

THE RIGHTS OF CITIZENS TO RECEIVE SOCIAL SECURITY

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Abstract: The article reveals the issues of social security of citizens of the Republic of Uzbekistan during the period of its independence. The current legislation on the social security of citizens is analyzed, taking into account the improvement of its norms in the current stage of the country's development.

Keywords: social protection, social security, allowance, pension, old-age pensions, disability pensions, cases of loss of breadwinner.

The main goal of the reforms carried out in our country is the creation of a new Uzbekistan based on the principle of a "social state". In his address to the Oliy Majlis and the people of Uzbekistan on December 20, 2022, the President of the Republic of Uzbekistan Sh. Mirziyoyev noted: "The welfare state is, first of all, equal opportunities for realizing human potential, creating the necessary conditions for a decent life for people and reducing poverty."

Over the past years of our independent development, a legal system aimed at protecting human rights has been created in our country, legal mechanisms have been created to protect the political, socio-economic rights of citizens, legal reforms have been carried out aimed at further strengthening the liberalization and guarantees of rights in accordance with international democratic standards. The true goal of all economic, democratic, political and legal reforms is to create decent living and working conditions for people, which is a State social policy, i.e. - this is one of the directions of the state's internal policy in the field of forming a decent standard of living for people, providing social assistance and services to citizens in need, creating social infrastructures and maintaining their constant normal activities. Citizens' exercise of their basic, constitutional rights is due to social policy.

In recent years, efforts have been made to improve the social protection system of the population, increase the amount of funds allocated from the State Budget of the Republic of Uzbekistan to the sphere of social protection and attract additional resources, expand the scope of social protection programs, and consistent reforms are being implemented towards the introduction of additional mechanisms to remove families from difficult life situations.

In particular:

- the information system "Unified Register of Social Protection" has been introduced in order to identify low-income families and provide them with targeted assistance;

- the number of low-income families receiving benefits has quadrupled over the past three years and reached 1.9 million people;

- the amount of the allowance paid for child care in low-income families has been expanded, the age of children taken into account when assigning benefits has been increased from 14 to 18 years, the payment period has been increased from 6 to 12 months, and the amount of the allowance has been increased by an average of 1.5 times;

- minimum unemployment benefits increased 3.2 times;

- more than 20 new tools aimed at providing employment have been introduced. On July 25, 2022, the Decree of the President of the Republic of Uzbekistan "On approval of the strategy of social protection of the population of the Republic of Uzbekistan" was adopted. This document defines priority directions and a set of measures for the development of the social protection system of the population of the Republic of Uzbekistan until 2030, and as a result of the implementation of its "Roadmap", the achievement of the set targets is ensured.

In the decree:

- coverage of social assistance programs for all families and persons in need of social assistance and meeting the criteria for the appointment of social benefits;

- expanding access to mandatory social guarantees, including types of social protection, through the digitalization of the industry, the introduction of the principles of openness and transparency in this process;

- provision of mandatory social guarantees to the population, strengthening of social protection of low-income strata;

- gradual transition to a social model for determining disability and providing employment for persons with disabilities and disabilities;

- providing the low-income part of the population with modern prosthetic and orthopedic products and means of rehabilitation;

- the introduction of the practice of providing social services to the population directly at the district level has been identified as priority areas of social protection of the population of the Republic of Uzbekistan.

If we pay attention to the regulatory documents and the social policy pursued by the state, then most often we will find the term "social protection of the population".

M.A.Usmanova and G.D.Sattarova believe that social protection includes issues of protecting the rights and interests of citizens in such areas as consumption, employment and employment of the population, training a new profession, education, entrepreneurship.

N.A. Gorelov defines social protection as a special activity of the state aimed at providing socially significant benefits and services to all its citizens without any conditions and restrictions (labor contribution, having children, etc.).

The analysis of scientists' opinions on the content of the concept of social protection allows us to conclude: social protection should be understood broadly, includes various measures to ensure a decent standard of living by the state.

One of the main elements of social protection is social security.

Article 39 of the Constitution of the Republic of Uzbekistan provides that everyone has the right to social security in old age, in case of disability, loss of breadwinner, as well as in other cases provided for by law. Accordingly, the State assumes the obligation to guarantee the implementation of these rights.

From the content specified in Article 39 of the Constitution, it can be understood that this right includes appropriate measures to protect its citizens in old age, in case of disability, as well as loss of breadwinner and in other cases provided for by law when these categories of persons are unable to receive income.

The State also undertakes to implement the necessary measures to provide its citizens with various types of social security.

The State's obligation to social security, specified in the Constitution, should also determine the development of a mechanism for regulating relations in the field of social security, which will be based on a balance between the needs of citizens and the capabilities of the state.

However, the national legislation does not disclose the legal category of "social security".

