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Foreigners in prisons in Italy, Poland and Hungary in the context of the great contemporary migration

Abstract: The aim of the article is to present the problem of foreigners in prisons in Italy, Poland and Hungary. General sociodemographic data of the countries as well as basic information on the crimes of foreigners in the context of contemporary migration movements are presented.
Key words: foreigners, crime, migration, inmates, Poland, Italy, Hungary.

Introduction

The current migration crisis in Europe results in the movement of large groups of people. This raises concerns about the level of security in societies that are the target of immigrants. Media reports indicate that there is a higher crime rate among immigrants. The media give examples of violent crimes committed by them, such as murder, rape, violence and sexual harassment (Kamiński 2016). Social research shows that Poles and Hungarians are reluctant to accept immigrants. Insofar as feelings are subjective, they do not always have to translate into reality. An objective indicator of the problem of the crimes of foreigners will be

based on police and prison service statistics. Data collected by the Police shows that in Poland and Hungary before the accession to the EU, the level of crimes by foreigners was much higher than after accession and the vast majority were carried out by citizens from neighbouring countries.[1, 2] Currently, Italy, Poland and Hungary are often selected as countries for permanent settlement by migrants and their rapid growth followed the outbreak of war in Syria and Ukraine. Foreign criminals currently in prisons in Italy constitute about 30% of the population, in Hungary 4,5% and in Poland less than 2% of all inmates.

Migration

The word "migration" comes from the Latin word migratio and means a journey, that is, the movement of the inhabitants of a country or region (Tokarski 1980). Castels and Miller in 2003, analysing migration trends, predicted that the phenomenon of migration in the near future will gradually increase, will be more numerous than ever before and will slowly cover the whole world (Castels, Miller 2003). Only 15 years later, the problem of migration in Europe has become so visible that it is the subject of growing attention of both governments and citizens.

Migration has its causes and among the most common, two main groups are mentioned: economic and non-economic (Lee 1966). Economic migration – this reason is the desire to improve living conditions. Non-economic migration includes: political – migration as a result of war, oppression by the authorities, changes in political boundaries, creation of a new state; religious – migration due to religious persecution; social – migration due to the desire to change the social environment; family – change of place of residence as a result of family reunification, marriages; other – e.g. migrations due to natural disasters.

According to Eurostat, in 2016, Poland issued approx. 21% of long-term stay visas and 52% of all work permits in the entire EU.[3] Of all countries of the new EU, Poland currently has the largest number of migrants.[4] The most common reason for coming to Poland for a long-term stay is work and study. Over one million visas were obtained by citizens of Ukraine, who constitute the largest group of foreigners staying in Poland. In Poland, the most numerous groups of foreigners come from Ukraine, Russia, Belarus, Lithuania, Latvia, Estonia, Vietnam, Moldova, as well as Central Asian countries (Kamiński 2016). Foreigners in Poland consti-

[1] http://statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-cudzozie/50867,Cudzoziemcy--przestepczosc.html (access data: 23.01.2019)

[2] Daily news (2015), *Majority of foreigners in Hungary from Europe*, https://dailynewshungary.com/majority-of-foreigners-in-hungary-from-europe/(access data: 17.03.2018).

[3] https://udsc.gov.pl/zezwolenia-pobytowe-dla-cudzoziemcow-w-ue/ (access data: 23.01.2019).

[4] http://ec.europa.eu/eurostat/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tps00176&language=en (access data: 26.12.2018)

tute less than 1% of the population (Rzeplińska, Włodarczyk-Madejska 2017). The most numerous groups originating from the EU come from Germany, Italy and France. Non–EU foreigners are from Ukraine (31%), Vietnam (11%), Russia (11%) and Belarus (10%).

