

**Evaluation of the second phase of the
World Programme for Human Rights Education
- Romania -**

A. Human rights education in higher education

While acknowledging that the enjoyment of academic freedom requires the autonomy of higher education institutions, higher education, as a public good, remains a matter of responsibility and economic support of all governments. Have steps been taken in your country in the following areas:

1. Policies and related implementation measures

Romania is part to all legal instruments of the Council of Europe, OSCE and the United Nations, related to the right to education, rights of persons belonging to minorities, rights of the child, elimination of all forms of discrimination, protection of human rights and fundamental freedoms. According to article 20 para.1 of the Romanian Constitution, the constitutional provisions are referring to citizens' rights and freedoms interpreted and applied in accordance with the Universal Declaration of Human Rights and the fundamental instruments for the protection of human rights that Romania has adhered to. Furthermore, article 20 para.2 stipulates that, in the case of inconsistency between domestic legislation and the international instruments for the protection of human rights that Romania is party to, international regulations prevail.

The legal framework which enables the education for democratic citizenship and human rights includes also the following documents:

- **The Law of National Education no. 1/2011** stipulates the right to education for all citizens and the aim to provide education respecting human dignity, human rights and fundamental freedoms. Moral and civic values as well as respect for the natural, social and cultural environment are the pillars of the national education. Social and civic competences are mentioned as educational goals, along with the other key competences set out by the European Commission (communication in the mother tongue and at least two foreign languages, mathematical competence and basic competences in science and technology, sense of initiative and entrepreneurship, digital competence, cultural awareness and expression, learning to learn).
- **The Law no. 272/ 2004 on protecting and promoting the child's rights** guarantees respect for children's rights according to the following principles: respecting and promoting with priority the child's superior interest, equal opportunities and non-discrimination; ensuring stability and continuity of care, upbringing and education of children, taking into account his/her ethnical, religious, cultural and linguistic origin, when deciding on protection measures [Article 6 (a, b, i)]; the child's right to be treated with respect by teachers in the teaching-learning process, to be informed of his/her rights, as well as of the ways of exerting them [Article 48 (2)].

The national curriculum is the main instrument for implementing human rights education. It was introduced in the academic year 1998-1999 and revised several times. The formal-curriculum is

delivered with a systematic structure, performed in specialized institutions of different levels of education (pre-primary, primary, lower secondary, upper secondary, post-secondary education) and conducted by specialized personnel (educators, teachers/tutors, academics).

The Romanian Constitution (article 32 para.6) guarantees the autonomy of the higher education institutions. The Law of National Education guarantees the academic freedom and stipulates that the higher education system is founded on the principles of autonomy, academic freedom, guaranteeing the quality, equity, and the respect of the rights and freedoms of students and academic staff. Any form of discrimination on grounds of age, ethnicity, sex, and social background is forbidden in the higher education system.

Based on the autonomy principle, the higher education institutions have the right to establish their mission, strategy, structure, organization and functioning, in accordance with the legislation in force.

The Academic Charter covers the fundamental features of the higher education autonomy and is adopted by the Senate of the university/higher education institution only after a previous approval by the Ministry of National Education and Scientific Research.

The higher education institutions guarantee the freedom of research, the right of students to freely choose the courses and academic specialization.

The higher education institutions have to respect the national legislation in force, the respective Academic Charter, and the national and European higher education policies.

Every year, the Catalog of study fields and specializations/university study programs is approved by Government Decision, at the proposal of higher education institutions. The Romanian Agency for Quality Assurance in Higher Education (ARACIS)¹ and the Ministry of National Education and Scientific Research monitor the implementation of the proposals submitted by the higher education institutions. The structure of university programs (specializations) for the 2014-2015 academic year was approved by Government Decision no. 580/2014.

2. Teaching and learning processes and tools

Human rights courses have been included in the curriculum of various Romanian universities, both public and private, especially in the departments/faculties of law, political sciences, international relations and European studies, social assistance etc., at all levels (bachelor's degree, master, doctoral and post-doctoral studies). Courses on international public law, international humanitarian law, international organizations active in the human rights dimension, the jurisprudence of the European Court on Human Rights etc. are usually included in the curriculum of those departments/faculties.

¹ ARACIS was established in 2005 and is an autonomous public institution, of national interest, whose main mission is the external evaluation of the Romanian higher education's quality, at the level of study programmes, as well as from the institutional point of view. As of September 2009, ARACIS is a full member of the European Association for Quality Assurance in Higher Education – ENQA and is registered in the European Quality Assurance Register for Higher Education - EQAR. The agency's strategy reflects the mission assumed by ARACIS in order to constantly assure and improve quality in the Romanian higher education, as well as its own activity.

