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# Gender Action Plan

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## **FP046: Renewable Energy Program #1 - Solar**

Mongolia | XacBank | B.18/04

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XacBank

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Gender Action Plan

Activities	Indicators: Targets	Timeline*	Responsibilities
<p><b>Program Impact Statement: Improved use of clean energy services by all households, including the poor and vulnerable female – headed households.</b>  <b>Outcome Statement: Increased capacity of clean energy power generation, resulting in regular access to power supply in urban and rural areas</b></p>			
<p><b>Gender balanced employment practices</b></p>			
<p>Emphasize local hiring, as well as hiring women in various departments (e.g. construction, engineers, office) and not just in one department/specialty (e.g. administrative)</p>	<p>Number of positions offered: different on project to project basis</p> <p>Number of local positions offered: at least 30% local hires to benefit rural, vulnerable communities</p> <p><u>Number of women and men employed through jobs created from the project: at least 40% women hired</u></p>	<p>After completion of temporary and permanent hiring</p>	<p>Project developers</p>
<p>Post job availability widely and in multi-gendered settings so as to recruit female applicants</p>	<p>Number of job ads placed: based on discretion of project development HR with emphasis on diverse locations of posting</p>	<p>At each hiring juncture</p>	<p>Project developers, contractors</p>
<p>Encourage contractors to employ local labor including women</p>	<p>Number of contacts and meetings with project developers where gender mainstreaming is on the agenda and discussed: 2 per project, with follow-ups</p>	<p>During discussions of GCF conditions with developers</p>	<p>Project developers, AE</p>
<p>Provide technical training to improve long-term employability of local workers of all genders.</p>	<p>Frequency and quality of training provision: at the discretion of the project developer, with encouragement from XacBank.</p> <p><u>Gender disaggregated data to be collected, training attendees to be 40% women, reflecting the hiring targets of the projects, allowing equal access to capacity building</u></p>	<p>Every year of first 4 years of project operation, as well as additional trainings for temporary staff</p>	<p>Project developers, contractors, training entities, AE</p>
<p><b>Ensure community outreach program and project communication lines include all genders in the project locality</b></p>			

Consult both men and women on type of information needs during project construction and operation e.g. what kinds of updates are important to them, what issues they are concerned about	<u>Number of women and men who participated in focus group meetings: 50/50 gender balance</u>	Pre-project construction	Project developers relevant outreach coordinators
Provide access and include female-headed households and other vulnerable groups such people living below the poverty line in conversations and ensure that they have equal participation in project discussions	Number of women's group involved in community outreach programs: Any such groups that exist in the localities should be contacted	Pre-project construction	Project developers relevant outreach coordinators, community groups
Ensure ability of all genders to access information sharing sessions e.g. individuals with child-caring responsibilities, or individuals with work obligations.	<u>Number of women and men who participated in town hall meetings: gender balance at least 40/60 either way</u>	At each information session or town hall meeting as planned by the project developers	Project developers, administrative assistants
<b>Aim to procure goods and services from gender balanced sources</b>			
Liaise with municipality to obtain registry of women-owned businesses	Registry or informal list obtained (y/n): Yes	Before first local procurement process	Project developers, municipality
Identify women owned business who can provide goods and services to the project	<u>Number of targets identified: Absolute number dependent upon procurement needs, relational goal is that half of procurement targets are women-owned or majority women-employed businesses</u>	Before first local procurement process	Project developers, contractors
Encourage contractors to utilize these businesses to the extent possible.	<u>Number of targets utilized in project development: at least 40% of ultimate procurement is sourced from women-owned or majority women-employed businesses</u>	Before each instance of local procurement	Project developers, AE

\*Note, due to the differing project schedules based on the discretion of the project developers, the timeline column is filled out by event, rather than by absolute time, to maintain its relevance to the three sub-projects in this program

Addendum 1: **Summary of National Laws Containing Gender-Equality Provisions**  
(extracted from the Swiss Development Agency report “Gender Overview – Mongolia, 2014  
which can be found in original form at  
<https://www.eda.admin.ch/content/dam/countries/countries-content/mongolia/en/SDC-Gender-%20Overview-Mongolia-%202014-EN.pdf> )