There are currently 146,000 foreign nationals living in Hungary, over 100,000 of whom are European. The peak of 206,000 foreign nationals was registered in 2011. There are far fewer Romanian, Ukrainian or Serbian passport–holders thanks to Hungary's fast-track citizenship regime for ethnic Hungarians beyond the border. At the same time, the number of German, Slovak, Austrian and Russian citizens has been expanding fast. Over the past ten years the number of foreigners from Asia has doubled to 33,000, of whom 16,000 were Chinese, the number of foreign citizens coming from a North African Arab states and Sub Saharan Africa has more than tripled in the period to nearly 5,000.[5]

In 2017, 42% of foreigners who resided in Hungary came for the purpose of work, making labour the most popular entitlement of residence. Labour migration of Hungarian citizens has increased, and as a result, Hungary is gradually becoming a country in need of foreign workers in certain economic sectors. More than 50% of Hungarian firms have significant difficulties filling jobs, especially in the field of information technology and health care. The country also has a serious demand for manual labour workers. The Hungarian Migration Strategy, adopted in October 2013, also emphasizes that although it is important to ensure the protection of the national labour market, receiving additional migrant labour is a necessity.[6]

In the United Kingdom, Germany, France and Ireland, foreigners account for an average of about 14% of the population.[7] In 2014, foreigners in Poland made up about 2%. After the outbreak of the war in Ukraine, the number of Ukrainians alone increased by about 1 million people. From 2001 to 2006, the number of crimes committed by foreigners decreased more than two-fold and they currently commit about 1% of prohibited acts, including murder. In the years 2004–2012, foreigners were suspected of 150 murders (each year there are about 450 murders in Poland). Almost half of the suspects came from Ukraine (64 people), the others came from Belarus, Russia and Armenia (about 15 people each).

The migration crisis caused many foreigners to enter Italy. Many criminologists associate this with an increase in crime, which results in a high level of foreigners in Italian prisons (Coccia, Pittau 2017). The migration crisis in North Africa did not affect the level of foreigners in Poland. The largest percentage of foreigners is in rich countries: Germany, Spain, Italy, the United Kingdom and

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[5] Daily news (2015), *Majority of foreigners in Hungary from Europe…*

[6] International Organization for Migration (2018), *Migration Issues in Hungary*, http://www.iom.hu/migration-issues-hungary (Access: 17.03.2018).

[7] OECD (2014), *Country statistical profiles: Key tablesfrom OECD*, http://www.oecd-ilibrary.org/economics/country-statistical-profile-poland_20752288-table-pol (access data: 29.01.2017).

France. Two migration waves have arrived in Europe since 2015: around 2 million from Africa and Asia and about 1 million from Ukraine. A significant proportion of immigrants from North Africa and Asia travelled through Italy or remained there. Most people from Ukraine have chosen Poland as their destination. According to European Commission data, some 2.4% of immigrants are in Italy. Over 1.7 million Ukrainians have come to Poland since 2014.

Hungary functions as a transit, source, and destination country of both regular and irregular migration. Its geographic location, European Union (EU) membership, and relative prosperity, collectively act as pull factors for migrants from neighboring countries, including ethnic Hungarians. As an EU Member State, a section of Hungary's borders form the external borders of the European Union. The Hungarian Government has enacted a series of legal amendments intended to reduce irregular migration through Hungary. Since their initial enactment in 2015, these measures have reduced asylum applications to Hungary, and decreased the number of irregular border crossings following their peak of 441,515 in 2015. There has also been a shift over time in the demographic makeup of those applying for asylum in Hungary. In 2014, the most numerous asylum applications came from Kosovars (21,453), Afghans (8,796), and Syrians (6,857). However, in 2015 asylum applications from Syrian citizens and Afghan citizens surged (64,587 and 46,227 respectively), while the number of asylum applications from Kosovar citizens, remained fairly constant at 24,454. While 29,432 migrants applied for asylum in 2016, this number dropped to 3,397 in 2017, a total decrease of 88%. The steady decrease continues with only 280 asylum applications in the first quarter of 2018. In relative terms, Hungary has recorded the largest relative decrease of first time asylum seekers (more than –80% less) in 2017 compared to 2016. In the first quarter of 2018 Estonia, Bulgaria and Hungary have recorded the largest relative decreases of first time asylum seekers (more than –70 % less each).[8]

Italy, Poland and Hungary. Comparison

Poland and Italy are two large European countries; however, they differ from each other in many ways. Table 1 shows selected data of both countries.

