers, refugees and migrants can be corroborated with CRPC and HCIT's statement on the year 2017 that "(...)refugees and migrants in Serbia were in constant need of appropriate and timely counselling and adequate information in languages they could understand, often facing psychological issues, deprivation, sexual and gender-based violence (SGBV), a prolonged and an uncertain stay in Serbia while facing dilemmas regarding future strategies. Such issues influenced the work of CRPC and HCIT with this population on the local level."²⁹

ROLE OF CULTURAL MEDIATOR IN CRPC MODEL OF PROTECTION

CRPC implements a model of fieldwork and case management in the area of protection that recognizes and utilizes the potential of a CM in this work. This is based on extending the role of the CM beyond the cultural mediation interaction.

The extended role of the cultural mediators working with refugees or migrants in various countries was determined by the context in which cultural mediation was being practised. In transit conditions, the utilization of CMs and their competencies are necessarily different than in conditions where members of the population of concern wish to stay. The project Train Intercultural Mediators for a Multicultural Europe (TIME)³⁰ presents a rather extensive list of the kinds of knowledge, skills and competencies for cultural mediators working in Europe. These are more relevant to cultural orientation and integration than for carrying out fieldwork in a relatively volatile host environment of a country primarily seen by the moving population groups as a transit country, where they are also treated as people that wish to leave rather than stay.

Although it was possible and indeed necessary to reach a definition of the cultural mediation interaction and to describe the role of the cultural mediator outside a particular work and/or country specific context as presented in the first part of this Handbook, it is not possible to determine the competencies and responsibilities of the cultural mediator while disregarding the realities of the host environment where the cultural mediator is facilitating communication. The realities of the host environment, and of the specific context in which the cultural mediator works, whether of emergency, transit or integration, determine the most beneficial utilization of a cultural mediator and the contribution they can make by developing certain kinds of knowledge, skills and competencies most suited to their specific situation, thereby finding a natural extension of their role outside the cultural mediation interaction when it comes to working with

29 Ibid. 12.

30 TIME Train Intercultural Mediators for a Multicultural Europe, available at: http://www.mediation-time.eu/index.php?option=com_content&view=article&id=2&Itemid=138&lang=en

culturally different groups in an unequal power relationship. According to the specific context of the mixed movement and its changing demands CRPC ensures that through various regular trainings, ranging from communication to human rights and a basic understanding of international protection mechanisms, CM can improve skills and knowledge needed for independent fieldwork. Also, the CMs work must be approved and coordinated by their supervisors, and CM reports must have a specific protocol and structure in order to ensure confidentiality and accuracy.

CRPC trained CMs not only to facilitate communication within intercultural interactions as their primary activity, but also to do independent field work within a model of protection mainly consisting of:

- **FACILITATION OF IDENTIFICATION**
- **ACCESS TO SERVICES**
- **ACCESS TO RIGHTS**

FACILITATION OF IDENTIFICATION

Refugees and migrants arriving to Serbia via the Balkan Route became stranded as in early 2016 public opinion began to shift from a display of empathy to fear, where the presence of asylum seekers, refugees and migrants was perceived as a threat. Borders became increasingly difficult to cross and stranded asylum seekers, refugees and migrants became more vulnerable to violation of human rights and crime, primarily by smugglers but also by members of their respective host environments. The issue of legal status arose partially due to the unwillingness or inability of refugees to seek asylum in countries on the route as their hopes remained fixed on countries of their choice, mainly in Western Europe, and the difficulties in granting them a legal position other than that of an asylum seeker in countries on the route.

According to CRPC observation, the movement was influenced by lack of information among asylum seekers, refugees and migrants about their rights and obligations, financial issues such as debt and little possibility of suitable employment in order to pay these debts in countries on the route and the influence of smugglers. Also, it was influenced by cultural factors such as their perception of the journey, the choice of destination countries and the influence of family or community members in countries of origin and those already living in western European countries. Individuals coming from countries where births, deaths, marriages, divorce, even crimes and punishment are seen as primarily social and community concerns and are not necessarily regulated by legal documents, and where life tends to unfold within diverse social norms and codes, might not perceive laws regulating international protection the same way as individuals from some other background. Identification in these circumstances involves constant outreach efforts.

CRPC cultural mediators are trained to work in the area of reception and they cooperate with relevant authorities on the field in order to facilitate identification. Newly arrived

individuals in the country can establish contact in their mother tongue. A CM will make contact with a person newly arrived in the host environment or one approaching for assistance the first time, based on the following principles:

Establishing trust:

The first contact is an important opportunity to establish trust. It is easier to establish trust and good contact with a person from our own cultural background or from a culture we know well. It is important for this contact to be as natural as possible, while staying within professional limits.

Conducting an initial interview:

Cultural mediators are trained to conduct an initial interview with the purpose of obtaining necessary information (with consent) in order to provide any possible further support and assistance.

Identification of Extremely Vulnerable Individuals (EVI in further text) and Persons with Special Needs (PSN in further text)³¹ during fieldwork is also improved by cultural knowledge. The knowledge of Particular Social Groups in a society, the issues they might face and the protection risks that might arise from these issues is vital to the identification of EVI and PSN. Established trust that the CM has developed is important for vulnerability disclosure of an EVI, especially when it comes to SGBV, belonging to Lesbian, Gay, Bisexual, Transsexual and Intersexual (LGBTI in further text) population or any other vulnerability related to delicate issues.

