

The initial and continuous professional training for magistrates, lawyers, police personnel and public servants

I. The initial and continuous professional training for magistrates

Starting with 2006-2007, the auditors of justice (trainee magistrates) of 1st year of study (initial training) are introduced to the concepts of prohibition of discrimination and that of an effective remedy and relevant international case law on these matters. During the second training year, the auditors study the course "Fight against discrimination", within modules, under the guidance of experts of the National Council for Combatting Discrimination that have the capacity of trainers of National Institute of Magistracy.

Moreover, starting with the training year of **2009 – 2010**, trainee magistrates also studied (within the training module on the EU law) the relevant directives on fight against discrimination and the case law of the Court of Justice of the European Union.

In 2016 a total number of 302 judicial trainees (142 in the first year and 160 in the second year) benefited from the training sessions referred to above, whereas in 2017 a total number of 331 judicial trainees (189 in the first year and 142 in the second year) were trained in the field. The number of judicial trainees benefiting from these training sessions was 399 in 2019, out of which 200 in the first year and 199 in the second year.

Judges and prosecutors admitted into magistracy following a direct contest also undertake an initial training regarding discrimination and hate crimes in the Human Rights Module and also at seminars on criminal law. In 2016 a number of 52 magistrates were trained in the above mentioned matters. A total of 90 judges and 27 prosecutors attended the training program organized in 2017. In 2018 a total of 125 judges and 56 prosecutors attended the training program. In 2019, a total of 20 judges and 8 prosecutors attended the training program.

Special training events (conferences, seminars) are also constantly organised on the topic of non-discrimination, some of them within programmes or projects implemented in partnership with the National Council for Combating Discrimination or/and with the Romani CRISS (Roma Center for Social Intervention and Studies). In this respect, since 2016 INM has concluded a protocol of cooperation with the National Council for Combating Discrimination (NCCD), and numerous continuous training activities in the field of anti-discrimination have been organised annually within this partnership. In 2017 a number of 11 judges, 6 prosecutors, 5 assistant magistrates and 3 experts assimilated to judges and prosecutors attended the training program. In 2018 a number of 31 judges, 22 prosecutors and 2 HCCJ assistant magistrates attended the training program. In 2019 a number of 16 judges and 42 prosecutors attended the training program.

Also, in the period 2013 – 2014, NIM and the Superior Council of Magistracy were partners within the Project JUST/2012/FRAC/AG/2755 "*European Judicial Cooperation in the fundamental rights practice of national courts – the unexplored potential of judicial dialogue methodology*", coordinated by the European University Institute of Florence (EUI). The Project was focusing on three fundamental rights: the **principle of non-discrimination**, the right to a fair trial and the freedom of expression. The Project put in direct contact judges from the participants' countries, either personally – during workshops organized in Florence (13 Romanian judges and 1 prosecutor participated) and in the partner States (Croatia, Italy, Poland, and Romania), and online. Within the Project, NIM organized at Bucharest 2 events (the *Pilot*

Seminar in non-discrimination on grounds of age, sex, sexual orientation, disability and race, 10 – 11 April 2014 for 23 judges and the *Dissemination Conference – Judicial Dialogue – Present and Future*, 19-20 May for 22 Romanian representatives). A toolkit, including Judicial Dialogue Guidelines, was finalized¹. Over 1400 copies of the Final Handbook were distributed at national level for the Romanian judges and prosecutors and the English and Romanian versions are available on the NIM website.²

Within the project “*Improving access to justice for Roma and other vulnerable groups. An integrated approach*” – financed through the Norwegian Financial Mechanism 2009-2014, the Superior Council for Magistracy organised 5 training workshops, analysing the case law of the Court of Justice of European Union on the legal protection against discrimination and vulnerable groups. Lawyers also participated in the training sessions.

II. *The initial and continuous professional training for lawyers*

Mirroring the magistrates’ training, the National Institute for Lawyers’ Training and Professional Perfecting is offering an initial professional training, covering two years; the study of human rights protection is included in the second year of training. Also, within the continuous training system, conferences and seminars on human rights protection are offered to lawyers within projects co-implemented by the Institute and governmental or non-governmental organisations.

