

2019

MONITORING REPORT



THE IMPLEMENTATION CONTEXT OF BEHAVIOUR CHANGE PROGRAM



National Center Against
Violence



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
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Swiss Agency for Development
and Cooperation SDC
Wiedergewinn verkehrte arbeiter





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Ulaanbaatar
2019

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EXECUTIVE SUMMARY

In Mongolia, the incidents of domestic violence and criminal reports are publicly and transparently informed via the report on judicial practice by the Judicial Research, Information and Training Institute and monthly criminal statistics by the National Police Agency, respectively. Additionally, the National Statistics Committee of Mongolia compiles and publishes an annual comprehensive report on criminal research and information.

The revised LCDV was approved on 22 December 2016. Within 2 years and 10 months since the revised Law to Combat Domestic Violence (LCDV) came into effect, the incidents and crime rate for domestic violence have been on a constant increase annually, in particularly,

- Nationally, the incidents of domestic violence have doubled between 2017 to 2019. There were 4369 incidents in 2017, 5821 in 2018 and 8229 as of November 2019¹.
- In 2017, there was 223 recorded domestic violence crimes as stipulated in 11.7 of the Criminal Code. This figure slightly dropped to 210 in 2018 and 207 in 2019, down by 3 cases or 1.4 percent.

Approximately 60 percent of the total reported domestic violence incidents and crimes are committed in Ulaanbaatar city and 92.4 percent of total victims are females².

With regards to the implementation of the LCDV, domestic violence incidents are increasingly reported while new forms and types of services have been developed including the One Stop Service Center, Temporary Shelter, legal and psychological counselling and social work services as set forth in the law. Moreover, changes have been made to ensure accountability of perpetrators and safety for victims within the legal environment , including certain steps in the practice of behavior change. Regulations, for instance, on mandatory behavior change and enforced trainings for fostering violence-free family conflict resolutions are set forth in the LCDV and curriculum was approved and implemented by a respective body.

Within the framework of conducting mandatory behavior change trainings for perpetrators, the Coordination Council for Crime Prevention in Mongolia conducted these trainings in 2019 for those in a detention center of the General Executive Agency of Court with the budget of MNT52,5millionn from the crime

¹ NPA Statistics, 2017-2019

² NPA Crime Statistics, as of November 2019

prevention budget of the Minister of the Justice and Internal Affairs.³

From the reports by clients who approached the NCAV and case monitoring findings, however, the cases in which perpetrators are required to complete the mandatory trainings as penalty for domestic violence offences and incidents remain the same or their behaviour is repeated.

Therefore, the monitoring primarily aims to assess whether mandatory behaviour change trainings are effective in ensuring the safety of victims of domestic violence and their family members, identify challenges encountered for implementation of duties for training institutes and legally obliged officers and run advocacy for improving the enforcement of the law.

We feel confident that the findings of the monitoring will be a crucial source of information for developing the policy areas along with appropriate measures to effectively implement behaviour change programs.

We sincerely extend our appreciation for funding efforts of the UNFPA, data collection supports by the Ministry of Justice and Internal Affairs, National Police Agency, General Executive Agency of Court and the sharing of sources by the officers of the court service agency and police, government and non-government organizations and citizens as well.

laimed to drop due to the categorization of crimes as minor and grave under the revised Criminal Code of Mongolia⁴”.

According to the statistics by NPA, the rate of domestic violence crime has seen a certain decline, yet the number of domestic violence offences have been increasing.

³ Excerpt from a letterhead No.7/5483 dated 11 December 2019, Coordination Council for Crime Prevention.

ONE. RATIONALE AND METHODOLOGY OF MONITORING

1.1. Rationale of monitoring

It has been 2 years and 10 months since the revised Law to Combat Domestic Violence (LCDV) became effective. Under the LCDV, the legal fundamentals have been set forth for the detection of domestic violence in early stages, prompt and timely prevention and intervention, protection of life, health and safety of victims and their family members, delivery of services and prevention framework.

The legal framework such as the Criminal Code, Criminal Procedure Code, the Petty Offence Law, Petty Offence Procedure Law, Law on Protecting Witnesses and Victims, Police Act, Child Protection Law, and the Law on Execution of Court Decisions accurately provides for the protection of victims of domestic violence and penalties for perpetrators.

Article 44 of the LCDV stipulates that the mandatory behaviour change training shall be assigned for an imprisoned person by the General Executive Agency of Court (GEAC) and for a person imposed with a mandatory training penalty both by the GEAC and National Police Agency (NPA). The procedure of conducting mandatory training and its curriculum was approved by the resolution#A/73, in 2017 by the Minister of Justice and Internal Affairs (MJIA).

The aim of the mandatory behaviour change program is to prevent a person either imprisoned or imposed with an arrest penalty under the administrative procedure from repeated crime or an offence, strengthening awareness on the attributes of a stable family, ensuring psychological stability and fostering a citizen with emotional intelligence, positive positive habit and thinking⁴.

The vision of the training is “to ensure training effectiveness, delivered by qualified and competent training officers with the aim to prevent crimes and offences via behaviour change efforts...”⁵.

The involvement of a perpetrator in a mandatory behaviour change program is expected to bring multiple positive outcomes such as self-reflection on ones own behavior, including it's impact on others, self-recognition of negative actions, of the development of self-competence to eliminate, manage or correct risky behavior, increased confidence for behavior change, learning of positive behavior and emotional regulation including anger management.

4 Provision 3.1, appendix 1, resolution No. A/73, 2017, MJIA

5 Provision 6.1, appendix 1, resolution No. A/73, 2017, MJIA

In this regard, the monitoring intended to assess whether the training environment, conditions and facilities are appropriate to conduct mandatory behavior change programs, the preparedness of trainers, as well as the appropriateness of the curriculum, syllabus, plan and learning outcomes. The aim is to carefully assess the monitoring mechanism, communication stream and inter-sectoral cooperation. Based on such assessment, the policy and its areas of action planning will be determined to ensure the effective implementation of the mandatory behavior change program.

1.2. Aim of monitoring

The monitoring primarily aims to assess whether mandatory behaviour change trainings are effective in ensuring the safety of victims of domestic violence and their family members, identify challenges encountered for implementation of duties for training institutes and legally obliged officers and run advocacy for improving the enforcement of the law.

Aim of the monitoring		
Monitoring	Outcome reporting	Advocacy
<ul style="list-style-type: none"> Detect impediments and loops by comparing against legalized norms; <ul style="list-style-type: none"> Assess implementation against evidence; Conduct root analysis. 	<ul style="list-style-type: none"> Develop recommendation; Deliver monitoring results to decision-makers; 	<ul style="list-style-type: none"> Based on the monitoring data and recommendations, run comprehensive and strategic actions for remedies.

Within the aim of the monitoring, the objectives were outlined as follows:

- Conduct an assessment of the current status quo and outcomes of section 44.4 of article 44 of the LCDV and the “curriculum and procedure on mandatory behavior change program” as approved by resolution No. A/73, 2017 of the MJIA;
- Identify challenges and gaps in the law and procedures, improve

regulations and seek opportunities and methodologies for effective implementation mechanism;

- Based on the monitoring results, develop proposals and recommendations, and deliver advocacy to improve the outcomes and impact of the implementation of the law.

1.3. Scope

The monitoring framework saw data collection across 10 aimags (Bayan-Ulgei, Zavkhan, Gobi-Altai, Darkhan-Uul, Bayankhongor, Umnugobi, Dundgobi, Khentii, Dornod and Uvurkhangai) and 2 districts of UB city.