For example, the Law Faculty of the University of Bucharest conducts a course on International law and human rights. The Political Science Faculty of the University of Bucharest offers a master program in “Policies regarding equal opportunities in Romanian and European context”.

A significant number of universities offer bachelor and master programs in social assistance. During the university years, courses on social assistance for vulnerable groups, social assistance for the family and the child, the rights of the child etc. are part of the curriculum and offer quality training for future specialists in social assistance services, counselling of vulnerable or at risk persons and groups.

The “Alexandru Ioan Cuza” Police Academy is the main institution of the Ministry of Internal Affairs (MoIA) which offers initial and continuous training of future policemen. Human rights have a central role in the curriculum. The academic courses are prepared taking into consideration the need for implementing and applying the promotion and respect of human rights in the daily activity of the future law enforcement officers. In this context, the Police Academy trains the future MoIA personnel in the human rights field at three distinct levels, according to the level of knowledge of the target group: the basic level (bachelor’s degree) - “The Judicial Protection of Human Rights” course with 56 hours of training/ 1 semester/ university year; the intermediate level (master’s degree) - 42 hours of training on the protection and promoting of human rights within the public order and security units; the advanced level (post-university studies organized by The Centre for Promoting Human Rights within the Public Order and Security Institutions - CHRP) - an intensive program with a total duration of 200 hours of direct didactic activities, studies and scientific research.

At basic level, “The Judicial Protection of Human Rights” course (held during the second semester of the first university year) allocates 24 hours of training, from the total of 56 hours, for the study of “Barbu Angheliescu, Bragadireanu, Soare and others vs. Romania” and “Gheorghe Cobzaru vs. Romania” cases. Within these 24 hours of training, 4 hours are dedicated to studying the organization and functioning of the European Court of Human Rights (ECHR), 4 hours for the ECHR jurisprudence, and 16 hours for adequate training on articles 2, 3 and 14 of the European Convention of Human Rights, by analyzing the Court’s jurisprudence in the field.

At intermediate level, starting with the university year 2009-2010, every program of professional master has included a one semester course (42 hours) on the human rights promotion and protection within the public order and security units.

At advanced level, starting with 2011, The Police Academy has trained over 400 MoIA personnel in the field of human rights protection and promotion within the public order and security units.

International humanitarian law is included in the **training programs for military officers** during university (bachelor’s degree), master programs, and some post-graduate programs for improving the quality of training of the Ministry of National Defense personnel. The curriculum of the course includes topics such as: comparison between international humanitarian law and human rights, the rights and obligations during armed military conflicts, legal guidelines on military women, and combating discrimination.

The military higher educational institutions did not develop specific study programs or courses focused only on human rights. But aspects related to human rights are studied at other courses, such as: constitutional law, international law, international maritime law, law and legislation, military art, leadership, human security, and environmental protection.

At the same time, in order to achieve better knowledge on the regulations regarding human rights, meetings with specialists were held in the military academic environment.

Participatory methods both for teaching activities and seminars and also for students' scientific circles and other practical activities are used in the military education process.

The university libraries hold numerous university textbooks and teaching materials on human rights, as well as resources on other courses related to human rights which are regularly updated.

A constant attention has been paid by the leadership of the academic institutions to support the activities in the human rights field.

The translation of several publications prepared by the Council of Europe (for example, "Quality Assurance of EDC/HRE", "Tool on Teacher Training for EDC/HRE", "Teaching democracy" - vol. VI, and "Living in democracy" - vol. III, the Charter on EDC/HRE) contributed to the dissemination and the development of education for democratic citizenship and human rights education (EDC/HRE).

3. Research

The academic staff of **the "Alexandru Ioan Cuza" Police Academy** pays special attention to constantly updating the scientific research and using modern teaching methods, as well as to linking the educational and training process of students with the operative law enforcement activities. In this respect, university courses have been elaborated and updated and numerous articles, studies and notes have been published in specialized magazines.

The methodologies and tools for human rights education developed by the Centre for Promoting Human Rights within the Public Order and Security Institutions (CHRP) are based on the recent jurisprudence of the European Court of Human Rights and the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) with regard to the activity of MoIA and its subordinated structures, namely the Office for the Execution of Judgments of the European Court of Human Rights.

In the research activities carried out by **the military higher education institutions** lessons learned and evaluation exercises are developed and used, and best practices and comparative studies are encouraged and disseminated. International mobility programs for students and teachers are supported, but not particularly dedicated specifically to human rights education.