Similarly, a member of the Ahmadi minority from Pakistan might be at risk even outside their country of origin among groups of other asylum seekers, refugees and migrants because of the way members of these groups might perceive them. As generally the Ahmadi are considered to be heretics by other Muslims due to their specific interpretation of the Islamic faith they might continue to be at risk of harm.³² Similarly, a woman SGBV survivor from a country where HTP include honour killing, would be at a far greater risk if this information reaches her family or wider community. In some societies, an SGBV survivor is viewed as having dishonoured their families and/or community if they disclose this.

CRPC has observed that CMs are frequently those that people in this mixed movement context turned to in order to disclose a vulnerability. CMs go through extensive training in order to be properly sensitized so that they can respond successfully, and report identified cases to their supervisors.

CRPC has noted that in the mixed movement described above, asylum seekers, refugees

31 For the purpose of this paper under the group of Extremely Vulnerable Individuals (EVIs) and Persons with Special Needs (PSNs) we consider unaccompanied and separated children, families with children, women travelling with children, women travelling alone, elderly people, individuals with serious medical or psychological problems and individuals at serious risk of harm, SGBV survivors, and others with identified vulnerabilities or at risk of vulnerabilities.

32 More on the Ahmadi persecution at: *Shams. S. The persecution of Ahmadis in Pakistan and beyond* DW. Published December 13th, 2016. Available at: <https://www.dw.com/en/the-persecution-of-ahmadis-in-pakistan-and-beyond/a-36748924>

and migrants can remain uncertain about their plans due to various factors and their plans can change depending on their current situation. They might decide to seek asylum after a prolonged stay in the transit country if their options change, due to perceptions about destination countries, current country, family consultations, etc. Many are not informed about the legal framework that applies to their irregular border crossing. Even if they might have a justified reason to seek international protection they might see themselves just as travellers headed for a particular destination chosen for them by their families or smugglers, or because they are culturally conditioned to view a particular destination as the only suitable destination. For example, Unaccompanied and Separated Children (UASC) that escaped bonded labour from Pakistan might not be aware that they might have a justified reason for seeking international protection, but simply perceive that they are making a journey in order to help with the financial problems of their family by reaching the suitable destination.

ACCESS TO SERVICES

The CM doing fieldwork is equipped with information about forms of assistance available in the host environment, for needs ranging from food, Non-Food Items (NFI in further text), accommodation, to medical treatment, legal, social and psychological, in order to help provide access to appropriate services. People also need to obtain information about a new environment and a CM can ensure that relevant information is conveyed suitably, as generally speaking people from different societies tend to communicate differently.

“A high context culture relies on implicit communication and nonverbal cues. In high context communication, a message cannot be understood without a great deal of background information”.³³ In CRPC’s experience, individuals from high context communication cultures will value a personal, informal approach and attach greater value to established trust when it comes to receiving information than in low context cultures. This is one of the reasons why such an individual will respond better to information being provided by a person verbally rather than relying on written material even if they are literate and can understand all the information provided in written form. In a similar situation, a person from a Western low context culture might prefer to rely upon a leaflet or website more than speaking to a person and attach more value to other means of information dissemination than personal contact as “low context culture relies on explicit communication. In low context communication, more of the information in a message is spelled out and defined.”³⁴

Sometimes, specific urgent needs for certain services can arise upon arrival, such as need for accommodation in a safe house, reporting a crime to the police or treating serious psychological or physical conditions. It is also possible that individual needs arise later during prolonged stay, requiring access to particular services.

For example, a Libyan family who were granted temporary stay based on education in

33 Nese. B. *Intercultural Communication: High and Low-Context Cultures* Lakeland, FL: South-eastern University (2016). Available at: <https://online.seu.edu/high-and-low-context-cultures/>

34 Ibid.

a country might have used some NGO's services as they needed city orientation in the newly found environment. With conflict erupting or regimes changing in their country of origin and resulting inability to return home, they might be in the position to seek asylum and protection could be granted to them on the *sur place*³⁵ principle.

The CRPC model includes referral pathways in order to provide access to available services. The system of referrals to institutions such as the police, centre for social work, state and non-state medical actors, UN agencies, state bodies in charge of refugee/migrant protection, non-governmental organisations etc., ensure that asylum seekers, refugees and migrants are able to access services and assistance required.

Referrals often include escort and cultural mediation as well in order to assist in service provision.

Referrals also include navigation as systems differ in different environments. For example, accessing health services includes being physically able to navigate the health system. This can be very difficult if the refugee or migrant is also unable to speak the language and the environment is not culturally sensitive. This is when escort ought to be included.

The referral pathways must be well defined and of practical and operational value in the field. Every service provider should have established referral pathways aligned with national legislation and in line with international standards and although CMs will frequently consult their supervisors in order to make referrals, they should have information about them. Referral pathways might change over time with the changing needs of refugees/migrants. It is the responsibility of the organisation that employs CMs to regularly update their employees on the changes made.

Generally speaking, the value of cultural mediation is recognized in securing access to services. "The current refugee situation requires authorities, NGOs and other service providers to reflect and to strategize on how to address gaps in refugee reception and integration, and how best to meet refugees' and migrants' diverse needs.

