

MONITOR RACISM
& EXTREME RIGHT
ROMA EN SINTI

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Monitor racism & the extreme right Roma and Sinti

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Introduction

Many people would call this a report about ‘Gypsies’. However, it is generally not acceptable amongst the Roma and Sinti in the Netherlands to use the word ‘Gypsy’. Nonetheless, this is the term used in colloquial speech to refer to these groups. In addition, not everybody is aware of the difference between ‘Gypsies’ and Travellers. The term Travellers (or caravan dwellers) refers to a lifestyle (or a type of housing) while the Roma and Sinti are considered an ethnic group. In the Roma and Sinti community the expression ‘Gypsies’ has a very negative connotation. The word probably originated from the German phrase *ziehender Gauner*, which can be translated as travelling rogue. More than enough reason for us to refer to them as Roma and Sinti in this study.

On 1 May 2004, the European Union expanded with member states from Middle and Eastern Europe. This raised the question of whether these countries provide enough opportunity and protection to Roma and Sinti residing within their borders. It is common knowledge that the Roma and Sinti in these countries occupy a less than enviable position. Consequently, an array of European institutions – such as the Council of Europe – have repeatedly insisted that this population group should receive extra assistance and protection against discrimination. However, the question of whether the position of Roma and Sinti in Western Europe is actually any better also presents itself, or do they simply attract less attention because the population group is so much smaller. And finally, to what extent are Roma and Sinti in the Netherlands confronted with discrimination and unequal treatment? It is this last question that we want to answer with this study.

Reports are periodically prepared within the framework of the project ‘Monitor Racism and the Extreme Right’ about the state-of-affairs regarding racial discrimination, racially motivated violence, and the extreme right in the Netherlands. The Monitor Project is conducted in joint cooperation by the Anne Frank

House and Leiden University. The reporting about the discrimination of Roma and Sinti in the Netherlands has only been incidental during the course of this project. For instance: the fourth Monitor Report included an account of the ‘buy-out’ in the year 2000 of a group of Roma by the municipality of Driebergen¹. The (amount of the) compensation as well as the treatment of these Roma after their departure from the town attracted the attention of the nationwide media in the country for months. In addition, the Roma and Sinti scarcely appear in the figures gathered for the purposes of the Monitor Project. A possible explanation is that that this relatively small population group experiences no significant forms of discrimination. The Roma and Sinti do not appear in overviews such as those compiled in the Netherlands in the past years by the *Landelijke Vereniging van Anti-Discriminatie Bureaus en Meldpunten* (National Federation of Anti-Discrimination Agencies and Hotlines). The Roma and Sinti hardly ever file complaints with the Dutch *Commissie Gelijke Behandeling* (CGB or Equal Treatment Commission) or the Public Prosecutor’s Office. Another plausible explanation is that the Roma and Sinti in this country experience discrimination, but they do not report these incidents to established institutions such as the police, *Anti-Discriminatie Bureaus* or the *Commissie Gelijke Behandeling*.

Therefore, how extensive is the discrimination that the Roma and Sinti experience in the Netherlands? Because exact figures in this area are lacking, we sought the advice of ‘key informants’ to answer this question. These are people who have specific expertise in the subject area Roma and Sinti. Our goal was to make an inventory – from the perspective of the Roma and Sinti – of whether incidental or structural instances of discrimination occurred in the period 2002-2003. This particular time frame was chosen because it corresponds with the most recent (fifth) Monitor Report and also prevents our analysis from being based on material that is (more or less) outdated. Information provided by the key informants was supplemented by available statistics in this area, which were collected in the same period by the Documentation Centre of the Anne Frank House.

It is almost impossible to answer the questions posed in this investigation, or to make recommendations, without considering the background and social position of those who live in the different Roma and Sinti communities in the Netherlands. Therefore, such an account is included in this report. The selection of the key informants and the chosen methodology are explained later in these pages.

