

INTRODUCTION TO THE SOCIAL SECURITY SYSTEM OF THE RUSSIAN FEDERATION

The contemporary social security system in the Russian Federation was formed during the transition period after the collapse of the Soviet Union (USSR) in 1991.

It includes 3 main forms of social protection - social insurance, social support and social service. Social insurance includes: pension insurance, medical insurance and industrial incidence (occupational safety and health) insurance. As for a social support it is orientated mainly for socially vulnerable groups of population (through social services).

The modernization of the social security system is realized on the basis of the Russian Government's long and mid-term concepts and programs of social and economic developments and annual plans of actions such as:

The concept of the Russian Federation Long-Term Social and Economic Development for the period up to 2020;

The programme of Social and Economic Development of the Russian Federation for Mid-term Perspective (2005-2008);

The programme of the Russian Federation Government Anti-crisis Measures for 2009;

The programme of the Russian Federation Government Anti-crisis Measures for 2010.

There are also projects and programs targeted for some spheres or branches of the social system for defined groups of beneficiaries, such as: *the concept of the Russian Federation Health-care Development up to 2020; the Federal Target Programme "Social Support of Invalids (2006-2010)", the Federal Target Programme "Children of Russia (2007-2010)" etc.*

In the Constitution of the Russian Federation (adopted in 1993) four articles determine the social rights of the Russian citizens. Article 7 starts by declaring that the Russian Federation is a social state. In article 38 it is mentioned that maternity, childhood and family are being protected by the state. This article is supplemented by article 39 where in general it is stated that social support is guaranteed to everybody in case of old age, illness, invalidity, death of breadwinner, child care and in any other case as stipulated by the law. Article 41 declares that everybody has the right to health care and medical support. In case these constitutional rights and freedoms are violated, a complaint (individual or collective) can be launched to the Constitutional Court of the Russian Federation. The text of the social rights and the right of petition (individual and collective) are attached in annex.

The main components of the social security system, its infrastructure, legislation, norms, standards, the financing schemes and the technologies of service provision are mainly developed on a federal level. The Russian Federation incorporates 83 constituents (national minorities republics, regions ("oblast", "kraj") and some large cities such as Moscow). The division of power and responsibilities between the federal and the regional/municipal authorities in the fields of social and medical service provision and its financing schemes were implemented during the reform of the administrative structure in 2004-2005.

In the system of governance on the federal level the most important step was the introduction of a 3 layers division of executive power: ministry, service and agency.

The system of public social and medical services is financed from the federal and regional/local budgets and from budgets of specific autonomous funds such as the Pension Fund of the Russian Federation, the Federal Social Insurance Fund of the Russian Federation, the Federal Medical Insurance Fund and local medical insurance funds.

The federal budget and the budgets of funds are formed for a 3 years period; they should be approved by the federal parliament and are corrected on an annual basis.

The funds are financed mainly via obligatory contributions of employers (based on the payroll amount of employees). For non-working population (pensioners, children, invalids etc) the share of contributions is paid by the local authorities. The deficit in the fund budgets is covered from the federal budget.

Besides the Constitution, the parliament adopts many federal laws regularly amending the statutory framework. Some federal social standards and norms are fixed in the Decrees of the President of the Russian Federation and in the regulations/ordinances of the Government of the Russian Federation. More detailed standards and technologies of service provision are formulated in the orders issued by executive bodies of lower level such as ministries, services and agencies.

Following the federal structure, regional and local authorities also have the right for legislation activities. The main principle is that regional/local social standards and norms should not be lower than the ones established on the federal level.

Citizens have the right to address personally, as well as to direct individual and collective appeals to state bodies, local authorities and officials. A complaint could be launched on a decision or action (inaction) taken with regard to an appeal in connection with an administrative and (or) court consideration in accordance with the Russian law.

Unofficial translation from

Russian

*Article 7.

Point 1. The Russian Federation is the social state, which policy is directed to create conditions providing life and free development for the people.

Point 2. Labour safety and health of the people are guarded in the Russian Federation, guaranteed minimum wage amount is fixed, state support for families, maternity, fatherhood and childhood, invalid persons and elder citizens is provided, social services system is being developed, state pensions, benefits and other guarantees of social protection are established.

Article 38.

Point 1. Maternity, childhood and family are being protected by state.

Article 39.

Point 1. Social support is guaranteed to everybody in case of old age, illness, invalidity, death of breadwinner, to provide child care and in other cases, stipulated by law.

Point 2. Public pensions and social benefits are stated by law.

Point 3. Voluntary social insurance, supplementary form of social support and charity are stimulated.

Article 41.

Point 1. Everybody has the right for health care and medical support. Medical service at state and municipal health care institutions should be provided free at the expense of appropriate budgets, insurance contributions and other sources.

In case if the constitutional rights and freedoms are violated by law the right to petition to the Constitutional court could be applied:

From the Federal Constitutional Law

"On Constitutional Court of the Russian Federation" July 21, 1994 № 1-FKZ

(as amended on February 8, 2001, December 15, 2001, June 7, 2004 April 5, 2005, February 5, 2007 June 2, 2009 November 3, 2010 December 28, 2010)