Table 1. Basic comparative data on Italy, Poland and Hungary

Variables	Italy	Poland	Hungary
Population (in millions)	61	38	10

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[8] International Organization for Migration (2018), *Migration Issues in Hungary*, http://www.iom.hu/migration-issues-hungary (access data: 17.03.2018).

Variables	Italy	Poland	Hungary
Number of prisoners (in thousands)	56	72	17
GDP per capita per year (in thousands USD)	29	12	15
Repeat offenders (%)	40	45	45
Foreigners in prisons (%)	33	< 2	4,5
The cost of the prisoner's daily maintenance	141 Euro	24 Euro	25 Euro
The specificity of the penitentiary system	Home arrest:15047	Electronic supervision system: 4399	Electronic supervision system: 2975

Source: own study based on: Central Statistical Office (http://stat.gov.pl/, access: 23.01.2019); European Statistical Office (http://ec.europa.eu/eurostat, access: 17.09.2018); Central Board of the Prison Service (http://www.sw.gov.pl/dzial/statystyka, access: 23.01.2019); Notiziario Statistico (http://statistica.miur.it/, access: 17.09.2018); Ministero della Giustizia https://www.giustizia.it/giustizia/, access: 19.09.2018); World Prison Brief Hungary (http://www.prisonstudies.org/country/hungary, access: 19.12.2018); Börtönstatisztikai Szemle (https://bv.gov.hu/bortonstatisztikai-szemle, access: 16.01.2019). January 2019.

More than 60 million people live in Italy, which is a third more than in Poland and six times more than in Hungary. The annual GDP per capita in Italy is twice as high as in Poland and Hungary. Italy is also visited by a much larger number of tourists – nearly 60 million, while in Poland the figure is about 17 million, in Hungary 22 million. Despite the fact that the population in Poland and Hungary is smaller, the indicator of the number of inmates per 100,000 residents is much higher. A dozen or more thousand inmates with a population one third less shows how much the criminal policy of these two countries differs. In Italy, sentences of up to two years imprisonment are much less often imposed, and they determine the level of population of prisons to a large extent in Poland. When comparing the level of recidivism, we note that these indicators do not differ much from each other in the 3 countries. In fact, they oscillate around the average for EU countries. We observe a significant difference when we compare the number of foreigners who have been arrested or imprisoned. While in Italy it is 33%, in Poland it is about 1%, in Hungary about 4,5%. We observe a large disproportion in the daily cost per one inmate – in Italy it is over 5 times more than in Poland or in Hungary.

Poland, Italy and Hungary, unlike many EU countries, do not have a colonial past, which is why the ethnic composition until the middle of the last century was uniform in terms of nationality. Since the 1970s, Italy has been transforming into a multi-ethnic state. At the time, the richer countries of Europe began to restrict the admission of foreigners and Italy became the place of their temporary residence, which over time became a permanent residence (Cimmiinio 2006).

In 2014, legally staying foreigners in Italy reached nearly 5 million.[9] However, before the outbreak of the migration crisis, it is estimated that there were about 500,000 (Beli 2014).

Along with the increase in migration to Italy, the share of foreigners in crime statistics is growing.[10] Over 56% of all inmates are foreigners from just 4 countries: Romania, Morocco, Albania and Tunisia. Justice ministry statistics state that foreigners in Italy are responsible for 52% of burglaries and 40% of rapes.

Foreigners in prisons in Italy, Poland and Hungary

Table 2 shows the number of inmates including foreigners in Italy in 2010–2018.

Table 2. The number of inmates, including foreigners in Italy in 2010–2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Foreign Country	25684	24928	24181	22529	18085	17992	18621	19745	20306
National Total	67961	66897	65701	62536	53623	52164	54653	57608	60002

Source: department of penitentiary administration – office for the development and management of informational automatized statistics systems and automation of department support – Statistics Section.