At this time, we wish to express our thanks to the people we interviewed for their candid cooperation. This English language publication was made possible in part by the support of the *Directie Integratie en Coördinatie Minderhedenbeleid van het Ministerie van Justitie* (Directorate-General of Minorities Integration Policy of the Ministry of Justice, The Netherlands). We also want to emphasise that the authors assume full responsibility for the conclusions drawn in this study. Maaïke Matelski participated in this project as part of an internship related to her study Social Psychology at the University of Amsterdam.

Definitions and methodology

The United Nations International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) defines the term race as (skin) ‘colour, descent, or national or ethnic origin...’² This 1965 convention, to a certain extent created in response to the atrocities of the Second World War, was ratified by the Netherlands in 1966. What therefore follows from this is that Roma and Sinti should benefit from some kind of protection – under this definition of race – if they are disadvantaged or excluded due to their ethnicity. However, the jurisprudence in the Netherlands related to this is almost non-existent. One of the few exceptions is a ruling from the *Commissie Gelijke Behandeling* (CGB or Equal Treatment Commission) in the Netherlands – about alleged discrimination related to purchasing auto insurance.³

To have a good grasp of the subject at hand, a distinction needs to be made between (discrimination of) Travellers and caravan dwellers and (discrimination of) Roma and Sinti. As mentioned earlier, caravan dwellers (Travellers) distinguish themselves particularly by their type of housing. Even though one can speak of a distinct culture among caravan dwellers, it is primarily a social construction. The Roma and Sinti, on the other hand, are ethnic groups that originated from outside the Netherlands. Some Roma and Sinti live in caravans and others live in houses. If they do live in caravans their situation will reflect that of other caravan dwellers and Travellers. This applies for instance in policymaking regarding caravan sites. Though both groups are affected in this case by such measures, caravan dwellers fall outside the scope of our study.

In terms of the numbers, there are also huge differences. Approximately 30,000 caravan dwellers live in the Netherlands⁴ while, according to our estimates, the Roma and Sinti community is comprised of about 6,000 people.⁵ The govern-

ment and society have progressively grown more critical in their attitudes towards caravan dwellers. Where this relates to the position of Roma and Sinti, it is addressed in this report. From the standpoint of being protected under the law, differences exist as well. Discrimination against Roma and Sinti falls under Dutch Criminal Law as well as under the (Civil) *Algemene Wet Gelijke Behandeling* (AWGB or Equal Treatment Act) that prohibits discrimination by race. In contrast, the anti-discrimination legislation in the Netherlands does not designate caravan dwellers as a group that needs to be protected. However, it is possible for them to receive protection under the general ruling ‘whatever other reasons’ in the ban against discrimination in Article 1 of the Dutch Constitution. The CGB (Equal Treatment Commission) has also provided protection to members of this group under the term race when there is a caravan dwellers tradition manifested in succeeding generations, and when a group considers itself a community of people with a cultural tradition different than that of other population groups.⁶

As previously stated, due to a lack of statistics about (social) disadvantage and exclusion, we chose to speak to people who have a specific expertise about the Roma and Sinti in the Netherlands. In the selection of these key informants, the decision was made to give these experts from the Roma and Sinti community an opportunity to express their own insights as well. At the same time, an effort was made to avoid a repetition of the information we received. Of the many local experts available to us – due to limitations of time and manpower – only a small group of people were approached. A list of the key informants we interviewed appears as Appendix I in this report.

The interviews we conducted were based on a prepared list of questions included in this report as Appendix II. The primary objective of the interviews was to determine if perceptible discrimination or unequal treatment occurs. By perceptible discrimination or unequal treatment we mean disadvantage and exclusion experienced as such by Roma and Sinti themselves. This does not mean that the criminal ban on discrimination has actually been violated or that there has been a violation of the Equal Treatment Act. If we did look at complaints filed with the Anti-Discrimination Bureaus, or the requests for a ruling from the Equal Treatment Commission, it likewise concerned disadvantage or exclusion experienced by those directly involved. The principle aim of our research is not to investigate if a specific complaint about discrimination is indeed legitimate.

