

Study on Improving the Legislation for Protecting the Rights and Interests of Volunteers: Empirical Study Based on 56 Local Regulations and 106 Judgments

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Abstract

In the 2024 Paris Olympics, more than 300,000 people around the world applied to become volunteers, and about 45,000 were finally selected. In fact, whether it's sports events, disaster relief, assisting the disabled and the elder adults, environmental protection, or urban and rural community governance, countless volunteers' dedication is indispensable. However, disputes related to volunteer service have been continuously emerging. In September 2023, the National People's Congress (NPC) included the Volunteer Service Law in the first category of legislative projects, meaning that the conditions for law-drafting are relatively mature and scheduled for deliberation within the term. In the absence of a fundamental law in the volunteer service domain, this study analyses 56 effective local regulations, summarizes legislative experience and digs into their deficiencies. By empirically examining 106 court judgments, the study extracts and classifies the practical challenges in volunteer service, which include: insufficient emphasis on signing agreements; limited forms of incentives; difficulty in implementing volunteer service record certificates; vague training systems; limited insurance coverage to protect volunteers' rights and interests; single-source funding for volunteer services; unclear recruitment legislation; issues regarding liability attribution in disputes; lack of effective relief mechanisms; ambiguity in defining legal relationships; and absence of a higher-level fundamental law. Using classification and comparative research methods, the study analyzes the causes behind these issues and delves into the current legislation state for protecting volunteers' rights and interests. It examines the difficulties that volunteers face in safeguarding their rights and interests during the service participation. The study proposes improvements in areas such as: providing legislative guarantees for diversifying funding sources; strengthening volunteer recruitment regulations; clarifying liability attribution; establishing diverse dispute resolution mechanisms; defining volunteer service relationships and so on. This study aims to provide empirical research support for improving future



legislation on volunteer service.

Keywords: volunteer, protection of rights and interests, legislative research, local regulations

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