Project plan for the CEN Workshop on "Mediation Grammar: a standard to enable migrants integration"(EU funded project "EasyRights - Enabling immigrants to easily know and exercise their rights"[1])

Requests to participate in the Workshop and/or comments on the project plan are to be submitted by <10 September 2022> to <mario.gallo@uni.com>[2]

Recipients of this project plan are kindly requested to name all patent rights known to them to be relevant to the Workshop and to make available all supporting documents.

Milan, 28th July, 2022 (Version 1)

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[2] Applications for participating in the Workshop and comments on the project plan that are not received by the deadline do not need to be taken into consideration. Once constituted, the Workshop will decide whether or not to consider the comments received in good time.

Contents

1   Status of the project plan

Draft project plan for public commenting (Version 1.0)

This draft project plan is intended to inform the public of a new Workshop. Any interested party can take part in this Workshop and/or comment on this draft project plan. Please send any requests to participate or comments by e-mail to mario.gallo@uni.com.

All those who have applied for participation or have commented on the project plan by the deadline will be invited to the kick-off meeting of the Workshop on **2022-09-14**.

2   Workshop proposer and Workshop participants

The main workshop participants will be the partners of the EU funded H2020 project EasyRights - "Enabling immigrants to easily know and exercise their rights" (GA No 870980), https://www.easyrights.eu[3].

The project consortium comprises 14 partners from 7 different European countries: Austria, Denmark, Greece, Italy, Norway, Spain and UK. The partners of the project represent the following stakeholders: academia, private enterprises, NGOs and public administration bodies.

2.1   Workshop proposer

The workshop proposer is the coordinator of the EasyRights project.

Person or organisation	Short description and interest in the subject
Grazia Concilio, Department of Architecture and Urban Studies (DASTU), Politecnico di Milano	Coordinator of the easyRights project www.easyRights.eu)

2.2   Other potential participants

This CWA will be developed in a Workshop (temporary body) that is open to any interested party. The participation of other experts would be helpful and is desired. It is recommended that:

- – Citizens/migrants;
- – Governmental bodies and public administration bodies;
- – Academia;
- – Research institutions;
- – Non-governmental organizations (NGOs);
- – Industry – SMEs and others

take part in the development of this CWA.

2.3   Participants at the kick-off meeting

The following natural persons directly or as representatives of private and public sector organisations have already declared their availability or interest to take part to the kick-off meeting prior to the publication of the draft project plan.

Person	Organisation/Role

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[3] The easyRights project has received funding from the European Union's Horizon 2020 Framework Programme for Research and Innovation (www.easyrights.eu – Grant Agreement No. 870980). However, the content of the present document only reflects the opinion of the authors and does not in any way represent the official standpoint of any EU institution or agency.

Grazia Concilio	DASTU Politecnico di Milano, Coordinator of the easyRights project
Francesco Molinari	DASTU Politecnico di Milano, Chair of the CEN Workshop
Anna Koronioti	iED, partner of the easyRights project consortium
Antonio Conte	Policy Officer, DG Internal Market, Industry, Entrepreneurship and SMEs, Unit H3 (Standards policy)
Barbara Sidoti	Senior Advisor at IOM
Brent McHugh	CEO of Christar International
Costantino Giordano	Italian National Coordinator at EUAA
Emilio de Capitani	Director of Fundamental Rights European Experts Group
Ezio Manzini	Founder of the DESIS Network
Francesca Restifo	Senior Human Rights Lawyer - UN Representative (IBAHRI) presso International Bar Association
Gudrun Biffl	Labour economist migration researcher, http://www.gudrun-biffl.at/
Hinano Spreafico	Project Adviser of the easyRights project, European Commission, REA
Jörg Nönning	Hafencity Universität Hamburg, Coordinator of the MICADO project
Karen Hough	Sheffield University, Social anthropologist and expert on refugees studies
Luca Barani	Policy Officer, European Commission, DG Migration and Home Affairs, Unit C2 (Legal Pathways and Integration)
Magdalena Böhm	Psychologist, MIND REFUGE, www.mindrefuge.org
Mario Savino	Coordinator of the Academy of Law and Migration / Accademia di Diritto e Migrazioni (ADiM), Coordinator of the Jean Monnet Center of Excellence on the Integration of Migrants in Europe (IntoME)
Mark Kersten	Consultant at the Wayamo Foundation and Senior Researcher at the Global Justice Lab, Munk School of Global Affairs (Toronto)
Matteo Al Kalak	Dipartimento di Studi Linguistici e Culturali, Università di Modena e Reggio Emilia, Coordinator of the H2020 ITHACA project
Michele Amedeo	Deputy Head of the Migration Unit / Head of Centre of Thematic Expertise on Migration, European Commission, Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR)
Nicola Morelli	Aalborg University, partner of the easyRights project consortium

