

# Improving the Legal Framework and Social Policy in the Context of a Pandemic



Mukhitdinova Firyuza Abdurashidovna, Mukhamedov Xaidarali Melievich

**Abstract:** *The article examines the essence of social policy in the field of support in the context of a pandemic. The analysis of the situation in the social sphere and its structural components in the Republic of Uzbekistan in the context of the pandemic is given. It is proposed to improve the legislative framework for improving social protection and living standards of the country's population, as well as to modernize the system of state guarantees in the social sphere.*

**Keywords:** *law, the right to the protection of social sphere, social policy, situation, employment, strategy, development*

## I. INTRODUCTION

The observed vector of social policy of Uzbekistan in the context of the pandemic plays an important role in the comprehensive development of society, its ability to civil unity and is another step in Uzbekistan's entry into a number of developed democratic countries of the world.

## II. DISCUSSION

The social sphere as an economic category is an area of specific relations to meet the social and spiritual needs of people. Among the various activities of the state, one of the most important roles is played by social sectors. This includes health, physical education and sports, education, culture, social services and social security, housing, social insurance and pensions. Therefore, this area is very important because the view of the social sphere from the side of industrial and social policy differs. The relevance of the article increases due to the drastic change in the social situation of the population in the context of the pandemic, it is necessary to comment on the legal innovations for the protection and support of social strata and medical and material assistance. Methodology: the study of the problem was carried out on the basis of various scientific paradigms and international approaches analyzed by the author. The use of the dialectical method allowed us to consider the activity of the social system of the state as a single process that occurs in all the variety of relationships between the state and state bodies, which determine its direction in modern conditions. The social sphere as an economic category is an area of specific relations

to meet the social and spiritual needs of people. Among the various activities of the state, one of the most important roles is played by social sectors. The main social provisions of the Constitution of Uzbekistan are reflected in: - in part status as "a social state whose policy is aimed at creating conditions that ensure a decent life and free development of a person"; - in art. 37 (the right to protection of labor and health of people, guaranteed minimum wage, state support for family, motherhood, fatherhood and childhood, disabled and elderly citizens is enshrined – - in article 39 (the right to social security for age, in case of disability, as well as the loss of a breadwinner and in other cases stipulated by law– - in article 40 (the right to free medical care, the right to qualified medical care); - in article 41 (the right to education. Improving the social sphere is one of the key policy vectors of the current government of the Republic of Uzbekistan. Special attention to the social sphere is confirmed by the fact that 2019 was declared the year of active investment and social development. Also, the importance of this region is laid down in the decree of the President of the Republic of Uzbekistan (No. 4947, 07.02.2017) "On a strategy for the further development of the Republic of Uzbekistan", where "social Development" is included in the strategy five priority directions of development of the Republic of Uzbekistan in the years 2017-2021. This document clearly outlines the principles for the development of various sectors of the social sphere, including improving the system of social protection and health protection of citizens, improving the social protection of disabled people, young women, and improving the legal framework of state social policy. It should be noted that the significance of the above principles and achievements in the social sphere in 2020 were highlighted in the Message of the President of the Republic of Uzbekistan to the Parliament, which raised the issue of poverty for the first time in the history of Uzbekistan since independence: "It is no secret that most of the residents of the regions, especially villages, do not have sufficient sources of income. As in all countries, we also have low-income segments of the population. According to various estimates, this figure is 12-15 percent. We are talking about 4-5 million people in our country." In this regard, it was proposed to develop a poverty reduction Program jointly with the world Bank, the UN development Program and other international organizations. The initiative of the President of the Republic of Uzbekistan is widely welcomed by international organizations. They, in turn, have effective tools to combat poverty. This includes household surveys that collect a lot of important information, capacity building and innovation, exchange of international experience, and others. The key issue in the fight against poverty is the problem of employment.