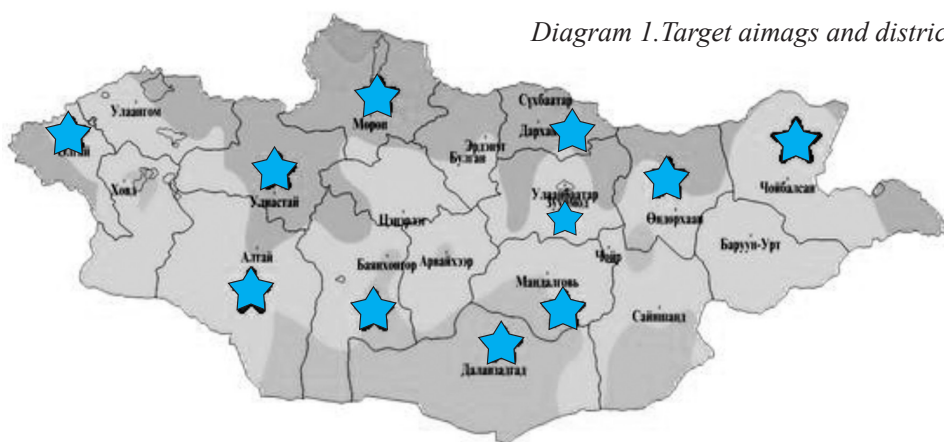


Diagram 1. Target aimags and district

Data collectors gathered data and statistics from 5 target prisons, 1 detention center and 10 Police detention/arrest centers conducted 145 individual and focus group interviews with the victims of domestic violence, perpetrators, trainers, NGO officers and held 5-times of training observations.

Data collection was gathered from the Judicial Research, Information and Training Institute, NPA, Coordination Council for Crime Prevention in Mongolia and local courts.

Table 1. Scope and sampling

Nº	Methods	Resources	Random selection
1	Collection of data and statistics	Questionnaire sheet	10 aimags, 5 target prisons, 1 detention/arrest center and 10 detention centers
2	Observation conducted during training	Questionnaire sheet	Observation conducted 5 times

3	Interview	Appendix3, 4	Victims of domestic violence -25 Perpetrators involved in trainings -47
4	Interview with teacher trainers	Focus group Individual Appendix5	14 focus groups with a total of45 attendees 28 people
5	Monitoring reports	Appendix	Reports and related documents from 16 target institutes of the monitoring
6	Assessment on program	Evaluation sheet	Prision, detention/arrest center, detention centers
7	Records of training observation by data collectors	Appendix	14 records

1.4. Methodology

Monitoring was conducted through a mixed method approach using quantitative and qualitative data collected and analysis.

Evidence analysis: In-depth analysis was conducted of legal documents, resolutions, decisions, action plans, reports, curriculum, guidelines and resources available in relation to the implementation of the mandatory behavior change program.

Individual Interview: Using the questionnaire prepared in advance, individual interviews were conducted with the victims of domestic violence and perpetrators involved in the behavior change program.

Questionnaire: Data was collected from civil servants and officers of non-governmental organizations, who implemented mandatory behavior change trainings, on challenges and the required support for the implementation of the mandatory trainings.

Focus Group Interview: To clarify issues which arose from completing the questionnaire and listening to needs and opinions, focus group interviews were carried out among the respective civil servants and officers.

Observation: Onsite visits to understand the reality of behavior change training implementation, the learning environment and delivery.

Quantitative analysis: 3 types of questionnaire was used for the quantitative analysis involving 100 respondents-trainers, survivors of violence and perpetrators.

Qualitative analysis: Individual and focus group interviews and observation methods were the basis to qualitative analysis.

TWO. THE IMPLEMENTATION CONTEXT OF BEHAVIOUR CHANGE PROGRAM

2.1. Legal environment

Mongolia adopted the Law to Combat Domestic Violence and the National Plan of Action on Domestic Violence respectively in 2004 and 2007 in line with the statement of the Constitution of Mongolia “to guarantee access to human rights and liberty” and its commitments to international bodies “to ensure human rights at all level”.

In collaboration with the National Center against Violence (NCAV), Minnesota Advocates for Human Rights carried out monitoring on the implementation of the LCDV in 2013 /please refer to detailed report from https://www.theadvocatesforhumanrights.org/uploads/mongolia_cedawloijune2015.pdf/. Furthermore, in 2005-2013, 20 research and analysis were conducted on the impact of the implementation of the law by the National Legal Institute, Research Center of the Supreme Court, NCAV and Mongolian Women Lawyers’ Association. Additional research efforts were made by the UN Women’s Fund, Conrad N. Hilton Foundation and Foundation for Women’s Health Research and Development on the law on combatting with domestic violence and the other influencing laws, as well as practical aspects and models on combatting with domestic violence from Albania, Japan, South Africa, Philippine, Vietnam and Taiwan.

In response to the recommendations by the UN Human Rights Council to the Government of Mongolia (GoM), practices and lessons learnt on the implementation of the law and the needs and requirements to advance the LCDV, the law was revised in 2016.

The GoM has adopted a vast range of policy documents on combatting domestic violence including:

- National Security Concept of Mongolia stipulates the development of procedure and curriculum on behavior change program with the aim of combating and prevention of domestic violence⁶;
- Policy and action plan of the President of Mongolia sets forth as “... to support the policy and actions against domestic violence, intensify

6 National Security Concept of Mongolia(2010)3.4.4.1

public awareness campaigns to promote the positive impacts of family relations to society and facilitate in strengthening legal regulations⁷;

- Mongolian Government Action programme aims “to strengthen family values and to enable convenient legal environment for elimination of violence, protection of victims exposed to violence and enhance accountabilities of family members⁸;
- Mongolian Government National Programme on Child Development and protection aims “to support and remunerate volunteers delivering child protection services for vulnerable children, regularly coordinate behavior change trainings either on a volunteer or mandatory basis for perpetrators of child abuse, prevent children from any risks or violation of their rights and foster anti-child violence social mentality⁹”.

The rationale and procedures to involve perpetrators in mandatory behavior change trainings are set forth under the laws and legal acts listed below:

1. Article 26.3 of the law on promotion of gender equality states that “a person who committed an act of direct discrimination based on attributes of a sex in family relations may be ordered to attend a mandatory behavior change training stipulated by Law against Domestic Violence”;
2. Article 44 of the LCDV stipulates as “Behavior change program shall be of mandatory and volunteer basis as non-forced resolution for family conflicts¹⁰” and “Behavior change program on mandatory basis is approved by a member of the Government responsible for legal matters¹¹;
3. Article 18.2.6 of the Law on Child Protection sets forth as “The involvement of parents, legal guardians, care-givers and child carers in a training either on a voluntary or mandatory basis as per court decision under the law shall be coordinated collectively with General Executive Agency of Court”;
4. The Petty Offence Law stipulates “It shall be punishable by penalty of arrest for a term of seven to thirty days or mandatory training

7 Policy and Action Plan of the President of Mongolia (2017) 2.6.1, 2.6.5

8 Mongolian Government Action Programme for 2016-2020 (2016)3.4.2

9 GoM resolution on “National Program on Child Development and Protection” 2017.09.20 №270 3.4.4.7, 3.4.4.8

10 Law to Combat Domestic Violence (2016) 44.1

11 Law to Combat Domestic Violence (2016) 44.4, 44.5

enrollment, if a person in a family relationship is systematically beaten, treated with heightened brutality, cruelty causing sufferings, forced not to communicate with others, or whose right to possess, use and dispose separate and communal property is violated and such actions are not punishable under criminal liabilities¹²”;

5. The Criminal Code stipulates “It shall be punishable by penalty of limitation of rights to free movement from six months to one year or imprisonment for a term of six months to one year, if a person in family relationship is systematically beaten, treated with heightened brutality, cruelty causing sufferings, or whose right to possess, use and dispose separate and communal property is violated”¹³. The “Court may put a convict on probation, or additionally impose the mandatory enrollment for behavior change and labor skills development programs”¹⁴”
6. Law on Execution of Court Decisions stipulates that “Detention center shall deliver training sessions for behavior change and prevention of repeat offences¹⁵.” Prison ... shall deliver behavior change programs for a convict imprisoned for domestic violence¹⁶. Also, articles 189, 192, and 222.1 specify as “to execute the court decisions that assigns restrictive mandatory measures”, “to execute the court decision that is to undertake mandatory disciplinary measures”, and “mandatory training in a prison”;
7. “Program and procedure on mandatory behavior change training” approved by the resolution No. A/73, 2017 of the Minister of Justice and Internal Affairs.

GEAC, in addition to the legal grounds and procedure, enforces the following procedures and programs in departments and divisions for court decision implementation and detention centers:

1. “Procedure on conducting behavior change program for persons imposed with mandatory behavior change enrollment” as approved by the order No. A/169, dated 31 August 2017 of the Chief of General Executive Agency of Court;
2. “Procedure on implementing mandatory measures for behavior change” as approved by the joint order No.A-170/A-0138, dated 31 August 2017

¹² Clause 4.4, article 5.4, the Petty Offence Law

¹³ Article 11.7, Criminal Code

¹⁴ 1.1 of article 7.2 and 2.2 of article 7.3, Criminal Code ишлэлийн бичвэр ялгаатай байна.