Against a backdrop of limited funds available for refugee assistance, host communities are looking at new and different ways of responding to mixed migration flows. Creative solutions are being developed to boost reception and integration capacity at local level, one example being the use of Cultural Mediators.³⁶

35 UNHCR states that "a person who was not a refugee when he or she left their country, but who becomes a refugee at a later date, is called a refugee 'sur place'(...) and that it can and does apply to all persons who are outside the country of nationality". (UNHCR. *Amicus curiae of the United Nations High Commissioner for Refugees (UNHCR) on the interpretation and application of 'sur place' claims within the meaning of Article 1A (2) of the 1951 Convention Relating to the Status of Refugees*. February 14, 2017. Available at: https://www.refworld.org/topic_50ffbce526e_50ffbce5283_58ee206a4_0,...html)

36 *Refugee Protection and Service Delivery project*. Available at: <http://resettlement.eu/sites/icmc.ttp.eu/files/Cultural%20Mediation%20Discussion%20paper.pdf>

ACCESS TO RIGHTS

There is a lot of controversy surrounding the role of the cultural mediator when it comes to access to rights of refugees/migrants, however, this is also seen as a necessity:

“A controversial issue in the deontology of intercultural mediators is their neutrality. We argue that neutrality should be the ‘default position’ of the intercultural mediator but that he/she may be confronted with situations that require advocacy for one of the parties involved. This is especially the case when the principle of equal opportunities is violated or the dignity/rights of the weaker party are attacked.³⁷”

For example, it might happen that a patient from the refugee/migrant population finds it hard to access medical care that is their right, requiring the CM to make an effort to secure this right.

This will often include pleading a cause not only in front of state institutions, but also in front of NGOs. For example, a woman might disclose her trauma, such as domestic violence in the country of origin and that she does not feel safe living in an accommodation centre. She might not be in immediate danger as her husband is not present, but she fears that he might arrive and fears the influence he has on the community inside the centre. A CM will often have to intervene before the NGOs and the state which can help the survivor relocate, such as legal aid providers and specialised NGOs which offer safe accommodation. The relocation has to be done in line with legislation and international standards and advocacy might be needed in order to familiarise the actors with the survivor’s specific protection risks.



³⁷ Time Project Partnership 2015, *Intercultural Mediator Profile and Related Learning Outcomes*. Available at: http://www.mediation-time.eu/images/TIME_O3_intercultural_mediator_profile.pdf

CULTURAL MEDIATION AND CASE MANAGEMENT

Cultural mediation becomes a crucial part of case management when the Case Manager is working with a culturally different group. In such work the roles of a CM and a Case Manager can be separated or combined depending on various factors such as feasibility and desirability. However, in many instances combining these roles can make case management more efficient and cost effective in terms of human resources as well as competence and required educational background. For example, case management of children at risk must be conducted only by the competent state organ.

“Case management serves as a means for achieving client wellness and autonomy through advocacy, communication, education, identification of service resources and service facilitation. The case manager helps identify appropriate providers and facilities throughout the continuum of services, while ensuring that available resources are being used in a timely and cost-effective manner in order to obtain optimum value for both the client and the reimbursement source.

Case management services are best offered in a climate that allows direct communication between the case manager, the client, and appropriate service personnel, in order to optimise the outcome for all concerned.”³⁸

The level of cultural competence is also a relevant factor here. Case Managers do not usually require cultural competence outside the scope of the population they are dealing with and acquire it once they encounter members of population unknown to them. If a network of mediators is established, Case Managers can rely on the services they provide. In Serbia, a network of health mediators from the Roma community was established in order to be the link between the said community and health institutions, to educate the Roma on health care and to help them exercise the rights granted by the Law on Health Care.³⁹ Case Managers from the Centres of Social Welfare can rely on them when it comes to communicating with the Roma community, especially when it comes to medical services for unregistered patients. The National Association of Social Workers in the USA highlights that: “diversity, more than race and ethnicity, includes the socio-cultural experiences of people inclusive of, but not limited to, national origin, colour, social class, religious and spiritual beliefs, immigration status, sexual orientation, gender identity or expression, age, marital status, and physical or mental disabilities. The social work and human services literature include content areas that address culturally appropriate and culturally competent interventions.”⁴⁰ And it lists ten standards in order to “provide focus for the development of culturally competent social work practice. These standards provide guidance to social workers in all areas of social work practice in responding effectively to culture and cultural diversity in policy and practice settings.”⁴¹

38 CMSA. What is a Case Manager ? Available at: <http://www.cmsa.org/who-we-are/what-is-a-case-manager/>

39 RTS. *Zdravstveni medijator iza Rome*. Belgrade, Serbia. March 12th, 2009. Available at: <http://www.rts.rs/page/stories/sr/story/125/drustvo/49420/zdravstveni-medijatori-za-rome.html>

40 NASW. *Standards and Indicators for Cultural Competence in Social Work Practice* (2015). Available at: <https://www.socialworkers.org/LinkClick.aspx?fileticket=PonPTDEBrn4%3D&portalid=0>

41 Ibid. 17.

Those standards are: Ethics and Values, Self-Awareness, Cross-Cultural Knowledge, Cross-Cultural Skills, Service Delivery, Empowerment and Advocacy, Diverse Workforce, Professional Education, Language and Communication and Leadership to Advocate Cultural Competence.⁴² The standard on Cross-Cultural Knowledge explains that “social workers shall possess and continue to develop specialised knowledge and understanding that is inclusive of, but not limited to, the history, traditions, values, family systems, and artistic expressions such as race and ethnicity; immigration and refugee status; tribal groups; religion and spirituality; sexual orientation; gender identity or expression; social class; and mental or physical abilities of various cultural groups.”⁴³

In a host environment, where cultural competence among various service providers working with refugees and/or migrants still needs to be built to an optimal level the role of the CM in case management becomes necessary to bridge linguistic and cultural gaps.