Currently, the concept of social security is interpreted differently in all countries. Zakharov M.L., Tuchkova E.G., social security is defined as one of the ways of distributing part of the gross domestic product by providing material benefits to citizens in order to equalize their personal incomes in cases of social risks at the expense of targeted financial sources in the amount and on conditions strictly regulated by society, the state, to maintain their full social status .

According to D. Akhmedov, the circle of persons who cover social security is wide. Among them are those who lost income and remained in a difficult situation for reasons beyond their control (death of a loved one, loss of property due to fire, bankruptcy, etc.).

M.Usmanova and G.Sattarova believe that social security includes the state pension system, social assistance and support, as well as other forms of social assistance .

Also, social security is defined as a form of expression of the state's social policy aimed at providing material support to certain categories of citizens from the state budget and special extra-budgetary state funds in the event of events recognized by the state at this stage of its development as socially significant, in order to equalize the social status of these citizens in comparison with other members of society.

As the President of the Republic of Uzbekistan Sh. Mirziyoyev noted, "For the first time in our history this year we have raised the size of pensions and social benefits to a level not lower than the minimum consumer spending. So, if in 2017 500 thousand low-income families received social assistance, today more than 2 million. The volume of allocated funds increased 7 times and reached 11 trillion soums per year.

We will consistently continue the policy aimed at increasing wages, pensions, benefits, and per capital income" .

The development strategy of the new Uzbekistan for 2022-2026 sets specific tasks to improve the social protection of the population, including "to fully cover the

needy segments of the population with social benefits and material assistance by 2026."

In turn, the living conditions for each citizen, enshrined in the Constitution and international documents, should not be below the established subsistence minimum.

Researcher E.S. Bondareva in his scientific work emphasizes that the existence of human rights in itself does not have a great impact on people's lives unless mechanisms are created to guarantee the observance of these rights. Ensuring the implementation of the constitutional rights of citizens in the field of social guarantees can be achieved by forming a system of state minimum social standards and giving them the rank of state guarantees .

M.I. Akatnova emphasizes that such a mechanism can be effective provided that the real dimensions of social standards are established, which would really allow maintaining a decent standard of living.

Lawyer T.K. Mironova emphasizes that the subsistence minimum is one of those real indicators by which one can judge the level of "sociality" of the state.

The amount of the subsistence minimum should be established by law, the compositions of consumer baskets are developed and approved by the relevant government bodies of the CIS countries and have significant differences related to national, climatic and other features.

In accordance with the main socio-economic indicators of poverty in the CIS countries, the minimum age pension in Azerbaijan established for pensioners in 2023 exceeds the subsistence minimum (199 manats) by 81 manats or 40.7%. In Kazak

In accordance with article 39 of the Constitution of the Republic of Uzbekistan, pensions, allowances, and other types of social assistance may not be lower than the officially established subsistence minimum.

By the Decree of the President of the Republic of Uzbekistan dated March 26, 2020 "On measures to radically update the state policy in the field of economic development and poverty reduction", the Ministry of Economic Development and Poverty Reduction of the Republic of Uzbekistan was instructed to develop a draft resolution on the introduction of the subsistence minimum in Uzbekistan by October 01, 2020.

Calculations of the consumer basket are made in order to identify the poor or those who need state social protection, and to form a policy that will contribute to meeting the social and economic needs of a person.

There are different methods for determining the level of poverty, and these methods are used differently in different countries. For example, in Latvia and Azerbaijan, a minimum consumer basket is used to calculate the subsistence minimum. In India and Pakistan, they proceed from calorie consumption. In some European countries, it is correlated to the level provided by the level of average income. Calculating the consumer basket is a difficult task. Many factors need to be taken into account.

The President of the Republic of Uzbekistan on December 29, 2020, in his message to the Oliy Majlis, noted that the concept of "minimum consumer spending" will be introduced as an alternative to the "consumer basket concept".

Resolution of the Cabinet of Ministers No. 544 of 27.08.2021 "On the introduction of the procedure for calculating the cost of minimum consumer expenses" establishes the procedure for calculating the minimum cost of consumer expenses, which currently

Amounts to 498 thousand soms.

In our opinion, it is necessary to legislatively define the concept of "living wage" and "minimum consumer expenditure" and make calculations. The subsistence minimum should provide a citizen receiving a pension with a decent standard of living, taking into account such a complete set of goods and services that will meet the needs necessary for a decent life, including the costs of maintaining their own housing, buying food, medicines, clothing, without limiting themselves to cheap goods and services. However, it would be advisable to calculate the minimum subsistence minimum based on their population categories, where calculations will be divided for persons of working age; for persons of the disabled population; for children under 6 years of age; for children under 18 years of age. Such a division of calculations is advisable, because the needs of different groups of the population of countries have significant differences.

Summing up, it should be noted that in recent years, a huge legal framework has been created in Uzbekistan for the realization of citizens' rights in the field of social security, the information system "Unified Register of Social Protection" has been introduced, which makes it possible to transparently identify low-income families and provide them with targeted assistance.

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