¹⁵ Clause 147.5, article 147, Law on Execution of Court Decisions

¹⁶ Clause 222.1, article 222, Law on Execution of Court Decisions

of the Chief of General Executive Agency of Court and Head of Family, Youth and Child Development Agency;

3. "Behaviour Change Program for persons imposed with mandatory behavior change penalties" as approved by the order No. A/16, 22 January 2018 of the Chief of General Executive Agency of Court.

2.2. Appropriateness of organizational structure

The law and procedures that provide the authorizing environment for the mandatory behavior change program for perpetrators of domestic violence look to impact attendees psychologically and promote remediation of negative behavior and promote violence-free family conflict management strategies. The achievement of these aims is highly reliant on the training environment, capacity building of trainers, effective program and training resources and is significant in eradication of domestic violence and prevention of repeated incidents.

According to the LCDV, "Mandatory behavior change programs shall be coordinated by the GEAC for imprisoned persons while GEAC and NPA run for persons imposed either with arrest or mandatory training enrollment"¹⁷.

The relations pertinent to conducting a mandatory training for persons either imprisoned or imposed with an arrest under administrative procedure is regulated by "Procedure on mandatory behavior change program"¹⁸. In conformity with the aforementioned regulations, the Police implements the mandatory enrollment measures for behavior change program for those arrested under the Petty Offence Law whereas it is the GEAC to proceed with the court decisions imposing probation, delays on imprisonment, assignment of duties or restrictive mandatory measures.

Respective departments and units of the GEAC and NPA undertake the duties to coordinate mandatory behaviour change programs for perpetrators of domestic violence¹⁹. These bodies are obliged to ensure full enrollment and undertake related measures in case attendants fail to comply with their duties for mandatory trainings²⁰. Moreover, the procedure on mandatory behavior

¹⁷ Law to Combat Domestic Violence (2016) 44.4

¹⁸ Provision 1.2, resolution No. A/73, 2017, MJIA

¹⁹ "Mandatory behavior change program" 4.1-4.3, appendix 1, resolutionNo.A/73, 4 April 2017, MJIA

²⁰ "Mandatory behavior change program" 4.1-4.3, appendix 1, resolutionNo.A/73, 4 April 2017, MJIA

change program sets forth the duties of program officers and trainers and the structure of the mandatory program.

To conclude from the practice of mandatory behavior change trainings in prisons and detention centers of the GEAC and NPA, the training environment in most aimags are not enabled yet, leading to critical circumstances.

Key training officers (who deliver the behavior change programs) include:

- Court order enforcement officers of the prisons and detention centers of the GEAC and psychologists and social workers of prisons;

- Officers and psychologists of crime prevention divisions in charge of training and public awareness, public order maintenance and violence against family and children, and doctor in arrest, detention and sober centers.

As stipulated in the LCDV, the central administrative body in charge of legal affairs is obliged to oversee the duties and responsibilities of job descriptions of respective agencies' officers²¹, however, the job descriptions of police and court order executive agency's officers who are required to conduct the mandatory behavior change program do not reflect such duties.

In line with the clause "mandatory trainings can be coordinated as contracted with accredited non-governmental organizations (NGOs)²², NGOs have been involved to a certain extent.

2.3. Preparedness of training environment, resources and teacher trainers

Respective departments and units of the GEAC and NPA are obliged to enable training environment and ensure safety.

In this regard, training environment and conditions vary for organizations holding trainings. Compared to prisons and detention centers of GEAC, the mandatory training environment for police is more challenging.

Due to unavailability of space/classrooms, training is delivered in their detained room or wooden beds they sleep. From the safety part, it is risky.

Dornod aimag

21 Law to combat domestic violence (2016) 11

22 Law to combat domestic violence (2016) 44.2

Photo 1. Comparison of mandatory training environment and condition for police





Khentii aimag	Umnugovi aimag
	
<p><i>Note: Training is held in a detention room. In summer, it is held outdoor.</i></p>	<p><i>Training room is convenient and furnished with equipments.</i></p>

Photo 2. Comparison of mandatory training environment and condition for GEAC

Khuvsgul aimag	Bayankhongor aimag
	

To achieve the objectives of the mandatory behavior change program, it is of great importance to qualify training officers and thus, regularly deliver capacity building trainings for officers in charge of combating domestic violence. As a result of such training efforts, legal requirements that training officers shall be qualified and competent will be met, leading to effective implementation of the law and procedures. Within this framework, the GEAC in collaboration with the Psychological Counselling Center of the Mongolian State University of Education delivered the qualification training to conduct behavior change program in 2019 for 49 officers including the senior and junior court order enforcement officers in charge of criminal cases, and officers of detention and sober centers and department for mandatory training for drug addicts and mandatory labor. Attendants were trained as teacher trainers and certified²³.

²³ Report of the GEAC

From the statistics, some positive impacts have been evident that approximately 18000 trained officers are available and training programs are approved, related procedures and regulations at the School of Police and School of Sergeants of the Law Enforcement University²⁴. Nevertheless, retraining, qualification and professional trainings are not conducted on a regular basis, responsive team management is not enrolled fully, training programs and syllabus are not consolidated and majority of trainings are serving merely to inform on legal obligations.

No official body exists to train teacher trainers under unified program. "Mongolian family" Institute of Psychology used to run therapeutic trainings for behavior change in 2017-2018. IDLO, an intergovernmental organization held trainings under the project initiative.

*Records of the focus group interview
Khentii, Khuvsgul aimag, prison#409*

There is no certified or professional teacher trainer. Existing trainings are held by police or officers in charge of child matters, aimag's Family, Youth and Child Development Department. Additional resources are based on those from NGOs operating against alcoholism, heads and doctors of narcology section.

Darkhan-Uul aimag

Within the monitoring framework, out of 73 teacher trainers involved in individual and focus group interviews, 16 or 20% were enrolled in trainings held by public, non-governmental or international organizations. These are listed as the following:

- in trainings by IDLO;
- in trainings by "Mongolian family" Institute of Psychology;
- 2 in trainings by "National Center for Mental Health", Training and Counselling Institute for Transformation", "Department of Social Work, NUM" and National Center for Psychology;
- 2 in health care and services trainings for citizens with drug and substance abuse.

The human resources to coordination and deliver mandatory behavior change program is inadequate and no retention policy is evident.

No resource for teacher trainers is available. The only officer trained left is Police.

Focus group interview-Zavkhan aimag

It is critical that court order enforcement officers for criminal cases hold trainings in local areas. They lack teaching approaches, are non-professionals, with their large work load impacting training outcomes negatively, leading to failure of program implementation.²⁵

In particular, it is complicated for a teacher trainer who holds trainings within the sparsely populated small community where everyone knows each other.

For delivery of the mandatory behavior change program, perpetrators do recognize trainers for several generations. They often treat the trainers with disdain, thinking what could such a young lady teach them.

Focus group interview-Bayan-Ulgei aimag

Teacher trainers have defined their challenges, needs and requirements encountered in delivering mandatory behavior change programs as follows:

- Special trainings for psychologists and trainers;
- Regular conduct of teacher-trainer's trainings;
- Qualified teacher trainers as locally trained;
- Re-consideration of the budget, funding and expenditures of mandatory training;
- Re-consideration of language barriers in local areas with minority groups and provision of translators;
- Supply of training resources in minority ethnic languages.

2.4. Condition and adequacy of training facilities and classrooms

Depending on the type of trainings and aspects of crime and offence, organizations obliged for mandatory trainings are required to differentiate their trainings, designate facilities for individual and focus group trainings as well as mindfulness²⁶.

Out of 16 target areas surveyed, 5 have designated space and facilities for mandatory behavior change program. These areas include prison 409 of the GEAC and detention centers of Bayan-Ulgei and Khuvsgul aimags. The World

²⁵ Report

²⁶ 4.1 of the resolution No. A/73, 2017, MJIA

Vision International Mongolia furnished the training facilities for Bayan-Ulgei aimag.