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\* Correspondence Author

**Mukhitdinova Firyuza Abdurashidovna\***, Doctor of Law, Professor of Tashkent State Law University. Email: [feruza.mukhitdinova@gmail.com](mailto:feruza.mukhitdinova@gmail.com)

**Mukhamedov Xaidarali Melievich** - doctor of legal Sciences, Professor, Tashkent state law University.

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Thus, the initiatives may also include educational seminars on skills development for employment and interaction with potential employers. The main goal of development and support of the population in times of crisis, so during the pandemic will be to preserve, taking into account the real financial capabilities of the state, a healthy lifestyle, cultural potential and cultural heritage of the country, ensuring continuity of development of support for the vulnerable part of the population, along with support for remote medical innovation and strengthening its infrastructure, providing social protection of the country, the basic conditions for citizens' access to the electronic database of national legislation, benefits and information resources of state institutions.

the structure of financing with the predominance of one of the 4 main models:

- budget model, the main source of funding-General taxation. This model is widespread in 22 countries (great Britain, Australia, Canada, etc.) out of 54 that guarantee universal health coverage;
- social health insurance (hereinafter referred to as SMS), which is funded by mandatory joint and several contributions from the state, employers and employees. Distributed in 30 countries out of 54 (Germany, France, Japan, Korea);
- private health insurance, funded by voluntary contributions from employers or employees themselves (US before the 2009 health care Reform and patient protection);
- health savings accounts are used primarily in Singapore. They are financed exclusively from the income of working citizens.

The budget model is characterized by a high level of financial stability and social security, but it has little impact on individual responsibility of citizens for their own health and competition among medical service providers.

Social health insurance ensures the implementation of joint responsibility for the health of all social partners, creates incentives for the development of competition, improving quality and efficiency. In addition, this model provides a high level of self-regulation of the health system.

Systems that use private health insurance have a high level of transparency, are able to respond quickly to a variety of individual patient needs, and create high incentives to improve the quality of medical services. This model does not ensure social security and equality of citizens in receiving medical care, does not allow to redistribute funds depending on health priorities, and its application carries high transaction costs. Accumulative medical accounts limit the availability of medical care by the amount of savings, which negatively affects citizens with low income or with chronic diseases. This model, having a high level of transparency and the ability to stimulate competition among health care providers, does not allow implementing the principle of shared responsibility for health and leads to an increase in administrative costs. World practice shows that SMS systems provide universal coverage of the population with medical care. OECD member countries such as Estonia, the Czech Republic, Hungary, and so on were able to achieve this figure with health financing within the range of 5-8% of GDP. Regardless of the goals of implementation and functioning of SMS in different countries, there are common mechanisms of functioning and development trends that ensure the sustainability and effectiveness of SMS. SMS funds have a high level of autonomy with a high degree of participation of

all social partners in management through Supervisory boards or other bodies.

There are legally established mechanisms for regulating the activities of various elements of the SMS system: the formation of management bodies, pricing, technology assessment, recognition of the qualifications of medical workers, accreditation of medical service providers, and so on. The amount of insurance premium rates, as well as the share of employee and employer payments, varies depending on the level of development of the country. For example, in Germany, 14.1 % of the wage Fund, in Austria - from 6.5 % (farmers) to 11 % (pensioners), in France - 13.6 %, in Russia - 5.1 %. At the same time, even in countries where SMS is not used, the state budget is always a significant source of funding. Thus, in the United States, the share of government spending in 2011 was 46 %, and in Singapore-31 %.

One of the problems of health insurance is competition between insurance funds for patients. Under these conditions, older persons with chronic diseases, children and pregnant women are undesirable clients due to the high risk of insurance events and may lose access to medical care due to refusal to provide insurance coverage or its high cost.

In order to overcome this inequality, the world health organization recommends forming a single pool of funds, which is implemented in many countries with CMCS by creating only one Fund (Korea, Japan, Hungary, etc.) or by gradually merging funds (Estonia), as well as using risk equalization mechanisms (Germany, France, Belgium, etc.).

