



Ways to Intensify Social Protection of the Armed Forces Personnel and their Families

Ikramov Alisher Aktamovich

Senior lecturer of “Specialized military disciplines and military diplomacy” department, University of Public Security of the Republic of Uzbekistan

ABSTRACT

The article is devoted to the consideration of the issues of ensuring social protection of the armed forces personnel, significance of incentives and preferences provided to members of the military forces of the National Guard of the Republic of Uzbekistan. In addition, the article studies the urgent issues of providing social protection and material assistance for the families of the military forced personnel.

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INTRODUCTION

It is known that in our country social protection and healthcare of the armed forces personnel and their families has become one of the important focus areas of the government policy. The activities, which are currently being implemented to provide housing for the families of the armed forces personnel, to issue mortgage loans for modern housing, to provide their children with preferential education in higher educational institutions plays a crucially important role in the the process of excellent performance of duties of the military servicemen-our peacekeepers.

The Supreme Commander-in-Chief of the Republic of Uzbekistan Sh.M.Mirziyoev pays particular attention to the issues of social protection and material support of military servicemen of the Armed Forces stating that "...serious, systemic problems that have accumulated over the years have been identified. These are the issues of the armed forces personnel, provision of troops with contemporary sophisticated weapons, social protection of military servicemen, education of young people and servicemen in the spirit of military patriotism"[4].

Furtherore, these issues have been identified as the top-target objectives in the Action Strategy for the further development of the Republic of Uzbekistan for 2017-2021 as the fourth priority "Development of the social sphere" [3]. Social policy, which constitutes an integral part of every country's policy, promotes social protection not only of the population of the country, but also of the armed forces personnel, their families, thus improving their living standards.

The urgency of the problem of social protection of servicemen at the current stage of development of our Armed Forces requires implementing legal guarantees for military servicemen and undertaking a qualitatively new approach to the problem of enhancing their social status. The solution to the problem of social protection of the military servicemen is related to the need to theoretically generalize and systematize the experience gained in the society around the globe in the field of social protection of the entire population, especially armed forces personnel.

The analysis of the issues of the legal, social, and material protection of the military personnel can facilitate solution of the number of urgent issues. First, it enables to identify all the challenges, which are faced by the society and the government in this area. Second, it prevents the recurrence of mistakes made in solving problems that arise. Third, it will help to identify the best ways to solve this problem within the framework of the ongoing reforms. Fourth, it will facilitate development of the regulatory framework for social protection of the military servicemen of the National Guard of the Republic of Uzbekistan.

LITERATURE REVIEW

In any society, there are types of goods and services that must be consumed by all members of society. The list of these types of goods and services may differ at various stages of socio-economic development of each country. The provision of goods and services of a socio-cultural nature (education, health, culture) and support to certain groups of the population by the government is usually called "social protection" [11].

It is known that the types of social and economic assistance rendered to the population consist of pensions (by old age, disability, social allowances), social security incentives (unemployment, temporary incapacity for work), compulsory social insurance, medical care, social services, financial assistance to those in difficult situations, one-time indemnities for various reasons and periodic compensation payments and subsidies.

In the world practice, one of the crucially important functions of the state is application of social protection measures for certain categories of the population and the armed forces personnel occupy one of the leading positions among such categories of the population.

The economist **Yu. Mгимov** has emphasized the legal and social protection of the military servicemen. In particular, legal protection is a concept that reflects the extent to which the rights and privileges of servicemen are protected by law[12].

Social protection is the system of measures aimed at ensuring the life and active existence of a person, meeting his/her needs, ensuring a minimum standard of living and the institutions that implement them.

In general, social protection implies creation of all conditions for the implementation by a democratic state governed by the rule of law, not only to ensure the rights of citizens, different communities, but also to ensure their practical use [12].

Social protection of the armed forces personnel is a set of measures aimed at social protection and social support of military servicemen, which arranges social and economic security of citizens of the military category, helps to meet the interests, material and spiritual needs of the military servicemen. In other words, social protection of the armed forces personnel implies the system of political, socio-economic, personal rights, as well as guarantees provided by the society that create favorable conditions for them to do military service and for living. Their main aim is to provide a special type of service - security. Military personnel are subject to general social protection measures, primarily because they are citizens of the country [13].