It has been appreciated that UNFPA project “Forging a Partnership to Combat Gender-Based Violence in Mongolia” has been furnishing the training facilities for the detention center of the GEAC as part of their annual action plan 2019. In spite of these initiatives, the majority of local police detention centers have no designated training space or classrooms.

- No training room or hall is available. With 4-5 attendants in a cramped room, the trainer has nowhere to sit, but stand and teach all day
(Zavkhan aimag).
- No designated training room is available, training takes place in a doctor’s room or kitchen.
(Khuvsgul aimag)
- There is no designated room or classroom for the Police.
(Khentii aimag)
- No room or classroom is designated for the training. Nothing is possible in terms of the facility/space.
(Gobi-Altai aimag)

Even when some training space/rooms are available, the challenges are to deliver the training merely as an interview/discussion due to limited capacity to accommodate trainees or the inadequacy of the training rooms.

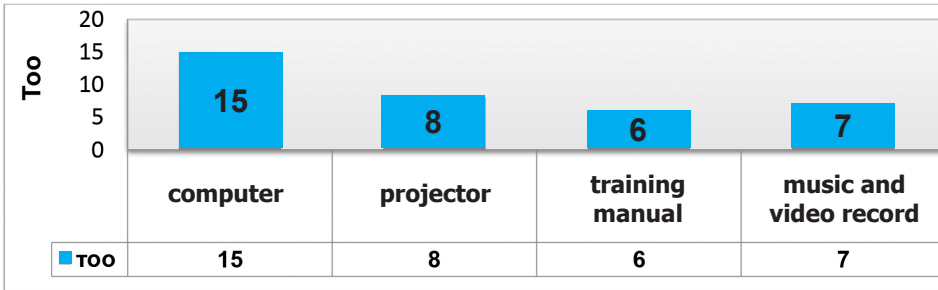
In areas where training facilities are unavailable, trainings are delivered in a detention room, cell/space for arrested, doctor’s room, library and kitchen, the non-designated space and the outdoor trainings are held in summer. These conditions largely obstruct the achievement of the training objectives, resulting in deteriorated impact for training efforts.

2.5. Adequacy of training resources

The mandatory behavior change program sets forth to “deliver the mandatory training based on variety of effective resources and techniques such as computers, projector, books, manuals, music, records and more on”²⁷.

27 Provision 7.2, resolution No. A/73, 2017, MJIA

Table 1. Adequacy training resources



With regards to 16 areas surveyed, 15 possess computers and 8 have projectors while 6 delivers their trainings with training manuals, books and other resources and 7 with own music and video records.

Training organizations except one are equipped with computers, considered as an advantage, however, 50% are not adequately fitted with projectors and other resources. This clearly indicates the weakening of the effectiveness.

- No equipments such as projector, screen etc.

Zavkhan aimag

- We do have convenient room, yet no resources are available.

Bayan-Ulgei aimag

- In terms of other training resources, no hand outs are available.

Closed prison 409 of GEAC

- Except the projector and loudspeaker, no other technical resources are provided. Trainers develop their own resource for delivery.

Detention center of GEAC

Training manuals and methodological materials for conducting the mandatory behavior change programs are differentiated in prisons and detention centers and some even do not have any training resources.

The unavailability or inadequacy of training resources and manuals for social workers, psychologists of prisons, court order executive agency and detention center and other enforcement officers of criminal cases negatively impact the training quality and outcomes²⁸.

Training manual and resources should be aligned with the program objectives that are to prevent perpetrators of domestic violence from repeated crimes and offences, ensure family stability and psychological strength, and foster

²⁸ Report

citizens with good stress management, positive mind-setting and habits²⁹. The context of training resources is themed on reproductive health, recovery from alcohol abuse and psychological and stress management.

We deliver our trainings based on the training manual devised by the “Mongolian family” Institute of Psychology. The resource is designed for advanced sessions involving more theoretic perspectives, however the unavailability of the training methods and methodology makes it challenging to apply in practice.

Focus group interview, Closed prison 409

Training manuals and resources are really inadequate. Trainings are somehow delivered; however, it is hard when it comes to the quality issue.

Focus group interview, Darkhan-Uul aimag

Training manuals and methodological materials

No	Themes	Organizations	Context	Target group
1	Action plan for behavior change information and communication / manual/ 2006	UNFPA	Guideline for outline and evaluation of outcome-based program for behavior change information and communication	Apply comprehensive training methodology to outline and implement the program.
2	Therapeutic interventions 2009 /Minnesota model training/	Ministry of Health /Center for Mental Health/	Alcoholic behavior and mental impairment	Hold trainings for people addicted to alcohol.
3	International technical guidance on sexuality education / an evidence informed approach/ 2018	UNESCO	Information and evaluation on comprehensive sexuality education Outline, implement and monitor the concept, themes and learning objectives of the program	Apply the evidence informed approach to inform on sexuality education and to monitor and evaluate the program.

²⁹ “Mandatory behavior change program” 3.1, appendix I of the resolution No. A/73, 4 April 2017, MJIA

4	Capacity building program 2011 for the officers in charge of combating domestic violence of the law enforcement agency	IDLO	Capacity building program	- Training program and introduction - Program context - Comprehensive program for employees - Program for practice
5	Let's go for self-changes /manual/	Minister of Justice and Internal Affairs, Coordination Council for Crime Prevention	Resolving family conflicts, effects of alcohol, stress and mental issues.	Devise training program Apply as training resource
6	Devising effective policy framework / Guideline for Central and Eastern Asian policy advocates/ 2003	Mongolian Foundation for Open Society, Local government and public service reform initiative	Technical guideline on effective policy implementation and recommendations within public service reform	Streamline within policy context for devising training program development
7	Manual for teacher trainers 2018	Ministry of Justice and Internal Affairs	Counselling on effects of alcohol, health education and stress management strategies.	Apply for training program development and training resource for teacher trainers.

2.6. Training program context, syllabus, training forms and evaluation

Training program context and syllabus

Behavior change program for perpetrators of domestic violence will be in place as stipulated in the LCDV and related procedures. Additionally, it is set forth as to collectively develop behavior change program and syllabus with professional bodies and to deliver within the timeline set by the respective court³⁰ and training as per behavior change program for arrested persons shall

30 5.1.2, "Mandatory behavior change program", appendix 1, resolution No. A/73, 4 April 2017, MJIA

be differently set in consideration of the mandatory training assigned by the court³¹.

A series of programs have been adopted by the GEAC including the "E-learning program for persons assigned with mandatory behavior change program enrollment" in cooperation the "Family and Child Mental Health Education Support Center" NGO in December, 2018, and the "Training program for persons-drug abusers or perpetrators of domestic violence assigned with mandatory behavior change program enrollment" in collaboration with "Mongolian Family" Institute for Psychology in January 2019.

Behavior change programs for Police are outlined and implemented with different policy with different conceptualization as "training program", "training graph" or "calendar planning". This is immediately related to the training unit, human resource and training environment of an organization implementing mandatory trainings.

The offices and units in charge of mandatory trainings often fail to devise and follow consolidated training framework in most aimags. For instance, a range of training documents titled differently as "behavior change training program and syllabus", "themed and calendar planning" and "curriculum" often misinterpret the behavior change program as other mandatory programs such as traffic accidents, drug, addiction etc and have approved with hours and themes not compatible with the attributes of an offence or crime. This is not in full compliance with the context of procedures and program approved by the resolution No. A/73 of the MJIA and may end up deteriorating the training effectiveness.

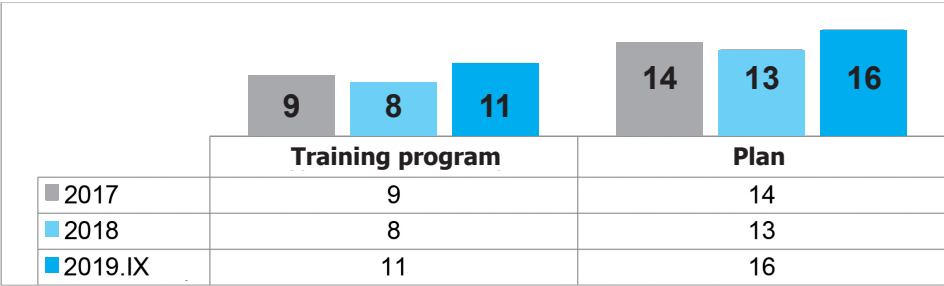
Even though training institutes approved their mandatory enrollment programs and syllabus for perpetrators of domestic violence, they are different in context. Teacher trainers of Khentii, Khuvsgul aimags and prison 409 oriented their programs from the technical guideline distributed during the training by IDLO. Mandatory training syllabus in some aimags are devised to focus on target groups with appropriate hours, training resources and training continuity and is aligned with the mandatory training program approved by the MJIA. In contrast, a vast majority failed to categorize their target groups, misinterpreted as different mandatory programs, themes are not related, training methodology and resources are not included in the program and constitute of themes that are less interconnected.

