

**MODEL QUESTIONNAIRE TO BE COMPLETED BY PERSONS
ALLEGING ARBITRARY ARREST OR DETENTION¹**

I. IDENTITY

1. Family name:
2. First name: Dorjee.....
3. Sex: Male
4. Birth date or age (at the time of detention):around 35 years old.....
5. Nationality/Nationalities:.....Tibetan.....
6. (a) Identity document (if any):
- (b) Issued
by:
- (c) On
(date):
- (d)
No.:
7. Profession and/or activity (if believed to be relevant to the arrest/detention):
8. Address of usual residence:

Namda Township, Dzamthang County, Ngaba Tibetan Autonomous Prefecture,
Sichuan, China

¹ A separate questionnaire must be completed for each case of alleged arbitrary arrest or detention. As far as possible, all details requested should be given. Nevertheless, failure to do so will not be necessarily result in the inadmissibility of the communication.

II. Arrest²

1. Date of arrest: 23 March 2011

2. Place of arrest (as detailed as possible):

Namda Township, Dzamthang County, Ngaba Tibetan Autonomous Prefecture,
Sichuan, China

3. Forces who carried out the arrest or are believed to have carried it out:

Dzamthang County Public Security Bureau

4. Did they show a warrant or other decision by a public authority?

No

5. Authority who issued the warrant or decision:

Not stated

6. Relevant legislation applied (if known):

Not Known

² For the purpose of this questionnaire, "arrest" refers to the initial act of apprehending a person. "Detention" means and includes detention before, during and after trial. In some cases, only section II, or section III may be applicable. None the less, whenever possible, both sections should be filled in.

III. Detention³

1. Date of detention:23 March 2011.....
2. Duration of detention (if not known, probable duration):20 days.....
3. Forces holding the detainee under custody:

Dzamthang County Public Security Bureau

4. Places of detention (indicate any transfer and present place of detention):
.....Dzamthang County Public Security Bureau Detention Centre....

5. Authorities that ordered the detention:

Dzamthang County Public Security Bureau

6. Reasons for the detention imputed by the authorities:
Not stated

7. Relevant legislation applied (if known):

.....
Not Known
.....

IV. Describe the circumstances of the arrest and/or the detention and indicate precise reasons why you consider the arrest or detention to be arbitrary ^{9/}

A 20-year-old Tibetan monk, Phuntsok, self-immolated in Ngaba County, Sichuan, China, on 16 March 2011 and died in a hospital early next morning. His act was timed to coincide with the third anniversary of spring 2008 uprising in Tibet to protest against the Chinese rule in Tibet. When Phuntsok was on fire the police doused the flame and began beating him severely. Local Tibetan bystanders rushed to the scene to protect the monk and took him to his monastery – Kirti Monastery. When he was later taken to a hospital, the authorities demanded police clearance for treatment. The monk succumbed to burn injuries the next day around 3 am (local time) on 17 March.

Around a thousand Tibetans gathered in the market joined by hundreds of monks Kirti Monastery and staged a protest against police and the authorities. The People's Armed

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Police and officers from other security agencies brutally broke the peaceful rally. Several Tibetans were detained from the crowd. Till date over 33 Tibetans have been arrested out of which 11 have been released and the remaining continue to be under detention.

On 23 March protest broke out in the neighbouring Namda Township in Dzamthang County to show solidarity with the Tibetans in Ngaba County. The authorities responded by sending large number of troops to block movement in Dzamthang and Ngaba Counties. **Dorjee** along with three other known Tibetans (Palko, A-Dor and Woesser Dorjee) and four unidentified Tibetans were arrested and continue to be under detention. They were specifically targeted for their outspokenness to the authorities.

On 8 April, around 30 people staged a protest in front of the Public Security Bureau Office at Warma Township in Dzamthang County. One Tibetan (a young man from Gyalrong County married into a family in Dzamthang County) was critically injured in the police offensive and later died in a hospital. Around a thousand Tibetan staged protest over the death.

V. Indicate internal steps, including domestic remedies, taken especially with the legal and administrative authorities, particularly for the purpose of establishing the detention and, as appropriate, their results or the reasons why such steps or remedies were ineffective or why they were not taken

China is a one party state where there is no independence amongst the state organs in the exercise of rule of law. In such an event, the perpetrators and the refuge to seek remedies exist as one especially in political cases. Moreover, complaints in the past by family members have led to severe repercussion on the family by the authorities instead of providing justice. Past precedence and existence of perpetrators and the refuge to seek remedies in enforcing state policies have stopped victims and their families in seeking domestic remedies.

VI. Full name and address of the person(s) submitting the information (telephone and fax number, if possible) ⁴

⁴ If a case is submitted to the Working Group by anyone other than the victim or his family, such person or organization should indicate authorization by the victim or his family to act on their behalf. If, however, the authorization is not readily available, the Working Group reserves the right to proceed without the authorization. All details concerning the person(s) submitting the information to

Tenzin Norgay (Mr.)

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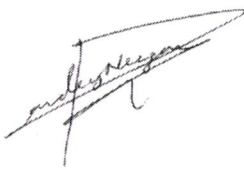
Tel: +91 1892 223363 / 229225

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Email: tenzinnorgay@tchrd.org / tibet@riseup.net

Website: www.tchrd.org

Date: ...13 April 2011... Signature: ...



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the Working Group, and any authorization provided by the victim or his family,
will be kept confidential.