Social protection of servicemen is reflected in the creation of conditions for the exercise of the rights and legitimate interests, freedoms and duties of public administration authorities, military command and local self-government, as well as incentives, guarantees and indemnities arising from the nature of military service [14].

In any country, there is a complex relationship between the state and the armed forces personnel, so their relationship is established by the state in a particular legal (especially democratic) form - in the form of laws developed in terms of the society, freedoms, duties, obligations, guarantees, privileges and various restrictions.

The social and legal status of the military servicemen consists of six basic structural components [15]: rights, social guarantees, obligations, responsibilities, restrictions and incentives.

The scholar-economist V.M. Koryakin in his research paper divided the military personnel into three groups according to the level of social rights [15]. These include general rights, rights for military ranks and special rights.

According to the opinion of A.V. Kudaev, incentives provided for the military servicemen are specific (additional) rights and incentives provided to citizens by law in connection with the performance of military service duties or certain public duties [16].

These incentives can be provided in the form of rights granted to military personnel in various spheres of public life, in addition to the rights they have on an equal basis with other citizens. The norms, that determinethem, apply to various areas of law and constitute an important part of military law as a whole.

The system of social protection of the armed forces personnel is a set of methods, techniques, forms and mechanisms to meet the social needs of the military servicemen on the basis of the public material resources, providing expanded reproduction of labor resources, stimulating specific activities in accordance with the current objectives of the military development. The system of social protection of the armed forces personnel and their families constitutes the basis for the military-social policy of the state. The system of social protection of the military servicemen performs a number of functions, including: economic, demographic, social and recovery management functions [17].

It is advisable for the government to provide the armed forces personnel with certain incentives and advantages in accordance with their social status, thereby creating conditions for them to focus their hours of servicing directly on their professional activities without thinking about everyday difficulties

Social protection of the families of the military servicemen implies creation of the conditions required for the development and demonstration of their abilities in the socio-economic, cultural, medical and other spheres. In the famous work created by Amir Temur “Temurtuzuklari” (“Statutes of Temur”), complicated and honorable duties of the military servicemen are emphasized: “The fact that they did not spare their eternal lives for the sake of the mortal world while serving in the military state means that they deserve gifts and material support” [18].

RESEARCH METHODOLOGY

Such methods, as observation, generalization, grouping, comparison, economic statistics, expert assessment, comparison have been widely used in this research and the research results are presented in tables and figures. This article examines the current issues of social protection and financial support of the armed forces personnel in the country. In addition, in reliance upon the experience of advanced foreign countries, scientific proposals and practical recommendations for improving the social protection of the military servicemen have been developed.

ANALYSIS AND RESULTS DISCUSSION

In order to enhance the prestige of military service in our country and ensure further increase the combat effectiveness of our Armed Forces, our country has been implementing continuous measures to supply the types of troops with young, courageous, patriotic, loyal and intellectually talented young people, to create favorable conditions for military service, to ensure social protection of the armed forces personnel, as well as to provide legal regulatory framework for their social protection.