However, in cases where such a conclusion could be drawn without a lengthy investigation, this has been mentioned.

In an international context, discussion usually focuses around the Roma. In this study, we chose the designation Roma and Sinti because we wish to represent the situation characteristic to the Netherlands. However, this means that potential differences that might exist between Roma and Sinti – in their backgrounds and position – need to be taken into account. After all, these (potential) differences can also be relevant in answering the question of whether discrimination occurs, and if it does, in what form it manifests itself. In order to draw accurate conclusions from the results of the interviews and the analysis of problematic issues, it is essential that the migration of Roma and Sinti to the Netherlands and their position in society be described in brief. The next two chapters, which are devoted to just such a description, are based on an examination of literary sources, the interviews we conducted, and our own observations.

Migration

Origins and persecution

A lot of ambiguity exists about the origins of Roma and Sinti as a group. There is little, if any, written documentation and much information comes from myths and legends with sources that are difficult to verify. The theory heard most often, and also the one most popular amongst the Roma and Sinti themselves, is that they originated from India. Researchers basically arrived at this conclusion because of similarities between their Romani language and Sanskrit. The resemblance of the Roma and Sinti in terms of appearance and culture to the people of India is also often pointed out. The name Sinti, for instance, could have been derived from the Indian River Sindh and the name Roma from the Indian (Hindu) god Ram.⁷ Some time in the early Middle Ages, the Roma and Sinti allegedly left⁸ or were driven out of India.⁹ They headed for Europe via the Middle East and then they, themselves, scattered in different directions as separate groups. There are many distinct groups by now, but for the situation in the Netherlands we can limit ourselves to Roma and Sinti. The Sinti headed toward Western Europe relatively early on. The Roma initially settled in Eastern Europe and then made their way to Western Europe, particularly during the past one hundred years.¹⁰

The history of this group is remarkable because the Roma and Sinti have been persecuted for centuries in many different places in the world. Probably the most significant reason for this is their nomadic existence, which they have already practiced for ages and which usually led them to being perceived as outsiders. Though they occasionally received a warm welcome when they first arrived somewhere, later they were driven away. In other places, they were never welcome at all. Apart from religious motives and latent xenophobia, their reception over the centuries has been determined for the most part by the economic situation in a given area of a country. They lived in the past and also live nowa-

days primarily from ambulant professions related to trade, handicrafts, or art and of course the need for these skills can vary extensively. The Roma and Sinti have remained recognisable as a separate group due to their lifestyle. If there were problems, their nomadic existence made it relatively easy to blame them and drive them away. This recurrent and difficult interaction has contributed to a continual decrease in their trust of the outside world – also referred to by Roma and Sinti as ‘civilian society’ – and this in turn has led them to withdraw further into their own communities.

The Second World War was a one of the most awful periods of persecution for the Roma and Sinti. The immigration of groups of Roma and Sinti that began in the nineteenth century in Germany led to xenophobia and discrimination. Besides the Jews, the Nazi regime also labelled ‘Gypsies’ as one of their scapegoats, and they too were deported to concentration camps and also subjected to racial (medical) experiments and sterilisation. Estimates suggest that five hundred thousand to one million Roma and Sinti were murdered during the Second World War.¹¹ Due to their atypical and nomadic lifestyle, the Roma and Sinti who survived the war were not acceptable to Communist (Stalinist) governments controlling the countries of Eastern Europe and their social position was poor. Despite discrimination, disadvantage and exclusion, some did manage to gain access to education and the labour market. However, after the fall of the Berlin Wall, unemployment in Eastern Europe increased and the Roma were hit extra hard due to their lack of schooling. In addition, they did not fit into the changing identity of many Eastern European countries, and the racism and discrimination against them continued to increase. According to estimates, anywhere from eight to twelve million Roma presently live dispersed across Europe.¹²