4. Learning environment

Romanian NGOs run many projects and activities in the area of formal education (by proposing curriculum and learning sources), non-formal education and teacher training (some of them organize accredited training courses for teachers). Other projects are promoting the rights of persons belonging to national minorities. Successful and innovative projects in this field have

been developed by The Intercultural Institute Timișoara, The Centre of Resources and Ethnic-cultural Diversity (Cluj), Divers Association (Tg. Mureș), PER Regional Centre (Bucharest and Tg. Mureș), Educația 2000+ Centre (Bucharest), Pro Europa League (Tg. Mureș), New Horizons Foundation, Prosper ASE Association (Bucharest), Euro Ed (Iași), the branch of AIESEC Romania student association etc.

In 2010, a project of the New Horizons Foundation aimed at developing skills related to active citizenship for students through non-formal learning activities. The NGO implemented, in 2010-2011, in partnership with the British Council, the “Active Citizens” programme. The beneficiaries were young people from Iași, Neamț, Hunedoara, Mehedinți, Cluj and Timiș counties. The programme focused on 3 main components: training, community projects and international exchange.

The national and international competitions for students offer the possibility to participate in activities related to citizenship and human rights. An example would be The Bucharest International Student Model United Nations (BISMUN) which is an academic simulation of several bodies of the United Nations and the North Atlantic Council, held in English and organized by the UN Youth Association of Romania. The University of Bucharest, the National School of Political Science and Public Administration, and the Academy of Economic Studies were among the academic partners in supporting and organizing the conference. Romanian and international students participate every year in the conference. The simulations include also topics related to human rights and the UN Human Rights Council. The main objectives of the BISMUN conference are: encouraging participatory democracy, raising awareness of the role of the UN and NATO, informing the youth about decision-making mechanisms of the UN, promoting multiculturalism and fight against discrimination, as well as active citizenship of youth, raising awareness of the concept of European citizenship and its promotion, developing solidarity and promoting tolerance, foster mutual understanding between youth in different countries, raising awareness of environmental responsibility and of the Millennium Development Goals among the youth.²

The policy documents on human rights protection within **the military higher education** are represented in the national legislation (the Constitution, the Law of National Education, research legislation, labor legislation) and also in the internal documents issued by the higher education institutions (University/Academic Charter, specific regulations and methodologies).

The academic staff is mandated by the university leadership to monitor the training of students and to observe the respect of the legislation, in general, and of the laws on human rights, in particular, during classes, seminars, tutoring programs and counseling, as well as during extracurricular activities.

The military students, although they have different responsibilities, they can express their views freely (with some restrictions imposed by the law). They participate in the academic life, enroll in student organizations, and have representatives in the university’s senate. They also interact with the community by participating in competitions and in cultural, sports, and scientific meetings, and also in mobility programs.

² <http://bismun.com/>

5. Education and professional development of higher education teaching personnel

The initial training is delivered by universities through the departments/faculties for teacher training, based on a framework curriculum approved through Order of the Ministry of Education. Usually the teachers and trainers in the field of education for democratic citizenship and human rights education (EDC/HRE) graduated history, social sciences, philosophy, psychology, pedagogy, law, economy or political sciences. Until now, there are no university programmes for the specialization of prospective EDC/HRE teachers. In this context, in-service teacher training for EDC has great importance. However, topics related to education for democratic citizenship and human rights are included in the initial training provided by some universities that offer training for teachers in social-studies. Usually, these topics are integrated into a larger course (for example, classroom management) or as an optional subject/course.

The in-service training can be provided by various training institutions (public, NGOs or private companies). The courses have to be recognized by the Ministry of National Education and Scientific Research based on a specific methodology. Training in the field of reference is available, but not mandatory. Many accredited in-service teacher training topics, including those on EDC and HRE (for example, democratic learning environment, managing conflicts, students' participation, the rights of the child etc.), are provided with the support of the European Social Fund. Teachers participate in training activities organized by international institutions and organizations such as the Council of Europe, European Union, UNICEF, UNESCO, and UNHCR. Other activities are carried out within the bilateral or multilateral cooperation in education and training. Participation of teachers in in-service training programmes is mandatory, but the topic of these programmes is very diverse (i.e. project management and programmes regarding human rights and the rights of the child).

The constant professional training of the teaching personnel in **the military higher education** aims at achieving a good command of the student-centered participatory training methods, improving those methods, and also updating human rights information/knowledge, but not necessarily during training programs focused exclusively on the human rights field.

The course syllabus and the educational materials for the human rights related courses are permanently updated. Because a specific course on human rights *per se* is not included in the curriculum of the military university programs, there are no relevant training materials on this issue.

