



Country report on the current and historical minoritization of Roma minorities in the Netherlands

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About ETHOS

ETHOS - Towards a European Theory Of Justice and fairness is a European Commission Horizon 2020 research project that seeks to provide building blocks for the development of an empirically informed European theory of justice and fairness. The project seeks to do so by:

- a) refining and deepening knowledge on the European foundations of justice - both historically based and contemporarily envisaged;
- b) enhancing awareness of mechanisms that impede the realisation of justice ideals as they are lived in contemporary Europe;
- c) advancing the understanding of the process of drawing and re-drawing of the boundaries of justice (fault lines); and
- d) providing guidance to politicians, policy makers, advocacies and other stakeholders on how to design and implement policies to reverse inequalities and prevent injustice.

ETHOS does not merely understand justice as an abstract moral ideal that is universal and worth striving for. Rather, justice is understood as a re-enacted and re-constructed lived experience. The experience is embedded in firm legal, political, moral, social, economic and cultural institutions that are geared to giving members of society what is their due.

In the ETHOS project, justice is studied as an interdependent relationship between the ideal of justice and its real manifestation – as set in the highly complex institutions of modern European societies. The relationship between the normative and practical, the formal and informal, is acknowledged and critically assessed through a multi-disciplinary approach.

To enhance the formulation of an empirically-based theory of justice and fairness, ETHOS will explore the normative (ideal) underpinnings of justice and their practical realisation in four heuristically defined domains of justice - social justice, economic justice, political justice, and civil and symbolic justice. These domains are revealed in several spheres:

- a) philosophical and political tradition,
- b) legal framework,
- c) daily (bureaucratic) practice,
- d) current public debates, and
- e) the accounts of vulnerable populations in six European countries (the Netherlands, the UK, Hungary, Austria, Portugal and Turkey).

The question of drawing boundaries and redrawing the fault-lines of justice permeates the entire investigation.

Alongside Utrecht University in the Netherlands who coordinates the project, five further research institutions cooperate. They are based in Austria (European Training and Research Centre for Human Rights and Democracy), Hungary (Central European University), Portugal (Centre for Social Studies), Turkey (Boğaziçi University), and the UK (University of Bristol). The research project lasts from January 2017 to December 2019.

EXECUTIVE SUMMARY

This working paper focuses on Roma as a comparative example *par excellence* of the history of minoritization in the Netherlands as a contribution to Deliverable 5.2, which examines what attention to the situation of the Roma can contribute to theories of justice as political representation. We follow the ETHOS definition of political justice as encompassing participation in politics, including the right to information and the right to vote, but also having a voice in public debates concerning oneself or one's group and the power to influence decisions and processes regarding one's situation. In all countries, including the Netherlands we have analysed political discourse because of its effects on social policy reforms, on law and regulations as well as its presumed effects on the general public. Political debates contribute to, and often even determine, the construction of social problems as objects of state intervention, but also affect the forms of social mobilization and state action. We focused in particular on the representation/imagining of justice for minority groups, such as the Roma, that are more likely to be classified as the 'Other' and thus excluded from (national) systems of reciprocity.

The study of political discourse on Roma populations in the Netherlands is embedded in various historical and social-political contexts as described in the ETHOS *Reference document on the histories of minoritisation in EU member states*, which outlines the Dutch history of minority formation since the origin of the religiously pluralist Dutch Republic (17th century) and its parallel colonial past. In this paper we focus on past and current policy approaches to the Roma. We began with desk research on Roma-related national policies and discourses. Based on this we conducted nine semi-structured interviews with stakeholders guided by an outline developed by WP5 coordinators. Four interviews were with Roma, two of whom participated in organisations aiming to represent the Roma population. These interviews were then transcribed, translated and analysed. Specific emphasis was placed on respondents' perceptions of Roma identity as well as its political representation and the impact this had on the social position of those who shared it.

We find that the Dutch government's approach towards Roma, Sinti and Traveller minorities has a contradictory or ambivalent character. On the one hand Roma, Sinti and similar groups are represented as a threat against which strong repressive methods are necessary. On the other, a restorative justice discourse recognises Roma and Sinti groups' suffering during WWII. In political discourse, the image of Roma as victims and perpetrators come together, but the victim position receives limited (policy) attention. The restorative justice framework focuses primarily on Roma and Sinti suffering during WWII and only implicitly acknowledges the societal divisions that led to this suffering and have endured to this day. Persisting 'fade-out' policies continue two decades of discriminatory local policies targeting Roma living in mobile homes.

Discourses on (political) representation repeatedly underline that differences between and within Roma groups make the representation of Roma minorities difficult and perhaps even impossible. That political representation of Roma in the Netherlands is a contested issue is further highlighted by the absence of an active Roma and Sinti NGO at the national level. Roma and Sinti NGOs are primarily organized at the local level. Aware of the stigma they carry, Roma are afraid to present themselves as such to non-Roma. These concerns are shared even, or perhaps especially, by Roma who have attained societal success. Different discourses of 'othering' play a role in challenging Roma representatives' ability to political represent their group. For instance, Roma voices are excluded in the policy domain of enforcement and criminality because of concerns related to their representatives being 'corrupt' or 'biased'. In addition, Roma representatives are highly aware of the power of definitions and policy categories to open doors to funding under various policy frameworks. Claims are made that specific sub-groups should not be entitled to funding under the social inclusion framework because they face less problems, with a specific focus on diversity of migration backgrounds. This causes much debate within Roma communities and contributes to boundary-drawing.

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INTRODUCTION: DUTCH HISTORY OF MINORITIZATION

In the Netherlands, the construction of Roma and other groups as minorities should be understood in the context of four socio-political developments. First in the context of the creation of the Dutch Republic (1581-1795), which is praised for its comparatively unique tolerance towards religious minorities. Second and in stark contrast stands the significant role the Republic played in the early days of colonialism and the slave trade. Third, in the context of pillarization or the so called 'consensus' model of governance, for which the Dutch have become widely renowned. The first steps towards a pillarized society came with the Batavian constitution in 1789, but it finds its roots in the Dutch Republic. Fourth, in the context of decolonisation when the Netherlands became an unwilling country of immigration, and integration thinking and doing was introduced. In all four phases minoritization take different shapes and serves different purposes.

1. ROMA MINORITIES BEFORE AND DURING THE DUTCH REPUBLIC

There is scarcely any region in Western Europe that for most of its early modern and modern past has exhibited such an extreme degree of religious diversity as the Netherlands. Religious pluralism has been a characteristic of Dutch culture for at least four centuries. During that period the Dutch have been praised or berated for their policies and practices of toleration, not for their attempts to reach some degree of unanimity in religious affairs (Van Eijnatten 2003: 1-2).

The Dutch Republic (1581-1795) was one of the first successful secessions in Europe and led to one of the first European republics of the modern era; the United Provinces known as a tolerant nation compared to neighbouring states, reason why it attracted religious refugees from many countries, such as Germans and Eastern European (Ashkenazi) Jews during the Thirty Years' War (1618-1648), and Portuguese and Spanish Sephardic Jews and French Huguenots who had to escape from the Catholic Inquisition, (Wielenga 2015: 66-67). 'The freedom the Jews enjoyed in Amsterdam in the 17th century was far greater than in any other part of the Diaspora [...] [but] it was far less principled and comprehensive than often thought' (Kaplan, 2008: xiii).

Nomadic groups travelling *en famille* were already spotted in the Netherlands in the 1400's. In the 1400's these travelling groups were referred to as 'Egyptians' or 'heathens'¹. They enjoyed a favourable reception initially, yet from about the year 1500, the attitude of the authorities changed into a more repressive approach. This change was believed due to the general hardenings of government policy towards nomadic groups during the Spanish and Roman Inquisition². Travelling groups were perceived as parasites who were living off the (rural) population and refused a regular existence with suitable jobs. It was also during this period that the term 'gypsy' became more popular. In 1600 there were edicts issued that even declared their presence as punishable by law.

¹ Why these groups were called 'Egyptians' or 'Heathens' is unclear. 'Egyptians' could refer to how, allegedly, some members of these groups claimed to have come from 'New Egypt'. There is no consensus on where the geographical area of 'New Egypt' would be located— some argue that it is an area in Eastern Europe or Asia Minor (current Anatolia in Turkey). Others were of the opinion that the tanned skin colour of these 'Egyptians' revealed that they are Tartars also known as Saracens (Lucassen 1990: 21). The label 'Heathens' might refer to first, how these travelling groups were mainly living outside the city and in the rural areas, as the translation of Heathens in Dutch is '*Heidenen*', which refers to '*heiden*' that in turn translates to 'rural grounds'. Second, being called Heathen could also denote that these groups were not Christian worshippers (Lucassen 1990: 21-22).

² Groups that were conceived as not 'pure' Roman Catholic risked persecution. In particular, many persecutions were aimed at Jews, travellers and women suspected of witchcraft (Thomas 1990).

This started a vicious circle of repression and criminal behaviour. The escalation of repression against these nomadic groups reached its height at the beginning of the 18th century, when there were large-scale organised hunts for 'heathens' in various districts. Many of the 'heathens' were killed without trial. Afterwards, these nomadic groups disappeared from the government's lens and no special policy was devised for them until 1886 (Lucassen 1991: 81).

In contrast to how various religious minority groups were welcomed in the Dutch Republic this was very different for nomadic travelling groups that will be referred to as 'Roma' centuries later. One of the few studies conducted on the historical presence of 'Roma' in the Netherlands is by Lucassen (1991), who suggests that the minoritization 'Roma' in the Netherlands started with the dissemination of negative ideas about them by religious and state authorities. Then the process of labelling starts, meaning the inclusion of individuals in the stigmatized category. Labelling is especially relevant in cases where it is unclear who is considered a group-member. Stigma and labelling can change independently from each other. The case of the Roma in the Netherlands illustrates that the importance of a stigma can remain the same for a certain period, while the groups that are considered by government as fit for the label changes (Lucassen 1991: 80-81). For instance, whilst one can argue that the groups denoted as 'gypsies' and/or as 'heathens' from the 1400's on were different than the groups in the 1800's, still these groups received the same stigma of 'gypsy', because they shared some similar characteristics. In conclusion, the historical process of minoritization of Roma is noteworthy. Roma have lived in the Netherlands for centuries, yet till recently, they have always been labelled as minorities (Lucassen 1991: 80-81).

Concluding, in the Dutch Republic, religion was key in the construction of majority and minority groups. Religious minority groups were tolerated to worship to their liking. Yet toleration was never conceived as an end in itself, rather as a practicality to achieve concord in wider society. Socio-economic standing would further define the treatment one received. In the case of the Roma, the study by Lucassen suggests that both factors, inhibiting a deviating religion ("heathens"), and a lower socio-economic standing coalesced. These two factors combined with the unwillingness of the Roma to settle permanently, might have been causes that raised suspicion by authorities and consequentially, lead to the devise of repressive and violent policies to rid the public of Roma minorities.

2. ROMA MINORITIES IN THE NETHERLANDS 1800 – 1900

Stigmatization of Roma continues in the mid-19th century, when groups of Hungarian tinkers crossed the Dutch border in 1868, followed by Bosnian bear-tamers. Both the Hungarians and Bosnians were categorised as 'gypsies' by the Dutch government and associated with the 'heathens' that had been expelled from the Netherlands since 1750. The negative stigma of 'gypsy' was constructed by sentiments against destitute foreigners that were 'overrunning' the country and harassing (rural) populations. These 'newcomers' did comply with the criteria of the Aliens Act (1849) and a restrictive acceptance policy approach was taken. However, many municipal authorities took a more neutral attitude. The diverging attitude relates to the ability to support themselves legitimately, an assumption not considered by the central government. Nevertheless, the social and economic position of the "gypsies" worsened, due to the repressive policies of the central government (Lucassen 1991:81)

In the Netherlands, the discourses on 'gypsies' as undesired aliens became more extensive from 1880 on. The increased negative sentiments could be partly related to the anti-'gypsy' policies in other countries such as the United States, Germany and Belgium that sent them back to the Netherlands. The Dutch were therefore also pressured into rejecting the entrance of these returnees. There was however no structural policy of rejection of 'gypsy' groups in the 19th century. The Department of Justice acted in case of incidents till in 1887 and 1900 circulars were issued against gypsies (Lucassen 1991: 83). From the perspective of these actually very diverse

'gypsy' groups the aim was not to settle in the Netherlands. Western Europe was by most groups seen as an intermediate station between 1860-1890. These groups were on their way to the United States and other overseas countries. From 1900's on groups of tinkers and bear-tamers arrived only occasionally in the Netherlands which did not resolve what was called 'gypsy problem' nor the alarming reporting to the government (Lucassen 1991).

To re-cap, the French era kicked off a process by which the Dutch native population would increasingly enjoy more social and political rights, which was in stark contrast with the situation in the Dutch colonies. Slavery became slowly abolished, but instead the 'coolie' trade was introduced. It would take till the beginning of the 20th century before these exploitative practices were abolished and the living conditions for the indigenous populations in the colonies improved. Interestingly, in the mainland, newcomers that were referred to as 'gypsies' were tolerated on a local level as it was the common understanding that these groups were able to support themselves legitimately.