31 9.1, "Mandatory behavior change program", appendix 1, resolutionNo.A/73, 4 April 2017, MJIA

To mention a good case, the mandatory behavior change program in Umnugobi aimag identified their training objectives and scope, categorized chapter topics and subtopics, training hours and teacher trainers are clearly listed along with training methodology and resources.

An additional positive case is Bayankhongor, where the “mandatory training schedule for persons arrested under administrative procedures” assigns total 3 hours- 1 hour lecture and 2 hours of workshop as an annual training plan. Though, the in-depth analysis on themes reveals the failure of delivery method as “Fostering psychology of family dynamics”, “Effects of alcohol”, “Alcohol abuse” and “Ensuring traffic safety” is not compatible to focus groups or individual based therapy. Such failures do not allow the achievement of mandatory training objectives focused on promoting positive behavior changes to perpetrators.

Table 2. Availability of approved training programs and syllabus



Forms of a training

As stipulated in the training programs approved by the MJIA, trainings can be of individual, group or combined forms, though 92% of total trainings are held as focus groups³². A very few number of individual trainings are reported, yet their context is not designed for training purposes, instead, the focus was on identifying psychological status and behaviour of attendants.

Out of 7815 detainees in 2019, mandatory trainings were held for 4631 and 57 arrested respectively for domestic violence offences and repeated cases. Throughout the period, total 75804 hours of trainings were held including:

- 13784 hours of indoor trainings for 7815 detainees;
- 302 hours of individual trainings for 302 persons;
- 41153 hours of independent learning program based on broadcasting system³³.

³² 7.1, “Mandatory behavior change program”, appendix 1, resolutionNo.A/73, 4 April 2017, MJIA

³³ Report on mandatory behavior change programs for prisons and units of GEAC, 3 January 2020

Detention centers in collaboration with “Family and Child Mental Health Education Support Center” NGO approved the “E-learning program for persons assigned with mandatory behavior change program enrollment” and involved 408 persons in the e-trainings who are under the tracking system of rural court decision enforcement departments and divisions.

Training is delivered gathering everyone in one class/hall. Teacher trainer’s voice which is hardly echoed cannot be heard in a hall. In the behind rows the context cannot be understood.

Records from the individual interview

The exposure to listening to legislation overnight felt like a penalty.

From data collector’s observation note

According to the existing laws, mandatory measures of mandatory enrollment are applicable for persons who committed 12 offences of 6 forms³⁴. Under the LCDV, mandatory training enrollment is assigned for 4 forms of offences in conformity with the Petty Offence law if a person in a family relationship is systematically beaten, treated with heightened brutality, cruelty causing sufferings, forced not to communicate with others, or whose right to possess, use and dispose separate and communal property is violated and such actions are not punishable under criminal liabilities. Whether or not mandatory training context for the aforementioned 4 forms of offences should be differentiated is not reflected in the law or program.

The behavior change program primarily intends for positive behavior changes to prevent repeated cases.

There is a need to develop and implement the training program and content in a distinct and specific manner, depending on whether the participant is a first time student or a retraining student.

There is no special program for those who have been enrolled for repeated domestic violence. There is no difference from the first entry, the same program. Again, taking the same course, I am inactive, as if I had sat before, no impact.

Focus group interview

34 Please refer to appendix 1.

Arrested or other persons offered a training course may have different training hours and schedules, so it is best to outline the program in three stages. For example, those who come in for 7 days receive only half a context and are released. Those arrested for 30 days sometimes sit out 2-3 times in a training session or get bored. Because it is not feasible to hold separately, they are usually covered all at once.

Focus group interview

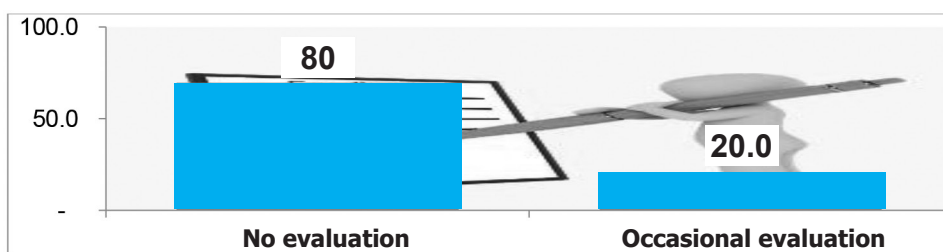
In some places, topics are included in the programs or syllabus that were not approved. This is clearly evidence from the discussion about religion in some participant responses, including we “did not understand the video of the religion in question”, the “context is related to party lessons” or we “did not understand Jesus’ teaching”.

Training evaluation

At the beginning of the training, the situational assessments are moderated for trainees whereas final assessment is made using a combined theoretical model of behavioral change at the end of the program, to identify the stage of behavior change.³⁵

From the focus group interviews with the trainers, the majority do not evaluate because of the lack of a teaching assessment methodology.

Diagramm 18. Training assessment status



According to the clarification on why trainers fail to conduct assessment, 50% responded as not informed on assessment methods and methodologies while the rest stated they had no resources- notebook or even pen or condition is not appropriate.

³⁵ Appendix 1, resolution No.A/73, MJIA

Pre and post- training assessments are taken through questionnaires. There are no chances for everyone to be assessed because the participants come in at once, such as 50 people. Usually their changes can be observed from their behavior and the way they interact with others.

“Forging Changes” NGO

2.7. Structure, mechanism and funding of the training monitoring

The role of overseeing the implementation of the LCDV is defined as follows:

- The central administrative body in charge of legal affairs is to oversee the implementation of the LCDV³⁶
- the Coordination Council for Crime Prevention in Mongolia is to supervise the coordination of enforcement of the LCDV³⁷
- court order enforcement officer is to set the schedule and timeline of duties and restrictions assigned by a court for a person whom restrictive mandatory duties are imposed and track the compliance as set forth in chapter 10 of this law³⁸,
- court order enforcement officer takes compulsory action on any person who violates the terms, schedule and obligations imposed by the court³⁹.

The head of the prison, detention center, and unit to combat domestic violence approves the mandatory behavior change program and syllabus and oversee the implementation⁴⁰, to monitor the progress of the training, and to evaluate results⁴¹ according to the regulations in a relevant procedure. Moreover, no reports are yet transparently made whether the parliament, GoM and Coordination Council for Crime Prevention oversee the implementation of the law within their legal duties under the LCDV.

From the focus group interviews with trainers, the manner of monitoring takes place as a quarterly report delivered to authorities, or timely, on-demand information to the department and department heads in the capital and

36 Law to combat domestic violence (2016) 11

37 Law to combat domestic violence (2016) 12

38 Law on Execution of Court Decisions(2017) 189.1

39 Law on Execution of Court Decisions(2017) 189.9

40 2.2, “Mandatory behavior change program”, appendix 2, resolutionNo.A/73, 4 April 2017, MJIA

41 5.1.8, “Mandatory behavior change program”, appendix 1, resolutionNo. A/73, 4 April 2017, MJIA

locally, and prosecutors are informed on profiles of detainees or updates on training practice.

In connection with mandatory behavior change program, the prosecutor only monitors the report once a quarter.

Zavkhan aimag

The training is overseen by the Prosecutor. There is no unified reporting form or questionnaire. Each organization reports on their own work.

Focus group interview

Funding

When it comes to training for detainees and convicts, all aspects of the training environment, teaching aids, and training of trainers are directly dependent on funding.

Law on Execution of Court Decisions stipulates as “all expenses for administrative, petty offenses, criminal prosecution and conviction activities, except for the use of control equipment worn on the hands, feet and other parts of a prisoners, shall be financed from the state budget⁴².