B. Human rights training for civil servants, law enforcement officials and the military

With regard to civil servants, law enforcement officials and the military, have steps been taken in your country in the following areas:

6. Training policies and other related policies

The **National Agency of Civil Servants (NACS)** develops professional training programs for civil servants in the public administration sector. Therefore, the beneficiaries of the training programs organized by NACS are mostly civil servants, persons appointed or elected in public

positions or those assimilated, local officials, personnel employed within the public administration.

NACS organizes professional training programs in areas of interest for the public administration, according to the training needs at the level of the public institutions and authorities and to the strategic priorities of the public administration.

In organizing and conducting training programs, NACS involves specialized personnel, as defined by article 24 para. (1) of the Government Decision no. 1066/2008 for approving the rules on the training of civil servants in conjunction with the National Qualifications Authority Decision no. 474/2014, namely: professional skills trainers and higher education. During 2015, according to the draft order of the NACS President, which is currently under the decisional transparency procedure (http://www.anfp.gov.ro/continut/Propuneri_legislative), “human rights and fundamental freedoms” are a priority area for professional training in the public administration.

With regard to the civil servants, both joining the civil service and the promotion methodology shall take place in accordance to the Law no. 188/1999 regarding the Status of Civil Servants, republished, with subsequent amendments, and the provisions of the Government Decision no. 611/2008 for approving the rules on the organization and development of the civil servants’ career. These laws do not impose an obligation regarding the attendance of training programs in this field.

At the level of the National Agency of Civil Servants, specialized human rights training is available for the civil servants dealing with specific groups in vulnerable situations. For example, officials and civil servants benefit from such training in the following fields: social assistance, integration of minorities (Roma), disabled persons, combating discrimination etc. NACS may organize, upon request, training programs and learning courses in the field of human rights. Thus, human rights and fundamental freedoms have been addressed in various themes, such as "The right to gender equality", "The right to non-discrimination", "Equal opportunities and sustainable development in the public institutions activity."

The national legislation with regard to the civil service is in line with the human rights international and European standards. The National Council for Combating Discrimination is the national authority which enforces the application and monitors the legal framework on preventing and sanctioning all forms of discrimination.

At the level of the **Ministry of Internal Affairs**, human rights courses have been institutionalized both in pre-service and in-service training. These training courses are mandatory for the professional qualification and promotion of officers working in the fields of management, public order, international missions, arrest-transfer, judicial investigation, proximity police etc. Regulations in the law enforcement field have been constantly reviewed to avoid being inconsistent with human rights standards.

The “Alexandru Ioan Cuza” Police Academy completed, in April 2013, the implementation of “The Centre for Promoting Human Rights within the Public Order and Security Institutions (CHRP)” project (SMIS code 23120), co-financed from the European Social Fund through the Operation Programme Administrative Capacity Development. The CHRP was created with a view to providing MoIA personnel with specialized courses on human rights field, developing,

testing, and validating the curriculum with the support of the national and international partners of the Police Academy. A community of trainers and specialists in the human rights field was created, composed of 50 permanent trainers, as well as a network of 271 resource persons/officers for promoting CHRP actions within the law enforcement units. They are focused on promoting the development of an organizational culture to respect human rights within the public order and security institutions in Romania.

CHRP could be one of the main instruments to address the problem of human rights violation in the law enforcement activity, by training a large number of law enforcement officers. To this end, CHRP develops a post-university training program for the entire community of human rights practitioners within the public order and security institutions. It also promotes human rights and fundamental freedoms education at the level of the MoIA higher education institutions, starting with the early education of students in order to prepare them for their future law enforcements career.

CHRP offers a continuous and career long training for MoIA personnel. Another notable result of this project is the formation of a network of resource persons/officers at national level with the objectives of disseminating the newest procedures and pieces of legislation regarding human rights promotion and awareness raising. The methodology and methods of disseminating information regarding Romania's cases at the European Court of Human Rights and the materials distributed during courses have led to a better understanding of the human rights field. All these instruments should contribute to a decrease in the number of cases involving the use of abusive procedures by the law enforcement officers in their professional activity.

At present, the "Alexandru Ioan Cuza" Police Academy, through the CHPR, continues to implement the project by organizing a three-month post-university course on human rights, with a view to improving the working procedures of the public order and security officers and also to increasing the quality of training of the future MoIA officers. In January 2015, a new series of students had completed the post-university studies, and 30 MoIA officers and NCOs attended the training program.