3. ROMA MINORITIES IN THE NETHERLANDS TODAY

Roma in contemporary Dutch policy are categorized as a subcategory of people living in mobile homes or *woonwagengewoners*, next to other Travellers groups and Sinti. Roma are not recognized as a national minority, which together with a lack of national policy for Roma, has garnered criticism from the European community, especially the Council of Europe (Art. 1 2012). The European Commission against Racism and Intolerance warns that not recognizing Roma as a national minority status forms a barrier for civil society and (local) governments to address the disadvantages and discrimination of Roma and similar groups in Dutch society. The Opponents of the construction of Roma as a national minority emphasize that such a status actually warrants further discrimination and disadvantages to minority groups (Hirsch Ballin 2013: 7-9) such as the Roma. A consequence of a lack of minority status is that the official data on demographics and social position of Roma are lacking in the Netherlands. Estimates vary considerably and range between 2000 to 20.000. When Travellers (*woonwagengewoners*) are included, the number reaches between 30,000 to 40,000 (Cahn & Guild 2010). Seidler et al. (2015) have distinguished four different Roma groups in the contemporary era, depending on the time when they migrated to the Netherlands: Antebellum Roma, amnestied Roma, Balkan Roma and New Roma groups (De Nationale Ombudsman 2017: 7-8).

In the Netherlands, Roma are mostly sedentary as the Dutch law does not provide traveller communities with rights to roam and travel. Roma and other traveller groups in the Netherlands either live in regular housing or on permanent sites, often together with their community members. According to a study by the Ministry of Infrastructure and the Environment, 80 per cent of municipalities have sites on which Roma, Sinti and Traveller groups live. A large part of Roma communities lives in the southern part of the country. 11 Dutch municipalities (Berkel-Elschot, Capelle a/d IJssel, Ede, Epe, Gilze en Rijen, Lelystad, Oldenzaal, Nieuwegein, Spijkenisse, Utrecht and Veendam) have relatively large Roma populations as they provided relief sites when Roma were granted amnesty³ in the 1970s. Some groups later dispersed to other municipalities such as Amsterdam, Den Bosch, Enschede, Tilburg and Veldhuizen (Art. 1 2012).

³The amnesty was applied to the Roma that arrived in the Netherlands in the 1960s and 70s. According to Jorna (2013) the groups consisted firstly out of around 500 persons, but this groups has grown to about 3000 people.

REGULATING THE NOMADIC LIFESTYLE

Roma minorities like other traveller communities perceive living in mobile homes as part of their cultural identity. This cultural identity has been largely ignored by a long history of Dutch 'integration' and 'normalisation' policies aimed at *woonwagenbewoners*. These normalisation policies have continued despite the official recognition of Roma cultural identity at EU level since 2013 (ECHR Winterstein vs France 17 October 2013). The following will shortly discuss the policy history of normalisation of Roma and other traveller communities in the Netherlands.

During the last decade of the 19th century, the central government and local authorities increasingly problematized the existence of nomadic groups in the Netherlands. Authorities particularly problematized the nomadic character and the incapability of these groups to support themselves through a sedentary lifestyle. What actually might have played an important role in the perceived deviancy of Roma and other Traveller groups, was (and still is) the difficulty of authorities to get a grip on these groups whilst the rest of society has become increasingly structured and regulated. Local authorities on a municipality level were neither enthusiastic about nomadic groups. Since the Poor Law of 1870 municipalities were responsible for supporting the poor. Although the reliance on poor relief by Roma and other Traveller groups was not as comprehensive as often thought, municipalities were afraid that great numbers of Roma and Travellers would be a financial constraint. The problematization of nomadic groups warranted the Caravan Act of 1918 that aimed to reduce the number of caravans by a legal restriction. The Law achieved an opposite effect as the number of caravans increased. What followed was that a number of municipalities introduced a discouragement policy. For instance, compulsory encampment sites were realized on unattractive locations in the outskirts of municipalities. Beside these restrictive measures, there was a consistent lack of policy for Roma and traveller communities. Municipalities did not invest in the encampments nor had much attention for the people living there. A well-equipped camp would have been able to attract more people (Witte & Moors 2017:60).

Only during the Second World War in 1943, when the mobility of Roma and other Travellers were restricted during the German occupation, the number of caravans plunged. The Roma were among the groups singled out by Nazi Germany for persecution based on racialized grounds. The Nazi's found support from many non-Nazi Germans who were socially prejudiced towards Roma. The fate of the Roma resembled in some ways the Jews. Under the Nazi regime tens of thousands of Roma were subjected to interment, forced labour and mass murder in German occupied Areas including the Soviet Union, Serbia and Europe. In the Netherlands 245 'gypsies' were deported to Auschwitz with the help of the Dutch intelligence unit. Thirty were able to survive the war. The majority of these thirty established themselves on mobile home encampment areas in the South of the Netherlands (Jorna 2013).

After WW II the restrictions on the mobility of Roma and other Traveller groups were lifted. Yet in 1948 discussions on a restriction of movement of people living in mobile homes took off again when the political debates in the Netherlands became dominated by normalisation of 'deviant' groups. In 1968 the new Dutch Caravan Act was introduced, which would become the primary instrument of Dutch policies aiming to 'normalise' and 'integrate' Roma and traveller communities. These integration aspirations of Dutch authorities were not only targeted at Roma, but also other minority groups such as Turks, Moroccans, Surinamese and Antilleans. Integration of Roma and other Traveller communities was pursued by both prohibiting their nomadic lifestyle and appoint centralized encampments to live a sedentary lifestyle. Accordingly, fifty local encampments throughout the Netherlands were realized. The 1968 Caravan Act has been highly critiqued as a tool of institutional discrimination through which Roma and traveller communities were approached as a separate population. A consequence of this imposed sedentary lifestyle was that the majority of groups living in caravans could no longer carry out their professions as these relied on their mobility. To secure their livelihoods, the Dutch government provided the nomadic groups with welfare, as the newly introduced welfare law of 1965 made this possible (Witte & Moors 2017: 61).

With the abolishment of the Dutch Caravan Act in 1999 the Dutch government has decentralized responsibility for campsites to the local municipalities and also abolished the so-called legacy principle, meaning that a mobile home could become available for some kin of the person who has left the mobile home. In practice the abolishment of the Act implied a 'fade out policy' where larger encampments have been replaced by smaller ones (De Nationale Ombudsman 2017: 7-8). This discouragement policy systematically undermines the familialist culture of Roma and other Travellers (See also Timmerman 2003). As one caravan dweller poses: 'Living on a camp offers us to realize the most important aspect of our Traveller culture: living together as a family' (woonwagenwijzer.nl)⁴. This has especially consequences for the realisation of the cultural identity of younger generations of Roma and Traveller communities as they increasingly have no other option than to live a sedentary lifestyle because of a lack of camp space (Art. 1 2012).

STEREOTYPING OF ROMA AND TRAVELLER MINORITIES: CRIMINALITY AND SUBCULTURE

The negative discourses continued but the attention shifted to the encampments and their inhabitants, the latter in Dutch also referred to as *Kampers* (a translation of camping people). Living on the encampments became associated with diverse forms of anti-social behaviour such as welfare dependency and criminality. On one hand this warranted a 'law and enforcement' approach (Witte & Moors 2017). On the other, especially women and children of Roma and Travellers' families are conceived as helpless victims that need help and aid from civil society to be able to function properly in Dutch society (Hemelhoet 2012). At the moment of writing a national news program (based on investigative journalism, experts and a large social work organisation) reports that hundreds of Roma children are directed by their parents into crime from a very young age on. The reporters mainly blame authorities (police, social work) for not intervening and sending these children back to their criminal families. While these approaches have different connotations, they both problematize the ways of living by Roma and Travellers and tend to generalize criminal acts to the entire Roma population.

Criminality related to Roma living in encampments started as early as in the 1970s when the first camps were formed. More recent, in 2004, the encampment 'Vinkenslag', one of the largest encampments in the Netherlands located in the southern province of Maastricht gained wide national attention after a joined action by the police force and anti-riot unit (Mobiele Eenheid). The joined forces closed-in the camp because of involvement in illegal cannabis cultivation, large scale illegal electricity tapping and tax evasion by inhabitants of the camp. According to the local authorities, these practices had been tolerated in the previous decade because it was difficult to get a grip on the camp (Volkskrant 2004). While according to the mayor of Maastricht only a small number of camp inhabitants were involved, in popular discourse not only the whole encampment but also the Roma and other traveller communities as a whole were conceived negatively. Other forms of criminality often reported on by social workers are how young children and women are abused by Roma and Travellers and forced into marriage within the community, begging, criminality and prostitution (e.g. CoMensha 2012). Next to criminality, the encampments have been related to other social problems, such as high rates of early school leaving, unemployment and poverty. Although the criminality and social problems only connect to some camps, they have been used as arguments for the Dutch 'fade-out' and 'normalisation' policies (Witte & Moors 2017: 66-69).

The problems of these camps are believed to be rooted in two different explanations which to an extent overlap. Penninx (2001) points to governmental policies that effectuated the geographical concentration of Roma and other Traveller groups as the main cause and explains how first, bigger camps that were realised in the 1970's were difficult to regulate and became, according to some authors, free-zones for all kinds of criminality (Witte & Moors 2017: 33). Together with mass unemployment and overpopulation, tensions and

⁴ Translated from Dutch (https://woonwagenwijzer.nl/?wpfb_dl=1897): pagina 4, geraadpleegd op 25-09-2017).

problems piled up in these encampments. Second, what did not help, was that these camps were geographically isolated by being based in the outskirts of municipalities. Due to the history of restrictive policies and repression of their nomadic lifestyle and the mass killings of Roma and other Travellers during World War II, an aversion against authorities and civil society came to exist among inhabitants of these camps. These nomadic groups came to severely mistrust authorities and turned away from middle-class values of the broader, dominant society and according to Witte & Moors (2017) formed a sub-cultural identity in which deviant behaviours were accepted (see Bovenkerk 2001: 256-257; Khonraad 2000).

More recently, anti-stigmatizations campaigns have been devised to battle the negative stereotypes concerning Roma and other Travellers living on encampments. This development coalesced with UNESCO's placing of Dutch Caravan culture on the list of Dutch intangible cultural heritage in 2014. Initiatives to celebrate Roma and Traveller culture in diverse cities in the Netherlands have kicked off that offer a look into the rich Dutch Roma and Traveller culture, emphasizing how not all Roma and Travellers live a problematic life (e.g. <https://www.hetwiel.info/>).

EUROPEAN POLICY, HUMAN RIGHTS AND THE DUTCH APPROACH

Various international covenants signed by the Dutch government establish that Roma have a specific cultural identity. These are the International Covenant on Civil and Political Rights (ICCPR, 1966), International Covenant on Economic, Social and Cultural Rights, (ICESCR, 1966), the European Social Charter, (1996) and the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR, 1950). These are confirmed by the European Court of Human Rights-(ECHR) and the Netherlands Institute for Human Rights. Interestingly however is that while the European framework on Roma is inclusive by defining Roma as the broad category of various type of Travellers, such as Sinti, Roma and several other groups, the Dutch government in reaction to policy recommendations of the Commission against Racism and Intolerance (ECRI) of the European Council and of the UN Committee on the Elimination of Racial Discrimination (CERD) decided to follow their own route. First, by actually distinguishing Roma and Sinti from the other categories of travellers. By doing so the Dutch government denied other travellers than Roma and Sinti their cultural minority status, leaving them unprotected against fading out policies. Secondly by not taking full central responsibility for travellers' settlements. Instead this responsibility has been decentralised to local municipalities that for a long time were allowed to act against international covenants. The Netherlands Institute for Human Rights has protested against this policy by stating:

The Institute judges that if a municipality applies a fading out policy it implies that living in mobile homes eventually disappears, and that a race-based and forbidden distinction is made. It also stipulates that living in a mobile home is an essential aspect of the mobile home culture and that a fading out policy threatens the core of the mobile home population (College, 2015: 61⁵).

The third reaction of the Dutch government on the recommendation to acknowledge the cultural minority status of Roma and Sinti was to declare that the Netherlands chooses for a generic instead of a minority policy. Hence no recognition of any cultural minority is accepted.⁶ This policy fits within the Dutch history of devising policies targeting the housing conditions of the broad group of people living in mobile homes (*woonwagengewoners*).

⁵ College, 2015: 61) d.d. 28 mei 2015 (oordeelnummer: 2015-61), par. 3.10 en 3.12. Note that the Netherlands Institute for Human Rights motivates its argumentation not from the right to family life (as the ECHR does), but from the principle of social equality.

⁶ Ministers van SZW en BZ (28 oktober 2015b), reactie op aanbeveling 20 van het CERD-rapport in De Nationale Ombudsman (2017: 13-14).

For this reason, the former Ministry of Housing, Spatial Planning and the Environment (VROM)⁷ has played a critical role in devising the policies for these groups. The governmental focus has been on the nomadic lifestyle in the past and the living on sites/encampments now. Because the policies focus on the shared characteristic of living in mobile homes, there has been little attention for the differences that exist between people living in mobile homes; Roma, Sinti and other Traveller communities. A consequence of not being recognized as an official minority is that funding for affirmative action and policy is made more difficult. For instance, local and national authorities no longer consider it their duty to provide housing to Roma and other groups living in mobile homes (Art. 1 2012: 9).

