Annex 16 - Border Guard statistics

 In the years 2014-2017, the Border Guard reported the following complaints lodged by foreigners on "torture or other inhuman or degrading treatment":

1. Complaint lodged by a Russian citizen (of Chechen nationality) to the Commander-in-Chief of the Border Guard, indicating inappropriate behaviour of officers of the Border Guard guarding the Guarded Centre for Foreigners in Lesznowola during a detailed examination of the foreigner carried out on 16.12.2016. In the foreigner's opinion, the officers' improper conduct consisted in threatening him, using profanities, and forcing him to undress under the threat of using an iron baton against him. The investigation procedure conducted by the Inspection Department of Nadwiślański Branch of the Border Guard did not confirm the foreigner's accusations described in the complaint.
2. A Russian citizen accused the Border Guard officers of Warsaw-Okęcie Post of exceeding their rights in connection with his detention on 6 November 2016. This case was investigated for the purpose of providing information to the Consular Department of the Russian Federation's Embassy. As part of the clarifications carried out in Nadwiślański Branch of the BG, it was found that the activities undertaken by officers with respect to the foreigner were carried out on the basis and within the limits of the applicable law. The Embassy of the Russian Federation was informed accordingly on 12.01.2017. On 31.05.2017, the District Public Prosecutor's Office Warszawa-Śródmieście informed the Nadwiślański Branch of the Border Guard about investigating this case (i.e. for a crime under Article 231 § 1 of the Penal Code).
3. Complaint of a Kyrgyz citizen filed with the Commander-in-Chief of the Border Guard describing the incident of 05.12.2016. In the foreigner's opinion, he was offended by a security officer of the Guarded Centre for Foreigners in Lesznowola and then struck in the chest. The investigation procedure conducted by the Inspection Department of Nadwiślański Branch of the Border Guard did not confirm the foreigner's accusations described in the complaint. In addition, the Office for Control of the Border Guard Headquarters notified the District Public Prosecutor's Office. The District Public Prosecutor's Office in Grójec carried out an investigation into using criminal threats and breach of bodily integrity of the aforementioned foreigner by an officer of the Border Guard Post in Lesznowola on 05.12.2016.  i.e. for an act under Article 231(1) of the Penal Code in confluence with Article 217(1) of the Penal Code in conjunction with Article 11(2) of the Penal Code (registered in the Public Prosecutor's Office under ref. no PR 1 Ds.7.2017). The above mentioned procedure was concluded on 31.01.2017 with a decision of the prosecutor refusing to initiate an investigation in the absence of sufficient data to justify the suspicion that a crime has been committed, i. e. the following Article 17(1)(1) of the Code of Penal Procedure.