The Institute for Public Order Studies provides continuous training programmes on human rights education, such as:

- Preventing and combating all forms of discrimination - 30 hours of presentations and debates;
- Prevention of torture and inhuman or degrading punishment or treatment - 30 hours of presentations and debates;
- Basic training course on deployment of UN multinational operations, on the following topics: Respect for human rights - 2 hours of presentations and debates; Gender mainstreaming - 2 hours of presentations and debates; Human rights and the use of force - 2 hours of presentations and debates;
- Basic training course on deployment of EU multinational operations, which includes the Gender mainstreaming topic - 8 hours of presentations and debates.

A total number of 1,042 personnel within the Ministry of Internal Affairs attended the above-mentioned training programmes during 2010-2014.

In 2014, the School for Early and Continuous Training of the Romanian Border Police Iași, conducted a training course on “Respect for Human Rights in the context of the Border Police specific activities”. During 2014-2015 training year, at least one topic related to human rights has been introduced in the curriculum of each course delivered by the Romanian Border Police School. Human rights training was institutionalized in the initial training of the law enforcement officers through a specific module in the curriculum (Module 11/Competence 4 - Human Rights Protection).

Specialized human rights training courses are available for civil servants and law enforcement officers dealing with specific groups in vulnerable situations. For example, the Programme on promoting the concept of Police working for the community (the proximity police) is currently ongoing in rural areas, with emphasis on the Roma communities and other disadvantaged groups. The Programme is developed by the Inspectorate General of the Romanian Police and financed through the Romania-Switzerland Programme for Cooperation. The Centre for Romani language and culture has been operationalized within the “Nicolae Goleescu” Police Training Centre, in Slatina. During 2013-2014, 8 series of 20 police officers per each series attended the training. In 2015, two series of 20 police officers per each series have already been organized.

Human rights training programs are also available for the Border Police personnel who interact with certain groups in vulnerable situations. For example, the curriculum of the “Managing irregular migration flows” course includes 6 classes on issues related to asylum seekers (identification, interaction, rights, obligations, procedures etc.). At the same time, 4 classes are focused on issues related to interaction with vulnerable groups (minors, women, victims of trafficking in human beings etc.). A specialized human rights training for civil servants is covered by the course on “The means to guarantee, defense and ensure the respect for the human rights in police activity”.

The **training of military officers in human rights** is carried out both in the initial training phase, as well as in various professional training programs conducted by military higher education institutions under the guidance of specialized academics, but it is not mandatory for professional qualification or promotion.

A special training in the human rights field is conducted for the military staff participating in missions and operations in conflict zones and/or theatre of operations (TOs). The “Carol I” National Defense University offers training courses for instructors in the field of international human rights. Issues regarding human rights have been also included in the training of the personnel within the headquarters of the Ministry of National Defense and of other military structures and armed forces.

During the reporting period, it wasn’t necessary to review the policies and regulations regarding the military profession as they comply with the human rights standards.

During 2010-2014, the **National Institute of Magistracy (NIM)** paid a special attention to the professional training provided to future judges and prosecutors (judicial trainees following initial professional training), as well as to in-service judges and prosecutors, on issues related to the topic of human rights.

I. Initial training for future judges and prosecutors (judicial trainees):

The initial training of future judges and prosecutors is exclusively provided by the National Institute of Magistracy and it is organized and coordinated at national level for a two year period. The first year of study is common for future judges and prosecutors and it provides with a general training.

The activity of the judicial trainees during the second year of training is organized within courts and prosecutor’s offices attached to these courts, as well as in other institutions, under the guidance of the internship tutors – judges and prosecutors who are part of the Institute’s training staff.

Within the NIM, the study of law is mainly practical, creating, as much as possible, the real conditions in which a judge/prosecutor carries out his/her activity.

Judicial trainees may choose for their specialization – judge or prosecutor – after graduating the first year of study, in order of their ranking and according to the number of positions awarded by the Superior Council of Magistracy.

The initial training programme aims at promoting awareness of belonging to the profession by the following means:

- the study of ethics and deontology and of the fundamental principles of justice,
- the organization of common training activities with other judicial institutions,
- the development of programmes in cooperation with the institutions responsible with the training of the judiciary from other European countries.

During 2009-2010, 2010-2011, 2011-2012, 2012-2013, and 2013-2014, the training of judicial trainees was provided by NIM according to the initial training programmes – both for the first and for the second year of study – as approved by the Plenary Assembly of the Superior Council of Magistracy (SCM).