Paola Regina	European lawyers, Member of Union of lawyers for human rights, Member of the Comittee of human rights of the Bar of Milan
Peter Völk	CEO, TÜV Thüringen Italia, https://tuv-thuringen.it/

2.4 Registered Workshop participants

The following persons or organisations have interest to register as Workshop participants at the kick-off meeting and will actively participate in the development of the CWA. (to be completed after the kick-off meeting)

Person	**Organisation**
Workshop Chair Francesco Molinari	Politecnico di Milano
Workshop Vice-Chair Peter Völk	TÜV Thüringen Italia
Workshop secretariat Mario Gallo -Technical officer	UNI – Ente Italiano di Nomazione (Italian Standardisation Body)

3 Workshop objectives and scope

3.1 Background

The obligation of public administration to grant the same high-level standard of public services irrespective of the location and agency providing them is complementary to the right of each person to have the same level of access to public services, no matter of the county, or region, where they are provided. Such a non - discrimination principle is notably be embedded also in a growing number of digital applications developed at supranational and national levels to enhance the efficiency and effectiveness of public services delivered to both EU and Third Country nationals (expats, refugees, asylum seekers, immigrants) settling down in any EU Member State.

In this sense the CEN/WS is based on the activities carried out during the innovation project EasyRights, which tackles three major challenges to successful immigrant integration when dealing with service access and use:

(1) **Language accessibility** - compensating for the poor understanding of local language, and especially legal jargon, that migrants may experience and that prevents them from grasping the details of the administrative procedures to be followed to exercise their rights;

(2) **Information adequacy** - complementing the migrants' capabilities to find and follow the correct pathways to gain access to public services, while at the same time solving any technical/procedural problems that may arise in this endeavour; and

(3) **Actualisation of rights** - i.e. related to the extent, depth and connectedness of available services, which requires a special capacity to explore, navigate and interact with them, especially when the fruition of one is preparatory to accessing another.

The CEN/WS is aimed at creating a **measurement system for aspects of service delivery** related to the challenges mentioned above by taking into account the user's experience and achievements in the interaction with the service rather than the organisational, logistic and infrastructural characteristics of the services. Coherently the above challenges should be tackled in the following manner:

(1) In terms of **language accessibility** by creating the conditions for the migrants:

1.1 to easily manage the technical/administrative jargon of the service when reading related texts or web pages;

1.2 to easily interact verbally with the service desk (e.g a person or a bot), making sure that a different pronunciation of certain words is not an impediment;

1.3 to receive, when required, individual support from public sector organisations and/or NGOs in the absence of dedicated measures bridging the above gaps.

(2) in terms of **information adequacy** by providing to service beneficiaries:

2.1 preliminary orientation, i.e. giving to newbies or unaware migrants and refugees a global overview of where to find answers to which questions/needs;

2.2 specific advice, i.e. putting prospective beneficiaries in the best possible condition to overcome the technical and educational/cultural barriers to access and/or utilise available services in their full potential;

2.3 helpdesk and troubleshooting, i.e. providing continuous support to the fruition of (especially the natively digital or digitalised) local public services made available to them.

