Appendix 1 Pre-trial proceedings under articles 246 and 247 of the Criminal Code

***Article 246 [Unlawful duress to obtain a statement]*** *A public official or anyone acting under his or her orders who, for the purpose of obtaining specific testimony, explanations, information or a statement, uses force, unlawful threat, or otherwise torments another person either physically or psychologically shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.*

**2019**

Number of completed cases – 115 cases

Indictments – 2 cases

Refusal to commence proceedings – 59 cases

Discontinuations – 51 cases

Discontinuations due to a failure to identify the perpetrator – 2 cases

Other – 1 case

**2020**

Number of completed cases – 95 cases

Refusal to commence proceedings – 39 cases

Discontinuations – 56 cases

**2021**

Number of completed cases – 89 cases

Indictments – 1 case

Refusal to commence proceedings – 46 cases

Discontinuations – 39 cases

Other – 3 cases

**2022**

Number of completed cases – 70 cases

Indictments – 3 cases

Refusal to commence proceedings – 35 cases

Discontinuations – 31 cases

Suspension – 1 case

***Art. 247 [Harassment of a person lawfully deprived of liberty]***

*§ 1. Whoever torments either physically or psychologically a person deprived of liberty shall*

*be subject to the penalty of deprivation of liberty for a term of between 3 months to 5 years.*

*§ 2. If the perpetrator acts with particular cruelty, he or she shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.*

*§ 3. A public official who, in violation of his or her duties, permits the commission of an offence referred to in §§ 1 or 2 to be committed, shall be subject to the penalty provided for those provisions.*

**2019**

Number of completed cases – 533 cases

Indictments – 22 cases

Refusal to commence proceedings– 370 cases

Discontinuations – 135 cases

Discontinuations due to a failure to identify the perpetrator – 2 cases

Suspensions – 1 case

Other – 3 cases

**2020**

Number of completed cases – 407 cases

Indictments – 21 cases

Refusal to commence proceedings – 262 cases

Discontinuations – 118 cases

Suspensions – 4 cases

Other – 2 cases

**2021**

Number of completed cases – 431 cases

Indictments – 8 cases

Refusal to commence proceedings – 303 cases

Discontinuations – 118 cases

Suspensions – 4 cases

Other – 5 cases

**2022**

Number of completed cases – 378 cases

Indictments – 12 cases

Refusal to commence proceedings – 253 cases

Discontinuations – 97 cases

Discontinuations due to a failure to identify the perpetrator – 2 cases

Suspensions – 4 cases

Discontinuations – 10 cases