Starting with 2004, the mandatory study of the European Convention on Human Rights (ECHR) was included in the curriculum, a number of hours being allotted to this discipline exclusively – debates, seminars, as well as conferences. This number was different from one year to another, according to the training needs in the field of the ECHR, as reflected below:

Period	Subject	Hours of training - seminars	Hours of training - conferences
2010 - 2011	ECHR	32	9
2011 - 2012	ECHR	42	9
2012 - 2013	ECHR	38	16
2013 - 2014	ECHR	38	16
2014 - 2015	ECHR	38	16

The course is aimed at offering an overview on the protection of human rights, on the European Convention on Human Rights through its case-law, on the specific concepts and terminology, on the means used to ensure the protection of the rights, on the means to ensure the balance between society and individual protection, on whether are there any common standards included in the

national and international documents on human rights and on the evolution of the Court case-law in relation to the evolution of the social and legal standards of the Member States.

The continuous changes in the case-law of the European Court of Human Rights and in the national legislation, as a result of the said case-law are being constantly taken into account, with a view to making a comparative presentation of the ECHR dispositions.

At the end of the course, the judicial trainees are expected to identify the judicial matters related to the enforcement of ECHR, to be able to provide a legal and grounded solution of the concrete cases, to have the necessary skills for the drawing up of the procedural instruments using the rationale employed by the Court, to identify and settle the issues related to the violation of human rights in courts and the attached prosecutor's offices by the direct enforcement of the ECHR case law.

Nevertheless the aspects related to the protection of the fundamental rights, non-discrimination principle, equality between women and men and also, the judicial protection of human rights within the European Union are being discussed in the framework of the "EU Law" seminars.

A constant concern of NIM is the focus on the European component of the initial training, reflected as such in the activities addressed to judicial trainees. The following programmes are annually developed by NIM together with its internal and international partners:

- a. the Exchange Programme for European judicial trainees, organized by the European Judicial Training Network (EJTN/REFJ);
- b. study visits to the Court of Justice of the European Union;
- c. traineeships to the European Court of Human Rights;
- d. the THEMIS Competition for European judicial trainees, organized by the European Judicial Training Network (EJTN/REFJ);
- e. the internal Essay Contest on the jurisprudence of the European Court of Human Rights - the two best contenders participate in a three months internship within the European Court of Human Rights, in Strasbourg.

II. Continuous training of judges and prosecutors

In terms of the continuous training, in **2010** the NIM continued its approach adopted in 2009 and included as compulsory components of the agenda of the seminars dedicated to the specialized training of magistrates a number of ECHR and community law topics, while previously such topics were only a sporadic presence in the seminars, according to the specific approaches of the seminar trainers. Thus, the agenda of the seminars on competition law, labour law, environment law, commercial law, administrative and financial-fiscal law or fighting discrimination also included community law topics. At the same time the agenda of the criminal law, criminal trial law, and civil law, justice for minor and environment law seminars included relevant topics from the ECHR practice.

A total number of 7 seminars were organized especially on the European Convention on Human Rights matters. They were attended by 129 magistrates (88 judges and 41 prosecutors); 4 experts assimilated to magistrates, 3 assistant magistrates from High Court of Cassation and Justice. One

seminar was included by NIM in the European Judicial Training Network (EJTN) Catalogue for 2010 with the theme “Direct application of European Convention on Human Rights by domestic courts in cases brought before them”; two seminars were supported by The German Foundation for International Legal Cooperation (IRZ). Also, regarding the specialization, 4 seminars were dedicated to the ECHR – Criminal Matters and 2 seminars treated aspects regarding ECHR – Civil Matters.

In **2011**, NIM continued to recognize the importance of training magistrates on the ECHR practice, a field in which it further distinct training of civil and criminal aspects of the ECHR.

Taking into account the success of the seminar included in the EJTN Catalogue for 2010, for the 2011 EJTN Catalogue, the NIM included 3 seminars on the European Convention on Human Rights matters (1 seminar regarding the “Media freedom and the Magistrates. Enforcement of Article 10 of the ECHR” – attended by 17 judges and 6 prosecutors and also, 2 seminars with the theme “Direct application of European convention of human rights by domestic courts in cases brought before them” attended by 28 judges, 11 prosecutors and 2 police officers from the National Authority of Penitentiary).

A total number of 4 seminars were also organized on the ECHR practice in partnership with Romanian Ministry of Justice (MoJ). They were attended by 85 participants (66 judges, 13 prosecutors and 6 experts from SCM, MoJ).

In **2012**, given the success of the seminars included in the EJTN Catalogue for 2010 and 2011 and recognizing the importance of training magistrates on the ECHR practice, NIM included 3 seminars in EJTN 2012 Catalogue (1 seminar regarding the “Media freedom and the Magistrates. Enforcement of Article 10 of ECHR” – attended by 14 judges, 4 prosecutors, 1 magistrate assistant from High Court of Cassation and Justice-HCCJ and 2 MoJ experts, along with 2 judges from Italy and 2 judges from Bulgaria; and also, 2 seminars with the theme “Direct application of the European Convention on Human Rights by domestic courts in cases brought before them” – attended by 14 judges, 8 prosecutors, 2 experts from the Prosecutor’s Office attached to the HCCJ and MoJ, along with 2 Italian judges, 1 Dutch judge and 2 prosecutors from Spain).