(3) in terms of **actualisation of rights** by ensuring the capacity, or ability, of service users (migrants, refugees and asylum seekers) to take benefit of:

3.1 the full range of available services to them (Horizontal actualisation), i.e. without any possible exclusion or exception that is unrelated to their legal status;

3.2 the full extent (coverage or intensity) of any service (Vertical actualisation), i.e. without any limitation, restriction or interruption that is not due to objective and documented reasons;

3.3 the possibility of conditional access to additional/derived services, that is the fruition of another range of services, which are conditioned by accessing the first one. Example: until an ID card is obtained there will be no way to formalise a regular work contract (Extended actualization of rights).

Compliance with the EU and MS Legal framework

Immigrants, refugees and asylum seekers do have the same rights to access public services as EU nationals, as acknowledged by all EU Member States National Constitutions, the EU common founding values (art. 2 TEU), as well as the EU Charter of Fundamental Rights, notably, art. 1 (human dignity) – art. 18 (right to asylum) – art. 19 (protection in the event of removal, expulsion, extradition) – art. 20 (equality before the law) – art. 21 (non-discrimination) – art. 22 (cultural, religious and linguistic diversity) – art. 23 (equality between men and women) – art. 41 (right to good administration) – and art. 45 (freedom of movement).
As foreseen already in 2017 by the Tallinn Declaration[4] on e-Government and, more recently, by the European Commission proposal of a solemn "European Declaration on Digital Rights and Principles", the rights and freedoms of individuals should be respected and enforced both offline and online.

This means notably that:

- the (digital public) services should be made more accessible (including findable) and secure, and usable by everyone in a non-discriminatory manner, with appropriate assistance available upon need;
- the principles of universal design should be applied to the setting up of services and websites should be made simple to read and easy to understand;
- personalized and proactive services should be made accessible;
- the same information should not be asked more than once to public service users.

These principles are even more relevant for the so-called EU "common policies" such as the Migration Policy (art. 79 TFEU) which should be implemented according to a consistent legislative framework and multilevel governance principles, bringing together public administration bodies operating at supranational, national, regional and local levels.

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[4] https://digital-strategy.ec.europa.eu/en/news/ministerial-declaration-egovernment-tallinn-declaration

To better network all public officials in a same common virtual administrative space, several initiatives have already been taken up at EU level:

- first, for sharing relevant information in a timely manner;
- second, for feeding common EU Databases (such as SIS, VIS, EES, ETIAS, EURODAC);
- third, for managing, if necessary, with the help of EU agencies, the interaction with third Country nationals who want to enter and stay on the EU territory.

Being in the same EU Freedom, security and Justice area, public officials should in principle be duly qualified to better play their role in this EU integrated administration. Because of such integration at supranational level the activity of public administration should also be measurable and assessed regularly so that the service delivered could always be at highest possible level as required by the EU Charter of Fundamental Rights.

This fundamental rights dimension has been at least partially taken into account when designing some of the EU Migration policy initiatives, such as the Regulation on EU Integrated border management (2019/1896), the new EU Agency of Asylum, the new EUROPOL mandate foreseeing the establishment of Fundamental Rights Officers, the adoption of Fundamental Rights Strategies and of complaint mechanisms. In all these initiatives some fundamental rights are duly taken into account such as the right to data protection, but others, such as the right to good administration foreseen by art 41 of the EU Charter, are still missing.

It is worth recalling that according to the Court of Justice <u>the right to good administration is a general principle of law</u>, foreseen by art. 41 of the EU Charter of fundamental rights and binding not only the EU Institutions, agencies and bodies, but also the national administration when applying EU law, as it is the case with border, migration and asylum policies.
In this perspective, the Court of Justice jurisprudence on art. 41 of the EU Charter of fundamental rights, which, until now, has developed on other EU policies (Competition, State Aid…), is also relevant for the migration domain. The requirement of public administration's impartiality, foreseen in art. 41, notably covers "subjective" impartiality and this precludes bias or personal prejudice. But it also covers "objective" impartiality and this requires that there must be sufficient guarantees to exclude any legitimate doubt as to possible bias on the part of the public administration body or agency concerned.
In the absence of a general EU law framing public administration (besides Staffing and Budgetary accountability) other general principles should be invoked as implicit in the scope of Art. 41, such non-discrimination, proportionality, objectivity, impartiality and independence, legitimate expectations, the right to be heard, and the provision of reasons and fairness. All these principles are described also by the (non binding) Ombudsman's "European Code of Good Administrative Behaviour".