PRINCIPLES APPLICABLE TO INDEPENDENT CM FIELDWORK

Operating in a context of mixed movements implies that international standards need to be adhered to and CRPC has adopted many such principles. As the work of CRPC focuses on asylum seekers and refugees our documents have been adopted according to relevant international principles.

DO NO HARM

The primary principle of protection is Do No Harm.

This means that no step should be taken that can worsen a situation for a refugee and/or migrant. If no assistance can be provided, then nothing should be done that can put the beneficiary in harm’s way. This also applies to communication itself. The CM should not say anything that can potentially put a beneficiary at risk.

It is also important to distinguish a personal, charitable response from a procedural response. For example, providing shelter is a charitable response, however, housing a person without legal documents could put that person and the individual housing them at risk of legal repercussions.

Similarly, giving cash to UASC outside the framework of social assistance could put them at risk of being robbed; encourage consumption of illegal substances, etc.

CRPC has developed clear guidelines for all field staff in order to ensure that response is professional and procedural.

CONFIDENTIALITY

Breach of confidentiality can lead to severe consequences and sometimes even endanger the life of asylum seekers, refugees or migrants. In the protection context information should be received with consent and shared on a need to know basis.

42 Ibid. 4-5.

43 Ibid. 4.

It is important to ensure that there is a private and secure space for any interaction that involves the sharing of confidential information and, if such conditions cannot be secured, then the sharing of information should be postponed.

It is also important to reassure a beneficiary that all information being shared will be kept confidential and to explain with whom the information will be shared to enable provision of aid/assistance. Even though people will often wish to confide in CMs, it mustn't be forgotten that CMs are not the ones who own that information. A person can, at any given time, revoke their consent, and a CM is obliged to respect this decision. This principle is also a part of the general ethics of the CM even if they are not doing fieldwork in the area of protection of refugee/migrant population groups.

RESPONSIBILITY

The CM must have clearly defined responsibility and should not act beyond the scope of this responsibility. Each organisation will have internal procedures that will define this. However, generally speaking, cultural mediation is a service that is distinct from legal, medical, psychological, social welfare and other services and it is important that a CM refrains from taking upon themselves the role of other service providers or to interfere in their work, apart from making efforts to ensure access to rights according to established procedures within the organisation. The CM can provide valuable information and input, but they should not present conclusions or suggest solutions that go beyond their area of work and interfere with the jurisdiction of other responsible service providers. In close collaboration with other responsible service providers, as CMs will probably stay in contact with the beneficiary, they can provide follow-up on the results of the interventions conducted by those service providers and notify them.

SAFETY

There can be many situations where the CM encounters risk for their well-being and life during fieldwork. All CMs should undergo training to recognize such situations and to respond appropriately.

CULTURAL MEDIATION IN TRANSITION

Mixed movements on the Balkan Route created *stranded asylum seekers, refugees and migrants* in 2016, and Serbia had to find mechanisms to address the needs of persons who did not want to stay. "While humanitarian needs were mainly addressed and over 90% of asylum seekers, refugees and migrants were accommodated in 18 governmental facilities across Serbia, issues regarding legal status and access to rights and services became a more urgent problem. The vast majority of all these foreign nationals remained without any legal status in Serbia, since only a small number submitted an official asylum claim."⁴⁴

44 Vukasevic et.al. *Between Closed Borders*. CRPC, Belgrade, 2018, p. 11

The prolonged stay of potential asylum seekers and migrants in countries where they are entitled to seek asylum, but where they do not wish to remain, created specific legal and humanitarian concerns that in turn led to very specific protection issues. In Serbia, all individuals regardless of their legal status could be accommodated in the government-run centres and provided with humanitarian assistance, including food, shelter and emergency medical care.

Nonetheless, majority of those who did not regularise their stay in Serbia, among others through seeking asylum, were not able to access services outside the accommodation centres. CRPC observed that CM interventions, facilitated access to such services in line with the national regulations and protocols.

It was difficult to report a crime and other violations of law by or against a refugee or migrant that did not own a document. This difficulty also led to increased violence among refugees and migrants, as they were unable to rely on law enforcement agencies for reporting theft, assault, etc.

Prolonged stay without legal status enticed some migrants to become involved in criminal activities, such as working for smugglers or the sale of illegal substances to earn enough. It also made asylum seekers, refugees and migrants vulnerable to exploitation for cheap labour by the local population.

Serbia being mainly considered as country of transit and continued presence of smugglers meant that many asylum seekers, refugees and migrants were influenced and controlled by smugglers. Smugglers presented various threats to them, such as holding for ransom, physical and sexual abuse, etc. Other risks increased as well, such as violence including domestic violence, exploitation, survival sex and substance abuse. The issue of legality and prolonged stay outside the asylum procedure also meant that the host environment as well as refugees or migrants were not motivated to acquire cultural competence. A changed narrative that stopped talking about asylum seekers and refugees and depicted all as migrants in a negative manner also hindered the work of presenting the option of seeking asylum in Serbia. Prospects of possible integration in society became less bright.