3.2 –

Roma and Sinti in the Netherlands

The first Roma and Sinti to arrive in the area now called the Netherlands were observed in the town of Deventer in 1420.¹³ Over the course of the fifteenth century more and more Roma and Sinti entered the country. In the beginning mostly Eastern European Roma came driven by economic motives and stayed only for a short while. The Sinti arrived somewhat later – after travelling a roundabout route that brought them from areas where German was spoken – and settled

in Northern Brabant and Limburg in the south. The stays of Roma and Sinti in the Netherlands up until the Second World War can be divided into two periods (1420-1750 and 1868-1944) with a 'Gypsy-free intermezzo' in-between. Roma and Sinti in the Netherlands were originally called 'Heathens' or 'Egyptians'¹⁴ and it was only later that the term 'Gypsy' became popular. Though the exact origin of this word cannot be determined, it is generally considered very derogatory by the Roma and Sinti themselves.¹⁵

The government of the Netherlands has never been particularly pleased about the arrival of these nomadic groups and has imposed a variety of restrictive measures on them. Down through the ages, prejudices against 'Gypsies' have usually been numerous and widespread. These groups have been depicted in official government documents as 'riffraff' best to be avoided. They were even outlawed in a document issued in 1726 by the ruling body of the Dutch province of Overijssel. The decree encouraged: 'that all so-called Heathens be robbed of their lives, in whatever manner best suitable, without any person incurring the slightest punishment whatsoever.'¹⁶ Also an authoritative contribution written centuries later, in 1907, by the Dutch Reformed theologian and Prime Minister Abraham Kuyper summarised many of the prejudices toward 'the Gypsies'. He concluded his work with the following statement: 'Their decision in 1417 to pour into Europe has caused Europe nothing more than harm and as for them, it has become a disaster from which there is no return.'¹⁷

Beginning in the nineteenth century, many European countries actively implemented policies against the settlement of the Roma and Sinti.¹⁸ The enactment of such policies in the Netherlands began in 1928. Groups of Roma and Sinti were often shoved back and forth across the different borders. This situation was very damaging to their economic as well as their social position. Nevertheless, there has been a group of 'assimilated' Sinti in the Netherlands since the beginning of the twentieth century. A small group of Roma arrived in the Netherlands between the First and Second World War; this group will later be referred to as the 'old' Roma. In 1943, during the Nazi Occupation of the Netherlands, caravan dwellers were prohibited from travelling. The group was also registered with the *Recherchecentrale* (Special Investigations Office), which normally only occurred in the case of criminals.¹⁹ Many Roma and Sinti subsequently chose to abandon their caravans and went into hiding. Nonetheless, in May of 1944, 245 Dutch Roma and Sinti were rounded up during a *razzia* and deported to

Nazi concentration camps. Of this group, only 30 Roma and Sinti returned.²⁰ However, recognition of the suffering they had experienced during war was long in coming. This small group of survivors retreated to isolated areas of the country. They felt as if their very existence and the story of their persecution in the Netherlands had not been properly acknowledged. This is addressed in a later chapter of this report.²¹

3.3

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Post-war migration

After the Second World War, new groups of Roma arrived in the Netherlands. This migration can be divided into a few distinct periods.

The 1960s

There were Roma among the so-called migrant labourers who came to the Netherlands in the 1960s as foreign workers from Italy, (former) Yugoslavia, Greece, and Turkey.²² In contrast to the 'old' Roma, they still had strong ties to their mother countries. The prejudices that already existed against the Roma usually led these new arrivals to conceal their ethnic identity. Consequently, almost nothing is known about this group. Some estimate their numbers in the Netherlands — including descendants — to be in the neighbourhood of a few thousand people.²³