These principles of good administration should therefore be translated and measured in the daily activity of public administration. An adequate system of measuring the quality of daily services should be granted not only at European but also at national and local levels. For instance, the recent Regulation on the EU Asylum Agency has envisaged the establishment of a <u>European standard curriculum for the public officials,</u> who interact with refugees and migrants (see: https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:32021R2303&from=EN).

In sum, all European efforts, studies and new legislation are projected towards a creation of a common European standard of services.

The creation and implementation of Common European Standards is consistent with the purpose of fully integrating migrants and refugees in a democratic society, as defined in the European Treaties and in the European Charter of fundamental rights.

Existing relevant activities and documents

European Agency for fundamental rights (FRA) Report (2020), assessing the public services literacy on fundamental rights there is still a large marge of improvement notably if the recourse to Artificial Intelligence is also envisaged in this sensitive domain.

Joint handbook on migrants' integration: a service design and supply perspective (January 2022) from the 2nd joint migration policy roundtable.

Motivation for the creation of this Workshop

The CEN/WS will develop a CWA which is aimed to provide public administration bodies and agencies, policymakers and all interested stakeholders with a guideline, a reference document with suitable tools which, although not binding, may be used to measure and verify the level of consideration of the three main challenges described above by the service provider to immigrants, refugees and asylum seekers. The proposal is to establish requirements and recommendations for a dedicated measurement system highlighting some aspects of service delivery that are usually neglected but happen to affect the modes and the achievements of the migrants' interaction with services and be very relevant for the integration of the migrant population.

3.2 Scope

The CEN Workshop Agreement provides a user-centred summative and formative testing methodology for public sector bodies and agencies willing to measure the extent to which local public service delivery (including offline and online modes) empowers refugees and regular immigrants in the fulfilment of their integration goals and in so doing, ultimately enables a full exercise of their acknowledged citizenship rights.

This methodology can be implemented irrespective of the way a public service is delivered, but it is also neutral with respect to the various possible ways a public body or agency is organized to provide a service (i.e. with or without the mediation of cultural facilitators or the assistance of information and communication technologies).

It takes a vertically integrated view of public service fruition, based on three different phases, notably:

(1) the phase of first access to a service by non-native language speakers - from which the focus on linguistic empowerment, including issues related to poor understanding of administrative jargon and/or imperfect oral/written translations of official texts done by non-professionals;

(2) the phase of (online/offline) information provision, guidance and support during the fruition of a service, including the delivery and fruition of specific assistance by human and/or technological support teams;

(3) the phase of actualisation of rights depending on the extent, depth or connectedness of public services and the real degree of empowerment of beneficiaries to use them in full. The methodology looks at each instance of service provider/user interaction, with a holistic approach, not only as it stands, but also as part of a chained set of interrelated instances, which may include e.g. the documentation of some personal requirements to access a service delivery space, and/or the timely execution of additional tasks identified during first time interaction, and/or the delivery of service A as a precondition for access to service B.

While the proposed approach can probably be generalized to other user groups (such as citizens who are not knowledgeable of the legal and administrative jargon, despite being fluent in the native language of the host country, the CWA is applicable to the domain of public services to refugees, asylum seekers and regular immigrants, who represent the cases showing more evidently a need for measurement and standardization of existing service delivery modes, in light of the wide range of alternative configurations of user/provider interaction that exist at the moment in the various service locations.

3.3 Related activities

The subject of the planned CWA is not at present the subject of an existing approved and shared standard.