CULTURAL ORIENTATION

Our urban environment demands that we are properly oriented in order to function in it. Cultural orientation is one of the tools used during resettlement procedure. In resettlement⁴⁵ as one of the durable solutions for refugees but not as a right available to all refugees and as a complex process, Cultural Orientation (CO in further text) is a heavily utilised tool and many host countries use it before and upon arrival of refugees in order to ease integration, so it can be defined as: “a pre-departure and post-arrival education

45 UNHCR defines resettlement as the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and their family or dependents with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalised citizen of the resettlement country. UNHCR. *UNHCR Resettlement Handbook*. Available at: <http://www.unhcr.org/46f7c0ee2.pdf>

program designed for refugees resettling in the host country. The program should be designed in order to help refugees acquire the knowledge, skills, and attitudes needed to adapt to their new lives and become productive citizens who are fully integrated into their communities.”⁴⁶

Different countries invest considerable resources in CO as part of pre-departure arrangements and manage it “by fully trained personnel with a sound understanding of the legal, cultural and skills requirements in the country of resettlement to promote successful integration. Sessions are delivered in the language of the refugees or through a qualified interpreter.”⁴⁷ When possible, CO is offered in group classroom settings, using different audio, video and written materials.

“Refugees receive information on topics such as the resettlement process (including the flight), climate history, geography, housing, education, the country’s introduction or settlement programmes, employment, and other public and social services. Special attention is also given to traditional customs of the accepted refugees that could be misunderstood or pose challenges in a resettlement country. These include cultural norms regarding the rights of women and children, gender relations, health issues and other cultural practices which may be at odds with the receiving community.”⁴⁸

As many of the people in a mixed movement find themselves in an environment they do not perceive as their destination and they are not in legal processes such as resettlement that foresee a destination in a third country, the question which arises is how CO can be applied and what are those skills, knowledge and attitudes needed to cope with the new surroundings. CO should be the first step upon identification of refugees or migrants in order to establish the first link and build trust.

CO in this context cannot be an education programme, but a set of information disseminated to a beneficiary. A CM would introduce themselves and explain what the agency they work for can provide. They explain what other organisations they work closely with could offer.

As asylum seekers, refugees and migrants most probably find themselves in an unknown territory, the initial cultural orientation upon identification should be focused on information service about police for registration, urgent medical care, public transport, accommodation, availability of food and non-food items, on service providers that help identified vulnerabilities, etc. to be provided to a refugee or migrant. From CRPC’s experience, many people in a mixed movement travel without any documentation on their identity, so information regarding registration should be provided. In many countries registration is a first tool granting people basic protection and ensures they become visible to the authorities. This does not only allow a person to exercise their rights and obligations but could also make the authorities accountable for not taking appropriate action.

46 This definition is based on the CO programme designed for refugees who are to be resettled to the U.S. More on the CO in the U.S. available at: CORE (Cultural Orientation Resource Exchange). <https://coresourceexchange.org>

47 IOM Pakistan. *Cultural Orientation*. Islamabad, Pakistan: IOM Pakistan. Available at: <https://pakistan.iom.int/cultural-orientation>

48 UNHCR *Resettlement Handbook*. p. 379.

Even if a refugee or migrant does not perceive their host environment as the one where they want to integrate spending any extended period of time necessitates this process. It can also be a tool for transforming a country of transit into a destination country and, at the very least, a mechanism for prevention of processes that are undesirable substitutes.

Without CO as part of a systemic response, refugees or migrants might join the wider community as members of a marginalised group, possibly through links with other marginalised groups in the host environment that function outside legal and social systems and are at risk of discrimination, exploitation and criminality.

In conditions of transition with unclear legal status it can only be hoped that asylum seekers, refugees and migrants will increase their cultural competence to the degree that they can move around and function in their host environment independently to a certain point. Since CO in the countries perceived as transit, as a systemic response in the form of education is not feasible, most of the CO will need to occur through cultural mediation interactions and will constitute the first phase of the overall process of integration.

CULTURAL MEDIATION AND INTEGRATION

Several approaches have been adopted when it comes to integration. However, there is a general agreement that assimilation and multiculturalism are not adequate anymore, and an intercultural approach is needed.

“The influence of the assimilation theory meant that the migrant population is somehow responsible for not being able to fit in and that they should acquire the culture of the host environment, trying to become as similar to representative individuals in that environment as possible. Multiculturalism was the second phase and it promoted tolerance towards cultural diversity and the protection of minorities, leading to the provision of interpretation and translation services. However, its emphasis was on creating culturally diverse societies where various groups coexist but do not necessarily engage in interactions.

The third phase in the development of integration theory and practice is that of incorporation, characterized by the perception of interculturality (1990 and thereafter). In this approach, pluralism is recognized to be inevitable and that migrant integration requires reciprocal adaptation, i.e. both from the migrants and the host society (Dahinden&Chimienti, 2002). It is in this context that interventions become service oriented and Intercultural Mediation for Immigrants (IMFI) is institutionalized and embedded into the general services.”⁴⁹

Assimilation does not take into consideration the cultural identity of those that need to integrate, imposing upon them a model of integration that might make them feel that they need to give up their specific identity and take upon a new one in order to be accepted. Multiculturalism runs the risks of creating segregated groups that coexist but neither

⁴⁹ *Research report on intercultural mediation for immigrants in Europe.* Available at: http://www.mediation-time.eu/images/TIME_O1_Research_Report_v.2016.pdf

side modifies identity to the degree that is required for meaningful social cohesion and integration within a context of cultural exchange and mutual understanding.