Research on Roma and other Traveller communities in the Netherlands is mainly based on interviews with experts and to a great lesser extent on conversations with Roma themselves (Maliapaard & Gijsberts 2015: 113). Reasons given by this narrow research focus is that Roma and other Traveller communities are very difficult to approach due to their distrust for authorities and research. Viewing any information that is being reported on them as bad.

In sum, in the Netherlands Roma are not considered by national policy as an official cultural minority group despite various policies that exist targeting the group as such. Policy terrains most relevant in approaching the Roma are from the Ministry of Social Affairs and Employment, the former Ministry of Housing, Spatial Planning and the Environment and the Ministry of Justice and Security. These normalisation policies have resulted in the segregation of Roma and other Traveller communities along with a dominant discourse in which Roma groups are considered deviant and or helpless.

INTERMEZZO

In 2010, specific minority inclusion policies were abolished, and general inclusion policies were introduced. With this change of policy direction, the Dutch government acknowledged the labelling and stigmatization effects of specific minority inclusion policies. The abolition of minority inclusion policies did not eradicate the use of ethnic minority categories in all policy domains yet did end the benefits that specific minority inclusion policies come with. The case of Roma minorities is particularly illustrative: despite not being recognized as a national minority, Roma and similar groups have been targeted by specific repressive policies and negative discourses concerning deviancy and criminality. At the same time, the abolition of specific minority policies has the consequence that Roma cultural identity and the special needs that follow from this identity, are not recognized. On the contrary, general inclusions policies have been applied to justify the normalization policies targeting Roma and other Traveller communities.

4. KEY YEAR: 1999

1999 is the starting year of the document analysis. It is accordingly the year in which the Caravan Act (1968) was abolished. The abolishment of the Caravan Act functions as an interlude into a new era of policy making concerning Roma and other Traveller groups. Other important years are 2010 – when general inclusion policies are introduced to replace the specific minority and integration policies of the three decades before. Besides, starting in 1999 will also give us insight into the development from specific minority integration policies to general inclusion policies.

⁷ Since 2010 the Ministry of Transport, Public Works and Water Management.

Type of Document	Date	Title	Minority
Report/ advice by the Scientific Advisory Council of the Government (WRR)	2001	Broeders, D. W. J. (2001). Immigratie-en integratieregimes in vier Europese landen. Den Haag: WRR	On immigrants and integration
Report/ advice by the Scientific Advisory Council of the Government (WRR)	2001	WRR. (2001). Nederland als immigratiesamenleving. Den Haag: WRR.	Immigrants in the Netherlands
Report/ advice by the Scientific Advisory Council of the Government (WRR)	2001	Dagevos, J. (2001). Perspectief op integratie; over de sociaal-culturele en structurele integratie van etnische minderheden in Nederland. Den Haag: WRR	all ethnic minorities
Research report by policy consultancy bureau	2002	Monitor maatschappelijke en economische positie woonwagenbewoners: tweede meting, Amsterdam: Cebeon, 2002	Travellers, Sinti & Roma
NGO Report	2002	Onderwijsdeelname van woonwagen- en zigeurnerkinderen in twintigste eeuw, R. Tommermans & A. van den Hurk, 's-Hertogenbosch: KPC, 2002	Travellers Sinti and Roma children in the Netherlands
NGO Report	2003	Speciale doelgroepen in het basisonderwijs: Schooljaar 2002/2003, M. Hulsen & L. Mulder, Nijmegen: ITS, 2005	Special groups in the Dutch educational system including Travellers, Roma and Sinti
Letter to House of representatives, policy brief	2004	Brief integratiebeleid Nieuwe Stijl, Kamerstukken II, 2003-2004, 29203, nr.1.	Ethnic minorities in general
NGO Report	2004	Monitor racisme en extreem-rechts: Roma en Sinti. Vijfde rapportage, M. Matelski & P.R. Rodrigues, Amsterdam: Anne Frank Stichting / Universiteit Leiden, 2004	Roma and Sinti
Letter to the house of representatives	2006	WSD Groep (2006), 'De onderkant (Notitie stand van zaken Sinti Werkgelegenheid en Armoede)', unpublished	Roma and Sinti
Recommendation paper Ministry of VROM	2006	Handreiking Werken aan woonwagenlocaties	General group of people living in

			mobile homes ⁸
NGO report	2006	Roma, Sinti en woonwagenbewoners: succesfactoren en knelpunten op het gebied van arbeidstoeleiding. 's-Hertogenbosh: KPC Groep, 2006.	Roma and Sinti
Recommendation paper	2006	Netherlands, Equal Treatment Commission (Commissie Gelijke Behandeling) Opinion number 2006-5.	General group of people living in mobile homes
Recommendation paper	2007	Netherlands, Equal Treatment Commission (Commissie Gelijke Behandeling), Opinion number 2007-109.	General group of people living in mobile homes
Recommendation paper	2007	Netherlands, Equal Treatment Commission (Commissie Gelijke Behandeling), Opinion number 2007-157	General group of people living in mobile homes
NGO Report	2007	St Zet/Stichting Rechtsherstel Sinti en Roma (2007). Sinti en Roma in Nederland; een inventarisatie. Tilburg/Brabant:Stichting Zet/Stichting Rechtsherstel Sinti en Roma	Sinti & Roma
Report by the Dutch national anti-trafficking coordinator	2007	BNRM, Mensenhandel. Zevende Rapportage van de Nationaal Rapporteur.	Victims/perpetrators of Human trafficking
Recommendation by the Scientific Advisory Council of the Government	2007	WRR. Identificatie met Nederland. Den Haag: WRR	Dutch society in general, newcomers in particular
NGO report	2007	Sinti en Roma: Een inventarisatie, Tilburg: Stichting Zet / Stichting Rechtsherstel Sinti en Roma, 2007	Roma and Sinti
Motion by parliament member to house of representatives	2008	Motie van het lid Dijsselbloem c.s., Kamerstukken II 2008/09, 31 700 XVIII, nr. 31en 32.	Roma
Ministerial policy briefing	2008	Kamerstukken II 2008/09, 31 700 XVIII, nr. 90.	Roma
Public speech by minister of Foreign Affairs	2008	Speech by Dutch minister Verhagen to the Committee of Experts on Roma and Travellers of the Council of Europe	Roma and Travellers

⁸ This category refers to Roma and other Traveller communities or the general group of caravan dwellers (in Dutch: *woonwagenkambewoners*)

		op 6 november 2008 in Den Hague	
Governmental Report (National Police/KLPD)	2008	Nationaal dreigingsbeeld, Zoetermeer: Korps Landelijke Politiediensten (KLPD), 2008	Criminals in the Netherlands with some special focus on Roma and Travellers
NGO Report	2008	Jorna, P (2008). ESF/Equal project 'Roma in business'. Eindrapportage mainstreaming and dissemination, Utrecht, Forum.	Roma
Memo from the Equal Treatment commission	2009	Equal Treatment Commission (CGB) (2009) Memo aan Art.1 Centraal Bureau en alle lokale meldpunten discriminatie, Utrecht: CGB; CGB judgments 2009-112 and 2009-113, inzake Roma en Sociale Zekerheid, 1 December 2009	Roma
Recommendation paper Ministry of VROM	2009	Eigentijds omgaan met woonwagenbewoners	General group of people living in mobile homes
NGO Report	2008	Roma in Nederland: Onderzoek ten behoeve van het bestuurlijk overleg lokaal Integratiebeleid Roma, Utrecht: Forum, 2008	Roma in general
Recommendation paper Ministry of VROM	2009	Vrijplaatsen op woonwagenlocaties	General group of people living in mobile homes
Comparative research report on EU level	2009	Housing conditions of Roma and Travellers, thematic study, S.L.: The Netherlands RAXEN National Focal Point, 2009	Roma and Travellers in the Netherlands en the EU
NGO Report		Jorna, P. (2009) Education and training for Roma and Sinti in the Netherlands, Utrecht, Forum.	Roma
Recommendation paper/Report from the National Ombudsman	2009	Rapport (no other title)	Roma
NGO report	2009	Shadow report on the ratification by the Netherlands of the Framework Convention on the Protection of National Minorities, P. Jorna, S.L.: Committee of Experts on Roma and Travellers (MG-S-ROM) for the Netherlands, 2009	Roma and Travellers
(Grass roots)NGO Report	2010	Van Burik, M.M. (2010), 5 Jaar Triana. Utrecht: Concreat.	Roma and other Traveller

			communities
NGO Report	2010	Amnesty International (2010), Memo Etnische registratie van Roma, 24 September 2010, Amsterdam: Amnesty International	Roma
NGO Report	2010	Davidović, M. and Rodrigues, P. (2010), 'Antiziganisme', in: Rodrigues, P. and van Donselaar, J. (eds.) Monitor racisme en extremisme, negende editie. Amsterdam: Amsterdam University Press	General monitor on Racism and Extremism
NGO Report	2010	Dokters van de Wereld (2010), Roma en Sinti op weg naar een beter welzijn, Amsterdam: Dokters van de Wereld	Roma and Sinti
Recommendation paper Ministry of VROM	2010	Handreiking voor overdracht van woonwagens en standplaatsen	General group of people living in mobile homes
Report from the Minister of VROM/WW&I	2010	Voortgangsrapportage risicogroepen, DGW/I&I 2010018196.	Minority groups at risk of criminality (Among which also Roma)
Project proposals on municipality level	2010	Netherlands, Federation of Dutch Municipalities (Vereniging van Nederlandse gemeenten, VNG) (2010), Projectvoorstellen Platform Roma-gemeenten, The Hague: VNG.	Roma
Policy brief to House of Representatives	2011	Tweede Kamer, 2010-2011, 30 573, nr.61. (het integratiebeleid dat de Tweede kamer nastreeft)	Minorities in general
Letter to the House of Representatives	2011	MOE-lander brief TK 2010-2011, 29407, nr. 118	CEE European Migrants among which also Roma
Motion House of Representatives	2011	Motie van het lid Schouw c.s., Kamerstukken II 2010/11, 21 501-20 nr. 538	
Ministerial statement /Policy brief from the minister of immigration to the house of representatives	2011	Kamerstukken II 2011/12, 21 501-20, nr. 599. With attachment blg-146717 (in reaction of above motion of parliament member Schouw) 'Aanpak voor Roma in Nederland'	Roma
Policy brief	2011	Netherlands, Ministry of the Interior and Kingdom Relations (Ministerie van Binnenlandse Zaken en Koninkrijksrelaties) (2011), 'Integratienota, Integratie, binding en burgerschap', policy programme, The Hague,	On minority policy in general

		16 June 2011	
Report/recommendation by the European Commission	2011	Promoting social inclusion of Roma: A study of national policies. The Netherlands, I. van der Welle & M. Blommesteijn. Brussels: European Commission, 2011	Roma, Sinti and Travellers in the Netherlands
Evaluation of the Sinti and Roma institute	2012	Boer & Croon (2012) Evaluatie Nederlands Instituut voor Sinti en Roma, Amsterdam: Boer & Croon	Roma and Sinti
Governmental Report/Recommendation	2012	Boerman, F., Grapendaal, M., Nieuwenhuis, F., & Stoffers, E. (2012). Nationaal dreigingsbeeld 2012. Georganiseerde criminaliteit. Dienst IPOL.	National Threat assessment in which Travellers and Roma are also mentioned
Answers to questions posed by House of Representatives	2012	Tweede Kamer der Staten-Generaal (2012), Antwoord op vragen van het lid Karalabut over de liquidatie van het Nederlands Instituut Sinti en Roma (NISR), reference number AH-TK-20112012-2761 and reference number AH-TK-20112012-3192	Roma & Sinti
NGO Report	2012	Roma en schoolverzuim: De situatie (waar, waarom en wat te doen) van schoolverzuim en -uitval bij Roma-meisjes in het voortgezet onderwijs in Nederland, Utrecht, C. van der Veen, Utrecht: Trimbos Instituut, 2012	Roma in general
NGO Report	2012	Netherlands FRANET National Focal Point Social Thematic Study The situation of Roma 2012 Art. 1, Dutch knowledge centre on discrimination	Roma (and other Traveller communities)
Research Report by Knowledge institute	2013	Monitor Inclusie: Nulmeting. Ervaringen en opvattingen van Roma, Sinti en professionals over de sociale inclusie van Roma en Sinti op de domeinen onderwijs, arbeid, wonen, gezondheid en veiligheid	Roma & Sinti
Research report by SCP	2013	Gijsberts & Lubbers 2013	Migrants from CEE
Recommendation report to the ministry of Justice by the Dutch Advisory Committee on Migration Affairs	2013	By ACVZ (2013), Geen land te bekennen, ACVZ: Den Haag.	Stateless persons in the Netherlands