The population of inmates in Italy is characterised by high volatility in terms of both their total number and the share of foreigners. A large proportion is made up of medium-length sentences. Since 2010, we have been observing a decline in the total number of inmates, as well as a fall in foreigners. Table 3 contains figures on the total number of inmates including foreigners in prisons in Poland in 2010–2018.

Table 3. The number of inmates, including foreigners in Poland in 2010–2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
The number of foreigners	593	574	564	549	518	543	609	840	1037
Total number of prisoners	80728	81382	84156	78994	77371	70836	71528	73417	72204

Source: Central Board of the Prison Service.

[9] http://www.istat.it/it/archovio/174802 (access data: 23.01.2018).

[10] Centro Studi e Ricerche Idos (2015). Dosier Statistico Immigrazione. Roma: Edizioni Idos.

Data contained in Table 3 indicate that the level of foreign inmates in Poland (data as at 31 December each year) up to 2015 was stable. From 2016, we can observe an increase in the number of foreign inmates. It is interesting to identify from which countries inmates in Italy and Poland come from. Table 4 contains data about the countries from which at least 1% of foreign inmates in Italy come from.

Table 4. The number of inmates, including foreigners in Hungary in 2010–2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
The number of foreigners	710	799	814	820	841	835	862	859	840
Total number of prisoners	15373	16203	17195	17517	18042	17792	18023	17944	18171

Source: Börtönstatisztikai Szemle (https://bv.gov.hu/sites/default/files/Bortonstatisztikai%20Szemle%202018%201.pdf, access: 16.02.2019).

Table 5. Foreign inmates distributed by nationality in Italy, juridical position and gender updated to the 30th of Novembre 2018

Country	Indicted		Condemned		Interned		Total		% on total of foreigners
	Total	Women	Total	Women	Total	Women	Total	Women	
ALBANIA	919	15	1.658	18	2	0	2.579	33	12,7
ALGERIA	195	0	284	0	5	0	484	0	2,4
BOSNIA-HERZEGOVINA	62	14	142	37	2	0	206	51	1,0
CHINA	63	5	173	12	0	0	236	17	1,2
EGYPT	270	0	346	1	1	0	617	1	3,0
GAMBIA	233	1	198	0	1	0	432	1	2,1
GEORGIA	97	0	74	3	0	0	171	3	0,8
MOLDOVA	63	2	111	4	0	0	174	6	0,9
MAROCCO	1.275	11	2.430	25	17	0	3.722	36	18,3
NIGERIA	888	116	554	88	3	0	1.445	204	7,1
PAKISTAN	160	1	144	1	1	0	305	2	1,5
PERU	87	14	160	19	0	0	247	33	1,2
ROMANIA	825	82	1.760	160	4	0	2.589	242	12,7
SENEGAL	208	0	318	1	1	0	527	1	2,6
SERBIA	68	3	172	18	0	0	240	21	1,2
TUNISY	672	9	1.413	9	10	0	2.095	18	10,3

Country	Indicted		Condemned		Interned		Total		% on total of foreigners
	Total	Women	Total	Women	Total	Women	Total	Women	
UCRAINE	146	7	143	14	0	0	289	21	1,4
Other countries	9	4	10	0	0	0	19	4	0,1

Source: Department of Penitentiary Administration – Office of the Department Chief – Statistics section.

When we compare this data with 2018, we do not find significant differences in the percentage share of foreigners in the population of inmates. The largest groups of foreigners imprisoned in Italy originate from Albania, Morocco, Romania and Tunisia. The majority of foreigners commit offenses in the north of Italy, and these are the regions of Veneto, Lombardy and Piedmont, where the percentage share of foreigners in prisons is up to 50%.

