

ISSUES OF PENSION PROVISION FOR MILITARY SERVICEMEN  
(NATIONAL AND FOREIGN EXPERIENCE)

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**Article history:**

*Received: 28<sup>th</sup> January., 2022*

*Accepted: 29<sup>th</sup> January., 2022*

*Published: 31<sup>th</sup> January., 2022*

**Abstract.** *The article discusses issues of the legal basis for the appointment of pensions to military servicemen and members of their families of the Armed Forces of foreign states and the Republic of Uzbekistan, the types and amounts of pensions.*

**Key words:** *social security, pension law, Armed Forces, military servicemen, pension provision.*

As the Commander-in-Chief of the Armed Forces of the Republic of Uzbekistan Sh.M. Mirziyoyev noted, despite the impact of the global economic crisis, we are consistently continuing systematic work on social support for military personnel and their families, improving military camps, building modern infrastructure 1].

The Decree of the President of the Republic of Uzbekistan “On the Action Strategy for the Further Development of the Republic of Uzbekistan” [2] adopted the Action Strategy in five priority areas for the development of the Republic of Uzbekistan for 2017-2021. The inclusion in the Action Strategy of such issues as social protection of the population, a gradual increase in wages, pensions, scholarships, and social benefits of state institutions by inflation is a clear example of a humane democratic state governed by the rule of law.

According to M.A. Usmanova, the main goal of our reforms to improve social protection and its legal framework is to further strengthen social justice in this area, ensuring the right of every citizen to social security worthy of his contribution to the economic development of the state. and society. focused on [3].

Pension provision is a system of legal, economic, and organizational measures created by the state for the social protection of the population in the form of pensions aimed at compensating for falling wages and ensuring the livelihoods of people with disabilities. Pensions are the most important component of the social security system [4].

In the field of social protection of military personnel, the issue of pension provision is of particular importance and is one of the main tasks that are in the constant focus of attention of developed countries. This is because military service differs from other types of labor activity in the presence of threats to the life and health of persons who have entered the defense of sovereignty, territorial integrity, peace, and security of the population, as well as other features of military service.

Several scientists expressed their scientific views on the problem of social protection of servicemen.

In particular, the problematic aspects of the social protection of military personnel are considered in the study by N.A. Serebryakova. In his opinion, the system of social protection of

persons performing the functions of ensuring the security and defense of the country includes a complex of facilities that ensure social rights guaranteed by law, provide social services, and create conditions for a decent standard of living for military personnel. [5].

According to A.V. Medvedev, the measures taken in the field of social protection of military personnel are characterized by certain features and are aimed at:

- protection of life and health;
- material and pension payments;

Frame.

The system of social protection of military personnel includes:

- maintaining the morale of persons guarding the territory of the state;
- ensuring measures to promote the material well-being and decent social status of military personnel;
- creation of conditions that ensure the safety of servicemen and their families [6].

According to N. V. Tyutyunov, the exact definition of “military pension” is not clearly defined in the legislation, and it is advisable to reflect it in the legislation on military pensions for its legislative consolidation. The military pension has a dual character, i.e. it is compensation for lost income and compensation for difficulties and losses in military service [7].

In our opinion, the main tasks of the state should be the social protection of military personnel and their families, the definition of social security, the increase in guaranteed pensions depending on the standard of living, the realization of their rights and freedoms.

The state guarantees that its military personnel who are entitled to a pension will receive a pension for a decent life for the rest of their lives after they are discharged from the reserve.

All categories of military personnel from developed countries who retire after 20 years of military service in the United States receive a pension equal to 50 percent of their basic salary. In the French armed forces, those who have served at least 15 years are entitled to a pension, and the military pension is 60-80 percent of the base salary.

In many foreign countries, the legal document regulating the provision of pensions for military personnel has been adopted as a separate law, and the legal framework regulating public relations in this area is constantly being improved.

In particular, the Law of the Russian Federation of February 12, 1993 [9] provides for the appointment of a seniority pension for servicemen with total military service of 20 years or more - 50% of the monetary allowance.

According to the Law of the Republic of Ukraine dated April 9, 1992 “On pensions for demobilized and other persons” [10], a service pension is assigned to military personnel with total military service of 20 years or more - 50% of the allowance.

The Law of the Republic of Tajikistan “On pensions for military personnel” dated December 1, 1994 [11] also provides for pensions for long service for military personnel with a total length of service of 25 years or more - 65% of the pension.

Also, the Law of the Kyrgyz Republic "On Pensions of Military Personnel" of May 7, 1993[12] provides for a pension for the length of service for military personnel with total military service of 20 years or more - 55% of the allowance.

Article 39 of the Constitution of the Republic of Uzbekistan establishes that everyone has the right to social security in old age, disability, as well as in case of loss of a breadwinner and other cases provided for by the law [13].

Although Article 5 of the Law of the Republic of Uzbekistan “On State Pensions of Citizens”, adopted based on this article of the Constitution, provides the conditions, norms, and procedure for

providing pensions to military personnel are regulated by the legislation of the Republic of Uzbekistan. Uzbekistan Regulated by the Union Act of April 28, 1990 [15].

According to this law of the former USSR, servicemen discharged from the reserve and eligible for a pension are still paid one of three types of pensions (long service pensions, disability pensions, and survivors' pensions).

The minimum seniority pension in Uzbekistan has since been 40% of the military pension.

Based on the foregoing, to fill the gaps in our national legislation and further increase the combat power of our Armed Forces, it is proposed to create favorable living conditions and fair social guarantees for military personnel and their families:

Development of the draft Law of the Republic of Uzbekistan “On military pensions” by the best international practices;

Introducing amendments to Article 14 of the current Law on Servicemen's Pensions to assign pensions to servicemen with a total length of service of 20 years or more - at least 50 percent of allowance.

Thus, in the future, we will continue to increase the motivation of our national army for a stronger and more reliable defense of the state sovereignty and territorial integrity of the Republic of Uzbekistan, peaceful life, and security of the population.

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