#	Name of legislation	How it addresses gender issues
1	Constitution of Mongolia (1992)	<p>Social reforms underway since 1990 have consolidated the rights of women, enshrined in the 1992 Constitution (MCA–Mongolia; ESOC 2011, 6). Article 16 of the Constitution of Mongolia institutes gender equality, stating:</p> <p style="text-align: center;"><i>Men and women have equal rights in the political, economic, social, cultural life and family relations.</i></p> <p>And it is stipulated in Article 14 that:</p> <p style="text-align: center;"><i>Everyone shall be free from any types of discrimination based on his/her ethnicity, language, race, age, sex, social status, wealth, employment, position, religious belief, viewpoints and education level.</i></p>
2	Law on Promotion of Gender Equality (2011)	This law specifically ensures gender equality in political, legal, economic, social, cultural and family relations, and regulates relations related to their implementation. It spells out the responsibilities of specific public agencies to ensure gender equality (Khan and Aslam 2013).
3	Criminal Code (as amended in 2008)	The Criminal Code contains several provisions to prevent crimes violating women’s rights. The Code’s “amendment which included a full definition of trafficking according to international standards is another milestone in the area of gender equality and protection of women’s rights” (Purevjav 2010, 203). Article 126 of the Code states that rape is illegal in Mongolia (The Advocates for Human Rights 2013).
4	Civil Code (2002)	Civil law contains a concentration of legal principles concerned with the regulation of civil life -affairs between private individuals and transactions undertaken between a public body and an individual are governed by civil law (Tseveen and Garbold 2006). It specifies that the “Citizens of Mongolia shall equally enjoy a civil law capacity equally, i.e. capacity to have the rights and duties of citizens” (Civil Code of Mongolia 2006). To illustrate, the law ensures that:

		<ul style="list-style-type: none"> <li>• Sons and daughters have equal inheritance rights to property - Civil Code, Art. 520</li> <li>• Female and male surviving spouses have equal inheritance rights to property - Civil Code, Art. 520</li> <li>• Unmarried men and unmarried women have equal ownership rights to property - Civil Code, Arts. 101.1 and 127.2</li> <li>• Married men and married women have equal ownership rights to property - Civil Code, Arts. 127.2 and 128.1</li> <li>• The law provides for the valuation of non-monetary contributions during marriage - Civil Code, Art. 126.4</li> </ul>
5	Labour Law (1999)	<p>The Law prohibits gender-based discrimination in employment and contains some sections protecting the rights of pregnant and nursing women. For instance:</p> <ul style="list-style-type: none"> <li>• Sections 7.4 and 7.5 - It is illegal for an employer to ask about family status during a job interview,</li> <li>• Section 100 -Penalises and prevents the dismissal of pregnant women.</li> <li>• Section 106 - Employers must give employees an equivalent position when they return from maternity leave.</li> <li>• Section 103 - Employers are required to provide break times for nursing mothers.</li> </ul> <p>However, the law does not allow non-pregnant and non-nursing women to undertake the same jobs as men (Labour Law, Sections 101 and 108), and does not mandate equal remuneration for men and women for work of equal value (Labour Law, Section 49).</p>
6	Law on Domestic Violence (2005)	<p>“The purpose of the law is to regulate all matters pertaining to protection against human rights violations, ensuring victims’ safety, holding perpetrators accountable, and regulating the participation of government and NGOs, citizens, economic entities and authorities in combating and preventing domestic violence”(Law on Domestic Violence 2005).</p> <p>The enactment of the law was a significant step forward in strengthening women’s rights and efforts to reduce violence against women (Purevjav 2010). However, “human rights activists and organisations in Mongolia are concerned that the law needs to be further strengthened to provide adequate protection to victims of domestic violence. Since the law was enacted, only 41 protective restraining orders have been issued, and none have been enforced by a court”(Chuhumbaatar 2013).</p>
7	Law on Health (2011)	<p>The Health Law provides the right to primary health care, maternal and child care and some public health services regardless of socio-economic status and health insurance coverage.</p>
8	Law on Education (2002, amended in 2006)	<p>The law reflects the principle of equality in education: Every citizen has an equal right to receive an education regardless of race, ethnicity, nationality, sex, religion, disability, social status and economic condition (UNESCO 2008). The amendment of the law in 2006 introduced such changes as:</p> <ul style="list-style-type: none"> <li>- Educational settings will be free from discrimination and any form of emotional or physical punishment.</li> </ul>