Criminologists distinguish three types of criminal activity of foreigners living in Italy. The first group recruits its members due to their nationality.[11] These groups include the Albanian, Chinese, Romanian, Nigerian, North African, South African mafias, and citizens of the former Soviet Union.[12] The second group consists of people with a nonregulated legal status, performing "service" activities for mafia structures, for example drug distribution, illegal trafficking or counterfeit trade. The third group is spontaneous crime, which has no stable links with organised groups and is the result of the social exclusion of people with an irregular legal status making it impossible to find a legal income. The criminality of this group is the most visible but the most dangerous is the criminality of the first group, which effectively competes with organisations as ndrangheta or camorra.

Up to 1990, there were approximately 50 foreigners per year in prisons and pre–trial detention centres (Tylman 2000). In the mid 1990s, the percentage share of Ukrainian citizens in the crime of foreigners was 25–29% (Janiszewski 2000). Citizens of Belarus 15–21% Russia 11%, Lithuania 8%, Germany 5–8%, Asian countries 6–8%.

In the 1980s, foreigners accounted for between 0.1 and 0.5% of total suspects in police crime statistics. In the 1990s, this was from 1.6% to 1.8% (Rzeplińska 2000). For example, in 1992, foreigners in prisons constituted about 700 people.

Taking into account the fact that currently every year millions of people from abroad come to Poland, the participation of foreigners in the population of criminals is negligible. Crimes are committed by foreigners usually staying briefly in Poland and the most common crimes committed relate to: excise duty, transport-

[11] Centro Studi e Ricerche Idos (2015). Dosier Statistico Immigrazione. Roma: Edizioni Idos.

[12] *Rapporto sulla criminalità* in Italia. (2016). Analisi, Prevenzione, Contrasto. Raporto 0900. Roma: Edizioni Idos.

ing a vehicle stolen abroad, traffic offenses (drunkenness, causing an accident), counterfeiting or alteration of documents, counterfeiting of trade marks. Crimes against health and life are relatively rare. Mazowieckie, Podlaskie, Lubuskie and Dolnośląskie are the voivodships in which foreigners commit the most crimes.

In order to identify the changes in foreign prisoners in Polish penitentiary institutions, table 5 constitutes the countries from which at least 20 people were arrested/punished during at least four subsequent years in the period of interest (2010–2018).

Table 6. The number of foreign inmates in Poland in 2010–2018 (over 20 people, as of December 31)

Country	2010	2011	2012	2013	2014	2015	2016	2017	2018
Armenia	31	29	26	29	23	23	20	21	26
Belarus	28	27	33	30	23	21	33	31	41
Bulgaria	46	53	56	48	70	37	39	59	42
Lithuania	59	46	46	26	20	25	29	23	33
Germany	31	23	18	18	26	27	20	32	38
Russia	51	46	54	54	64	40	56	68	69
Romania	45	44	51	53	46	51	54	57	53
Ukraine	68	83	83	88	88	101	190	278	375
Vietnam	64	66	51	16	17	23	24	45	69

Source: Central Board of the Prison Service.

The vast majority of foreigners staying in penitentiary institutions in Poland since 2010 are people from neighbouring countries (Belarus, Lithuania, Germany, Russia, Ukraine). The exception are Bulgarians, Romanians and Vietnamese. The highest rate of growth is observed among Ukrainians (increase over three times). The population of inmates from that country was stable until 2014. Since the outbreak of the war in Donbass in 2014, over 1.7 million Ukrainians came to Poland. Each such large movement of people is associated with the risk of increased crime. The fact of the emigration of such a large group of Ukrainians did not translate proportionally to a percentage increase of inmates from this country. Probably because most of them are economic emigrants. Nevertheless, this situation needs monitoring. Some people associated with Ukrainian crime "follow" their countrymen or commit crimes against them (illegal offering of non0existent work, human trafficking, robbery, smuggling, cross0border crime).