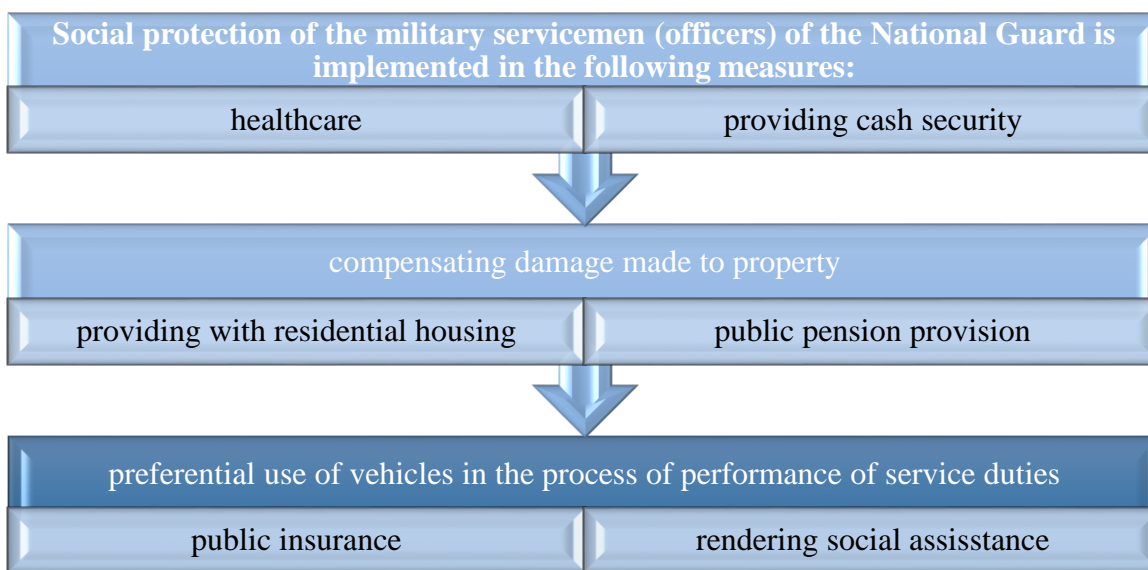


Figure 1. Social protection types of the military servicemen (employees) of the National Guard [2]

In particular, in compliance with article 34 of the Law of the Republic of Uzbekistan № 647 “On the National Guard of the Republic of Uzbekistan” dated November 18, 2020 [2], social protection of the military servicemen (employees) of the National Guard is provided by the following (Figure 1):

- ensuring healthcare;
- providing cash security;
- providing with residential housing;
- compensating damage made to property;

- preferential use of vehicles in the process of performance of service duties;
- public pension provision;
- public insurance;
- rendering social assistance.

Moreover, legislation may provide for other measures of social protection of the servicemen (officers) of the National Guard.

In compliance with the Regulation approved by the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 169 “On the procedure for payment of monthly monetary indemnity to the military servicemen of the Armed Forces of the Republic of Uzbekistan for renting residential housing” dated July 25, 2005, the following amounts to indemnify the expenses for rent were determined (Table 1).

Table 1: Amounts for cash indemnity paid for the military servicemen for covering their expenses on the rent of residential housing

Regions	Amount of the cash indemnity as of 2021 (in basic calculation units)	
	Number of family members is up to 2 people	Number of family members is 3 people and more
Tashkent city	4*270000=1080 000 UZS	6*270000= 1 620 000 UZS
Nukus city and regional centres	3*270000 =810 000 UZS	4,5*270000 =1 215 000 UZS
Other regions (districts) of residence	2*270000 =540 000 UZS	3*270000 =810 000 UZS

According to this Regulation, cash indemnity for rent (accommodation) is provided to the military servicemen serving under the contract: in Tashkent - up to four times of basic calculation units, in Nukus and regional centers - up to three times of basic calculation units, in other cities, district centers and in settlements - up to twice of basic calculation units

If there are three or more family members (excluding the military serviceman himself), the amount of this cash indemnity will be increased by 50 percent. This includes family members of the serviceman who has arrived at the place of military service: wife (husband), their children and parents, as well as other persons admitted as family members of the lessee in accordance with the legislation. In our opinion, it is recommended to reconsider the calculation of the amount of the cash indemnity for renting accommodation using a coefficient of 1.5 or in the amount closer to the market price. This is due to the fact that currently the market price and rent of the real estate facilities have increased compared to the amounts set in the statute in 2005, inflation has changed and the official exchange rate of the dollar has doubled or even tripled.

In accordance with the Defense Doctrine of the Republic of Uzbekistan, the main objectives and directions of development of the State Military Organization provide for the development of new mechanisms for the implementation of the state programs in the field of social protection of military servicemen and their families [1].

With the aim of ensuring implementation of the Decree of the President of the Republic of Uzbekistan № PD-2738 dated January 24, 2017 [6], as well as introducing a new system of long-term mortgage lending to the housing system of the military servicemen and enhancing efficiency of defense, the

Regulation was approved according to the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 619 dated August 11, 2017[9]. This procedure is definitely of a gratifying nature, but currently there are some controversial provisions in some of the norms set out in this Regulation, in particular:

This Regulation implies that the military servicemen of the National Guard of the Republic of Uzbekistan, the Ministry of Defense, the Ministry of Internal Affairs, the Ministry of Emergency Situations, the Ministry of Information Technologies and Communications, the State Security Service, whose tenure of military employment on the contract basis constitutes minimum 5 calendar years, or who have just made the contract for military service, who are not provided with the adequate living conditions or whose living standards need to be improved, as well as those who must be provided with the public accommodation due to the relevant statutory acts, must be provided with the appropriate living conditions at the expense of the government.