The 1970s

Beginning in the middle of the 1960s, groups of Eastern European Roma — often stateless — travelled to Western Europe. West European governments tried, as best as they could, to discourage this migration. By the mid-70s, a group of approximately five hundred Roma were living in the Netherlands. Given the fact that this group could not be expelled because no other country was willing to take them, the Dutch government was forced to come up with a solution. The first decision was to let them register. They could then receive residence permits, under the condition that there were local municipalities prepared to house them. Not a single municipality was enthusiastic about this idea, also in part because there was already a large shortage of caravan sites in the Netherlands. It took a year before eleven municipalities were found that were prepared to provide quarters for these Roma, yet in houses, not in caravans. With

the stipulation that they would choose for a sedentary lifestyle, 450 Roma were issued residence permits in one of these so-called *opvanggemeenten* (relief municipalities). The following towns and cities took part: Berkel-Enschot, Capelle aan den IJssel, Ede, Epe, Gilze-Rijen, Lelystad, Nieuwegein, Oldenzaal, Spijkenisse, Utrecht and Veendam. Several municipalities only cooperated because of the special privileges they would be granted 'in return'.²⁴

It was evident that the Dutch authorities were very distressed by the situation at hand. The government and the parliament disagreed regularly and there were problems related to the registration. Once the actual decision was made to let Roma who were already in the Netherlands register, they were only given three days time to do so. This was to ensure that Roma in other countries would not seize the opportunity to also apply for residence permits. However, a number of Roma who had the right to register were not able to do so within three days. Some were abroad at that moment and others received the news much too late. This could also be attributed to the high percentage of illiteracy among this group. What also occurred is that one part of a family succeeded in registering while another part did not. Due to all of this, the procedure was disappointing for all the parties involved. A decision was finally taken to hold a 'post-registration', so some of those who had missed the first opportunity could still manage to acquire residence permits. Yet, others are still not in possession of valid documents.²⁵

The intention – following this one time measure – was to secure the country's borders so that no other Roma would enter the Netherlands. However, in 1979, a new group of a few hundred illegal Roma appeared in Amsterdam, Utrecht, and Lelystad. For this group, there were essentially no solutions. After much discussion, a decision was made to issue a handful of them (temporary) residence permits that would be valid for one year at a time - until their country of origin could be determined. This provision was not tenable and was eventually abandoned, which also made it possible for these Roma to stay in the Netherlands permanently. Especially the Dutch Labour Party politician and *Landdrost* (magistrate) Han Lammers came to the aid of this group. Little is known about those who were not eligible for this measure. It is presumed that the majority of them simply made their way to other countries.

Specifically the 1979 group led by Koka Petalo was often very vocal in the media. This mainly revolved around the protests of those who could not obtain residence permits. The effect of all this media attention was that the Roma acquired even more of a reputation of being a problematic group. This stigma also affected the 'old' Roma and (especially) the Sinti who had been in the Netherlands for centuries. The relationship between these earlier groups – also sometimes called 'Dutch Gypsies' – and the new group of 'foreign Gypsies' deteriorated further because of this. The Sinti were particularly annoyed with Koka Petalo, who had proclaimed himself 'King of the Gypsies', while they felt he did not represent them in any way. However, the government of the Netherlands and also the media were insensitive to this issue. This period still exerts an influence on the relationship between different groups of Roma and Sinti in the Netherlands and the attitude of 'civilians'²⁶ related to the Roma en Sinti.

The 1990s

The newest group of Roma in the Netherlands is found among refugees and asylum seekers who fled – especially Eastern Europe – for political and economic reasons. Their numbers are not known because they usually do not reveal their Roma background. Their position differs from earlier groups of Roma and Sinti. They hardly travel and they live in permanent housing, so they are less recognisable as a separate group. In addition, they have frequently been educated or have worked in the countries they originate from and are therefore better able to adjust in Dutch society.²⁷

3.4

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Migration and integration

From the moment that the Roma and Sinti arrived in the Netherlands, the Dutch government has been developing policies for them. Sometimes the policy-making was specifically geared to this group; sometimes it involved measures for caravan dwellers and Travellers in general. What follows are two striking developments that were extremely significant for the integration of Roma and Sinti into Dutch society.

