

## Army Secretariat Update 18 February 2017

### Gurkha Pension Scheme (GPS)

- The increase for 2017 is 3.8%. To explain, the figure that is used is taken from the Nepal Rastra Bank consumer price index for December of the previous year. This has been the point inflation has been measured for the GPS since 2005 and will remain being the point used to ensure a consistent measure of inflation.
- The rate of inflation does vary over the year but it averages out over the 12 month period from December to December.
- The changes made by the Indians for One Rank One Pension and 7CPC are still being worked on and will be sent to Minister, and then to HM Treasury for approval, very soon.
- One point is that One Rank One Pension is not quite what it seems. There is some levelling of pensions, especially for Corporals and below, but there are still some incremental differences based on length of service.

### BGWS Case at the European Court of Human Rights (ECtHR)

- The case at the ECtHR centred on the different pension arrangements for Gurkhas prior to 1997 and the mechanism of transfer to the Armed Forces Pension Scheme. The judgment on 15 September 2016 by seven judges was unanimous in favour of the Government and a subsequent request for a referral to the Grand Chamber was rejected unanimously by five judges on 30 January. This means that the judgment in the case became final on that date.
- The Court found that Gurkha soldiers had undoubtedly been treated differently from other soldiers in the British Army on their entitlement to a pension since, prior to 1997; Gurkhas had been governed by a different pension scheme from other soldiers in the British Army, with different terms and conditions. However the Court considered that any difference in treatment had been objectively and reasonably justified. The selection of 1 July 1997 as a cut-off point had not been arbitrary.

### All Party Parliamentary Group on Gurkha Welfare

- The mixed marriage compensation scheme announced by the Government in response to the All Party Parliamentary Group inquiry has received nearly 20 applications. Around one third of these have been accepted and payments made, another third have been rejected as not meeting the terms of the scheme and the remainder are being processed.

- The over age 18 dependant relative settlement change introduced by the Home Office have resulted in around 560 approvals out of nearly 1200 applicants. Of the remainder approximately 260 have been rejected and the remainder are being processed. To confirm an earlier query, these dependants enter the UK at no recourse to public funds because as a condition of their entry they are being sponsored by their parents who have the responsibility to look after them.
- These two matters show that the MOD and Home Office are honouring all the commitments made by the Government to Parliament.

### Satyagraha and Other Groups

- The Ambassador of Nepal in the UK has met with our Defence Minister and has agreed to work to support dialogue between ex-Gurkha groups and the MOD. The intention is to try and reach an understanding in relation to the grievances some ex-Gurkhas continue to hold.