The implementation of the behavior change programs for perpetrators of domestic violence shall be funded from the state budget, state and non-governmental funding, and internal revenue of the organization⁴³.

Within the framework of conducting mandatory behavior change programs for perpetrators⁴⁴, the Coordination Council for Crime Prevention in Mongolia developed technical guidelines and handouts as mandatory behavior change training resource for arrestees in a detention center of GEAC in 2019 with the budget of MNT52,5mln from the crime prevention budget of the Minister of the Justice and Internal Affairs.

Consulting services for trainings announced as open to the public under the Law on Procurement of Goods, Works and Services with State and Local Ownership and are conducted by the “Forging Changes-Institute of Training and Counseling for Drug Addiction Recovery” NGO. Other institutions lack funding for such training efforts and majority have no designated funding.

42 Law on Execution of Court Decisions (2017) 299.5

43 10.1, “Mandatory behavior change program”, appendix 1, resolution No. A/73, 4 April 2017

44 Update by a letter head No. 7/5483, 11 December 2019, Coordination Council for Crime Prevention in Mongolia

Our division annually designated MNT100,000 for the mandatory program. Majority of the expenses go for stationary and it is not adequate. (Prision 421, GEAC)

- Behaviour change program is conducted once a month. The training is not conducted with a designated NGO because of lack of funding for training.

Bayankhongor aimag

- Contracts with GEAC and charge our trainees a small amount for stationary to deliver our trainings.

Khuvsgul aimag

- Police and GEAC have no budget at all.

Umnugobi aimag

- Funding amount and sustainability issues are never counted.

Darkhan-Uul aimag

- No funding. Only some paper for office use is allowed. 3 computers are shared for 5 officers.

Prision 407

- No funding is available. Paper is procured only.

GWAC detention center

- Due to no funding, we cannot hire qualified teacher

Bayan-Ulgei aimag

2.8. Inter-sectoral cooperation and consolidated records of database

To ensure the enforcement of the law that is to enroll perpetrators of domestic violence in mandatory behavior change program, related regulations are incorporated in the law and procedures for public and NGO partnership including co-development of behavior change program and syllabus with professional bodies and contracted delivery of trainings from NGOs.

The Coordination Council for Crime Prevention in Mongolia is entrusted with the function of coordinating, directing and overseeing inter-sectoral cooperation in the field of domestic violence⁴⁵. In examining inter-agency cooperation and synchronization, it is common for the GEAC and Police to co-operate with non-governmental organizations.

⁴⁵ Law to combat domestic violence (2016) 12.1.2

Case

To deliver mandatory behavior change program, detention center of GEAC contracted with several NGOs- "Men and Family Development Association", "Iveeliin uilchlel", "Help International", "Forging Changes- Institute of Training and Counseling for Drug Addiction Recovery" NGO. In total, 9970 hours of indoor trainings were held for 4985 detainees by public and NGO trainers⁴⁶.

What is more, officers were involved in a training of NGOs specialized in behavior change trainings.

NGOs often collaborate on trainings within the project framework and do not resume upon completion of their project, which can lead to difficulty in continuing the course. The lack of local accredited NGOs in behavior change training and not training the trainers in NGOs on content and delivery can have a detrimental effect on learning outcomes.

It will positively impact the mandatory training efforts if the good practice of Bayan-Ulgii aimag is adopted in the practice. In their case, after the completion of the compulsory training, perpetrators are handed over to the respective multidisciplinary team for more holistic support.

Previously, the practice was to handover the perpetrators released from a detention center to respective multi-disciplinary team along with recommendations on further actions and monitoring. Yet, such collaboration is not maintained in this year.

Bayan-Ulgei aimag

In most cases, a perpetrator is released either upon the in-person payment or transfer of a detention center charge by his family members, thus no referrals were made to respective multi-disciplinary teams. However, in case of release from custody, they will be transferred to the Prosecutor's Office.

Mandatory behavior change training is not linked with compulsive alcohol treatment, but is limited to alcohol dependence training programs only.

In addition to the Police Service Law and Criminal Procedure Law, the Police within the field of combating domestic violence is stipulated to be responsible for maintaining a register of victims and perpetrators, for creating and using a single database⁴⁷, yet, the database is not reported to a consolidated database, or not transparent, or it is unclear what forms and queries the reporting units will provide. Due to this uncertainty, the information on whether or not a

⁴⁶ Report on mandatory behavior change programs for prisons and units of GEAC, 3 January 2020.

⁴⁷ Law to combat domestic violence(2016)25.1/манайхын нийтлэг барьдаг ишлэлийн стандарт/

person committed domestic violence was trained in the behavior change program is not nationwide tracked or consolidated.

It is not recorded in the police database. No such queries. Even there is no clue where it should be. Only personal data remain in the records.

Focus group interview

2.9.Implementation of the court decision on mandatory training enrollment

In conformity with the court decision on mandatory therapy or mandatory training enrollment as set forth 6.4.4 of the Petty Offence Law, mandatory behavior change program shall be enforced by the court order execution services.

As approved by the resolution No. A/73, 4 April 2017 of the MJIA, 9.1 of the mandatory behavior change program sets forth as "training sessions of the behavior change program assigned for perpetrator can be designed differently in line with mandatory training length set by the court".

The law has set maximum and minimum time limits for compulsory training, but due to the lack of detailed regulations on how to set sentence and punishment length in relation to the training enrollment hours, courts set the duration for compulsory training in their own way.

The length of mandatory training assigned as a mandatory measure by the court is set either as too long or too short for a perpetrator irrelevant to his arrest period. This has a detrimental effect on the outcome of the training, for instance the arrest period expires when a trainee has not completed his training.

There is a significant problem with the length of the mandatory trainings assigned by the court. The procedure sets forth as up to 56 hours, but the court only mandates for 10 hours of training. Upon 10 hours of training, there will be no changes in one's attitude.

Focus group interview, Darkhan-Uul aimag

There are also incomprehensible issues with assigning similar length of training for a person with 2 different types of offences, setting a different duration of the training for the same arrest sentence and entrusting the implementation of the decision to different organizations upon the enrollment of the mandatory training in the same violation. When conducting trainings

according to the scheduled plan, a trainee is enrolled from the middle of the sessions from some cases.

In the Petty Offence Law, mandatory training is specified to range from 10 to 50 hours in length⁴⁸, however, the program is designed to be for total 23-56 hour⁴⁹ and this should be aligned with the law.

Due to workload, I cannot deliver all the designated hours. No matter how hard you try, a trainee is released without completing the sessions assigned by the court. In this case, the organization that continues out of the rest of the missed courses is in great need. It is good if the referral is established and the prosecutor's office also monitors it.

Records of focus group interview

There are often times when training does not fit within the time frame provided by a court decision. For example, a person detained for 14 days cannot complete 50 hours. The course is taken once between 1.5 and 2 hours. So it is necessary to influence the judiciary in making realistic decisions.

Records of individual interview

Court assigns 7-day arrest and 50 hours of enrollment for training. 50 hours within a week is not imaginable. There are many who are released without completing their sessions.

From data compiled from teacher trainers

This could lead to challenges in practice, failures to adhere to the law, and in some cases to human rights violations during the training activities.

2.10. Satisfaction rate of mandatory training attendees and victims

To study the satisfaction rate of victims and attendees of mandatory trainings, a questionnaire survey, and individual interviews were conducted with 25 victims whose partners were arrested due to committing domestic violence under the Petty Offence Law and imposed criminal liabilities and 47 perpetrators who were sentenced to imprisonment due to aforementioned cases and enrolled in mandatory trainings.

In terms of the gender, out of the 47 surveys and interviews conducted, 44 were males and 3 were females. The majority or 40% are aged 30-49, 68% attained complete secondary education whereas 3 respondents were totally illiterate.