Wartime victims

The treatment of the Roma and Sinti who survived the Second World War is

perceived by them and their descendants as degrading. In the post-war Netherlands, nobody was interested in the relatively small number of Roma and Sinti who had been murdered or those who were traumatised by the war. The government assumed that there were hardly any Roma and Sinti left among caravan dwellers.²⁸ The Roma and Sinti themselves chose to retreat into their own circles. A razzia carried out in 1944 by the Dutch Police (working under Nazi Occupation) had destroyed the community's last bit of trust in the government. By being as inconspicuous as possible, they hoped to ensure their own safety.

Many Roma and Sinti view the post-war compensation paid to victims of the Second World War by the Dutch government as 'blood money'. They are not interested in being 'bought off' for the death of their loved ones and because of this are generally not very pro-active in applying for benefits entitled to them under the *Wet Uitkering Vervolgingsslachtoffers*. (wuv or Victims of Persecution 1940-1945 Benefits Act). In addition, the Roma and Sinti have not always been well informed about this opportunity to receive compensation. Due to the high level of illiteracy in their community, they are difficult to reach via the customary channels. It took until the 1990s before requests for these benefits were filed with more regularity, thanks in part to the efforts of the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation). Though particularly for many first generation victims of the war, this measure came too late.²⁹

Even once the level of interest about the circumstances and persecution of the Roma and Sinti during the Second World War had increased, their awful fate was still barely acknowledged. It took a relatively long time before the group received their first war monument (1978)³⁰ and any sort of financial compensation (2000). The Dutch government finally allocated an amount of 30 million guilders (+/-14 million euros) as compensation on 21 March 2000. This sum is earmarked to be distributed as individual war pensions and as subsidies for projects that benefit the Roma and Sinti community.³¹

In the past few years, the government of the Netherlands has paid more attention to what happened to the Dutch Roma and Sinti during the Second World War. Their war victims are officially remembered at the national *Dodenherdenking* (Remembrance Day) held annually on Dam Square in Amsterdam. During the ceremony, representatives of the Roma and Sinti community lay wreaths at the foot of the Netherlands' War Memorial.³²

Residence permits

We have already mentioned some aspects related to the legalisation of the group of Roma and Sinti in the 1970s. However, a few other aspects of this governmental decision are also noteworthy. These specifically relate to certain restrictions that were attached to obtaining these residence permits. These restrictions were implemented so the legalisation could be explained as an emergency measure by the government. The intent of the registration was to restrict 'the damage' to this specific group and to make it impossible for other Roma and Sinti to enter the country. These measures, in turn, created the impression that the registration was rather arbitrary. Those who managed to register within the timeframe allotted could stay and the rest could not, no matter their personal circumstances. The refusal of the government to issue residence permits to the Roma that travelled to the Netherlands in the years that followed was simply justified with the argument that it had all been agreed upon in the past. Also any further reuniting of extended families was basically made impossible, given that the Roma were saddled with an income requirement that was seldom within reach. Other (im)migrants in the same position did not have to meet this requirement.³³ Here one can clearly speak of unequal treatment. This resulted in households where a few members were in the Netherlands legally and the rest were not.³⁴

The Roma who were allowed to stay were granted temporary residence permits for the first year, which resulted for instance in them not being able to receive work permits and in severe delays in the conversion of their foreign driving licences to Dutch permits. Due to this, many were not allowed to drive in that period. The Dutch government was afraid that the Roma in possession of a residence permit would start 'wandering' around while the arrangements with the so-called *opvanggemeenten* (relief municipalities) had not yet been finalised.³⁵ Besides the fact that they were hardly able to build a life during this period, a completely different lifestyle than the one they were accustomed to was forced upon them. Particularly the condition that the Roma had to live in houses was for many a complete culture clash. The expectation was that they would be 'assimilated' within five years. In terms of them finding work, expectations were also too high. Certainly given the fact that it was common knowledge beforehand that a majority of the Roma were illiterate. The literacy programmes instituted were made mandatory under penalty of a reduction in income benefits (welfare). Given that this requirement did not apply to people from other