These models imply that the host environment does not need to undergo changes in cultural identity, however, “Although integration research often focuses on changes in newcomers themselves, integration is a process whereby both the receiving communities and the newcomers change, and change each other (Castles et al., 2002; Omidvar and Richmond, 2003; Strang and Ager, 2010). The holistic integration model (HIM: Hynie et al., 2016) builds on Ager and Strang’s (2008) model to strengthen the emphasis on changes within the social context and on the interrelatedness of the different levels. In the HIM, social context includes the nature of the relationships between refugees and other members of their communities (social bonds within their communities and social bridges to other community members); general community attitudes and beliefs about refugees (community welcome), which can shape everyday experiences and interactions; and institutional adaptation.”⁵⁰

CRPC’s experience confirms that cultural mediation plays a crucial role in the integration of refugees. CRPC’s CMs have provided better access to services, improved links to local communities through social activities facilitated by CMs, as well as necessary support in acquiring education, skills, knowledge and attitudes for better integration to those granted protection in Serbia. In everyday discourse there is a general perception that some groups can never integrate. CRPC has observed that although some individuals require more assistance than others, given a person is willing and the host environment is willing as well, the integration process can be accessible to anyone. The cultural mediation interaction can assist two culturally different groups to mutually make alterations to identity on the community level.

Acquiring the language of the host environment is necessary not only for meeting information and communication needs, but also for integration. However, this is not an easy process. “For most people, the first language belongs to the kernel of their identity – it is the language in which they started to realise themselves as persons (personal identity), as members of a family and social group (social identity), and in which they developed values important for their lives (cultural/religious identity).

The more people have to leave behind, the more important their first language is. It is often the only stable element in their lives. This is one of the reasons why the right to use one’s mother tongue is one of the fundamental human rights.”⁵¹ When we acquire a new language, we also learn new ways of thinking and new ways of expressing ourselves. We also learn new ways of communicating. All these changes will keep altering our sense of identity.⁵² The CM can be a useful point of reference in the formation of identity for both sides.

50 Hynie, M. *Refugee integration: Research and policy*. *Peace and Conflict: Journal of Peace Psychology*, (2018). Available at: <https://psycnet.apa.org/fulltext/2018-39059-002.html>

51 Hans-Jürgen Krumm & Verena Plutzar, Tailoring language provision and requirements to the needs and capacities of adult migrants. Available at: <https://rm.coe.int/16802fc1c8>

52 Agnes Ebenberger, Ivan Idris, Ferdaus Momand and Saman Vjestica, *Cultural Mediation Competencies Curriculum*, IOM 2019

If the refugee or migrant groups within societies hold on to their original sense of identity to an unreasonable limit and isolate themselves from groups they perceive as different in order to preserve it, marginalization could occur. If such behaviour is reinforced by a similar fear of loss of identity by groups among the host communities, a vicious cycle will become established that is hard to break. Prejudice and discrimination can be present both among refugees or migrants towards the host environment and among the host environment towards refugee or migrant populations. The task of cultural mediation here is also to assist adjustment on both sides through constructive interactions.

Frequently, refugees and migrants will move to countries where there is a sizeable community of those that belong to their groups. This can be useful as the prior community can assist new members; however, it is also a risk when members of the prior community are not properly integrated or are even residing illegally. New members are then likely to follow unsuccessful patterns of integration, also becoming isolated.

“Asian Muslim ghettos in Britain have kept growing fast over the past 10 years, hindering integration and raising fears that dissatisfied Muslim youngsters may become easy prey for extremist groupings.

This ‘ghettoization’ has been most visible in eight major cities. Leicester, Birmingham, and Bradford top the scale, followed by London, and others. And the integration or assimilation process in the ghettos is so slow, according to the report released by the Royal Geographical Society, that in many cases it will never happen. The report also says that although the communities tend to voluntarily isolate themselves there is also fear of racial harassment outside the ghettos.”⁵³ Regardless of the context in which culturally different groups interact, if they fail to connect in meaningful ways, isolation and conflict result.

It is not possible to set the precise limits of integration and alteration of identity for any individual. “Freedom to choose one’s own culture is fundamental; it is a central aspect of human rights. Simultaneously or at various stages in their lives, everyone may adopt different cultural affiliations.”⁵⁴

In cultural mediation the reference for integration must be respect of basic human rights and laws and regulations of the host environment. For example, HTP are not part of culture and cultural mediation efforts must be geared towards assisting refugees and migrants in accepting that such practices cannot be continued.

Any value systems that violate basic human rights and laws of the host environment present an obstacle in the path of integration and cultural mediation can be utilized in efforts to ensure that these kinds of obstacles are removed effectively. If on the other hand refugees are not awarded the same human rights as locals, there will be obstacles in integration. If a potential employer in the host environment does not wish to give a job

53 Jan Jun. UK: Asian Muslim Ghettos Keep Growing, Hindering Integration, (2005). Available at: <https://www.rferl.org/a/1061340.html>