Policy brief from the minister of Justice and the minister of SZW to the House of Representatives	2014	Kamerstukken II 2013/14 32 824 nr. 52. Terugblik op het programma Aanpak uitbuiting (Roma) kinderen 2011- 2013	Roma (children)
Website by NGO	2014	https://www.immaterieelerfgoed.nl/nl/page/625/caravan-dwellers-culture	General group of people living in mobile homes
Report/ Recommendation by the Scientific Advisory Council of the Government	2014	Entzinger, H. (2014). Voortgaande immigratie en nieuwe maatschappelijke scheidslijnen. Een verkenning van mogelijke ontwikkelingen. Working Paper 1.	Migration and diversity in general
Report/ Recommendation by the Scientific Advisory Council of the Government	2015	Jennissen, R., Engbersen, G., Bokhorst, M., de Leeuw, S., Bovens, M., & Mulder, L. (2015). Migratie-diversiteit beter in beeld. Den Haag: Wetenschappelijke Raad voor het Regeringsbeleid.	Migration and diversity in general
Policy brief	2015	Stand van zaken programma Aanpak uitbuiting Roma kinderen (14 april 2015, kenmerk: 629475)	Roma (children)
Report/ Recommendation by the Scientific Advisory Council of the Government	2016	Migratie en classificatie: naar een meervoudig migratie idioom	All minorities and the majority
Recommendation paper	2014	College voor de Rechten van de Mens (19 december 2014). Oordeelnummer 2014-165, 2014-166 en 2014-167.	General group of people living in mobile homes
Recommendation paper	2015	College voor de Rechten van de Mens (28 mei 2015). Oordeelnummer: 2015-61.	General group of people living in mobile homes
Recommendation paper	2015	College voor de Rechten van de Mens (22 oktober 2015). Oordeelnummer: 2015-119.	General group of people living in mobile homes
Recommendation paper	2016	College voor de Rechten van de Mens (8 maart 2016). Oordeelnummer: 2016-19.	General group of people living in mobile homes
Recommendation paper	2016	College voor de Rechten van de Mens (5 juli 2016). Oordeelnummer 2016-64, 2016-67 en 2016-68.	General group of people living in mobile homes
Recommendation paper	2017	College voor de Rechten van de Mens (7 juli 2016). Oordeelnummer 2016-71 en 2016-72.	General group of people living in mobile homes

Recommendation paper	2016	College voor de Rechten van de Mens (14 oktober 2016). Oordeelnummer 2016-109 en 2016-110.	General group of people living in mobile homes
Recommendation paper	2016	College voor de Rechten van de Mens (19 december 2016). Oordeelnummer 2016-139.	General group of people living in mobile homes
Recommendation paper	2017	College voor de Rechten van de Mens (1 mei 2017). Oordeelnummer 2017-55.	General group of people living in mobile homes
Policy brief by Minister of Justice and Minister of SZW	2017	Kamerbrief over afronding programma Aanpak uitbuiting Roma kinderen (kenmerk: 2048890)	Roma (children)
Recommendation paper/Report from the National Ombudsman	2017	Woonwagenebewoner zoekt standplaats. Een onderzoek naar de betrouwbaarheid van de overheid voor woonwagenebewoners.	General group of people living in mobile homes

Table 1: Documents analysed

5. REPRESENTATION OF ROMA IN DIFFERENT INSTITUTIONAL FIELDS

In the Netherlands relevant institutional fields/ policy domains concerning Roma minorities are:

- 1) Social inclusion and integration of Roma, which is the domain of the ministry of Social Affairs and Employment (hereafter SZW)
- 2) Restorative justice for the casualties of the Dutch Roma genocide during WWII, part of policies of the Ministry of Health, Welfare & Sport (hereafter VWS)
- 3) Multi-problem families and the criminal exploitation of Roma children, part of the policy domain of the Ministry of Justice and Security (J&V) and co-financed by SZW
- 4) The housing of Roma and similar minority groups in mobile homes.

The first and second policy domains, respectively the social inclusion and restorative justice issues, are structurally funded and have been in place for the last two decades. The third policy domain on multi-problem families with a Roma background is “ad-hoc” funded and is currently considered a policy priority. The housing issues are currently not addressed on a national level, but on local, municipality level it is considered a relevant issue that needs attention from the national government. In terms of political participation and decision-making regarding the three fields, Roma minorities are scantily represented. Roma take seat in two specific advisory committees at VWS and SZW but representative bodies are absent in the Justice and Security domain. Roma support agencies or Roma NGO’s are greatly absent in these four fields and generally there are little Roma organisations active on a national level in general. Except some loosely organized networks regarding the housing conditions of Roma, Sinti and traveller communities. Civil society organisations for Roma, Sinti and Travellers are generally more active on a local level.

In what follows the representation of Roma in the four policy domains will be shortly explored with a particular focus on the relevant topics, the ways in which Roma are represented and which (sub)groups of Roma/Sinti/Travellers the policies focus on.

5.1 RESTORATIVE JUSTICE FUNDS FOR THE DUTCH ROMA GENOCIDE DURING WWII

During WWII, like in many other European countries, Roma in the Netherlands became victims of genocide. Before WWII about ± 4500 Roma and Sinti were registered in the country. On the 16th of May, 1944 during a razzia, 578 persons were arrested and brought to camp Westerbork, of these 244 were sent to Auschwitz, only 31 survived (Croes 2014: 35-36). It took a relatively long time before the suffering of the Roma and Sinti during WWII was formally acknowledged. In 1978 Roma and Sinti received their first war monument and only two decades later, the restorative justice funds, the so called *herstelgelden*, of about 30 million Euro were allotted. Two causes for this late recognition are given by Rodrigues & Matelski (2006). First Roma and Sinti perceived these funds as 'blood money' and were not interested in being 'bought off' for the loss of their loved ones. Second, Roma and Sinti were not always well informed about the possibilities to receive compensation (Rodrigues & Matelski 2006: 17). Furthermore, the claims by Roma and Sinti for the restorative justice funds did not go uncontested. The different committees tasked by the Dutch government to explore the financial restoration of WW II victims argued that there was no clear written proof of the Roma victims during WW II⁹. Despite the lack of clear written proof, the Dutch government decided to award the funds eventually (Kamerstukken II 1999/00 25839, 13).

The Roma restorative justice gesture is institutionalized through the framework, in particular article 7, of the Dutch Policy on War Victims and Remembrance of the Second World War. The general objective of these policies is aimed at care for members of the former resistance and victims of WWII. Guiding concepts are "honour debt" and "special solidarity" with regard to the participants in the former resistance and the war victims. Furthermore, the policy pursues the aim to keep the memory of the War and the holocaust alive, and to remind people what it means to live in freedom. Keeping the memory of the War alive does apply to (surviving relatives of) war victims as well as new generations from the perspective of fundamental rights, democracy, (international) rule of law and freedom. Its implementation applies to four domains: knowledge & expertise, museum function, education and information and commemoration, to honour and celebrate. This policy applies to WW II, and to the war in the former Dutch East-Indies and the Bersiap period (1945-1949). While article 7 mentions Roma and Sinti victims of WW II explicitly, the link between the Roma and Sinti restorative justice funds and the content of article 7 is not always clear as we will discuss below.

When the restorative justice funds were first in place, practicalities concerning the Roma and Sinti restorative justice funds were left to the independent government body (*zelfstandig bestuursorgaan*), Stichting Afwikkeling Rechtsherstel Sinti en Roma while a national Roma NGO, the Dutch Sinti and Roma Institute (NISR) had to execute this task. The NISR received much protest from the Roma and Sinti communities on the way they executed their task. A main issue of protest was how Roma and Sinti themselves had no say in how the funding was spent. Other contested issues revolved around which sub-groups of Roma were able to make claims on these finances, for instance, some believed that a disproportionate amount went to the Roma who only after WW II moved into the Netherlands. Others expressed their concerns about funding not going to Roma and Sinti directly, but to NGO's and 'Roma municipalities' who took a strong repressive approach in addressing problems among Roma living in their municipality (Van Baar 2014). The concerns reached a peak in 2012, when members of the Dutch parliament posed questions as to the spending of 2 million euros of these funds by the NISR. 2 million euros got 'lost' and rumours about embezzlement spread. Negative media attention followed and NISR was disbanded (NOS.nl 2012).

In 2013, the funds came under a new monitoring and distribution system under close scrutiny of the Ministry of VWS. The new funding framework is described and explained in a policy letter by the state secretary

⁹ Algemeen Dagblad February 1, 2000.

of VWS (Ministerie van VWS 2014). The policy letter considers issues of representation that were addressed under the previous funding arrangements. Firstly, the letter stresses the importance for involving members of Roma and Sinti communities in the distribution of the funding. The secretary writes that VWS strives towards a 'bottom up' approach that represents the wishes and interests of Roma and Sinti and explicitly refers to the old system in which Roma and Sinti were spoken for/about. From now on Roma and Sinti should be directly communicated with. Second, the letter appeals to the responsibility and the voice of Roma and Sinti in assessing applications for the funds. This to increase the chances of success of projects and activities financed by this framework. To involve members of the Roma and Sinti communities in assessing applications, VWS organized a committee (*Adviescommissie Participatie & Emancipatie Sinti en Roma*) in which experts with a Roma and Sinti background actively take part in assessing the applications, applicants and stakeholders. The secretary general, a current and former member of this advisory committee have been interviewed for this report. The influence of the committee is however bounded by a (mere) advisory role. The ministry of VWS 'ultimately decides on the application taking into account the advice of the advisory committee' (Ministerie van VWS 2014: 9). Topics or causes for which funds can be applied under this framework, explicitly described as non-hierarchical in order, are the following:

1. Holocaust and WW II commemoration
2. Fighting discrimination and racism against Roma and Sinti minorities
3. Stimulation schooling and education among Roma and Sinti minorities
4. Creating employment opportunities for Roma and Sinti minorities
5. Respect for culture and identity
6. Advice and guidance for intermediaries working with Roma and Sinti.

Interesting are causes 3 and 4 that aim to directly contribute to the social position of Roma and Sinti in the Netherlands, yet at the same time, positive developments that have been made in the past years concerning the social position of Roma and Sinti are underlined:

Sinti and Roma have indicated that they want to put an end to the poverty and great welfare dependency among some members of their group. The fact is that more and more young people are able to find a job as a result of educational accomplishments. More and more Sinti and Roma women enter the labour market. But not everyone has been able to find a job on their own. Cultural factors, (low) educational levels and prejudices in the workplace play a role. (Ministerie van VWS, 2014: 8).

Furthermore, an explicit acknowledgement of the intergenerational effects of decades of persecution and the Roma and Sinti genocide during WW II on the social position of Roma and Sinti in the Netherlands today, is absent in the letter though there is an implicit acknowledgement by reference to Roma and Sinti casualties of WW II. These two issues suggest an ambivalent position of the Dutch government towards Roma social inclusion policies. Eligible for application are members of the Sinti and Roma communities and Roma and Sinti non-profit organizations who are committed to the Roma and Sinti communities in the Netherlands. The framework pays in particular attention to Roma and Sinti that have been living in the Netherlands prior to WW II and explicitly states that only legally residing members of the Sinti and Roma community may apply. Why explicit reference is made to the legal residing Sinti and Roma is left unanswered – although irregular stay among Roma living in the Netherlands has been perceived as an issue by professionals. Third parties who can demonstrate that their application is supported by several members of the Sinti and Roma communities in the Netherlands may also apply (Seidler et al., 2015).

5.2 SOCIAL INCLUSION POLICY

Currently there are no specific minority policies nor related funding in the Netherlands, neither for Roma or any other minority group. This is supposed to mean that there is no specific funding for the social inclusion of Roma or any other minority groups. Yet the ministry of SZW does address issues of social inclusion in their general policies and currently the Roma fall within this policy domain. A few policy makers work in the specific domain of Roma inclusion in cooperation with an informally organized 'core group' that advises the minister of SZW on issues concerning the social inclusion and integration of Roma in the Netherlands. This 'core group' consists of Roma representatives of whom several are active in local NGO's and the before mentioned advisory committee on the Roma and Sinti restorative justice funds. We have interviewed three members of this core group which includes the policy advisor of the ministry of SZW and several Roma representatives.

This contradictory character of Dutch Roma and Sinti minorities policies can be explained by the pressures stemming from the EU Roma integration strategies up to 2020 that obliges member states to pursue certain goals benefitting the social position of Roma and Sinti minorities on four societal domains: education, work, health and housing. The EU framework aims to improve the social inclusion of Roma through national, long term and sustainable policies. In 2011 the Netherlands submitted their national strategy on Roma and Sinti minorities, 'Policy measures in the Netherlands for the social inclusion of Roma'. In this letter to the European commission the Dutch government presents their approach towards Roma minorities' social inclusion as general policies. The Netherlands does not recognize any minority groups and accordingly, specific minority inclusion policies do not exist. Roma are approached as any other social group. Furthermore, the Netherlands approach to Roma minorities introduces the topics of combating 'socially unacceptable and criminal behaviour and exploitation of Roma children' (Ministry of the Interior and Kingdom Relations, 2011:1) as a fifth societal domain, in addition to the four societal domains (employment, housing, education, and health) as defined by the EU framework.

Despite that the Netherlands does not approach the Roma from minority inclusion policies, a social inclusion monitor was carried out, exploring the social position of Roma and Sinti minorities on the four societal domains. The so called 'baseline measurement' of the monitor was published in 2013. In 2015 the second monitor was published, and the third edition is pending publication. That this monitor has been carried out suggests a formalistic attitude towards EU's conditionality, for instance, in the introduction of the first monitor of 2013 the authors only give formalistic arguments as to why the monitor has been developed:

The Ministry has issued this assignment at the request of the European Commission. This request from the European Commission resulted from the set of general policy measures for the social inclusion of Roma submitted by the Dutch cabinet to the European Commission. According to the European Union, the EU member states have a primary responsibility to change this situation and it is up to the member states (including the Netherlands) to take measures to support Roma and Sinti. Europe helps the Member States and wants to be kept informed of the latest state of affairs. From the EU framework for national integration strategies and the 'Set of comprehensive social inclusion policies for Roma' to 2020, all Member States, including the Netherlands, must endeavour to promote the social inclusion of Roma and Sinti. (MOVISIE, 2013: 4).

