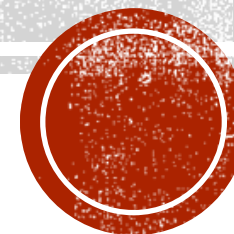
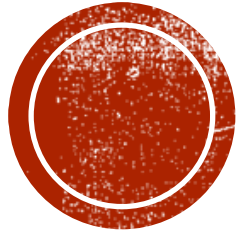


***MEDIATION SERVICE***  
**IN PORTUGAL**



**MARIA DO CARMO VIEIRA DA SILVA**

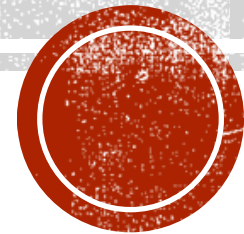
# KEY WORDS:



- . Portuguese legislation
- . mediation and mediators
- . information and training
- . intercultural mediation
- . national immigrant support centres
- . project of intercultural mediation in public services
- . lines of global and specific action
- . competences of the intercultural mediation agents

# **PORTUGUESE LEGISLATION**

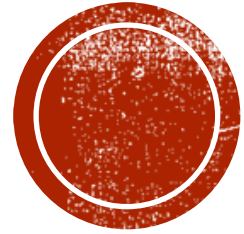
**The use of mediation is admissible in various areas.**



**Portugal** has adopted measures to promote the use of mediation in specific areas of law, namely family, employment, criminal, civil and commercial matters.

Family, employment and criminal mediation have their own structures, with specialist mediators in these areas. Civil and commercial mediation takes place as part of a judicial process in small claims courts (***Julgados de Paz*** – **Justices of the Peace**).





# **ARE THERE SPECIFIC RULES TO FOLLOW?**

**Recourse to mediation is entirely voluntary.**

There is no national code of conduct for mediators.

**Mediators** conduct their activities in accordance with the European Code of Conduct for Mediators, with some legal and administrative structures defining their activities and the requirements for practising their profession.

However, there are guidelines on conducting mediation sessions, the methods that may be used to achieve constructive communication or rapport with the parties, and the way in which mediators can propose settlements.



# THE CONDUCT OF MEDIATORS IS MONITORED BY A PUBLIC MEDIATION SYSTEM.

The type used depends on the area in which they work.

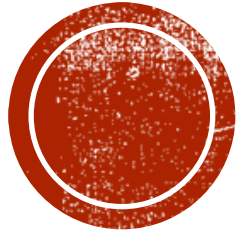
The public system has a **supervisory committee** that monitors mediation activity.

The criteria applied during the training given to mediators aim to instil the ethics and principles set out in the European Code.

Each area of mediation – family, employment, criminal, civil and commercial – has its own legal framework with guidelines for conducting mediation.



# INFORMATION AND TRAINING





# TRAINING FOR MEDIATORS

- Portugal does not have a national training body for mediators, who are trained by private bodies.
- These training courses are approved by the Portuguese Ministry of Justice.
- To be approved they must cover a certain number of hours of learning, certain teaching practices and specific programme content which is in line with the relevant legislation.



# Intercultural Mediation - ACIDI's experience

High Commission for Immigration and Intercultural Dialogue – ACIDI

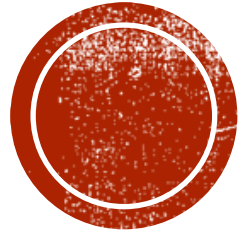


## **LAW 105/2001**

### **– FORMAL RECOGNITION OF SOCIO-CULTURAL MEDIATION IN PORTUGAL, ESTABLISHING THE LEGAL STATUS:**

- ✓ socio-cultural mediators' function is to collaborate in migrants and ethnic minorities' integration, aiming the strengthening of intercultural dialogue and social cohesion.
- ✓ Preference is given to people belonging to ethnic groups or immigrants with skills on socio-cultural mediation and knowledge of the sociocultural characteristics of the targeted communities.





# **OBJECTIVES OF THE NATIONAL IMMIGRANT SUPPORT CENTRES (CNAI)**

.Provide an integrated response to problems experienced by immigrant citizens.

.Investment in a real partnership and cooperation, with various services in the same place, with information-sharing, on the basis of the same computer system.

.To be an innovative institution, very flexible and with the capacity to provide a rapid response to immigrants' needs.



# LOCAL IMMIGRANT INTEGRATION SUPPORT CENTRES: CLAI NETWORK

The CLAI (established in 2003) are decentralized spaces for welcoming and providing information and support for immigrants at the local level



# “ESCOLHAS” PROGRAMME

- **Mission:** to promote the social inclusion of children and youngsters coming from vulnerable socio-economical contexts, with a view on reinforcing equality of opportunities and social cohesion;
- **Strategy:** Empowerment and accountability of civil society;
- **National programme** that funds, supports and evaluates 133 projects throughout the country (72 municipalities);
- **Exists** since 2001;
- **Funded** by the national budget (ISS, IEFP, ME) and European Social Fund;
- **Co-produced** with local resources.



# PROJECT OF LOCAL LEVEL MEDIATION

## *Immigrants as part of the solution and not as the problem*

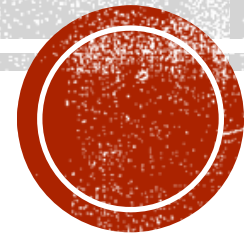
– Portuguese policy has been based on the participation of immigrants in definition of Integration policies

and on their active role in integration service provision, with the mediators and immigrant associations.