Moreover, on 20 June 2012, NIM launched – on Dokeos platform - the online Training Course on European Convention on Human Rights. These on-line training modules are a useful instrument for dissemination of basic knowledge and abilities in the ECHR domain. Although the on-line modules do not cover all training needs for Romanian magistrates, they can contribute significantly being an important tool for the in-service magistrates that are willing to acquire the basic knowledge in the human rights topics. The NIM’s on-line training tackled the basic knowledge in the ways of application of Article 6 of the European Convention on Human Rights in civil matters. The eLearning course of 6 weeks is addressed to all Romanian judges and prosecutors, regardless the jurisdiction, that have no knowledge in the field of application of Article 6 of ECHR in civil matters, or for those who wanted to extend and update their information in this field.

In **2013**, NIM included 3 seminars in EJTN 2012 Catalogue (1 seminar regarding the “Media freedom and the Magistrates. Enforcement of Article 10 of ECHR” – attended by 8 judges and 10 prosecutors; and also, 2 seminars on the theme “Direct application of European Convention of Human Rights by domestic courts in cases brought before them” – attended by 11 judges, 18 prosecutors and 1 judge from Poland).

Another 3 seminars were organized with the support of the German Foundation for International Legal Cooperation (IRZ). The seminars were attended by 41 judges, 12 prosecutors and 2 MoJ experts.

In 2013, NIM launched two eLearning courses on “Free access to justice” and one eLearning course on “Deprivation of liberty”. The 6 weeks courses were addressed to the Romanian judges and prosecutors, regardless of their jurisdiction.

In **2014**, NIM included 2 seminars in EJTN 2014 Catalogue on the theme “Direct application of European Convention of Human Rights by domestic courts in cases brought before them”. They were attended by 24 judges, 12 prosecutors, 1 expert from SCM, along with 2 judges and 3 prosecutors from Bulgaria and 1 Dutch prosecutor.

Under the Human Rights Trust Fund (Project “Implementing pilot, ‘quasi-pilot’ judgments and judgments revealing systemic and structural problems in the field of detention on remand and remedies to challenge detention conditions”), the seminar on “Putting in place the Convention-compatible legislative and regulatory framework in the field of detention” was organized in collaboration with the Ministry of Foreign Affairs of Romania, in March 2014, in Bucharest. It was attended by 12 judges and 25 prosecutors.

Within the Project “Strengthening the capacity of the Romanian judicial system to face the new legislative and institutional challenges”, financed by the Norwegian Courts Administration (NCA) and the Council of Europe (CoE) under the Programme RO24 “Judicial Capacity-building and Cooperation”, Output 2.2, NIM organized a total number of 10 seminars in the field of ECHR jurisprudence for 240 professionals – 125 judges, 75 prosecutors, 10 magistrate-assistants from HCCJ and 30 clerks.

Between 2013 and 2014, the National Institute of Magistracy 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 – EUI. The Project focused on three fundamental rights: the principle of non-discrimination, the right to a fair trial and the freedom of expression. The Project offered possibilities for direct contact between judges both personally – during the workshops organized in Florence (13 Romanian judges and 1 prosecutor participated) and within the partner states (Croatia, Italy, Poland, and Romania), and online – database and forum. Within the Project, NIM had organized in Bucharest 2 events (the Pilot Seminar on 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 total number of 45 members and representatives of the Romanian judicial system participated, along with 6 representatives of the Project Partner`s from Italy, Poland and Croatia. The Project also focused on knowledge sharing on the range of tools and methodologies used by adjudicators. A Final Handbook was compiled precisely to help judges become familiar with these tools. 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 NIM website.

In 2014, NIM launched one eLearning course on “Free access to justice” and one eLearning course on “Deprivation of liberty”. The 6 weeks duration courses were addressed to the Romanian judges and prosecutors, regardless of their jurisdiction.

Annually, for the judges and prosecutors admitted at the contest for the admission to magistracy targeted at law school graduates having at least 5 years seniority in the practice of law, NIM dedicates a total number of 48 hours of training for judges in the field of European Convention on Human Rights matters, and, respectively, 30 hours of training for the prosecutors.