Yet there is made little reference to the problematic societal position of Roma and Sinti in the Netherlands and the need for national government policies. In the second monitor the necessity of having a monitor to keep track of the societal position of Roma and Sinti not only receives more attention, but also the responsibility of the EU member states is emphasized (Seidler et al., 2015: 27). In the monitor, social inclusion is defined as follows:

Social inclusion [not only stands for] participation on the basis of equality and equal formal rights and obligations, but also how it is given shape in practice. How are the Roma and Sinti

doing in the fields of education, housing, employment, health and safety? For example, what about the living situation of people with Roma and Sinti backgrounds? Do young people get a starting qualification? Do Roma and Sinti get an internship, job and promotion opportunities? Is there discrimination? Is healthcare accessible to people with Roma and Sinti backgrounds? What about the safety of, for example, women and children? (MOVISIE, 2013: 4).

Definition of Roma and Sinti in this monitor only include the so called 'ethnic Roma and Sinti populations' and unlike the European definition, does not include the travellers. This particular conception of Roma and Sinti breaks with previous Dutch minority policies in which Roma and Sinti are considered together with travellers a particular sub group for Dutch minority policies in the period until 2010. Yet in those earlier days, Travellers were considered 'Dutch' and the social problems among these groups as an internal, national problem. On the other hand, Roma and Sinti were labelled as gypsies and were considered as aliens or stateless persons to whom a discriminatory aliens and migration policies applied. Yet these two groups were positioned in the same policy category, as they were considered 'anti-social' or deviant populations that were difficult to monitor and regulate (Davidović, 2013).

Furthermore, it is underlined in the text that Roma and Sinti are, similar to other populations, not homogenous:

Roma and Sinti are, like other groups, not homogeneous: various [Roma and Sinti] groups came to the Netherlands at different times, from different countries. The [Roma and Sinti] families differ very much from each other (MOVISIE, 2013: 5).

Both monitors emphasize that there is a lack of representative findings due to this homogeneity of the group. Also many of the Roma and Sinti interviewees (along with many professionals working with Roma and Sinti) pressed that they can only speak for their own situation. Interviewees do not want to give the impression that they can represent other Roma and Sinti. For these reasons, the monitors have aimed to take into account, as much as possible, the rich diversity of Roma and Sinti communities. Finally, the monitor mainly involves Roma and Sinti who settled in the Netherlands before the Second World War and those who came to the Netherlands from the former Eastern bloc in the 1960s and 1970s, including Roma and Sinti with a residence permit and the group of stateless persons. Groups that were generally left out in the monitor, are refugees who migrated to the Netherlands from the Balkans in the 1990s and the Roma who recently settled in the Netherlands from Eastern Europe.

Findings of the latest Social Inclusion Monitor (2015) point to a precarious social position of Roma and Sinti in the Netherlands in which exclusion plays an extensive role. The monitor suggests that the educational position of Roma is poor but has slightly improved compared to the first monitor. Nonattendance of school by Roma children has decreased, suggested to be partly due to a stricter enforcement of the obligation to attend school. The labour market position of Roma and Sinti is considered very problematic, as it is uncommon for Roma to hold a regular job. Roma and Sinti depend much on social benefits. Some Roma and Sinti are said to have never worked and therefore lack the knowledge to function in the Dutch labour market. Roma and Sinti who do work are often self-employed and concentrated in the construction sector or are active in the (black)market and are often illegally employed in low-skilled jobs. Concerns about discrimination on the labour market are greatly shared by Roma and Sinti. Furthermore, living conditions of Roma and Sinti are considered equally problematic, as they have largely remained unchanged. Criminality committed by Roma and Sinti also underline their precarious position in Dutch society. Roma and Sinti are often involved in subsistence crime as police officers have observed. Yet the monitor, again, warns for the extent to which the results can be generalized due to a lot of diversity between the different Roma and Sinti migrant groups and within the groups as well. Furthermore, insights are limited because the Roma who are doing well in society are not in view of governmental institutions or (Roma) NGOs.

5.3 MULTI-PROBLEM ROMA FAMILIES OR THE SECURITIZATION DISCOURSE

In 2008, 'Roma municipalities' asked the central government for help regarding local Roma policies. The municipalities were in need of assistance with complex problems regarding families with a Roma background. Municipalities observed among these families, before the monitor social inclusion was held, extreme levels of school absenteeism, disturbances in the living conditions and very limited (regular) employment, high welfare dependency and over-representation in criminality. In particular the limited development opportunities for children within these families was a source of concern. The central government reacted in line with the argument that minority inclusion policies had ended by not taking national coordinated action. Yet, it made a sum of €660.000 available to support the municipalities who, through an integrative policy approach could stimulate the social participation of 'their Roma'. In this 'integrative approach', local governments closely work together with social workers and other local institutions to address issues concerning Roma and Sinti minorities in their municipalities. This approach coincided with the ending of national social inclusion policies for all minorities, and the decentralisation of policy responsibilities to the municipalities. Consequently, the available budget did not go to the Roma themselves but to the Roma municipalities that spent much of the money on a repressive approach, addressing criminality among Roma and Sinti minorities. For instance, the National Police Academy received funds to develop a tailor-made Roma approach that resulted in the publication 'Dealing with multi-problem families with a Roma background. Fundamental knowledge for the professional' (Sollie et al., 2013). This focus on criminality, instead of social inclusion is backed by the idea that Roma and Sinti are responsible for their own integration in society and should solve their own problems, if not they have to be forced to (Ministry of the Interior and Kingdom Relations, 2011). On the issue of local problems and the reaction to it Roma and Sinti representatives are not consulted nor had a say in these policies (Davidović, 2013).

Discursively, this integrative approach is devised because of great concerns among local professionals on so called Roma cultural practices such as under aged marriages ("forced marriages"), physical abuse of Roma women and the criminal exploitation of young children in organized crime networks (Kamerstukken II 2016/17, 2048890, 4 april 2017). Furthermore, it has been claimed that Roma and Sinti minorities are overrepresented in crime numbers. A main explanation given for this overrepresentation is the family structure and related practices of Roma and Sinti minorities. In the national policy framework such issues are categorized as so called "multi-problem families" with a Roma background. Multi-problem families refer to families who experience problems on multiple domains of social life: housing (abundant changes in household composition, complaints by neighbours); family life (marrying off under aged daughters/forced marriage; young parenthood, little intention to integrate; education (truancy, lack of secondary education); work and employment (purposely dependent on welfare and social assistance, illegal income); health and care (poor living and eating habits with often heart and venal diseases/not showing up at the consultation bureaus for check up on pregnancy or for checking little children's health) safety and criminality (organized begging and criminal exploitation of children) (Sollie et al. 2013). The problems experienced by these families are considered severe and have been categorized as part of the national top 5% of the country's most difficult social cases. The severity of these problems thus warrants special measure such as an integrative approach.

In this integrative approach, repressive and normalization approaches are intertwined. While this policy priority is primarily addressed through funding of the Ministry of Justice and Security that mainly focuses on principles of criminal enforcement, issues of social integration and welfare play a prominent role. For instance, a policy priority is that Roma children must go to school to be able to integrate and have a future in society. When parents fail to send their children to school, they are directly punished through high fines. Thus, repressive measures are argued to be 'instruments' to normalize and integrate 'deviant Roma' into society. This particular securitization discourse on Roma and Sinti minorities, finds similarities with Roma policies in the period between 1983-1990s. In both regimes it is emphasized that Roma have their own responsibilities for their social position and in case of non-compliance, punishment follows. In the old policy framework 'gypsy policemen' were instated to specifically address issues among the Roma (Davidović, 2013). In the new integrative approach, these gypsy

policemen have been replaced by local 'directors' who act as the spokesperson for the different professionals from different local institutions including social workers and the police.

The new regime also included an experimental program, the so called *proeftuinen* or experimental laboratories (Jansen, 2016). During this experimental program, first four, later eleven different municipalities in collaboration with the National Police experimented with innovative approaches to tackle multi-problem families with a Roma background. The idea was to gain more expertise about the problems and issues relevant to this group. Central aim of this program was to develop practical toolkits and professionalize the methods in dealing with these problematic families. In the letter from the Minister of Justice and Safety to the House of Representatives (Kamerstukken II 2016/17, 2048890, 4 april 2017), it is argued that the experimental program has made progress in the field of school absenteeism, increased the labour market participation and reduced crime and nuisance among Roma. Successful cases mentioned are how in the municipality of Lelystad four young Roma are enrolled in a work trajectory and four others have been successful in finding a job. These eight act as role models for other Roma youths. On the other hand, the program has also been successful in training and providing professionals, among which policy makers and governmental administrators expertise on these issues. In essence, the program claims to have been successful through the integral approach in which repressive measures are considered central to the social inclusion of Roma minorities.

Similar to the previous policy field of social inclusion, Roma within this policy field include only ethnic Roma and to a lesser extent Sinti. Travellers are left out entirely. Furthermore, the aim of this policy field is to not focus on the Roma background, yet in practice this noble conviction has been unsuccessful. The central report (Sollie et al. 2013) which contributed to a great extent to these policies has suggested that there is an indirect connection between criminality among this group and the Roma culture. Yet members of the Roma and Sinti have not been involved in the publication of the report. This exclusion of representation, as also Davidović (2013) argues, can contribute to a lack of nuance in the framing of Roma culture as problematic.

5.4 HOUSING/LIVING IN MOBILE HOMES

As described in part I, the housing policies concerning Roma, Sinti and traveller minorities have been targeted by fading out policies in the last two decades since the abolition of the Caravan Act in 1999. Yet recent attention instigated by Roma, Sinti and Traveller communities themselves, but also by the National Ombudsman and the Netherlands Institute for Human Rights have underlined the problematic nature of these fading out policies. Several members of the Roma and Sinti communities have challenged fade out policies of municipalities through taking their case to the Netherlands Institute for Human Rights and some have started complaints procedures through the National Ombudsman. The latter activities have led to a wider research project by the National Ombudsman conducted and published in 2017 [add reference]. The Ombudsman has focused on the housing policies and practices in the so called 'Roma municipalities' by interviewing local professionals, policy makers and inhabitants of these municipalities with a Roma, Sinti and Traveller background of different generations. One of the conclusions is that Roma, Sinti and Travellers should be categorized in one group as 'people living or wanting to live in a mobile home'. Added to this category are Roma, Sinti and Travellers that have (grand)parents that have lived in a mobile home. By characterizing Roma, Sinti and Travellers based on their characteristic of living in mobile homes, by implication migration background and ethnic differences between Roma, Sinti and Travellers are deemed less important. This definition of Roma and Sinti minorities is broader than the category of the Dutch policies in the previous two institutional domains yet suggests being still distinct from the EU definition as it primarily focusses on the living in mobile homes, while the Council of Europe definition focusses on both lifestyle and plight that find similarities (Council of Europe, 2012).

Cases brought to the Netherlands Court of Human Rights have resulted in several judgements deciding that local policies have had a discriminatory character, or that specific practical matters concerning mobile

housing policies such as waiting periods had also a discriminatory effect, because the waiting periods of mobile housing sites were longer than average waiting periods for regular housing. The number of cases brought before the Court of Human Rights and complaints to the National Ombudsman have increased in the last decades which means that Roma, Sinti and Travellers increasingly know how to find their way to institutions, are probably more self-aware and increasingly claim justice.

With regard to Roma support organisations, there is a very active forum, called *'t Wiel* (translates into The Wheel). *'t Wiel* aims at informing people who live in mobile homes about their rights. It furthermore aims to inform the wider public on the history of people living in mobile homes, including Roma, Sinti and Travellers. Their bi-monthly newsletter also shares stories on people living in mobile homes and their (legal) struggles to realize their right to housing.

6. NATIONAL LANDSCAPE OF INSTITUTIONALIZED POLITICAL JUSTICE CLAIMS

Various NGOs aim to represent the Roma population. As far as we have been able to detect these NGO's most organizations are seemingly focussed on advocacy. In addition there are a few NGO's, such as the Nederlandse Roma Vereniging (The Dutch Roma Association) that seem to be developing more practical social assistance activities, in particular aimed at education (see Table 2).