A classic example of this mechanism is Germany, where insurance premiums collected by more than 130 insurance funds in the country are accumulated in a single risk equalization Fund and supplemented by subsidies from the Federal budget. The pool of funds generated is adjusted to take into account the correction factors of gender, age, income level, and health status, and is redistributed between insurance funds. The tariff policy is based on the economic feasibility of tariffs and balance with the total revenue base and, as a rule, provides for reimbursement of depreciation of fixed assets. It is common practice to set the amount of tariffs as a result of negotiations between insurance funds-medical service providers or their associations. Starting from 2020, a number of changes in the health sector are being improved, including the opening of many medical centers and the accelerated development of public health facilities, and new hospitals have been built in the country as part of the fight against coronavirus infection. Each patient — a separate house with all conditions, i.e. air conditioning, TV, communications. Separate complex for medical staff. Also this year, it is proposed to adopt a law on mandatory medical insurance, which will cover basic medical services and protect against unexpected medical expenses. It is also planned to introduce electronic medical records, which will directly reduce the costs associated with paperwork, increase the productivity of medical workers and contribute to the effective diagnosis of patients. The quarantine area at the same time takes 10 thousand people. If China built such a hospital in 10 days, Uzbekistan built and commissioned the facility in 5 days (in the Yukorichirchik district on an area of 53 hectares), to support the population.

The same buildings for quarantine and treatment of those infected with coronavirus infection were erected in Andijan, Navoi and Surkhandarya regions. To this day, the state pays special attention to pensioners, low-income and low-mobility citizens. So in 2019, the procedure for paying pensions in full to working pensioners was introduced.

The amount of benefits for vulnerable and low-income categories of the population in need of social support has been increased by 2 times. yati thousands of low-income and needy families, including women with disabilities, have been allocated more than 116 billion soums for the payment of initial payments for the purchase of housing on mortgage loans. Therefore, in order to take into account all those in need and improve the effectiveness of state support, it will be necessary to update and clarify the criteria for recognizing a person in need of support. Here we should take into account the International classification of functioning, disability and health (ICF), which is a universal language among specialists from all over the world. The observed vector of social policy of Uzbekistan in recent years has played an important role in the comprehensive development of society, its ability to civil unity and is another step in Uzbekistan's entry into a number of developed democratic countries of the world. To fully achieve this goal, it is necessary to further implement a clearly formulated state policy and realize that the people are part of a huge history and a great culture, and that with due effort and unity, they can overcome any obstacles on the way to a full and prosperous life. In Uzbekistan, issues of social protection, promotion, observance and protection of human rights are considered as one of the priorities of state policy and interaction with international partners. Today, the country has a stable political system that meets the modern criteria of democracy and human rights. The strategic program of social reforms in the Republic of Uzbekistan, approved by the President of the Republic of Uzbekistan on February 7, 2017, was the "Strategy of action on five priority areas of development of the Republic of Uzbekistan in 2017-2021", which marked the beginning of a new stage of fundamental democratic transformations and modernization of the country, as well as further improvement of the system of ensuring human rights, freedoms and legitimate interests. In order to radically improve the effectiveness of the ongoing reforms and create conditions for ensuring comprehensive and accelerated support for the social strata of the country, the Preservation of people's lives requires strict quarantine measures. Quarantine measures severely restrict economic activity. Limiting economic activity leads to a significant reduction in income and a decrease in the standard of living of the population. The result is a decrease in demand for the products of economic sectors, and since this situation is observed in almost all countries of the world, the opportunities for exporting domestic products are also reduced. One country after another has taken and continues to take protective measures to limit infection, and numerous programs aimed at social protection of the population and supporting the economy. The tools used in various countries to solve these problems cover six areas: tax policy, monetary policy, financial regulation policy, social policy, industry policy, and trade policy. Uzbekistan has responded very dynamically to this dangerous challenge. On March 19, the presidential Decree "on priority measures to mitigate the negative impact of the coronavirus pandemic and global crisis phenomena on the economy" was issued. This decree was

