



Effectiveness of investigation index

4,58

Prohibition of torture index

82,7

General

- **Problems with the collection of objective evidence**
- No problems with identifying perpetrators, but bringing them to justice can be a challenge
- **Punishment is not proportionate** to the gravity of the crime
- Gaps in official data
- **Torture is not criminalized as an independent offense**

Population – **38 268 000**

Prison population (convicted) – 61 075

In pre-trial detention (under investigation) – **8 878**

Detainees (under administrative arrest) – **164 534**, including 14 879 women and 3 583 minors

Law enforcement budget **2 990 229 430 EUR** (penitentiary service and police force combined)

Number of penitentiary personnel – **28 588**

Number of police officers – **402 619** (criminal and preventive services combined)

Judgments documenting the problem of torture

Judgments and decisions of international bodies documenting the problem of torture and ill-treatment	Two ECtHR judgments in 2020
Judgments of Polish courts	No data
Judgments excluding evidence obtained under torture	No data

Criminalization of torture and ill-treatment

Explicit prohibition of torture in criminal law	There is an explicit prohibition in the Constitution
Criminalization of acts falling within the definition of torture	Criminalized. Sanctions are poorly defined
Definition of torture consistent with international treaties	Not consistent with relevant Conventions

Government body investigating allegations of torture and ill-treatment

There is a body authorized to investigate torture	No separate body.
Number of investigators	5 039
Investigator workload	No data
Jurisdiction	Cases of torture and ill-treatment are below 50%
Geographic coverage	Represented in all administrative units
Budget	Sufficient and covers unplanned expenses
Number of complaints of torture and ill-treatment	No statistics collected or maintained

Ratification of relevant international treaties

Relevant conventions	All relevant conventions ratified
Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)	Signed and ratified
Istanbul Protocol	Not implemented in national legislation

Procedural guarantees

Documenting the actual detention start time	Yes, but applied selectively in practice
Lawyer notification at the actual detention start time	Notified after 3 hours, applied selectively
Family notification	Applied selectively in practice
Medical examination	Required medical examination is performed selectively

Preventive mechanisms

Independent external review mechanism	Available in all provinces, financed from the public budget
Video surveillance	Not all facilities are equipped with video surveillance. Private sanitary areas are excluded from video surveillance
Access to, and safekeeping of video evidence	Video archives are protected and accessible to officials at places of detention. Liability for tampering is minimal