As an example, in February 2017, within the framework of JUST/2014/JTRA/AG/EJTR programme on *The advancing knowledge on fundamental rights for lawyers*³, 2 seminars on issues related to hate crimes, racism and rights and principles recognized by the Charter of Fundamental Rights of the EU, particularly from perspectives affecting the Roma population and 2 seminars regarding the effective and coherent application of EU law in the area of fundamental rights within the project were organised.

III. *The initial and continuous professional training for police personnel*

The curriculum of the educational institutions within MoIA includes the necessary and relevant topics that ensure the development of professional competences in their professional relations with the citizens, so that the latter’s rights and interests are observed and promoted according to the regulations in force.

The initial training of police officers and non-commissioned officers includes topics on: protecting human rights, respecting diversity, combating torture and ill-treatment, tackling cases of juvenile delinquency, domestic violence, cybercrime, combating terrorism, analysing and combating trafficking of human beings and illicit substances, the prevention and fight against corruption, professional deontology and integrity, inter-institutional collaboration, etc., curricular areas of training that are permanently reported to the structures interested in monitoring training in different fields.

¹ the Handbook elaborated within the project can be accessed to the link:

<http://www.eui.eu/Projects/CentreForJudicialCooperation/Publications/Index.aspx>

² <http://www.inm-lex.ro/displaypage.php?p=82&d=614> .

³ Implemented by the Romani Crisis in partnership with the Center for Interethnic Dialogue and Tolerance “Amalipe” Bulgaria and the National Institute for Lawyers

Over 2,350 students graduating the "Alexandru Ioan Cuza" Police Academy in the period 2014 – 2019 and over 11,595 graduates from the police and gendarmerie non-commissioned officers' schools benefitted from human rights training.

Within the Academy, the postgraduate program "Human rights in public order and safety institutions" had over 100 alumni during 2014-2019.

The Institute of Public Order Studies organizes training courses in the field of human rights, attended by police officers from public order structures, criminal investigations, transport police, as follows:

- "Preventing and combating all forms of discrimination";
- "Preventing torture and inhuman or degrading penalties or treatments";
- "Preventing and combating gender violence". The curricula for these courses are developed in cooperation with NCCD and civil society representative NGOs.

The purpose of these training programmes is to prevent discrimination/abuse in the interaction between the police worker and the persons belonging to groups at risk of discrimination. In 2014-2019, 2,100 police personnel from public order, criminal investigation and transportation departments participated in courses that included human rights themes.

The Schengen Multifunctional Training Center is also constantly organising seminars and practice sessions in the field of human rights; several training sessions were organised by the MoIA in cooperation with the Agency for Equal Opportunities, the Elie Wiesel National Institute for the Study of the Holocaust in Romania, NCCD and ODIHR-OSCE.

IV. During 2010-2019, the National Agency for Public Servants implemented 15 projects with a training component, focusing on equal opportunities and gender equality, as well as sustainable development.

The Agency also implemented or participated in projects including human rights training:

- April 2015 – April 2016, the project *Inclusive Governance* aimed at reducing the risk of social exclusion and the prevention of discrimination against disadvantaged groups in several counties reached to 300 persons from vulnerable groups, including from the Roma community, who were informed on the services and institutions providing support and assistance, 100 young persons from the rural area, who were counseled on the access to European Funds and the educational programme "The second chance", 100 representatives of unemployed persons from vulnerable groups, who were informed on the employment opportunities.
- In the period January 2017 – December 2018, the project *I.D.E.A.S. (Inclusion. Diversity. Equality. Consciousness. Success)*, including the multinational launch of the Diversity Charter in Slovenia, Romania and Croatia, comprised training seminars for public and private sector in the field of diversity;
- In the period 2017-2021, the project "Development of a unitary management system for human resources in the public administration", implemented by the Government's Secretariat General emphasises during training non-discrimination and inclusion.