In about 200 years of British-Gurkha history, the last two decades have seen unprecedented public debate on Gurkha services. The Gurkha issues that were once only the subject of intergovernmental agreements have now become a matter of broader public scrutiny.

Interestingly, a lot of progressive changes have happened with the Gurkha services in the last decade, of which two remarkable achievements are the equalisation of terms of service of serving Gurkhas and settlement rights to all with a minimum of four years of service. However, retired Gurkhas continue to face inequalities in their pensions and other benefits. Gurkha organisations, which have now evolved as a formidable stakeholder, and the UK Ministry of Defence (MoD) maintain opposite positions in terms of their interpretation of many of these inequalities.
On this backdrop, in 2013, Centre for Nepal Studies UK (CNSUK) undertook a thorough review of British Gurkha pension policies and published a report. The report contributed by a team from CNSUK (Dr Chandra Laksamba and Lokendra Dhakal) and University of Oxford (Dr Krishna Adhikari and Prof David Gellner) has been one of the most sought after documents on Gurkha pension policies. The All-Party Parliamentary Group (APG) on Gurkha Welfare is conducting a Gurkha Welfare Inquiry, following the fast unto death of Mr Gyan Raj Rai of the Gurkha Satyagraha Campaign. The APG is consulting the CNSUK report as a main reference document. Several other witness statements submitted to the APG by individuals and institutions have also referred to and drawn on the CNSUK report. The authors of the report met several high-ranking officials, including Mrs Doyle-Price, who promised to make full use of the document.

The CNSUK report was very timely, as it was released just before the APG organised the Gurkha Welfare Inquiry with the support of the UK Government, led by Prime Minister David Cameron. Until now, there was no serious academic work done in bringing the matter to the public realm, and therefore individuals and policy makers had to depend on an array of statements of the MoD which patronised the Gurkhas to justify the inequalities in the pretext of Gurkha pension and welfare being ‘fair’ and ‘legal’. This CNSUK report did not only equip the emotionally charged Gurkha campaigners with powerful ammunition, but also put forth the case objectively to the open-minded but uninformed politicians that there still remains a huge injustice to, and a gross-violation of human rights of Gurkhas. CNSUK, with its non-aligned position, managed to consult thoroughly all major Gurkha organisations and concerned Government authorities. The report was written with the voluntary contributions of its members. As the report is likely to make a great impact, it is worth sharing a little bit about the findings as well.

Currently, there are 22,935 ex-British Gurkha pensioners and widows, who are still treated unequally. In addition, there are 6,534 ex-Gurkha soldiers without any pensions. Similarly, an additional 542 ex-Gurkha soldiers, discharged after implementation of the Armed Forces Pension Act 1975 (AFPS 75), do not receive service pensions. Of those without any pensions, 3,438 who are identified as poor receive £40 a month in Gurkha Welfare Trust (GWT) benefit. Gurkhas are not the subject of Preserved Pension, which is provided to British soldiers with 2 years or more service.

Ambassador's Farewell

CNSUK bidding farewell to HE Ambassador of Nepal to the UK Dr Suresh Chandra Chalise.

Presentation on Gender Assessment


Photos: Krishna Adhikari and Sangita Shrestha.
The CNSUK report elaborates five important findings, which we briefly discuss here.

1) Gurkha pension and benefit policies do not comply with the principles of fundamental human rights: Unequal pensions provided to ex-British Gurkhas by the UK Government directly contradict the “equal pay for equal work” provisions enshrined in the charters of the United Nations Declaration on Human Rights, and the European Convention on Human Rights and in the Conventions of the International Labour Organisation. Currently, Gurkha pensioners receive 300 per cent less pension than their British counterparts, even though this situation in itself is a huge improvement from the 1989 when the difference was about 1000 per cent. Gurkha pensioners are separately governed by the Gurkha Pension Scheme (GPS) but 2,161 Gurkha pensioners, who were enlisted in the Army before 1 October 1993 and retired between 1 July 1997 and 6 April 2005, were given an opportunity to transfer from the GPS to the mainstream AFPS 75. However, their service prior to 1 July 1997 was actuarially valued at only 23 to 36 per cent for pension purposes.

2) The changed context makes the MoD’s claim of ‘fair’ and ‘legal’ obsolete: The MoD UK constantly maintains that the retired Gurkhas’ welfare has always been well looked after and that they are not unfairly treated. For ex-Gurkhas, most of whom have become lawful residents in the UK since 2004, the rationale of 'fair treatment', that is tailoring their benefits to Nepal's cost of living, no longer holds water, as recognised by the fact that the pay and the benefits of currently serving Gurkhas have been equalised. What is necessary is equality based on moral principles and the basic norms and values of human rights. Nothing may be deemed to be legal if that contravenes with these principles. Hence, Gurkha pensions and welfare provisions are required to be 'equal' and 'legal'.