54 Intercultural Dialogue “Living Together as Equals in Dignity” Launched by the Council of Europe Ministers of Foreign Affairs at their 118th Ministerial Session (2008). Available at: https://www.coe.int/t/dg4/intercultural/Source/Pub_White_Paper/White%20Paper_final_revised_EN.pdf

to a Muslim woman that chooses to wear the hijab they will be discriminating against her on religious grounds and must also accept that they live in an environment that gives the woman the freedom to wear the hijab should she choose to do so. If policies brought in response to the fear that these groups cannot integrate become more restrictive instead of remaining in line with international laws, protection principles and basic human rights, the result will be societies that are humane and tolerant only to those that they perceive as equals and *their own*, not *others*. France has also seen such issues, and 10 years since the urban riots of 2005, according to some underlying causes still exist: “The state took a security approach, rather than a social or education response. If you couple that with the ongoing lack of equal rights in school and employment, you find France just doesn’t have a project for a society where people live together. I think what has changed is that things have got worse, it hasn’t got better. I think there could be another 2005 but with much more violence. We’re in real crisis.”⁵⁵

Regardless of the level at which integrative processes are happening, they cannot be constructive if mutual understanding is not promoted effectively. “Intercultural mediation has been considered to be the most proper, low cost and win-win approach to ensure migrants integration in the host society. CM have to integrate this crucial point to act as a bridge between institutions and migrants.

Their role and status is a key issue in building the local intercultural management policy. Intercultural mediators remind of the legal framework of immigration and integration in order for migrants to find their place to live and work in the host societies. The third person at the heart of the mediation is a key element – no mediation would be possible without this third person.

A mediator “enables individuals and even more so social or cultural groups not to live in isolation, withdrawn, unrecognised by the rest of the population, ignored, despised or rejected in meaninglessness and violence.”⁵⁶ The role cultural mediation can play in integration is in line with progress in intercultural dialogue.

“European history has been peaceful and productive whenever a real determination prevailed to speak to our neighbour and to co-operate across dividing lines. It has all too often led to human catastrophe whenever there was a lack of openness towards the other. Only dialogue allows people to live in unity in diversity.”⁵⁷

55 Chrisafis, A. The Guardian, (2015). Available at: <https://www.theguardian.com/world/2015/oct/22/nothings-changed-10-years-after-french-riots-banlieues-remain-in-crisis>

56 Research report on intercultural mediation for immigrants in Europe. Available at: http://www.mediation-time.eu/images/TIME_O1_Research_Report_v.2016.pdf

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CULTURAL MEDIATION IN DIGITAL SPACE

Development of technology has resulted in many of us inhabiting two kinds of space. One is what we refer to as our physical space and the other is digital space. In digital space, communication occurs when we use technology such as phone calls, different applications (apps in further text), social media networks and other communication platforms, when we play digitally produced games with others, when we use digital forms of entertainment, education, marketing, trading, etc. When such communication is part of our work environment, all applicable standards, international guidelines and national legislation related to data gathering must be respected.

The digital space to a larger or lesser degree is intertwined with our physical space in such a way that when we cannot access it, we tend to become uncomfortable. There are indeed situations when access to digital space, communication and interaction within it, become a necessity. For example, when people are under a lockdown, during epidemics⁵⁸ and/or when persons of concern of an organisation are accommodated in facilities where freedom of movement is either severely or completely restricted, with poor access to essential and general service provision. Even though many authorities globally stress that in cases of epidemics physical isolation is a preventive measure, nonetheless, it is stressful.⁵⁹ Such conditions can become more demanding if access to digital space becomes limited or impossible.

The characteristics, tools and ethical principles of cultural mediation cannot change in digital space. Additionally, the setting and general condition of each person involved in this type of cultural mediation interaction must be clearly explained to all sides. In order to conduct cultural mediation in digital space, it is important to ensure adequate technical conditions so that communication can unfold as smoothly as possible with no errors in understanding.

In the context of protection through cultural mediation, the protection model which is based on *vis-à-vis* interactions, needs to be adapted to its use in digital space. Although face to face communication in physical space is superior in its advantages, cultural mediation can be accomplished successfully via digital communication.

There are certain kinds of interactions that many people do not associate with digital space. Generally speaking, the health sector and other service providers prefer face to face communication, however, in the observation of CRPC, cases where it was impossible for a CM to be physically present, cultural mediation via various communication platforms proved to be a useful method of support.

CRPC has utilized such a model of work whenever challenged by conditions unfeasible for face to face communication. To illustrate, a patient at a hospital far from an available CM was provided with successful service via Telephone over a period of one month until

58 In Serbia, as in many parts of the world in 2020, the State introduced measures in order to fight the outbreak of COVID-19 virus which, among other, include that all asylum seekers and migrants who are in various state operated asylum and reception centres are not allowed to leave those centres on their own until further notice.

59 Various practices countries have introduced during the COVID-19 outbreak on migration accessible at: <https://www.thenewhumanitarian.org/analysis/2020/04/17/coronavirus-global-migration-policies-exploited>

he became well enough to be discharged. This also involved protection work such as dissemination of information on how to access the registration process and counselling on suitable accommodation.

There are also examples where life-saving medical interventions were made possible via this method. This included removing possible misconceptions or preconceptions that patients might have due to their particular cultural background, lack of awareness, etc. by providing informed consent in agreement with doctors for procedures to be carried out.

When it comes to the CRPC model, all requests for CM services via different digital communication platforms, are treated just as in physical space, keeping in mind all cultural and protection issues to be addressed, as well as issues specific to the form of digital communication adopted, for example information about the setting, participants and missing non-verbal cues in Telephone services are compensated for in verbal communication.