It is worth noting that an unknown number of foreigners commit offenses within their own groups of origin and they are not reported to law enforcement agencies (Rzeplińska 2000). There are several reasons for this. First of all, the

language barrier – it makes it difficult to take the actions necessary under the law. The second reason may be the fact that the victim is staying illegally or is afraid of the legal consequences of contacting the police. Another reason may be the lack of efficiency in the administration of justice or lengthy administrative procedures (Błachut, Gaberle, Krajewski 2004). It is estimated that less than 10% of the actual number of crimes are reported by foreigners (Szwarc, Piskorski 2000). Therefore, it is not possible to estimate the real crime rate of foreigners in Poland. Criminals from Eastern Europe and Asia commit crimes mainly on their own group.

Foreigners in prisons in Poland, probably due to their size, do not pose major threats to the safety of penitentiary institutions (Piotrowski, Królikowska 2012; Piotrowski 2019). Situations initiated by foreigners in which problems arise due to the country of origin or religion are exceptional. Personal information obtained from the management of several penitentiary facilities shows that sometimes domestic prisoners provoke fights with foreigners to get a higher status in the group (Szulc, Piotrzkowska-Dziamska 2013; Szulc, Pawlewicz 2015). However, this phenomenon is marginal.

In Italy in the number of foreings immates there was an increase of 33,2% at the of 2015 and reached 34.1% in 2018. A crime largely lucked to economic factors and reduced livelihoods of migrants. In additions to this type of detaimes there are also the radicalized detaimes that are 365 dividede into three categorees: reparted 124 people, attuned 76 and monitored 165. Italy spends a billion a year to keep prisoners in jail, and most of them could serve their country of origin.

In Hungary generally, between 4–5 % of the prison population is foreign and foreigners are kept together with the general prison population.

Table 7. The number of foreign inmates in Hungary in 2018

	Number of Inmates	Percentage of inmates
Citizen of neighbourhood countires	461	54,75
Citizen of other countries	379	45,01
Total:	840	

Source: Börtönstatisztikai Szemle (https://bv.gov.hu/sites/default/files/Bortonstatisztikai%20Szemle%202018%201.pdf, access data: 16.02.2019)/

55% of foreign prisoners are from neighbourhood countries, 45% are citizens of other countries. Of the foreigners held, 32% are Romanian, 11% Serbian and 8% Vietnamese, the data are shown in Table 8.



Figure 1. Foreign prisoners in Hungary according to the origin
Source: Büntetés-végrehajtás Országos Parancsnoksága (2018) Évkönyv. BVOP Budapest.

Harsh government policies were put in place in September 2015. These policies resulted in border closers and made it a criminal offense to cross the border 'irregularly'. 471 asylum seekers were imprisoned from 24th September 2015 because there were not enough places in migrant centers. The percentage of foreign detainees increased from de 4 to 6%.

The Council of Europe's Committee for the Prevention of Torture (CPT) carried out a visit between the 21st and 27th October 2015 to investigate the treatment and detention conditions of migrants and asylum seekers imprisoned under these harsh new government policies.[13]

Summary

The criminality of foreigners in Italy is a big problem for that country. Inmate in prison is a foreigner. Such a large number of innates originating from other countries also generates problems for penitentiary administration related to a different cultures, languages and possible conflicts.

The criminality of foreigners is a small percentage of crime in Poland and Hungary, nevertheless it should be constantly monitored in the context of migration movements. Analysing these trends will make it easier to ensure the internal security of the state (Piotrowski, Baran 2016; Juhász 2014; Miklósi 2018; Nagy 2016).

[13] Hungarian Helsinki Committee (2018), Prison Insider. Hungary, https://www.prison-insider.com/countryprofile/prisons-hungary?s=la-population-carcerale#la-population-carcerale (access data: 16.03.2019)

The data presented on the number of prisoners (temporarily arrested and convicted) had to be presented in a certain simplification, which is the result of the lack of full comparability of penal and penitentiary systems. Therefore, a general indicator is used, which is the number of inmates. Difficulties associated with the comparability of individual events also apply to crimes which, in the criminal law of the compared countries, are sometimes described by different features of an act.

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