4 Workshop programme

4.1 General

The kick-off meeting is planned to take place **online on 14th September 2022 at 15:30-17:30 CEST**. A draft for public commenting will be published for **30** days.

A total of **4 (four)** Workshop meetings (kick-off meeting and Workshop meetings) and web conferences will be held, during which the content of the CWA(s) will be presented, discussed and approved.

The CWA will be drawn up in English (language of meetings, minutes, etc.). The CWA will be written in English.

4.2 Workshop schedule

The following tentative schedule is proposed:

Table 1: Workshop schedule (preliminary)

CEN/CENELEC Workshop	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	...
Initiation													
1. Proposal form submission and TC response													
2. Project plan development													
3. Open commenting period on draft project plan (mandatory)													
Operation													
4. Kick-off meeting													
5. CWA(s) development													
6. CWA(s) finalised and approved by Workshop participants													
7. Open commenting period on draft CWA(s) (optional)													
Publication													
8. CWA(s) publication													
Dissemination and participation (see §7)													
Milestones			K	V	V	A		P D					

Key:

B	CEN/CENELEC BT meeting deciding on establishment of a CEN/CENELEC Workshop
K	Kick-off
M	Workshop meeting
V	Virtual Workshop meeting
A	Adoption of CWA
P	Publication of CWA
D	Online distribution of CWA

5 Resource planning

The registration and participation at this CEN Workshop is free of charge, but each participant will bear his/her own costs for travel and subsistence.

The administrative costs of the Workshop Secretariat and other logistical support are financed within the framework of EasyRights research project.

6 Workshop structure and rules of cooperation

6.1 Participation in the Workshop

The Workshop will be constituted during the course of the kick-off meeting. By approving this project plan, the interested parties declare their willingness to participate in the Workshop and will be formally named as Workshop participants, with the associated rights and duties. Participants at the kick-off meeting who do not approve the project plan are not given the status of a Workshop participant and are thus excluded from further decisions made during the kick-off meeting and from any other decisions regarding the Workshop.

As a rule, the request to participate in the Workshop is closed once it is constituted. The current Workshop participants shall decide whether any additional members will be accepted or not.

Any new participant in the Workshop at a later date is decided on by the participants making up the Workshop at that time. It is particularly important to consider these aspects:

a. The expansion would be conducive to shortening the duration of the Workshop or to avoiding or averting an impending delay in the planned duration of the Workshop;
b. The expansion would not result in the Workshop taking longer to complete;
c. The new Workshop participant would not address any new or complementary issues beyond the scope defined and approved in the project plan;
d. The new Workshop participant would bring complementary expertise into the Workshop in order to incorporate the latest scientific findings and state-of-the-art knowledge;
e. The new Workshop participant would actively participate in the drafting of the manuscript by submitting concrete, not abstract, proposals and contributions;
f. The new Workshop participant would ensure wider application of the CWA.

All Workshop participants who voted for the publication of the CWA or its draft will be named as authors in the European Foreword, including the organisations which they represent. All Workshop participants who voted against the publication of the CWA, or who have abstained, will not be named in the European Foreword.

6.2 Workshop responsibilities

The Workshop Chair is responsible for content management and any decision-making and voting procedures. The Workshop Chair is supported by the Workshop Vice-Chair and the responsible Workshop secretariat, whereby the Workshop secretariat will always remain neutral regarding the content of the CWA(s). Furthermore, the Workshop secretariat shall ensure that CEN-CENELEC's rules of procedure, rules of presentation, and the principles governing the publication of CWA(s) have been observed. Should a Workshop Chair no longer be able to carry out her/his duties, the Workshop secretariat shall initiate the election of a new Workshop Chair. The list below covers the main tasks of the Workshop Chair. It is not intended to be exhaustive.