In conditions where face to face communication becomes unfeasible/limited all efforts should be made to improve access to internet for the refugee/migrant population. A widest possible network of communication should be established with the population via direct calls, and other apps that the refugee/migration population tend to use in order to continue direct contact with CMs and other field staff. The aim is to enable the population of concern to be appropriately linked with relevant service providers, ensuring continued efficient provision of needed services in digital space.



CONCLUSION AND RECOMMENDATIONS

The cultural mediation interaction, defined and described, is a form of intercultural communication. In order to communicate in this way CMs need to be bilingual and bicultural.

When this interaction is defined and standardized within an appropriate normative framework of fundamental human rights, it becomes ethically based and managed and can be utilized for enhancing intercultural dialogue. It is also provided as a service to communities in need of improving intercultural communication and protection of migrants and refugees. Cultural mediation should be provided as a right to meet the communication needs of both the refugee and migrant population and the host environment.

Cultural mediation should be utilized in different stages of protection of asylum seekers, refugees and migrants – whether in emergency, transition, or inclusion and integration. It plays an integral part in recognition of risks and the determination of adequate response. Cultural mediation offers a rounded response and implies that CMs, during their daily activities can, facilitate identification of persons of concern, provide information, ensure access to services by doing referral/escort/navigation, and access to rights. As a natural form of intercultural communication, it can also play a valuable role in building and implementing community-based refugee protection initiatives.

Cultural mediation can be used to improve relations between various ethnic groups within a country, the status of marginalized groups, to improve protection of groups such as asylum seekers, refugees and migrants, and to prevent and minimize radicalization of any group. Cultural mediation can be offered for these purposes within the scope of various community settings, including especially designed ones for a particular purpose.

At the core of the ethics of the cultural mediation interaction is recognition of the value of contact between individuals from culturally different groups, guided by collective human interest, in the light of international documents on human rights.

In order to achieve comprehensive impact, cultural mediation needs to have a globally standardised curriculum and different types of CMs need to operate within the framework of the developed Terms of Reference (ToR). This curriculum should be applicable to fieldwork, comprising theory as well as practical training courses, available at academic institutions and also could be implemented by certified agencies (state or civil operated).

Interpretation is a legally recognized, standardized and registered profession in order to meet the needs of particular forms of intercultural communication. Similarly, cultural mediation should become a legally recognized, standardized and registered profession in order for adequate intercultural communication to take place in all community settings. Even though interpretation is so interwoven with cultural mediation, the developed curriculum for cultural mediation should clearly state the distinction between these two fields of expertise. A CM, whether coming from the country of origin, from the host community or from refugee and migrant population, needs to adhere to certain elements

and guiding principles in order to ensure that communication is facilitated by an expert in cultural mediation and not an interpreter.

Steps should be taken to ensure that intercultural communication in community settings is not taking place through interpretation alone as it is inadequate to meet the needs of such settings. The normative framework of conference interpretation currently in use in most countries around the world where intercultural mediation is offered should be replaced by the new wider normative framework of cultural mediation.

The cultural competency of service providers should be enhanced through capacity building/awareness raising programs in which CMs can play an important part.

Digital cultural mediation should be used and implemented in order to ensure swift, reliable, and effective provision of cultural mediation services in digital space. This type of cultural mediation should be activated whenever face to face contact in physical space between a service provider and a refugee or migrant is not possible, so that all essential services that usually require cultural mediation can continue.

While there are several models of provision of cultural mediation services in use globally, in the observation of CRPC, it would be best if CM should be independent actors, and available through different service providers instead of being embedded in state institutions. This is more cost effective as well as practical as it ensures greater flexibility, particularly when it comes to languages which are rarely spoken in the regions where CMs operate. It also ensures that CMs will not compromise the guiding principles of their work in favour of affiliation to a particular institution.

The CRPC model of work utilizing the cultural mediator as a fieldworker with basic protection training emerged from the 2015 crisis, but it successfully adapted to include activities focused on gearing towards integration rather than just dealing with issues of emergency or prolonged transit. CMs also continued to adapt their competencies to their changing activities that now include support to those in asylum procedure, or granted protection staying at private addresses rather than in state facilities, facilitating their integration by helping them communicate successfully in areas such as building ties with local communities, housing, employment and education. The role of the CM described in the CRPC model is essentially a flexible one, readily adaptable to changing demands, moving from fieldwork in an emergency to cultural orientation and integration.

LIST OF ABBREVIATIONS

Apps – applications

ASA – American Sociological Association

CDG1, CDG2 – Culturally Different Groups

CM – Cultural Mediator

CMSA – Case Management Society of America

CNEL – Italian National Council for Labour and Economic Affairs

CO – Cultural Orientation

CRPC – Crisis Response and Policy Centre

EU – European Union

EVI – Extremely Vulnerable Individuals

HCIT – Humanitarian Centre for Integration and Tolerance

HEP – Hepatitis

HIM – Holistic Integration Model

HIV – Human Immunodeficiency Virus

HTP – Harmful Traditional Practices

IMfi – Intercultural Mediation for Immigrants

IOM – International Organization for Migration

LGBTI – Lesbian, Gay, Bisexual, Transsexual and Intersexual

NFI – Non-Food Items

NGO – Non-Governmental Organisation

PSN – Persons with Special Needs

SGBV – Sexual and Gender-Based Violence

ToR – Terms of Reference

UASC – Unaccompanied and Separated Child

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

UNICEF – The United Nations Children’s Fund

USA – United States of America

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