	Represents	Mission	Representation/Recognition
Vereniging Sinti, Roma en Woonwagenbewoners Nederland (Association Sinti, Roma and Travellers the Netherlands)	Locally, Roma living in the city of Arnhem, a city in the mid-east, of the Netherlands and its surroundings	Advocacy group in particular focussed on assisting Roma and Sinti living in mobile homes on all social aspects, including education and employment. Also aims to support and develop relations between local government and Roma and Sinti.	Invited to participate in committees representing the Roma voice to the Dutch government
Landelijk Roma Platform Nederland (National Roma Platform)	National, aiming at representing the interests of Roma from the 1977's living in various towns throughout the Netherlands (Utrecht, Capelle aan den IJssel, Ede, Oldenzaal, Enschede, Veldhoven, Lelystad, Amsterdam-Zuidoost en Nieuwegein)	Advocacy group on the terrains of Roma employment, education, housing, health, statelessness and discrimination	Invited to participate in committees representing the Roma voice to the Dutch government
Stichting Olungodrom	Roma culture, active	Roma cultural	Receives funding from the

(Foundation Olungodrom)	nationally/mid & south Netherlands	organisation focussed on representing and educating in Roma cultures. Organizes exhibitions on Roma history; Roma Orchestra	Ministry of Health, Welfare and Sport (VWS).
Vertegenwoordiger Friese Roma (Representative Friese Roma)	Roma living in the Dutch province of Friesland	Advocacy group aimed at protecting living in mobile homes (not much online information)	Invited to participate in committees representing the Roma voice to the Dutch government
Nederlandse Roma Vereniging (Lelystad) (The Netherlands Roma association)	Roma living in the municipality of Lelystad	Social assistance. Aims at improving social cohesion between Dutch and Roma and social participation of Roma. Offers practical assistance, such as legal advice and practical courses such as Dutch languages courses and computer skills training	Works together with local government (according to information from informants)
Travellers United Nederland (Travellers United the Netherlands)	General group of people living in mobile homes	Advocacy group aimed at combatting the fade-out policies of the Dutch government. Emphasizes that living in mobile homes is intangible cultural heritage	
Het Wiel (The Wheel)	National information network for people living in mobile homes	Online presence/newspaper	

Table 2: Roma NGOs

In the Netherlands political justice claims by Roma revolve around five core issues:

- 1) In-group diversity: migration background and access to political justice claims
- 2) The dilemma of stereotyping and stigmatization vs recognition
- 3) Concerns on Roma political participation
- 4) Recognition of (past) injustices
- 5) Contested practices and policies on the living in mobile homes

In the following claims 1-4 will be discussed. Claim 5, the case of contested practices and policies on the living in mobile homes will be the topic of paragraph 9.

6.1 IN-GROUP DIVERSITY: MIGRATION BACKGROUND AND ACCESS TO POLITICAL JUSTICE CLAIMS

As underlined by various Dutch and international authors (e.g. Lucassen 1991) the definition of Roma is a contested issue. The definition of Roma is explained based on different boundaries by different sources and differences exist not only between policy domains but within domains, as policies shift and change. In the Dutch minority inclusion policies before 2010, Roma and Sinti were considered together with Travellers to be a policy category. Yet the Travellers have been left out in the current social inclusion policies. Next to these between group differences, also in-group differences are of particular importance. The migration background of Roma and Sinti minorities has proved to be especially relevant in the Dutch institutional context, as it has inclusive or exclusive effects on the claims of justice for Roma and Sinti minorities. The migration background characterizes groups based on when they immigrated to the Netherlands and where they came from. We found six different groups based on different migration backgrounds that were pointed out by the relevant literatures and mentioned by interviewees:

- I. *Woonwagbewoners* or Dutch 'Travellers' – have their origin in the Netherlands, but at the turn of the 19th century they came to live in mobile homes because they were unable to afford regular housing or had professions for which they had to travel. Now this terminology of *woonwagbewoners* has been attributed by the National Ombudsman to refer to all Roma, Sinti and Travellers because these groups all share the practice and or wish of living in mobile homes.
- II. Old settlers refer to those Sinti and Roma that are considered to be 'Dutch' as they have been in the Netherlands for a very long time. Sources say Sinti have been in the Netherlands since the 1900s and Roma have already been present before WW II.
- III. A third group involves the amnestied Roma of the 1970s (among which also 'labour migrants') – who migrated to the Netherlands from the former communist countries. This group received an amnesty in 1978
- IV. Roma refugees fled to the Netherlands due to the war in former Yugoslavia. This group is considered to be doing relatively well from a social inclusion perspective.
- V. Central Eastern European Roma are the fifth group and refer to recent labour migrants with a Roma background who settled in the Netherlands following EU enlargement.

Regarding the political justice claims based on migration background. Two main issues have been hotly debated by Roma and Sinti minority communities. Firstly, the restorative justice funds. The restorative justice policy framework was aimed for Roma and Sinti victims of the Holocaust in WW II and/or their offspring. Although the restorative justice framework does take into account the migration background of those who apply, in practice this still has been an issue:

Obviously, the entire Sinti community is against the fact that Roma who immigrated to the Netherlands later on can also claim [the finances made available through the restorative justice funds]. After all, the first and second generation have the right, even third generation Sinti who came later - not really. (Seidler et al., 2015: 135).

Secondly, in the policy field of social inclusion, migration background has been argued to play a role too. For instance, it is argued that Sinti groups have been in the Netherlands for a very long time and have been integrated much better in Dutch society than Roma. They should for that reason not be able to claim funding related to social inclusion policies. Yet according to an aspiring Roma youth worker, it is often the Sinti who play a large role in the representation of Roma and in claiming funds:

The Roma is a completely different community than the Sinti or Travellers. Roma have their own language and traditions just like the Sinti have. So you cannot compare the Roma community with that of the Sinti or Travellers. Therefore, the policy must also make a distinction between Roma and Sinti. Because the Sinti are constantly linked to the Roma. But Sinti have nothing to do with the problems of the Roma. [Yet] Spokespersons of Roma and Sinti,

organizations that deal with Roma matters, are often the Sinti. The Sinti speak, the Sinti have a voice, but they do not have the same problems as the Roma have. The result of this is that the problems of the Roma are constantly being ignored and are not discussed. [Thus], the differences are not only in language and traditions, but also in the problems [...] Because the Sinti community has stayed in the Netherlands for a longer period [...] that is why they [Sinti] participate many times better than the Roma community does. (Aspiring youth work who self-identifies as Roma, NL D5.2.8).

Interestingly, a social professional working with Roma populations is of the opinion all the different (sub)groups of Roma and Sinti are involved in social problems (and criminality). Groups who have settled in the Netherlands for a longer period of time may play a role in why some other groups fall into criminality. There are different networks of relationships that exist between the different migrant groups.

6.2 THE DILEMMA OF STEREOTYPING AND STIGMATIZATION VS RECOGNITION

Recently the exploitation of Roma children has gained wide media attention because a former (self-identified) victim of Roma descent spoke out about his past of criminal exploitation and claimed on national television that hundreds of Roma children face the same exploitative conditions as he had. His testimony has been confirmed by a social worker of the Salvation Army (in Dutch *Leger des Heils*) working with Roma families. His media performance has received mixed reactions. Social workers and professionals working with Roma minorities salute the bravery, while various Roma representatives have been outraged about it. This outrage among Roma representatives revolve not so much around whether the claim is (in)correct, but rather, that the claim he made again stigmatizes the Roma group as a whole while the Roma representatives have been working hard to contest this type of representations. Yet the spokesperson feels that it is necessary to communicate about these problems as this is the way to address problems and develop. An academic scholar working for decades with professionals on Roma and Sinti related issues for two decades shares that perspective:

When it comes to justice, [...] you know what is always at war, just like the truth, justice is always the victim, and I think there is a conflictive relationship between Roma and (broader) society and from both sides this difficult relationship is always confirmed, unintended or intended. Same as the journalist last Sunday, he did not want to cause a riot, he wanted to warn us, and rightly so, because there are children being abused. You cannot approve that. But conversely, the effect was that, the chances for Roma finding employment have not improved since Monday (the day after the program on exploitation among Roma was aired). But the other way around, the things these Roma sometimes do. I also wouldn't want to live next to someone like that, what was the case, there was a Roma family who finally found a house. They celebrated finding a house and to celebrate that, they invited three quarters of their family. The whole street was full of cars, in the evening a pig is slaughtered in the backyard, that gives a lot of noise, I do not know if you have heard that when a pig is slaughtered. All those children are hanging out of the window look at how the pig is treated with a burner. We can't have that, can we? Or that we have women crying rushing out of their house because they are being chased by their husbands, we can't have that either - right? (Academic, does not self-identify as Roma, NL D5.2.1).

The preoccupation with fighting negative stereotypes can also have negative consequences for addressing real underlying issues according to an aspiring youth worker, who identifies as Roma. He finds that if you want to address issues, you also need to call the problems out for what they are. On the contrary, a policeman was against the stereotypical framing of Roma problems as related to Roma culture – yet for quite different reasons:

So when I see a man driving a car and there is someone with a Roma background, or who I think it is someone with a Roma background and I'm going on that basis to check [his papers] then I'm ethnic profiling and then I have no legitimacy for my action [...] While when I say "Hey, I see someone driving who is officially known as a famous home burglar or scammer then I have a [valid] reason to check that person. The danger is that you are going to say in front of him "I see a Roma or a gypsy driving and I'm going to check that, because I officially know that they are all criminal". Sometimes there is that perception, which is a misconception and therefore not just and we have to be on top of that. Ethnic profiling is a thing that you have to be very keen on [to prevent it].

The policeman seemed at first to be against ethnic profiling because it is something unfair and unjust, but actually he is more worried about the legitimacy of the police:

[...] That as a policeman when you are confronted with this, that from previous experiences you noticed that there is a great deal of hesitation in dealing with this problem, as it was politically sensitive by just framing it as a problem of criminal gypsies, you would make it difficult for yourself. And I only started to see it later that when I am not talking about gypsies, but just about family X with this problem and I add a footnote that this family has a Roma background so that it may be relevant from cultural aspects or when choosing an interpreter, then you have actually already covered the load. (Former project leader 'developing Roma expertise' at the National Police Academy, does not self-identify as Roma, NL D5.2.2).

Professionals working with Roma minorities who are aware of the stigmatizing effects, still feel that the Roma culture plays a significant role in the social problems and criminality committed by these groups. Yet to address the stigmatizing effects and at the same time address the problems, some argue for cultural sensitivity:

And when we talk about a problem, we call it 'culturally sensitive'. So we-we do not look away from the Roma background. When I am sitting in front of you I see that you are neither Roma nor Dutch, that's fine (he reacts on the person of the interviewer). I do not have to do anything with that, but I save this information, I also do not have to be completely blank. And that goes for dealing with Roma. That you can take note of the fact: 'hey, that is a Roma', or probably is Roma, because it is not stated in your passport. But note down that information. Then look into the problem. Why are we talking to each other, why are we in contact, is it the police or social worker? Which problem do we want to address, which goal do we want to pursue? And then afterwards – I consider whether the Roma background is relevant for tackling the problem that I am dealing with. And if someone is drinking and driving, then you really have to be very convincing to argue that the Roma background matters in this case. The Roma background can, however, be relevant when a 14-year-old girl disappears. Sometimes among some Roma families, it happens that young girls are married off. This is still just a scenario, so still not the truth, but a scenario that you can take into account from a part of cultural sensitive action. Thus, the police can be culturally sensitive. Roma themselves may only identify themselves as Roma. (Former project leader developing 'Roma expertise' at the National Police Academy, does not self-identify as Roma, NL D5.2.2).

Cultural sensitivity also comes up when discussing cultural-relativistic reasoning. Cultural relativistic reasoning in this context refers to how problems among Roma and Sinti are not picked up on or condemned because they are considered to be part of the Roma and Sinti minorities culture:

[...] But whatever happens, with all due respect to minorities and their culture. I do not accept. Not as an academic. Not as a human being. Not as a policy maker. I do not accept that children of four years are made to conduct crime. I do not accept that women are beaten. I do not accept that women are being sent into prostitution. I do not accept that the elderly are being starved

because they have leaked information once and we as the Netherlands must not accept that. I think it is really shameful, that we do that, and then we can say, “Yes, but their culture”, I think that is cultural relativism of the worst kind. I do not say that you do that, because I understand your doubts, but that is what a lot of policy carries. I see it at the board of children’s protection, I see it with judges, with prosecutors. There is a terrible brawl, where girls are mistreated, or traded, what do I hear, ‘that it is also part of their culture’. That may be so, but that [cannot be accepted] here [in the Netherlands]. (Academic, does not self-identify as Roma, NL D5.2.1).

While some professionals aim to contextualize these multi-problem families in the Roma culture, others are ambivalent. To cope with ambivalence one respondent uses Children’s Rights as a compass:

I always use the example of the neglected household. If two social workers visit a household, then one says, “well, that was a mess, that was dirty”. [The first social worker] sees a neglected household. the other comes back and says, “well it was fine”. It is so subjective. We have to look for basic principles and frameworks that are clear to everyone and that are leading and then I come back to the rights of the child. For example, I have a lot of worries about this, about cultural relativistic reasoning. [for instance] And an [underage] girl is married off. professionals can only note their concern. but nothing can be done at that moment. There are too little indications. But I think marriage with a minor involved should not be allowed. [But] If we all start to debate these basic principles, then we get confused. Whether you place the child under government custody is another question. But condemning marrying off minors must be the same for all professionals. Yet this leads to discussions in the provision of assistance within the field of education and within the judiciary and the police [...] But throw away the culture. Then you are no longer enforcing rules because it is about Roma, Sinti or Travellers, but then we are maintaining rules because we have said: “these are the rules of our society and you are cheating now”. But that is what professionals struggle with. It is such a sensitive subject [...] I think we should treat each other equally. Yet the discussion is always about discrimination, it is exactly that kind of culture-relativistic thinking that I find discrimination, which sometimes prevents children from receiving the care and safety they need and deserve. (National coordinator multi-problem families with a Roma background, does not self-identify as Roma, NL D5.2.9).