followed by a number of government resolutions, as well as The presidential Decree "on additional measures to support the population, economic sectors and businesses during the coronavirus pandemic", adopted on April 3, 2020. As a result, a comprehensive policy was formed in a short time to combat coronavirus infection and minimize its negative consequences for the population and economy, aiming not only to solve the current problems of stopping the spread of the virus and treating patients, but also to preserve the country's economic potential under quarantine. Comparing the measures provided with foreign practices, it should be noted that the decisions taken are complex and systematic, as they are based on the foreign experience in this area, which was studied in a short time, and cover the above-mentioned set of tools used abroad, as well as are implemented consistently. The first direction—decisions have been made on social support for the population,; The second direction is providing social protection for which a decree was adopted and the decree established the Republican anti-crisis Commission and created the anti-Crisis Fund under the Ministry of Finance of the Republic of Uzbekistan in the amount of 10 trillion soums. The sources of the Fund's funds are determined by the state budget of the Republic of Uzbekistan and soft loans from international financial institutions,; The third direction is development and liberalization during the quarantine period, single elderly and persons with disabilities are provided free of charge with basic foodstuffs of 18 types and hygiene products. Salaries are paid to employees of pre-school, General secondary, specialized secondary and higher educational institutions, sports and cultural institutions that are funded from the budget and have suspended their activities. Parents placed in quarantine, as well as persons caring for their child under the age of 14, are paid temporary disability benefits in the amount of 100 percent of the average salary. It is prohibited to terminate an employment contract with such persons on the initiative of the employer. During the suspension of educational institutions, parents of pre-school students and primary school students are granted annual leave, regardless of the schedule for its use. From April 1, 2020, the number of recipients of benefits – families with children under the age of 14, care for a child up to the age of two, and financial assistance-has been increased by 10 percent. The payment of benefits to such families, whose term expires in March-June, is automatically extended from 6 months to 1 year. Thanks to this, the coverage of low-income families has increased by more than 120 thousand. The basic direction—development of the social sphere, aimed at gradual increase of employment and real income naseleniya period of the pandemic, the improvement of the social protection system and health of citizens, improving socio-political activity of women, implementation of target programs for construction of affordable housing, development and modernization of road-transport, engineering-communication and social infrastructure, development of education, culture, science, literature, the arts and sport, improving the state youth policy; With this in mind, 2020 in Uzbekistan has been declared "the Year of development of science, education and the digital economy",

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the same name adopted the State program for the implementation of a range of legislative, institutional, monitoring and outreach measures aimed at ensuring the rule of law and strengthening of guarantees of reliable protection of rights, freedoms and legitimate interests of citizens, the active involvement of civil society institutions to discuss the important issues of improvement of activity of bodies of state power and control.

These decisions contributed to further improvement of the system of ensuring personal, political, economic and social rights and freedoms of man and citizen, and strengthened the foundations of a state based on a market economy and a strong civil society.

### III. RESULTS

Although the formation of a "digital economy" will require appropriate infrastructure, huge funds and labor resources, it should be done today, otherwise tomorrow will be too late, he said. For the next five years, Uzbekistan's priority will be to accelerate its transition to the digital economy.

"It is known that digital technologies not only improve the quality of products and services, reduce costs, but also are an effective tool in the fight against corruption – the most serious problem that concerns me very much," the President stressed, Recalling that the introduction of digital technologies contributes to the effectiveness of state and public administration, the development of the social sphere. Namely, digital health care and e-government to support social protection serve to improve the legal framework and social policy in the context of a pandemic.

### IV. CONCLUSION

Thus, the study of the problem of state social policy in the country, as well as the political analysis of technologies for its implementation, has now become particularly relevant, which led to the choice of this article and the author's research.

Today, the development of social policy is based on a systematic analysis, a communication approach based on the theory of probability and models of social communication, the practice of social policy development, as well as the centuries-old experience of Uzbekistan. In history, the state has always supported the vulnerable: part of the population. What is also important is the conditions under which the state's social policy is developed and implemented, as well as its social and political orientation. The period of the pandemic not only in Uzbekistan but in other countries has led to new economic relations has led to a change in public opinion and the state's approach to understanding the purpose of social policy in General.

Based on the above, the relevance of the topic is determined by:

1. Increased interest in the scientific synthesis and understanding of the experience of the development and functioning of public social policies throughout the world during the pandemic.
2. the need for a conceptual revision and updating of views on the interaction of the customs policy of an individual state, in particular-Kyrgyzstan, and the General policy of States and economic associations in the implementation of socio-economic reforms, as a means of solving political and economic problems facing the state and society.

3. Instability of the national economy, foreign economic activity during the pandemic, and the need to search for social policy of the state for the most rational use in modern conditions.

4. Develop electronic and digital card files for people in need of social assistance support and reform the theory containing fundamentally new views on the ways to form and improve social policy.

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### AUTHORS PROFILE



**Mukhitdinova Firyuza Abdurashidovna** - Doctor of Law, Professor of Tashkent State Law University



**Mukhamedov Xaidarali Melievich** - doctor of legal Sciences, Professor, Tashkent state law University