48 Article 4.5, the Petty Offence Law /ишлэлийн бичвэр ялгаатай байна./

49 9.2 of the program

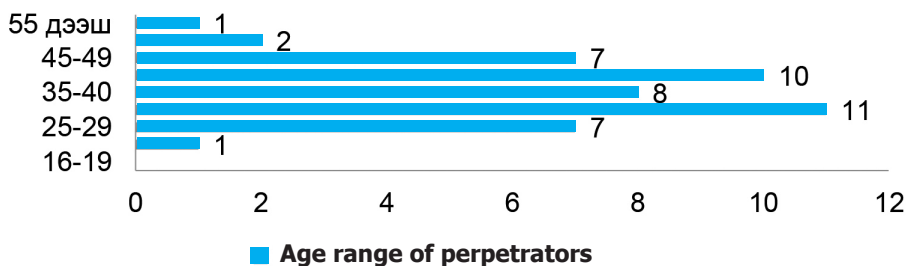


Diagramm 6. Age of perpetrators

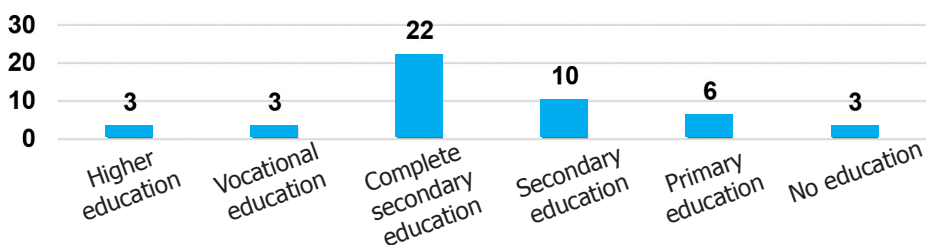


Diagramm 7. Educational level of perpetrators

Out of 47 trainees enrolled in the mandatory behavior change programs, the frequency of the training enrollment was over 5 times for 50% or 24 trainees whereas 8 and 15 trainees were involved 3-5 and 1-2 times, respectively.

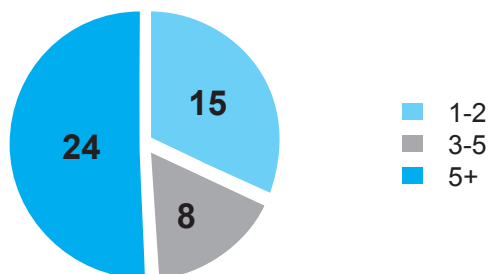


Diagramm 8. Number of attendants of mandatory behavior change program

The mandatory training for perpetrators of domestic violence aims to develop behavioral approaches to resolving family conflicts without force, thus the training program and syllabus should have target objectives. According to the study, the bulk of mandatory behavior change training was focused on providing information and raising awareness for perpetrators on legislation, and prevention from repeated crime or offences. However, the evidence-based strategies involved in resolving family conflicts without force, including the ability to establish self-expression, the ability to communicate peacefully with the family, self-awareness about one's own behavior, these strategies do not change behaviour. 3 cases in which a perpetrator enrolled in trainings for 3 times upon his repeated violence were confirmed from the records of the

victims. 100% acceptance by participants that it is OK to conduct mandatory behavior change trainings in prisons and detention facilities indicates the need for training. No one has informed victims on the enrollment of perpetrators in mandatory behavior change trainings, instead they learnt from perpetrators. The majority of participants described the training as “understandable”. The topics that were best understood were “Law to combat domestic violence” whereas unclear topics included Jesus’ teaching, religious theology, or party-related conversations.

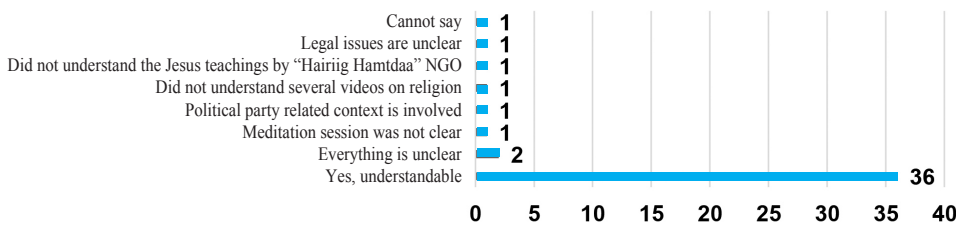


Diagramm 16.Unclear topics

Of the 47 respondents surveyed, most rated the training as good, satisfactory, moderate or reasonable.

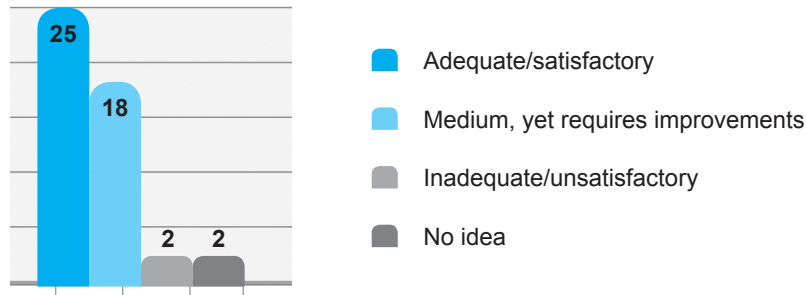


Diagramm 17.Training evaluation (Attendees of mandatory behavior change program)

According to the results of individual interviews with perpetrators and a pre-prepared questionnaire, 10 out of 25 respondents identified positive changes in their partners’ violent behavior after compulsory training, while 15 said they did not know or feel no change.

16 victims responded that perpetrator’s violent behavior become even more aggressive (more furious, threatening, intimidation) since the enrollment in a training and 18 responded that no positive changes are evident either in behavior or family relations. This reveals that learning outcomes fail to bring

positive impact to perpetrators' behavior.

In response to a question on how to make mandatory training effective, respondents suggested to improve the organization of the facilities and classrooms, expand teaching resources, stimulate participants, improve teachers' capacity and teaching skills, conduct regular, long-term trainings, reduce the number of participants, and deliver relationship skills for spouses and family members.

For victims, however, it is more effective if the training is held upon alcohol treatment, to continue training efforts after the arrest, to monitor post-training changes, to enroll in trainings aside their work and enroll with their families. Trainers recommended that to provide effective training, it is crucial to designate a specific person, assigning his/her duties into a job description, training institutes/bodies to make a coherent plan, and adhere to a schedule, the syllabus is programmed in a very clear and understandable way clearly reflecting the categories of offences/crimes and length of a program and preparing their trainers.

Insert here a section on the recommendations – this is useful to the reader to understand what we are trying to say in developing this report, and be clear on what we are advocating for,

CONCLUSION

It is commendable that perpetrators of domestic violence are immediately subjected to liability and enrolled in a mandatory behavior change program, yet, it is necessary to take into account that training is not conducted in the proper manner, the results are less noticeable, the number of repeat offenders and their involvement in crime is not reduced.

There is still a need to improve the training environment for mandatory behavior change program, to qualify training officers, and to systematically implement a comprehensive, specialized and extended capacity building trainings for officers in charge of combatting domestic violence and delivering the mandatory training. Most of the monitored provincial prisons and detention facilities do not have a training environment, which largely obstruct the training efforts. Most of the detention facilities at the local Police Departments do not have a training room.

There is a limited number of trained trainers to handle mandatory behavior change program. This highlights the lack of human resource and retained officers.

The effort to qualify and enroll trainers in regular trainings is of unsatisfactory level. No single program is available in this area of development and no designated body is established yet to coordinate such annual or regular trainings. The job description of police officers and court decision enforcement officers in charge of delivering mandatory behavior change program does not reflect their roles of mandatory training. There is not enough technical guidance, methodological materials and training resources to conduct mandatory behavior change program. In some places, there is technical guidance which is detrimental to effective delivery.

The mandatory behavior change program does not meet the requirements for an outcome-based integrated learning policy document. The mandatory program should be developed at the level of a unified document that standardises the delivery of men's behaviour change across Mongolia, and defines its aim, target objectives, learning outcomes, thematic and calendar plans, training resources, technical guidance, methodology, assessment and learning environment without disrupting the structure. Special attention should be drawn to the development of the mandatory program and its context. It is demonstrated to be ineffective to deliver the same content under a previously conducted program to a person who has been repeatedly arrested for domestic violence.

Depending on the nature of the offense, the crime, and its harms, it is necessary to differentiate the program, expected outcomes, and syllabus. Challenges, such as failure to consider the length of period assigned by the court or failure to deliver full content within an assigned period are encountered in delivery of the mandatory programs. Learning outcomes are not evaluated due to the lack of a unified methodology for the pre-course, progress and final assessment of the mandatory training. Thus, the recommendation is to set up a monitoring and evaluation framework which provides the methodology to track impact across Mongolia.