Being recognized but how? Roma appear to fall in between envisioned as victims of history and as deviants in a civic society, as people without a sense of responsibility who misuse social benefits and a people with an enjoyable and solidaristic own family and group culture:

This group also often struggles between victimhood and being a perpetrator. The victimization is also real, that is the assignment from the Ministry of Health, Welfare and Sport and SZW. They have often been teased as a group, perceived as inferior. They often have not been allowed to be. In history you see that too, they have also been persecuted. It is rightly victimization. The group that municipalities are currently struggling with, is also struggling with the victimhood that is now being deployed [by Roma] so that they do not have to comply or take responsibility for matters such as exploitation. [the group] can also be characterized by their negotiating, but also negotiate the taking of responsibility. And I also find them, this group, often misty, it is difficult to get in touch and stay in touch with them. You quickly encounter issues that you have to enforce. For example, following the reporting code for child abuse, but also when you signal black income or law undermining activities. On the other hand, they are also the kind of people who have their own society within this society with very nice aspects, for example, they always take care of each other. They are very well connected. Sometimes very well organized. If something happens to a distant aunt in Germany, the people in Utrecht know that too. And then they say: ‘well this is what we are going to do’ and then they drop everything, and they go to Germany. Regardless of what we think of it, this has effects on the

minors. (National coordinator multi-problem families with a Roma background, does not self-identify as Roma, NL D5.2.9).

The clash between Roma cultural habits and the social and institutional setting of a regulated society is most pertinent in issues concerning family life, household composition and the relationship with non-Roma neighbours. Professional social workers who have to react on neighbourhood complaints and must maintain housing regulations express their confrontation with arguments based on these cultural habits and practice:

The Roma do not have to deal with me, but with local professionals who can be characterized as real hardcore professionals who really want to go for it. But sometimes the professionals also accommodate too much. Roma sometimes also do not feel heard by a professional who has to enforce rules or a professional who has to make decisions that the Roma don't like, such as filing concerns about a child or a civil affairs employee who has indicated that they received so many complaints from neighbours that they have to start an investigation into the people living on a certain address. They [Roma] experience this as discrimination. "Because this is their way of life and who are you to have an opinion on how we live. And of course, these are ethical issues that we have to consider [...] but it is important that we say, "no, you live here and these are the rules. Now you are staying with more persons on this address than is allowed and so you will get welfare restrictions". And these stories are often stories that come up when they feel discriminated against. (National coordinator multi-problem Roma families, does not self-identify as Roma, NL D5.2.9).

While we have addressed above the various negative connotations of the 'Roma' label, yet it is not only the 'bad Roma' discourse that interviewees perceive as unfair, but also 'positive', romanticised stereotypes are considered unjust:

I would really like it, if not just an institute, but an important institute, would interview perhaps 20 or 30 different Roma youths [that are in] higher professional education or university, who found their way [in the Netherlands]. It cannot be that the other side [of Roma who have found societal success] does not exist [...] there are so many [Roma]. If you have so many different groups, it cannot be that there are no Roma youth going to school. It cannot be the case that none of the Roma youth has found a good job within a certain branch [...] And, we do not have to say anything about campfires and music. No, for this project, just [portray] everyday Roma and what it has meant to them in the last 10-15 years to reach this function or that goal. It should not be about culture. (Roma representative, self identifies as Roma, NL D5.2.5).

Much consensus existed among all interviewees on the absence of positive narratives on Roma. For that reason, a Roma university student aspires to develop a project on positive Roma role models. Role models not only to fight the negative stereotyping, but also give young Roma the idea that there are many Roma out there that are doing well.

Yet this struggle against categorization because of its stigmatizing effects seems to contradict the also perceived need for Roma inclusion policies and positive action by professionals working with Roma minorities and Roma minorities themselves. This contradiction has been explained by Fraser (1995) as the dilemma between redistribution and recognition. This dilemma involves how redistribution and recognition claims can have contradictory aims. Whereas remedies for recognition claims often highlight how a specific group is different and this difference should be respected, redistribution claims tend to promote group de-differentiation. Redistribution calls for abolishing economic arrangements that underline group specificity. In short, whereas recognition tends to promote group differentiation, redistribution tends to undermine it. 'The two kinds of claim thus stand in tension with each other; they can interfere with, or even work against, one another' (Fraser, 1995: 74). Applying the dilemma sketched by Fraser to the Roma, the interviews point out that there is a struggle for of Roma needs (by Roma themselves, and by professionals working with - or on behalf of - Roma populations)

but that this struggle is on the one hand complicated by a) contested and conflicting definitions of the Roma identity, b) generalization of criminal behaviour of some Roma to the population at large, c) Cultural habits and attitudes of Roma sub-groups that are not in line with human rights for women and children. On the other hand, the struggle is complicated because the needs themselves are contested. The right to housing for instance is still a major issue because it contrasts the Dutch policy for reducing the number of mobile homes while at the same time the social housing policy does not allow for living the extended family culture of the Roma. The same goes for the need for schooling and earning a regular income. Many Roma have dropped out of school at a too young age, have obsolete skills and lack of work experience resulting in high unemployment rates. However, this not per definition results in recognizing the need for welfare benefits because of lack of confidence in the educational and work intentions of the Roma population. Hence there might be good reasons for a structural and culturally based minority policy regarding Roma, which currently is lacking. The counterargument might be that specific minority policies underline how 'different' Roma are and therefore needing special governmental attention. However, this underlining of 'difference' has the potential to further inform the negative stereotyping:

I am against defining social groups when you use it as an instrument to set people apart. For example, I would be incredibly allergic if we had a Jewish policy or Chinese policy or a blonde women's policy. I do not want that. But for an adequate approach to problems you have to approach the Roma as a group. Because the Roma are a specific group with specific needs, specific problems, specific backgrounds and therefore need specific measures. If you allow the Roma to be diluted into the large group, then you will not help anyone, including the Roma themselves. So I can justify the necessity to define a social group, provided you do so to help that group. Not to disqualify or discriminate people [...] (Academic, does not self-identify as Roma, NL D5.2.1).

6.3 CONCERNS ON ROMA POLITICAL REPRESENTATION

From both the perspectives of Roma representatives and professionals working with Roma, political participation by Roma and Sinti minorities is considered problematic. Concerns of Roma interviewees regarding their political participation and representation are many. First, they feel like they are not really heard and don't have a real say in things. For example, the dialogue that has been established is considered to be insufficient:

[...] they like to be heard. That there is a level of dialogue, that is just the first phase I think. You invite them and ask about their story or just, how are you, just, something very basic. How are you doing, what is going well and what is not going well and I am listening. I'm not only there as [representing the] government to punish, to say what you have to do, but also, well, that's a bit of our job as managing integration, because yes you have police, you have school-compulsory civil servants, but we are managing integration and we try to do that in a positive way. That applies not only to the Roma, but to all groups in society, in a positive way to approach groups [...] And I think, if you are committed to that, then the trust and the positive image formation will be strengthened. It would be great that not only me, from the national government, would do that, but also the school, the teacher, the police would have a good relationship with the Roma. That everyone can work well with everyone. (Policy Advisor Roma affairs, National Government, does not self-identify as Roma, NL. D5.2.3).

Furthermore, the dialogue with the government is perceived to have a fragile character by two of the Roma interviewees, of whom one is involved in the dialogue directly and the other is trying to become involved in projects on Roma social inclusion and suggests a perceived power inequality between the government and the Roma. The latter who are left to the good will of the government to be able to politically participate and improve the position of Roma in the Netherlands:

I noticed that in recent years that the state is in general straightforward about it: 'We don't have Roma policy'. But if you use [the lack of policy] as an argument that we don't have access to the ministry, no access to these institutions because there is no Roma policy, then the word of justice comes to me. Is it about Roma policy or is it about the themes that are there? I can understand that, as a state they don't want [minority policies]. That are ingredients that I have to work with [...] and I try, in those advisory groups where I participate in, that we pick it [Roma inclusion] up from the [general policy] themes. Otherwise, we will not make any progress if we are told that there is no Roma policy, so it means that we cannot have meetings. On the other hand, we see that the EU Commission is very focussed on the Roma in Europe. If we do not have that same [Roma minority inclusion] policy, that is not a problem for me, but let's talk about the themes, let's see where we can meet each other and talk about important issues such as education, integration, social affairs. Let's talk about that. Again. I have no problems with the fact that there is no Roma policy, but where –can- we find each other, which steps –can- we take, otherwise it stops, we will be out of touch and that would be very unfortunate, because I test on both sides that there is a need, from the Ministry, but also from the individual Roma and organizations or whoever. (Roma representative, self identifies as Roma, NL D5.2.5).

Second, Roma representatives find that they are not being taken seriously, as Roma representatives do not get paid for their part, while other, non-Roma are being paid to work on Roma and Sinti topics and in practice have done very little for Roma and Sinti minorities (e.g. University student, self identifies as Roma). But also, why there is not someone of Roma descent who takes on the formal function within the ministry of SZW:

No, for example, we have a contact at the Ministry of SZW [for Roma affairs]. If he can be the contact point for the Roma from the Netherlands to the European Commission, why not [someone with a] Roma background? It's not about that person, but I mean, this is just, you have Roma, the topic is about Roma. We talk about the Roma in the Netherlands and the EU needs input from the Roma from the Netherlands. Why should not a Roma fulfil that position? Perhaps he will only need 5 years [to grow into that role]. I don't want to be cheeky, but if every official who comes and goes, needs 20-30 years [to become acquainted on Roma topics], A Roma could possibly need only 5 years to reach that same level and fulfil that position. And there are really enough [Roma] who can do that (Roma representative, self identifies as Roma, NL D5.2.5).

Professionals working with Roma and Sinti minorities, perceive the political representation of Roma as problematic for many reasons. Issues regarding the personhood of representatives play a substantial role in these perceptions, such as a low degree of professionalization, corruption and unwarranted emotional reactions and victimization identity:

I do not think that Roma are well represented. With well represented I mean, in a balanced way. A number of times I sat in at an around the table conversation with members of the house of representatives. I observed (Roma) activism. The discussion is about anti-discrimination, "we are not being heard", "we should get more chance" and "the government is against us". resulting in an us against them discussion. I would prefer to, like, sit around the table and discuss what the problems are and what are good ways to address these problems. (Former project leader 'developing Roma expertise' at the National Police Academy, does not self-identify as Roma, NL D5.2.2).

Other problems regarding the representation of Roma and Sinti minorities involve the perceived social diversity by both Roma themselves, as well as professionals working with Roma and Sinti minorities. A consequence of this diversity is the perceived difficulty to adequately represent such a diverse group. This diversity has been addressed several times by Roma interviewees in an explicit and implicit manner. In case of the latter, Roma

interviewees press that they can only speak for themselves, do not represent others and that they are not experts on Roma and Sinti minorities, but on topics concerning these groups.

6.4 RECOGNITION FOR (PAST) INJUSTICES AND VICTIMHOOD

Roma want recognition for being Roma and their current needs, among which living in mobile homes on encampments has priority. This is not an unambiguous claim because in the past such encampments have brought them social exclusion and lack of resources. Actually, they now claim good quality and well-resourced encampments. In their need for employment and earning a decent income one could trace the loss of an informal segment of the labour market at which Roma operated well and the currently dominant (over)regulated labour market in which they feel excluded. Both unfulfilled needs express the fallacy of today's Dutch welfare state to deal with subpopulations like the Roma that could not or will not adapt to the liberal though overregulated welfare state. Moreover, the decentralization of Roma focused housing and employment policy are an even more narrowing corset for a minority population that identifies with moving around. In arguing for these needs the lack of recognition for maltreatment during WWII is of major importance:

In my talks with Roma and the talks with municipalities I often noticed that the municipalities do not understand why de Roma keep complaining. The municipalities find that they are doing a lot now for the Roma in terms of providing social assistance and helping them realize more space for their mobile homes. In the talks I had with the (Roma) residents of those municipalities, they replied with that, indeed, the municipality is doing a lot for them now, but underline that they (Roma) have been mistreated in the past, not only during WWII, but they also blame the municipality for losing their jobs and source of income because they were at a certain point prohibited to live 'on the road' in caravans. In addition to this ban, they were also expelled from society because they were put on encampments in these peripheral areas where there were little (social) resources. Also discrimination on the employment market, at school, insurance companies who do not want to insure their houses. The government has done little for them (until now) and has actually stood by and let things happen. (Strategic advisor/project leader Living in Mobile Homes, National Ombudsman, does not self-identify as Roma, NL D5.2.6).

And very important, the claim of recognition of Roma casualties during WW II. Which has come fairly late, as also pressed by a Roma representative:

If we look at the Roma population in the Netherlands from WW II until now, that's it, well ten years ago was the first time that it was recognized during May 4th and 5th, that the Roma were also murdered [during WW II]. Not that it was unknown, but it was not given the same attention as it was the case with the Jews and the like. [this recognition of Roma casualties during WW II] also means that we exist [...] but also if we look at the EU countries, at the European Commission, we are the Roma. That is existence. You cannot escape that, I do not say that people try to escape that, but I try to show how important it is to think about this. The numbers [of Roma], what we have experienced together, WW II [...] So that we can talk about what happened to us and the others. That is all very positive, that you can recognize yourself in it and can talk about that. But if it is not told, then of course you feel vulnerable at that moment. You'll think: "Hey wait [...] does that mean that I do not exist for the others? How do the others see me?" (Roma representative, self identifies as Roma, NL D5.2.5).