– Content related contact point for the Workshop
– Presides at Workshop meetings
– Ensures that the development of the CWA respects the principles and content of the adopted project plan
– Manages the consensus building process, decides when the Workshop participants have reached agreement on the final CWA, on the basis of the comments received
– Ensures due information exchange with the Workshop secretariat
– Represents the Workshop and its results to exterior

The Workshop secretariat, provided by a CEN/CENELEC national member, is responsible for organising and leading the kick-off meeting, in consultation with the Workshop proposer. Further Workshop meetings and/or web conferences shall be organised by the Workshop secretariat in consultation with the Workshop Chair. The list below covers the main tasks of the Workshop secretariat. It is not intended to be exhaustive.

- Administrative and organisational contact point for the Workshop
- Ensures that the development of the CWA respects the principles and content of the adopted project plan and of the requirements of the CEN-CENELEC Guide 29
- Formally registers Workshop participants and maintains record of participating organisations and individuals
- Offers infrastructure and manage documents and their distribution through an electronic platform
- Prepares agenda and distribute information on meetings and meeting minutes as well as follow-up actions of the Workshop
- Initiates and manage CWA approval process upon decision by the Workshop Chair
- Interface with CEN-CENELEC Management Centre (CCMC) and Workshop Chair regarding strategic directions, problems arising, and external relationships
- Advises on CEN-CENELEC rules and bring any major problems encountered (if any) in the development of the CWA to the attention of CEN-CENELEC Management Centre (CCMC)
- Administrates the connection with relevant CEN or CENELEC/TCs

6.3 Decision making process

Each decision in the Workshop is taken by mutual consent. This means that every participant will be entitled to object to any proposal or idea or CWA draft submitted to their attention and in case there are no objections, the proposal or idea or draft will be accepted as such. Only if a participant formally raises an objection and asks for a vote, a formal voting procedure will be activated. In that case, every participant will have only one vote. It is understood that voting rights are personal and cannot be transferred. This means that votes are casted by the participants on their personal behalf, not of their organisations of affiliation, and that proxies are never allowed. This also implies that if an organisation has sent several participants to the Workshop, each of them will have one vote, under the condition that they are attending the Workshop in person (physically or virtually). During a voting procedure, decisions are passed by simple majority; abstentions do not count.

However, it should be reiterated that mutual consent (meaning the absence of "paramount" objections or a wide recognition that the subject of decision is "acceptable enough") will be the standard approach to decision making and it will involve only participants who can attend in person and are present (online/offline) at the time of the decision itself.

If some Workshop participants cannot be present in person when the CWA or its draft is adopted, the decision taken will also be binding for them, irrespective of the calculated ratio between number of attendees and non attendees (and especially if this ratio is lower than 1).