According to this Regulation, when a mortgage loan is received by military personnel for the purchase (construction) of housing, an initial payment of 25 percent of the cost of purchased (under construction) housing within the established social norm of housing area is paid by the relevant departments at the expense of the State budget of the Republic of Uzbekistan and extra-budgetary funds of the relevant departments. The amount of the initial payment cannot exceed 25 percent of the cost of the purchased (under construction) housing. The amount of the initial payment for the acquired (under construction) housing is determined on the basis of its cost based on the results of the state examination of the design and estimate documentation carried out in accordance with the established procedure. At the same time, the cost of the acquired (under construction) housing cannot exceed 2 000 times the minimum wage established on the date of the down payment on the mortgage loan.

In compliance with article 9 of this Regulation, a mortgage loan is provided to military personnel at the place of service or at the place of assignment (conscription) to military service. To obtain a mortgage loan, military personnel, based on the decision of the central housing commission, the relevant departments are provided with an initial payment for the purchase (construction) of housing. If we study the armed forces personnel, who are in need of housing in the military units in Tashkent region, the majority of them are called up for military service from the regions, and although their place of service is in Tashkent region, their place of residence with their families is in Tashkent. This is causing inconvenience to the military servicemen and their families. Such cases can also happen in other regions of the country. In our opinion, it is recommended to allow military servicemen in need of housing in military units in Tashkent region to purchase a house in Tashkent on a mortgage and to make an amendment in paragraph 9 of this Regulation.

Moreover, according to article 2 of this Regulation, contract military servicemen, who are not provided with housing or who need to improve their living conditions, who have served for minimum 5 calendar years and who have entered into a new contract, have the right to be provided with housing or improve housing conditions. Researches demonstrate, that military servicemen are called up for military service from other government agencies with special ranks (career levels) and among them are those in need of housing. However, currently, due to the requirements of the Regulation, there are cases when their years of service in previous government agencies are not considered as military service and create obstacles in finding appropriate accommodation.

It should be noted, that according to the Decree № 6230 dated May 19, 2021, “On making amendments and supplements to some statutory acts of the President of the Republic of Uzbekistan”[4], the duration of service of the military servicemen, who have served in a special military rank (career level), is taken into account in the promotion to the next military rank, calculation of interest rates for the year of

service and retirement, as well as added to the term of military service. In our opinion, it is recommended to amend article 2 of the Regulation approved by the Cabinet of Ministers № 619 to equate the length of service of the military servicemen with a special rank (career level) to military service and to take into account the need for housing on a mortgage basis.

It should be noted, that in article 190 of the statutory act “On the procedure for military service of citizens of the Republic of Uzbekistan” approved by the Resolution of the President of the Republic of Uzbekistan № PR-4447 dated September 12, 2019 [7], the military servicemen, who are servicing under a contract and who are not provided with housing from the Ministry of Defense, upon their application, may be provided with residential premises (land plots) under the system of long-term preferential mortgage lending by paying an initial payment in the amount from 25 percent up to 50 percent of the estimated cost of housing at the expense of the state budget or other sources, not prohibited by law. The procedure and mechanism for determining the amount of long-term mortgage loans, as well as the down payment are determined by the relevant regulations.

The studies illustrate, that the down payment for mortgage loans to military personnel in practice does not exceed 25 percent. So, it seems that the norms of the above decisions are inconsistent, in our opinion, it is necessary to amend articles 4-5 of the Regulation, approved by Resolution № 619.

Furthermore, in addition to article 199 of the Resolution of the President of the Republic of Uzbekistan № PR-4447 dated September 12, 2019, children of the military personnel, who are servicing under the contract, have to be admitted to preschool educational entities and secondary educational institutions at the place of residence, including at the place of temporary residence, as well as to children’s health camps of ministries free of turn. However, in accordance with article 18 of the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 244 dated March 28, 2018 “On approval of administrative regulations for providing public services for admission of children to public preschool education” actually there are problems with the non-queued admission of children of the military servicemen to preschool educational institutions. As a solution to this problem, based on the requirements of the Resolution of the President of the Republic of Uzbekistan № PR-4447, it is recommended to make amendments in the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 244 dated March 28, 2018.