		<p>- All forms of abuse, violence and corporal punishment will be prohibited in education settings (CRIN 2006).</p>
9	Law on Combating Trafficking in Persons (2012)	<p>The law was passed in 2012 by the Parliament of Mongolia; it stipulates ‘the duties of law-enforcement organisations in relation to combating human trafficking - a crime which predominantly involves women and children. The law also stipulates measures for the protection of victims’ rights and the upholding of their dignity’ (SD C-Mongolia 2012). For example, Article 113 of the law articulates prosecuting internal trafficking, child prostitution cases and sexual exploitation.</p> <p>Although the Law on Trafficking in Persons is relatively new in Mongolia (Avkhia, Munkhbat and Theunissen 2014), a recent report reiterates the need for the government to recognise forced labour as a problem (US Department of State 2013, 267).</p>
10	Law on Social Welfare (2012)	<p>The law defines the age at which a woman can retire and receive full benefits as 55 and for man as 60 (Article 12.1.1). It also specifies that women aged below 45 and men aged below 50 who have more than four children under the age of 18 and who are the ‘single head of household’<sup>2</sup> are entitled to social welfare payments (Article 12.1.5).</p>
11	Law on Allocation of Land to Mongolian Citizens for Ownership	<p>The Government of Mongolia attaches particular importance to ensuring gender equality, in particular in relation to improving both men and women’s access to land and promoting the land-ownership process to implement the Law on Privatising Land for every citizen. An historic decision to privatise land only for citizens of Mongolia was made in 2002. A lot has been achieved in advancing the land ownership rights of women since the adoption of the aforementioned law. However, the rapid and intensive changes taking place in the country require amendments and improvements in the legislative framework (MCA-Mongolia 2013 d).</p>
12	Law on Parliament Election	<p>The Law on Parliamentary Election enacted in 2011, following Provision 7.2.2 of the Gender Equality Law states: “... determining the number of seats or implementing other such quotas aimed at equalising the representation of men or women at political and decision-making levels”.</p> <p>However, there are still a number of areas that need to be addressed. There are a few clauses that have not yet been enforced and hence require a greater effort to ensure the law is fully realised, including: “7.2.3. Special measures to eliminate gender imbalances in certain sectors or setting up discounts, incentives or benefits to improve imbalanced gender representation in a trade or occupation; 11.4.1. Incorporate in organisation’s internal procedures specific norms for prevention of sexual harassment in a workplace and the redress of such complaints; 14.6. The value of unpaid labour for household work, family business, childcare or care for elderly devoted by a spouse since marriage shall be considered as his or her contribution to social wealth and family economy.”</p>
13	Law on Family (1999)	<p>The purpose of the law is to regulate domestic law related to marriage, divorce, divorce settlement procedures, property and non-property relations of family members, adoption and child custody, and granting the same responsibilities and rights in marriage to both husbands and wives. In the article covering divorce, it stipulates that if the wife is pregnant and a child is under one year of age, it is forbidden to dissolve the marriage. During the dissolution process, spouses can agree on child custody and maintenance</p>

		(MCA–Mongolia; ESOC 2011, 7).
<b>14</b>	Law on political parties (2005)	The purpose of this law is the regulation of the registration of political parties, setting out the legal basis for their establishment, structures, and the conditions under which party activities may be suspended. This law used to have an article stipulating that 30 percent of total party members must be women (MCA–Mongolia; ESOC 2011, 7).