7   Dissemination and participation strategy
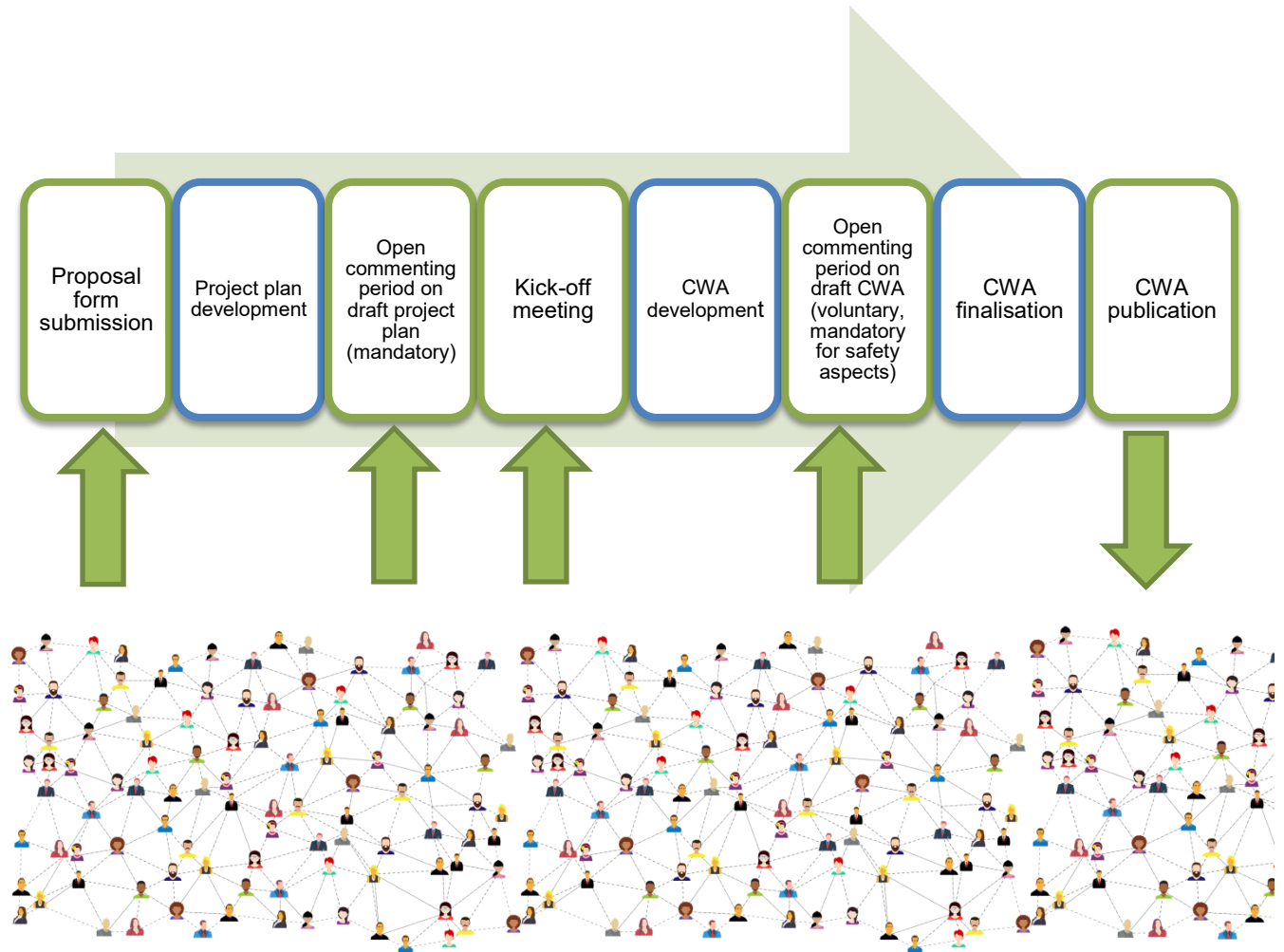
Proposal form submission
The Workshop proposal will be disseminated to the following relevant stakeholders and bodies for consultation:

– standards committees, working groups etc.
– public administrations
– migrants/citizens representatives
– easyRights partners' networks
– others

Open commenting period on draft project plan
The project plan will be disseminated to the following relevant stakeholders and bodies for commenting:

– standards committees, working groups etc.
– public administrations
– migrants/citizens representatives
– easyRights partners' networks
– others

In addition to the CEN-CENELEC Management Centre (CCMC) website, the project plan and the date of the kick-off meeting will be advertised on UNI's official website to raise awareness. Interested parties are requested to contribute either through commenting of the project plan (short term) or through Workshop participation (long term).

Open commenting period on draft CWA (if any)

The draft CWA will be disseminated to the following relevant stakeholders and bodies for commenting:

- standards committees, working groups etc.
- public administrations
- migrants/citizens representatives
- easyRights partners' networks
- others

In addition to the CCMC website, the draft CWA will be advertised on UNI official website to raise awareness. Interested parties are requested to contribute through commenting of the draft CWA (short term).

CWA publication

The final CWA will be disseminated to the following relevant stakeholders and bodies:

- standards committees, working groups etc.
- public administrations
- migrants/citizens representatives
- easyRights partners' networks
- others

In addition to the CCMC website, the final CWA will be advertised on:

- sector specific newsletters
- social media, such as
  - LinkedIn
  - Twitter
- migrants' networks
- educational organizations
- non-governmental associations
- others

8 Contacts

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