It is unclear who and how the training is being monitored. Organizations responsible for overseeing the practice of combatting domestic violence need to place greater emphasis on the quality and effectiveness of the mandatory behavior change program.

There is a lack of funding for the implementation of the mandatory behavior change program. With regards to the legislation, it is necessary to resolve the expenses and budget required for training to ensure the effect of law enforcement. The partnership and synchronization between agencies and sectors is inadequate on coordination, oversight and exchange of communication of the mandatory training.

Although it has been stated that governmental and non-governmental organizations will co-operate and provide training through an accredited non-governmental organization to enforce the law on mandatory trainings for perpetrators of domestic violence, there is not enough access to locally accredited non-governmental organizations. Thus, it is imperative to build an accreditation program and enable NGOs with the right skills to deliver the training when they meet certain benchmarks.

The records of the mandatory trainings are not registered in the database of perpetrators. No state body has provided a unified report on what detainees, due to what offence or crime are enrolled in mandatory trainings for what length and whether such trainings are fully completed.

There is no data on whether the participants in compulsory education were able to complete the court-ordered training time. The fact that the integrated database network on the subject is inadequate nationwide indicates that the context and accuracy of reports are not suitable.

The procedure on maintaining a database, statistics, records and communication stream is still not clear on how such database, statistics and records specified under the 44.4 of the LCDV are maintained and with what context.

The learning outcomes fail to achieve the target objective that is to bring positive impact to perpetrator's behavior and are less expected to ensure safety of victims. These have been indicated by majority of responses that there were no improvements evident in anger, threats or intimidation of perpetrators since the enrollment in a mandatory training and no positive impact in relationship.

4.5 of the Petty Offence Law that specifies "mandatory training to be of 10-50 hours" contradicts with the 9.2 of the "Mandatory behavior change program" approved by the appendix I of the resolution No. A/73 of the MJIA that sets forth "the length of each session and total training hours as 23-56".

Both the law and procedure stipulate that behavior change programs and syllabus shall be co-designed with professional bodies and integrated as a unified program and trainings are delivered via contracted NGOs. Unfortunately, no supportive system is existent for training NGOs, specialists and public officers who demonstrate stronger commitment, creativity and sustained practice in this field and even there is no leverage or remuneration system or KPI system to support their performance.

RECOMMENDATION

Based on the review findings, it is recommended that the following measures be taken to increase the effectiveness of implementing the legislation on mandatory behavior change program for perpetrators of domestic violence.

TO THE PARLIAMENT AND GOVERNMENT

1. Based on the 9.1.3 of the article 9 of the LCDV “reflect and approve the operation budget for combatting with domestic violence from the annual state budget” and article 18 of the same law, to reflect in the annual state budget the operational expenses required for combatting with domestic violence to ensure the implementation of the LCDV;
2. To align legal regulations related to mandatory program for perpetrators of domestic violence, eliminate contextual loops and ensure the correlation of the legislation, it is to make amendments to related laws.

TO THE MINISTRY OF JUSTICE AND INTERNAL AFFAIRS

1. With regards to the operational cost for combatting domestic violence as stipulated in 9.1.3 and 10.1.2 of the LCDV and expenses related to delivering mandatory behavior change program set forth in 44 of the same law, to reflect and approve the funding based on diligent estimation;
2. With respect to the procedure on maintaining a register of statistics and database on domestic violence, and the procedure on communication stream between law enforcement agencies and other organizations / resolution No. A/25, 2017/, it is to clearly define the context of statistics, records and reports required for maintaining a single database specified in article 44 of the LCDV, approve and supervise data templates and reports from respective bodies and clarify the roles of an institute in charge of maintaining the database.
3. Possibly need to add a recommendation about developing minimum standards for behavior change programs
4. Approve unified curriculum for mandatory behavior change programs. To do so, to reduce the overlapping training programs, improve training related correlations, tailor and enforce the programs in a differentiated manner on accounts of the crime/offence, its type and nature, whether first-time or repeat offender;
5. Make amendments to the program and procedure approved under the resolution No. A/73 of the MJIA in line with the Petty Offence Law;
6. Improve oversight on whether training programs and procedure from respective bodies are compliant to the procedure on mandatory behavior change program;
7. Supervise the special preparation of trainers and provision of unified curriculum, technical guidance, handouts and training resources;

8. Maintain full records of attendees of behavior change programs into the related database;
9. Ensure program inclusiveness via the engagement of professional NGOs, educators and psychologists in implementation of trainings for those with special needs (illiterate, disabled- hard of hearing and speech disorder) and minority groups, and establish remuneration system and supportive mechanism to improve participation
10. Revise and reflect the training roles in job descriptions for police and court decision enforcement officers engaged in the conduct of mandatory behavior change program;
11. With respect to transferring the detention center of the police to the GEAC, it is to increase the full-time positions of training officers in court decision execution departments and units;
12. Develop and apply a unified methodology on the conduct of pre, progress and post-training assessment for mandatory behavior change program.

TO THE SUPREME COURT

1. Develop recommendations on setting the mandatory training length as compatible to the penalty period, clearly reflect the mandatory behavior change measures in the court decision and apply into practice.

TO THE STATE GENERAL PROSECUTOR'S OFFICE

1. Under the full authority specified in the law on prosecution, to oversee the enforcement of the court decision for mandatory trainings, whether such trainings are delivered as set forth in the mandatory training program and procedures approved by the MJIA, whether they are held within the timeline and context assigned by the court decision, and whether training is dedicated for the target groups.

TO THE COORDINATION COUNCIL FOR CRIME PREVENTION IN MONGOLIA

1. In conformity with 1.3 of the appendix to the procedure "The communication stream between law enforcement agencies and other organizations" as approved by the resolution No. A/25, 2017 of the MJIA, consolidate domestic violence related data, conduct and develop analysis and recommendations, and establish practice for giving assignments and to update reporting;

2. Draw attention to the advancement of the mandatory behavior change programs for perpetrators of domestic violence, adopt local and international best practices and foster partnerships with professional bodies for cooperative program implementation;
3. With regards to the operational cost for combatting domestic violence as stipulated in 9.1.3 and 10.1.2 of the LCDV and article 44 of the same law, to reflect and approve the expenses and funding for behavior change and mandatory training activities;
4. In line with the challenges and issues encountered in the law enforcement and practice, set forth the maximum and minimum length of the training in the Criminal Code and advance the mandatory trainings while incorporating the regulations on applying mandatory measures of the Criminal Code within the context of the Petty Offence Law.
5. Engage and partner with the Law Enforcement University of Mongolia in preparing trainers, devising curriculum and syllabus, deliver methodological foundation and qualifications, retraining and development of the training assessment.

TO NATIONAL POLICE AGENCY

1. With regards to the mandatory behavior change program for domestic violence perpetrators, approve it in a differentiated manner (initial or repeated offence or, convictions), deliver in line with approved context and methodology, enable adequate training resource and trainers, supervise on the alternatives of distance training for implementation;
2. Revise the job descriptions of civil servants obliged for mandatory program delivery and other obliged officers- psychologists, doctors and training officers, oversee and assess their roles, performance, involve trainers in unified qualification trainings, provide remunerations, supports and material base for those retained in this field and increase the full-time positions for training.
3. Supervise the consolidated register of mandatory training attendees into perpetrators' database.

TO THE GENERAL EXECUTIVE AGENCY OF COURT

1. With regards to the job descriptions of civil servants obliged for mandatory program delivery and other obliged officers- psychologists, doctors and training officers, revise and clarify their training related roles, involve trainers in unified qualification trainings, provide remunerations, supports

- and material base for trainers retained in this field;
2. Develop behavior change program and syllabus for the target group in a differentiated manner and enforce;
 3. Supervise the consolidated register of mandatory training attendees into perpetrators' database.
 4. Establish a unified training system for trainers, be concerned to incorporate general methodological and educational study content into the teacher training program and increase the full-time positions for training.

TO THE JUDICIAL RESEARCH, INFORMATION AND TRAINING INSTITUTE

1. To consolidate the study from the judicial reports by clarifying the information and quantitative data on types of assignment of duties and restrictive mandatory measures, their classification, number of trainees, training hours and implementation status of decisions.