

Enhancing Legal Aid Service for Migrant Workers in China

The Challenge

As a consequence of China's socio-economic reforms, millions of rural residents have migrated to the cities in search of higher income employment. It is estimated that this new social group, the migrant workers, number more than 120 million, and this number is continually rising. While making substantial contributions to China's economic development, migrant workers face a variety of problems such as delayed or even non-payment of wages, lack of social security and compensation for injury, no access to basic social services like healthcare and education, poor and dangerous working conditions, and social discrimination. Since most migrant workers do not have the legal knowledge or the financial and social resources to seek judicial redress, they often fail to protect their rights. Despite increasing government interventions and the efforts of many non-governmental organizations to address this situation, the violation of migrant workers' rights is still pervasive.

The Response

The protection of the rights of disadvantaged groups is an indispensable aspect of human development as human poverty will not be eradicated without addressing inequalities and injustice. The plight of the migrant workers is therefore among the most pressing issues that the Chinese government is addressing in its effort to construct a "harmonious society". One of the most effective ways to improve the situation for migrant workers is to offer legal aid so that they can seek justice and fair treatment in accordance with their labour rights. In this project, UNDP teams up with the All-China Lawyers' Association (ACLA), a non-governmental organization supported by the Ministry of Justice, to scale up their successful and innovative initiative to provide free legal aid to migrant workers. This one-year project, supported by the Government of Belgium, aims to expand and institutionalise this model for legal aid provision, so that more migrant workers across the country will benefit from high quality, free legal aid.

Achievements

The ACLA set up the Beijing Legal Aid Working Station for Migrant Workers in September 2005 to provide legal counseling and case representation for migrant workers. The Working Station has already made significant

achievements recognized by the government, the general public, and migrant workers themselves.

This project will build on the experiences accumulated and the networks established by the ACLA to set up legal aid working stations in 15 provinces, focusing on areas where there are large numbers of migrant workers. It is estimated that within the project's one-year timeframe, 375,000 migrants will benefit from free legal counseling, and 2,250 cases can be handled by the 15 working stations. The project will also train the lawyers involved in the project in migrant workers' labour rights, and based on this publish a user guide for lawyers working in this field. Research will be conducted on legal aid provision, leading to policy recommendations for the further provision and institutionalization of legal aid to migrant workers.

At A Glance

Start Date: January 2007
End Date: December 2007
Implementing Partner(s): China International Center for Economic and Technical Exchanges (CICETE)
Project ID: 00044355

UNDAF Goal: Social and economic policies are developed and improved to be more scientifically-based and human-centered for sustainable and equitable growth.
MDG:

CPAP Output 4.1: Poor and disadvantaged groups empowered to seek remedies for injustices, and justice institutions enabled to be responsive to claims, consistent with international human rights norms.

Total Budget:	US\$	US\$ 512,000
Donor (Belgian Embassy):		US\$ 512,000

Project location(s): Beijing, Tibet, Shaanxi, Shanxi, Qinghai, Liaoning, Hebei, Jiangsu, Yunnan, Hainan, Jiangxi, Gansu, Sichuan, Jilin, Heilongjiang.

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