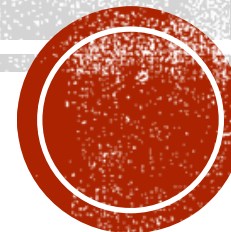
**HOSTING / INTEGRATION: OTHER  
INITIATIVES AND INSTRUMENTS**



- “SOS Immigrant” telephone number;
- Telephone Translation Service;
- “Portuguese for All” programme;
- Promotion of Immigrant Entrepreneurship;
- Network of offices for professional integration;



**PROJECT OF INTERCULTURAL  
MEDIATION IN PUBLIC SERVICES —  
MISP**



The Project of Intercultural Mediation in Public Services (MISP) consists in an intercultural mediation of a communitarian focus, based on three principles that are crosses among them and fed continuously:

- 1) the principle of mediation,
- 2) the principle of interculturality and
- 3) the principle of communitarian intervention.



In this model of intervention to highlight the role of the ***autarchies*** as privileged structures to promote, locally,

- . the ***social cohesion***

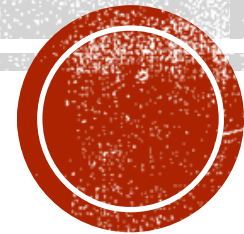
and

- . the ***intercultural conviviality***,

taking on also the role of a close management of social cultural diversity, namely, with the mobilization and participation of all local protagonists, public and private, organizations and individuals.



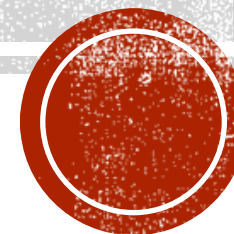
# PROJECT GOALS



1. Ease up the relation and communication between the different protagonists of the community (institutions, professionals and citizens).
2. Increase the participation of the protagonists to strengthen and develop the community.
3. Adequacy of the institutions and services to the characteristics of the community and its needs.
4. Promote the prevention and regulation of obvious and latent conflicts of the local community.



# LINES OF GLOBAL ACTION





# ***Support to professionals and institutions***

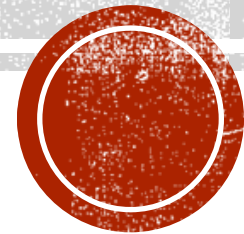
## **– Clarification about several matters:**

- . relevant cultural codes;
- . linguistic translation;
- . immigration legislation;
- . nationality and
- . access of the nationals to third countries to several services and institutions;
- . awareness and capability of the public services;
- . institutional adequacy between the different actors.



**LINE OF SPECIFIC**

**ACTION:**



***Citizen Social Participation*** – Help to promote the citizen and social participation of all citizens with special relevant to nationals for the third countries.

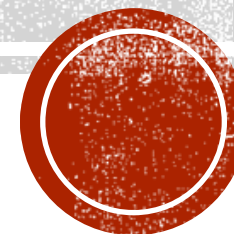
***Intercultural Conviviality*** – Help to promote the constructive interaction between different groups of citizens, especially in groups of different cultural matrices.



- ***Communitarian Strengthen*** – Help to promote actions, in the territories of intervention, that contribute to their sense of belonging, to the social cohesion and grouping and that enhance also the common aspects, taking into account that the communities are increasingly diverse.
- ***Conflicts Mediation*** – Promote the prevention and regulation/solution of obvious and latent conflicts in the Council/ territory of Intervention.



**MUNICIPALS TEAMS OF  
INTERCULTURAL MEDIATION  
(EMMI)**



The project envisage the constitution of municipals teams of intercultural mediation (EMMI), based in the municipals that promote the intervention.

Each EMMI must be:

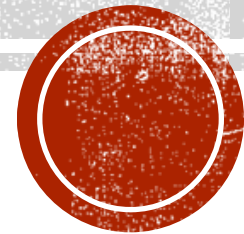
**heterogeneous regarding the ethnical origin, nationality, sex, age, migratory experience or professional training and/ or academic education.**



- **Each team has 3 to 6 Agents of Intercultural Mediation (AMI)** nominated by the partner entities, municipal and associations.
- **The AMI are indicated and recruited by partner entities of the civil society**, preferably association of immigrants represented in the council.
- **The mediation agents accompany the citizen** in situation of a more social disadvantage to the services and established links to other institutions.



# COMPETENCES OF THE INTERCULTURAL MEDIATION AGENTS





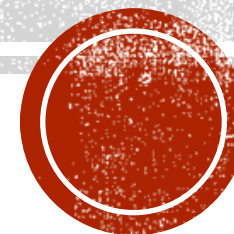
- Render support to professionals and institutions, enhancing the communication channels as well as the institutional adequacy;
- Advice the social agents in their relation with belonging groups, minority group in themes of interculturality, cultural/ethnic diversity and intercommunitarian relations;
- Support the citizens in order to increase the individual capacity;
- Ease up the access to public services as well as public and private resources;
- Prevention, mediation and resolution of conflicts;



- Support all protagonists to able them to organize themselves, to use the existent resources, give value to new ones, seeking other programs and projects that give response to the identified needs;
- Encourage the closeness, the communication, the articulation and relation between several resources that the community has, seeking answers in order to integrate the citizen's needs;
- Promote interculturality by participating, freely, by learning the conviviality, new ways of relating, where other people recognize themselves as interlocutor, dialogue and mutual enrichment.



***MEDIATION SERVICE***  
**IN PORTUGAL**



**MARIA DO CARMO VIEIRA DA SILVA**

**Obrigada! спасибо**