7. Training processes and tools

The professional training programs (training or specialized training) organized by the **National Agency of Civil Servants (NACS)** are mainly addressed the civil servants, persons appointed or elected in public positions or those assimilated to them, local elected officials, personnel employed within the public administration, as well as any other person interested in this issue. Generally, training programs are organized in priority areas established by the order of the President of NACS (currently, the Order no. 2323/2013 is into force).

The programs developed by NACS use different methodologies, such as the in class learning system, the e-learning methods or mixed-learning (online sessions, self-training, online access to training materials, practical consultations, discussions forum and face to face sessions - workshops, discussions, teamwork). During the training programs, trainers present both theoretical aspects giving participants an integrated approach to the topic, as well as practical aspects (exercises, case studies, simulations, exchange of experiences etc.).

All projects developed by NACS with external funding which provided civil servants with training activities included also a presentation on issues related to human rights promotion and protection, such as:

- general presentation of the principles of equality;
- mainstreaming of gender equality;
- active inclusion and full participation of persons with disabilities in the society, in agreement with the European approach of human rights regarding the disability issues;
- the EU Charter of Fundamental Rights.

Regarding access to professional training, NACS does not make any discrimination based on the race, ethnicity, sex, religion, political opinion, national descent or social origin. The curricular offer of NACS is addressed to the civil servants within the public institutions and authorities as well as to all interested persons.

Furthermore, the principle of equal treatment prevails, without any distinction, exclusions or preferences, in the national legislation on the civil service and the civil servants. The Law no. 188/1999 regarding the Status of Civil Servants, republished, with subsequent amendments, at article 27, para.2, forbids all forms of discrimination among civil servants.

The courses delivered by **the Ministry of Internal Affairs training institutions** are diverse and cover broad aspects related to human rights. The specialized training is student-oriented and follows the professional development of law enforcement officers and human rights practitioners. Training materials promote human rights principles. For example, the Romanian Border Police uses also guides and handbooks issued by FRONTEX or UNHCR in the field.

The **training process of the military staff participating in missions and field operations in conflict zones and/or theatre of operations (TOs)** includes: studying the characteristics of the area where they are about to be deployed, the provisions of the national and international laws on the international humanitarian law principles applicable in the respective situations, and also their obligations and responsibilities on respecting human rights during their missions/operations.

Participatory methodologies and teamwork are used during training and training materials are permanently updated. The Ministry of National Defense has developed materials and textbooks covering topics related to human rights education.

8. Learning and working environment

The Law no. 7/2004, with subsequent amendments, establishes the Code of Conduct for the Civil Servants. The employees within the public administration have to comply also with the Law no. 477/2004 regarding the Code of Conduct for the employees within the public institutions and authorities.

The **National Agency of Civil Servants (NACS)** organizes, on an annual basis, "The Competition of the best practices in the public administration in Romania" which is an award competition for the best practices in the margins of the international conference on "Innovation and Quality in the Public Sector". The purpose of this competition is to identify, highlight and disseminate the most effective and innovative practices in the public administration, and to make known the experience and remarkable results of the public institutions and authorities in Romania. A Guide of Best Practices has been disseminated at national level.

In carrying out the institutional responsibilities, NACS complies with the principles laid down in the Romanian legislation, such as the supremacy of the Constitution and of the law, the importance of the public interest, ensuring equal treatment of all citizens before the public institutions and authorities, impartiality and independence, openness and transparency. In the process of drafting and approving documents, the provisions of Law no. 52/2003 regarding decisional transparency in public administration, republished, with subsequent amendments, have been applied.

The Code of Ethics and Deontology of Police Officers, approved by Government Decision no. 991/2005, is in line with the human rights standards. At the **MoIA** level, good practices have been promoted. The collaboration with the community has been encouraged. For example, the Border Police School in Iași collaborates with the Social Alternative NGO - Iași which develops EU funded projects in the human rights field. The Romanian Border School in Oradea cooperates with similar schools from Germany and Hungary through exchange of experiences.

During the reporting period, there haven't been developed any professional ethics codes or other policy documents with the sole objective to promote good practices and the military profession contribution to the observance of human rights.

C. Overall human rights education efforts

A National Plan for Human Rights Education has not been developed in Romania during the reported period. However, the National Education Plan and the national legislation regarding the education system are in line with Romania's commitments at European and international level, being fully harmonized with the relevant UN conventions and European standards.

The present report has been prepared in line with the Guidance Note circulated by the Office of the High Commissioner for Human Rights.

The information selected and compiled by the experts of the Ministry of Foreign Affairs was supplied by the following Romanian Institutions: Ministry of Internal Affairs, Ministry of National Education and Scientific Research, Ministry of National Defense, National Agency of Civil Servants, and National Institute of Magistracy.

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