In every interview this claim for recognition has been underlined as intergenerational:¹⁰

[So during] the genocide in World War II, besides the Nazis, a large number of Roma were arrested, put in a concentration camp and finally killed, so that is a kind of historical-traumatic experience for them and they do experience it as a transgenerational thing, including Roma who have not experienced it themselves, there are also very few Roma who still live, that have experienced it, but well, the generations after, it is part of their culture, in their tradition it is still a very sensitive point. (Roma representative/(cultural)entrepreneur, self-identifies as Roma, NL D5.2.4).

Remarkably, the intergenerational aspect is only discussed briefly in the policy framework concerning the restorative justice funding. Where intergenerational issues are addressed, the policy frameworks speak about remembering the victims of the war and reminding all of us (the general population) what it means to live in freedom. Yet the intergenerational effects of a history of exclusion and persecution, which might have led to adverse effects on the social position of Roma minorities today, is not reflected upon, let alone recognized.

7. DISJUNCTURE BETWEEN INSTITUTIONAL CLAIMS AND PRACTICAL RESPONSES: LIVING IN MOBILE HOMES

As considered above, the living in mobile homes should be considered a Fundamental Human Right, yet the Dutch government has applied a 'fade out policy' regarding the number of encampments for mobile homes of Roma, Sinti and Travellers and for that reason is discriminating Roma, Sinti and Travellers who want to live in mobile homes. In practice, the National Ombudsman has pointed out that the decentralized policy practice presents a different picture. There is much diversity in the way local policies approach the claim of Roma, Sinti and Traveller minorities to live in mobile homes. Not all municipalities have implemented a fade-out policy. Some municipalities have actually worked on improving the existing encampments and realising more encampments, amongst others influenced by the EU framework that stipulates that living in mobile homes is a fundamental human right. There still some municipalities that feel they need more guidance from the national government regarding the direction to be taken and further (financial) assistance with realizing these housing policies despite repeatedly being warned for discriminatory practices.

Reasons for why, for a long time, local governments have been reluctant to reform their policies regarding living in mobile homes can be explained by two different factors. In the first place, municipalities miss the expertise on the practical functioning of human rights. Municipalities are often unaware and that it is also their responsibility to realize the human rights of Roma to live in mobile homes. When municipalities do not contribute to realizing this right, they are discriminating. Municipalities feel that human rights are the responsibility of the national government, arguing that the national government is the partner to the human rights treaties. But human rights should be the responsibility of all levels of government. In the second place, the reluctance has been given in by ideas on how realizing Roma, Sinti and Travellers' right to live in mobile homes may send the message that the government does not condone criminality conducted by the Roma. The acknowledgement of the right to live in mobile homes, recently re-discussed in the Netherlands under pressure of the EU, does not reduce the experts' opinion, nor the government's on why Roma should be disciplined to live a 'normal' live:

And even more, the Roma are also doing their best to keep us away from their 'backyard'. At the 'front yard' you deal with poverty, sadness, discrimination, children who are being discriminated against at school, unemployment, and that is all true. But as social workers we

¹⁰ See Art Spiegelmann (1980-1991). *Maus. A survivors Tale*. New York: Pantheon Books for an intergenerational telling of the holocaust.

only work on that 'front yard' but in fact we legitimize what happens in the backyard and something very different happens there, there is a very rigid system of underworld practices. There, real debts are made, real power relations are clear, the real life is lived there. But we do not get there. And as long as we don't get there, we will always be dealing with little front yard problems. (Academic, does not self-identify as Roma, NL D5.2.1)

What makes the claim for recognition in housing by Roma, Sinti and Travellers different from many other claims, is the claim for recognition, of wanting to be treated differently:

We have little experience with groups of citizens who experience problems with the government because they believe they belong to a certain group. Almost all citizens who come to us, simply come because they have an individual problem with the government. A problem that can happen to any other Dutchman, so to speak. [For instance:] 'I wrote a letter to the municipality and the municipality did not answer me', 'I called and they still do not give an answer'. that is not the type of complains of a citizen who believes s/he is part of a social group. Years ago we did an investigation into the neighbourhood the Schilderswijk in The Hague. The reason for this investigation is that back then, there were stories that the police may have discriminated against people of Turkish and Moroccan descent in the Schilderswijk. The problem in that research project seemed to be related mainly to the police considering them as a separate group. It revolved around cases of ethnic profiling. The police think that you look like you belong to that group and that is why you are picked out. (Strategic advisor/project leader Living in Mobile Homes, National Ombudsman, does not self-identify as Roma, NL D5.2.6).

Interestingly, the living in mobile homes has since 2014 been considered as intangible cultural heritage and the Roma perceive this recognition as an important win. What however points out, is that the Roma often do not seem to realize that this recognition of intangible cultural heritage, in terms of legal rights and possibilities, means little in practice. At the same time, the National Ombudsman interviewee has also observed that Roma increasingly know how to find their way to express and fight their grievances at formal institutions. The number of verdicts of the Netherland Institute of Human rights on housing claims by Roma, Sinti and Travellers minorities can testify to this development¹¹. Although he has perceived differences between the different sub-groups. He suspects that ethnic Roma groups are more distanced from Dutch society than the Sinti and Travellers:

We have spoken with Roma in a municipality where only Roma live on the encampment locations [...] I got the impression that there, uhm, a greater distance to Dutch society exists than I have seen with Sinti or Travellers and that is also what that official of that municipality said to me and I have been able to witness it myself. [Interviewer asks: and in what ways was that distance larger?] That is very difficult to indicate or point out, we have noticed it in the way they talked about the municipality or about the government, from what they said and told us, suggested a great dependence on the government. In the sense of, 'the government must give us this', 'the 'government must do that for us' and I will not pass judgment on that, but it just seemed like they did not understand how Dutch society works. (Strategic advisor/project leader Living in Mobile Homes, National Ombudsman, does not self-identify as Roma, NL D5.2.6).

¹¹ E.g. College voor de Rechten van de Mens (22 oktober 2015). Oordeelnummer: 2015-119; College voor de Rechten van de Mens (8 maart 2016). Oordeelnummer: 2016-19; College voor de Rechten van de Mens (5 juli 2016). Oordeelnummer 2016-64, 2016-67 en 2016-68; College voor de Rechten van de Mens (7 juli 2016). Oordeelnummer 2016-71 en 2016-72; College voor de Rechten van de Mens (14 oktober 2016). Oordeelnummer 2016-109 en 2016-110; College voor de Rechten van de Mens (19 december 2016). Oordeelnummer 2016-139; College voor de Rechten van de Mens (1 mei 2017). Oordeelnummer 2017-55.

8. CONCLUSIONS ON TENSIONS BETWEEN INSTITUTIONALISED POLITICAL JUSTICE AND EXPERIENCED (MIS)RECOGNITION

This analysis has shown that the most important institutional fields regarding the representation of Roma, Sinti and Traveller minorities in the Netherlands are: the restorative justice WW II framework, (the ambivalence of) social inclusion policies, multi-problem families with a Roma background, and housing/ living in mobile homes. In the first three fields the Dutch government has focussed on ethnic Roma and Sinti, leaving other similar minorities, such as Travellers out. Excluding Travellers from these policy domains has been problematized when it concerns the living in mobile homes as Travellers share similar needs to the Roma and Sinti for their way of living and housing. Excluding Travellers from the other institutional fields has garnered further little attention from the literature and our empirical analysis, although, our findings are limited, as we have not included any interviewees of Traveller groups in this report. Yet the literature suggests that the social position and political representation of Travellers is less problematic. Contested claims by Roma and Sinti groups in the Netherlands involve issues on in-group diversity and access to political justice claims; dilemmas of stigmatization and recognition; concerns on Roma political participation; and the recognition for (past) injustices and victimhood. These contested claims transcend the boundaries of the four separate institutional fields and are reflected in all four. Tensions between institutionalised political justice and experienced (mis)recognition came up in many of these claims. Causes for these tensions seem to be embedded in a strong politicized discourse on Roma, Sinti and Traveller minorities. This politicized discourse shows itself in the following three forms.

First, the Dutch government's approach towards Roma, Sinti and Traveller minorities has a strong contradictory or ambivalent character. On the one hand Roma, Sinti and similar groups are (still) represented as a threat to wider society against which strong repressive methods are necessary and applied in practice. On the other, a restorative justice discourse is in place in which Roma and Sinti groups' suffering during WW II is recognized and approached from a social inclusion perspective. In this politicized discourse, the image of Roma as a victim and perpetrator come together. Although, we find, that at close inspection, the so-called victim position receives limited attention. This is especially the case concerning recognition for intergenerational connections between the longer history of persecution and precarity in which Roma, Sinti and similar groups have lived, before -and- after WW II. The wordings of the restorative justice framework focus primarily on Roma and Sinti suffering during WW II and only implicitly acknowledges the societal divisions that led to this suffering and how these societal divisions were afterwards still in place and to an extent, still are today: even despite best intentions and active policies on the social inclusion of Roma and Sinti, their social position is very precarious now. In addition, only more recently 'fade-out' policies have garnered critique – albeit by non-governing governmental institutions – and are witness to how two decades of discriminatory (local) governmental policies targeted their lifestyle of living in mobile homes. Finally, restorative justice funds only became available in 2000 and that this came so late is something that Roma and Sinti are painfully aware of and can still feel misrecognized over.

Second, similar to how the definition of Roma is a strongly contested issue for policymakers, professionals and Roma, Sinti and Travellers themselves, political representation of Roma, Sinti and Travellers is equally a contested issue and poses serious challenges. Discourses on (political) representation repeatedly underline that differences between and within groups make representation of Roma minorities difficult and perhaps even impossible. That political representation of Roma in the Netherlands is a contested issue is further underlined by the absence of an active Roma and Sinti NGO on a national level. Roma and Sinti NGOs are primarily organized on a local level. Furthermore, political representation should be considered in the broadest sense of the word. Roma seem to feel that they are already representing their group when they are interviewed because of being Roma and answering questions about their Roma background seems to be considered an act of politics. These findings suggest that the way Roma and Sinti groups represent themselves may be connected to their

history of persecution and stigmatization in wider society. It is not unlikely that Roma groups are very aware of the stigma that they carry and even actively undermine generalizations about themselves. For instance, and very worrisome that still to this day, Roma are afraid to present themselves as Roma to non-Roma. These concerns for the stigma or stereotypes are shared by even, or perhaps especially, Roma who have attained societal success. These concerns are furthermore in line with our findings on how different discourses of “Othering” play a role in challenging the ability of Roma representatives’ to political represent their group. For example, when it concerns policy issues on culture and social inclusion, Roma voices – while with limitations - are included in decision-making processes. Roma voices are however excluded in the policy domain regarding enforcement and criminality because of concerns related to Roma representatives ‘being corrupt’ or ‘biased’. This exclusion might send the message that Roma cannot be trusted when it concerns issues of criminality. This lack of trust can be translated in a form of mis-recognition. Other insights that suggest that Roma political representation and recognition is a highly politicized issue in the context of the Netherlands, involve how Roma (representatives) are highly aware of the power of definitions and policy categories to open doors to funding under various policy frameworks. For instance, claims are made that specific sub groups should not be entitled to funding under the social inclusion framework because of a lack of problems concerning these sub-groups. In these cases, different migration backgrounds are pointed out to play an important role in the attained social position of groups in society. The contested claims cause much debate within the groups and contribute to boundary forming between different Roma and Sinti groups.

The third and final issue that points to a politicized discourse concerning Roma and Sinti revolves around the political justice perspectives of professionals working with Roma, Sinti and Traveller minorities. The political justice claims of professionals that have been working with Roma and Sinti (for a long period of time) seems to contrast with the political justice claims of Roma and Sinti groups themselves. Our analysis provides some insights on how governmental officials and professionals approach Roma and Sinti related matters from the perspective of their organisation(s) (function), and therefore may conflict with the political justice claims of the Roma and Sinti. In the case of the institutional domain of housing, this has led to a tension field between the self-perceived/ascribed public function of professionals/ institutions and the fundamental rights of Roma and Sinti minorities.

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TABLE OF RESPONDENTS

The preliminary insights of the Dutch context are based on 9 interviews

	Respondent code	Profession/institution	Self-identifies as Roma	Gender
1	NL D5.2.1	Academic specialized in working with Roma and Sinti related topics and professionals	no	M
2	NL D5.2.2	Coordinator Roma expert project of the Dutch National Police	no	M
3	NL D5.2.3	Policy Advisor Roma affairs, National Government	no	M
4	NL D5.2.4	Journalist and entrepreneur/Roma representative	yes	M
5	NL D5.2.5.	Roma representative at different Dutch ministries	yes	M
6	NL D5.2.6	Researcher on the reliability of the government for people living in mobile homes (travellers, Roma, Sinti and similar groups) for the National Ombudsman	no	M
7	NL D5.2.8	Aspiring Roma youth-worker	yes	M
8	NL D5.2.9	National coordinator policy for multi-problem families with a Roma background	no	V
9	NL D5.2.10	University student	yes	V