3) Myths about the cost: The UK Government’s logic that making ex-Gurkhas’ pensions equal to those of their British counterparts would be expensive is a myth. Ex-Gurkhas in the UK have to rely on means-tested pension credits and other social benefits. The money spent on these benefits can be used to equalise the pensions or to pay welfare entitlements. More importantly, it would certainly mean respecting dignity by having entitlements rather than living on means-tested benefits, which culturally the Nepali community is not very proud of.

4) Internationally, the UK lags behind: India recruits Nepali citizens under the Tripartite Agreement (TPA) 1947 and treats its Gurkha soldiers equally in terms of pay, pensions and welfare. Even the French Government that had frozen its overseas soldiers’ pensions in 1959 is now providing the same French level of pension with effect from 2007. The USA has made a decision to provide an equal benefit to its Philippine veterans under the same criteria applied to other US military veterans. In this sense, the UK Government is lagging behind in giving equal pensions to its Gurkha veterans who joined the British Army before 1 October 1993.

5) The TPA is defunct and a bilateral agreement is needed: The UK Government has made frequent changes of Gurkhas’ service terms, pay, pensions and other benefits as it deemed suitable and required by its needs at the time, without any meaningful three-way systematic dialogue and consultation. Similarly, India has repeatedly made it clear that it has nothing to do with the British Gurkhas, and that the terms of service of British Gurkhas are a matter entirely for Nepal and Britain. Hence, it is necessary to abrogate the TPA and sign a bipartite UK-Nepal agreement to reflect the unique circumstances of the British Gurkhas and the changed context of their service, in order to make Gurkha recruitment relevant with the changed context and time.

The report presents various ways forward to equalise the pension and benefits of Gurkhas in line with that of the British soldiers. It also concludes that the UK Government should acknowledge that the Gurkhas were not always treated equally in the past and hence demands for retrospective compensation may have a considerable degree of legitimacy.

(Dr Chandra Laksamba is a Senior Researcher of CNSUK and Dr Krishna Adhikari is a Research Fellow at the University of Oxford)
Dr Chandra Laksamba and Dr Krishna Adhikari of CNSUK addressed Nepali Health and Well-being Showcase Event organised at Village Hotel in Farnborough by Frimley Park Hospital NHS Trust on 14 November 2013. The programme was attended by about 110 health professionals, medical doctors including general practitioners, policy makers, local authority representatives, project leaders and community workers. On special request from the organisers, Dr Laksamba and Dr Adhikari gave separate presentations on "What do we know about the Nepali population in the UK?". Dr Adhikari presented on the demographic and migration trends and associational activities, while Dr Laksamba presented on the education and employment level of the Nepalis in the UK. CNSUK's publication, 'Nepalis in the United Kingdom: An Overview" was included in the participant's kit as a basic reading material.

Dear Respected Readers,

Welcome to our first Newsletter for the year 2014. It had been long overdue to publish one while so much is happening within CNSUK. This year we reorganised the executive committee and appointed two new research colleagues. In October 2013, we published a report on The Ex Gurkha Pension Policies, which was widely circulated. We have also posted the electronic version of the report online for free download. During the first week of April 2014, CNSUK was invited by the All-party Parliamentary Committee on Gurkhas to present its research findings in the House of Commons. Our commitment to conduct research that will help empower Nepalis in the UK is undeterred and on-going for which we expect support from our well-wishers, research partners and volunteers who have helped us all over. Finally, this Newsletter has attempted to cover the main activities that CNSUK has conducted in recent months. I hope that it will prove useful to our readers. Furthermore; I would like to request you to read it through and would be very happy to receive your comments, reflections and suggestions at cnsuk07@gmail.com

Thank you.
Lokendra Purush Dhakal, ED, CNSUK
Gurkha Symposium

On 27 August 2012, CNSUK organised a symposium entitled, “Ex-Gurkha Organisation and Activities: Reflections and Ways Forward” at ABI College, Reading. In the programme, various Ex-Gurkha organisations presented papers about their organisations: objectives, profiles, activities and future courses of action. Thirty invited members of various ex-Gurkha organisations and other associated people along with discussants from academic institutions and CNSUK engaged in healthy debate to assess achievements made by various Gurkha organisations and problems and issues to be solved in the future.

CNSUK Presented Gurkha Report to Kevan Jones, Shadow Minister, at the House of Commons (09 September 2014)

CNSUK’s representatives Dr Chandra Laksamba and Dr Krishna Adhikari, accompanied by Cllr. Alex Crawford, former Mayor of Rushmoor Borough Council, met Kevan Jones, MP, at his Parliamentary Office at the House of Commons and presented a report entitled “British Gurkha Pension Policies and Ex-Gurkha Campaigns: A Review”. Kevan Jones is the Shadow Minister for the Armed Forces and Commonwealth War Graves Commissioner.

Gurkha Policy Report Released in Kathmandu

“British Gurkha Pension Policies and Ex-Gurkha Campaigns: A Review” was released at Nepal Academy Council, Kamaladi, Kathmandu on 6 October 2013 by the only surviving VC Rambahadur Limbu and former minister and a prominent civil society leader Dr Devendra Raj Pande.