It is known that pension provisions are considered the main source of social security for the military servicemen. Therefore, it is recommended to use the most advanced practices of foreign countries to improve the pension provision of the military servicemen of the Armed Forces of our country.

Table 2: Order for calculating pensions for the armed forces personnel by the duration of their service in foreign countries¹

№	Countries	Length of service set for the right for pensions	Pension amount (<i>in the share of the pension provision</i>)	Additional for each year following the specified year of service (<i>in the share of the pension provision</i>)	The highest amount of the pension (<i>in the share of the pension provision</i>)
1	Russian Federation	20 years	50%	+3%	85%
2	USA	20 years	50%	75% if the duration of service exceeds 30 years, 100% if the	100%

¹ Developed by the author in reliance upon the experience of foreign countries.

				duration of service exceeds 40 years	
3	Germany	10 years	35%	2 % in case of the duration of service is from 10 years up to 25 years, +1% for each additional year if the duration of service exceeds 25 years	100%
4	France	15 years	60%	+1%	80%
5	Uzbekistan	20 years	40%	+3%	75%

The analysis of the data in the table shows that among these countries there is a relatively low level of pensions for the military servicemen of the Republic of Uzbekistan. Taking into consideration the foreign experience studied above, it is recommended to set the amount of pensions in Uzbekistan at 50 percent after 20 years of service, adding 3 percent for each year after 20 years and set the maximum amount of pensions at 85 percent.

In order to raise urgency and enhance efficiency of the military servicemen and the officers with specialized military ranks, who are servicing for the National Guard of the Republic of Uzbekistan on the contract basis and are responsible for the maintenance of public order and security of protected persons, as well as to expand their social support, in reliance upon the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan №596 dated July 17, 2019, there is implemented the practice of giving preferential car loans to the servicemen and officers of the National Guard for the purchase of up to 300 vehicles per year the with the term of 5 years and the down payment at the rate of minimum 20 percent of the value of the vehicle. The interest rate of this preferential car loan has to be at the Central Bank refinancing rate + 2% until December 31, 2019, and since January 1, 2020 commercial banks have the right to extend preferential car loans at a rate determined independently on the basis of market principles [7]. At the same time, the grace period constitutes only one year, and from next year, the servicemen have to pay the interest at the rate of 23-26 percent, just like ordinary citizens. Under these circumstances, the economic essence of social protection of armed forces personnel is losing its significance. In our opinion, in the process of getting a car loan, it is necessary to apply a preferential rate (refinancing rate + 2%) and exempt servicemen and officers of the National Guard from paying an income tax for the one-year period.

CONCLUSION AND PROPOSALS

Based on the research and analysis, the following practical proposals and recommendations have been developed in order to improve the organization of social protection of the armed forces personnel:

- with the aim of increasing the real income of the military servicemen and reimburse social expenditures on their needs (education, health, etc.), it is recommended to apply a coefficient of 1.5 based on inflation to the amount of the cash indemnity for renting their accommodation and to reconsider the calculation of the amount closer to the market price;
- undertaking appropriate measures to ensure that the Security Council monitors procedure for admission of children of the military servicemen to children's health camps, including pre-school and secondary education institutions, as well as ministries no waiting in line at the place of residence;
- in order to increase the combat readiness of the military servicemen, who are in need of housing in military units in Tashkent region, create conditions for them to come to the place of service and

educate their children, it is recommended to allow them buying houses on the basis of mortgage loans and make relevant amendments in article 9 of the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan № 619 dated August 11, 2017;

- taking into consideration the advanced experience of foreign countries, it is recommended to set the amount of pensions in Uzbekistan at 50 percent after 20 years of service, adding 3 percent for each year after 20 years and set the maximum amount of pensions at 85 percent;
- with the aim of further strengthening social protection of the servicemen and officers of the National Guard and rendering financial support, it is necessary to apply a preferential rate (refinancing rate + 2%) and exempt servicemen and officers of the National Guard from paying an income tax for the one-year period;
- in reliance upon the foreign experience it is recommended to work out “Code for material and social protection of the armed forces personnel”.

In reliance upon the statements specified above, it can be concluded that the practical proposals and recommendations will serve to further strengthen the social protection and financial support of the military servicemen and their families in our country.

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