Lobbying with Labour’s Defence Team at the House of Parliament

CNSUK’s representative Dr Krishna Adhikari went to see Labour’s Shadow Secretary State for Defence Mr Vernon Coker with Reading East Labour parliamentary candidate Matt Rodda, and a Reading resident John Roberts. Dr Adhikari said: “Many people who support Gurkhas tend to think that Gurkhas' problems have been solved once and for all, but this is not the case”. He stressed that the UK Government now needs to move beyond the old logic of fair treatment of Gurkhas according to the living conditions in Nepal because Gurkhas are now lawful residents in the UK, and there are ways to honour their equal rights without a major financial impact.

Dr Adhikari Participated in Negotiation for the Formation of Parliamentary Gurkha Inquiry Committee

On 21 November 2013, Jackie Doyle-Price MP, CNSUK’s representative Dr Krishna Adhikari and representatives from Gurkha Satyagraha had a negotiation meeting at the House of Commons. The meeting decided to form “The All Party Parliamentary Group (APG)” on Gurkha Welfare in order to conduct an inquiry into the outstanding grievances on the part of retired Gurkhas and the Gurkha community in the UK.

CNSUK- Parliamentary Hearing on Gurkhas at House of Commons

CNSUK appeared in the first hearing of the Gurkha Welfare Inquiry: All Party Parliamentary Group (APG). A 45 minutes presentation by Lokendra Prush Dhakal, Dr Chandra Laksamba, Dr Krishna Adhikari and Professor David N. Gellner was followed by a question and answer sessions by the MPs.
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Dr Fraser Sudgen, PhD in Geography from the University of Edinburgh, joined CNSUK as a CNSUK Fellow. He specialises in the political economy of agriculture and water management. Dr Sugden is currently based in Nepal. Similarly, Dr Sangita Shrestha also joined CNSUK as a Research Associate. She holds a PhD in Environmental Communication from the University of Surrey. With the induction of two professionals, CNSUK enriches and diversifies its research and resource profiles, which are needed to promote and implement its motto of ‘advancing knowledge on Nepalis’.
Rifleman Kulbir Thapa, VC, 2nd Battalion, 3rd Queen Alexandra's Own Gurkha Rifles, is the first Nepali who had been awarded the Victoria Cross (VC), the highest gallantry medal of the United Kingdom by His Majesty the King George V for the battle he fought and for saving the lives of his comrades at Fauquissart in France on 25 and 26 September 1915. At the time of the War, he was only 26 years old. During the operation, Rifleman Thapa was injured by the enemy fire. But he did not care about his life when he found a soldier from the Leicestershire Regiment, who was more badly wounded than him, behind the first-line German trench. He spent the whole day and night looking after him. In the early morning of the 26th September, taking advantage of misty weather, he extracted the badly wounded soldier out through the German barbed wire and placed him in a reasonably safe place. He then rescued two other wounded Gurkha soldiers from the same area. He went back in broad daylight for the badly wounded British soldier and carried him in, under enemy fire (Arthur, 2005).

Rifleman Kulbir Thapa, VC, was from Niagalpani of the Palpa District, west Nepal. He was promoted to the rank of Haviladar (Sergeant). He retired from the army in 1929. He returned to his village where he died on 3 October 1956 at the age of 66. Late Haviladar Kulbir Thapa's Victoria Cross Medal (1915), 914 Star Medal, British War Medal, Victory Medal, King George V's Silver Jubilee Medal (1935), King George V's Coronation Medal (1937) and Queen Elizabeth II's Coronation Medal (1953) are displayed at the Gurkha Museum, Winchester, England.


The London Gazette that was published on 18 November 1915 has cited Rifleman Kulbir Thapa's bravery in the following way:

RIFLEMAN KULBIR THAPA MAGAR
(1st World War)
Date of Action: 25/26th September 1915
Date of London Gazette: Thursday, 18 November 1915

His Majesty the King has been graciously pleased to approve the grant of the Victoria Cross to the undermentioned: 2129 Rifleman Kulbir Thapa, 2nd Battalion, 3rd Queen Alexandra’s Own Gurkha Rifles. For most conspicuous bravery during operations against the German trenches south of Mauquissart.

When himself wounded, on the 25th September, 1915, he found a badly wounded soldier of the 2nd Leicestershire Regiment behind the first line German trench, and though urged by the British soldier to save himself, he remained with him all day and night. In the early morning of the 26th September, in misty weather, he brought him out through the German Wire, and, leaving him in a place of comparative safety, returned and brought in two wounded Gurkhas one after the other. He then went back in broad daylight for the British soldier and brought him in also, carrying him most of the way and being at most points under the enemy’s fire.

Edited by: Dr. Chandra Laksamba and Dr. Sangita Shrestha, CNSUK
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Rifleman Kulbir Thapa carrying the badly wounded British soldier under the enemy's fire.

Source:
http://www.bridgemanart.com, 10 August 2012