minority groups who were illiterate, the principle of equal treatment was violated.³⁶ In implementing its policies, the government repeatedly pushed the boundaries of the law. For example, in 1979, an attempt was made to expel a number of Roma to (former) Yugoslavia because they refused to settle in the *opvanggemeenten* (relief municipalities). However, this concerned people who had already been legalised in the Netherlands so deporting them was no longer a viable option.³⁷

Because the expectations surrounding the assimilation of the Roma were initially too high, the reality could only be disappointing. This feeling has overshadowed any modest steps forward that have actually been made over the course of time. The settlement of the Roma in the municipalities that agreed to take them in was quickly followed by a great deal of frustration from all the parties involved. The communities complained that the Roma were not adjusting and that the government had painted a much too optimistic picture. The Roma complained about the maze of regulations and the uncertainty about their status. Because of their significant disadvantages in society, the Roma were barely able to find employment. Communities complained about the increased criminal behaviour that would result from this. Within no time, insufficient assimilation and criminal behaviour were used pre-emptively to reject requests for naturalisation, which made integrating even more difficult.

Social position

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Numbers and geographic distribution

The amount of Roma and Sinti in the Netherlands is difficult to determine. In the past years, this group has not appeared in the report *Allochtonen in Nederland* (Ethnic Minorities in the Netherlands) issued annually by the *Centraal Bureau voor de Statistiek* (Dutch Central Statistical Office).³⁸ The yearly *Rapportage Integratiebeleid Etnische Minderheden* (RIEM or Report Integration Policy Ethnic Minorities) last indicated in the year 2002 an estimate of 2,000 persons.³⁹ However, this figure actually dates from the year 2000 and is in sharp contrast to the estimate that was then made by the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation)⁴⁰ namely 5,000. In that same period, we reported in a publication for the European Monitoring Centre on Racism and Xenophobia (EUMC) that the number was probably closer to 3,500.⁴¹ Partially based on a publication from FORUM, an institute for multicultural development in the Netherlands,⁴² we stated in the Monitor Racism and the Extreme Right: fourth report that 6,000 people⁴³ were involved. A lower number was indicated in the *Jaarboek Minderheden 2003* (Minorities Yearbook 2003). The authors of this yearbook estimated the Roma and Sinti community to be around 4,000 persons.⁴⁴ Others come up with totals ranging from 6,000 to 10,000.⁴⁵ This all clearly indicates that exact numbers are lacking.

Any approximation is partly dependent on what kind of a definition is applied. If the criteria demand that people feel like and call themselves Roma and Sinti, then perhaps those ‘civilians’ who have married into the community should also be included. However, in that case, people with Roma and Sinti backgrounds who no longer identify with the community should not be taken into account either. There is also much to be said for the standard of having at least one Roma or Sinti parent, because this resembles the definition of ethnic minority as ap-

plied by the CBS (Dutch Central Statistical Office).⁴⁶ The difficulty that arises here is that the Roma and Sinti often choose to conceal their ethnic identity from the public, even if they personally acknowledge it themselves. This is related, on the one hand, to the poor reputation of Roma and Sinti in the Netherlands. On the other hand, part of the community still clearly remembers what registration led to during the Second World War. In this respect, fear of revealing their background to the outside world has been passed down from generation to generation. Also, the fact that particularly many of the Roma now live in houses makes their numbers even more difficult to estimate.

In order to get a better idea of the size of the Roma and Sinti community, we have come up with a reasonable approximation that also relies on the estimates provided by our key informants. However, none of our experts could name an exact figure with any certainty. The original size of some Roma and Sinti groups is known from historical sources.⁴⁷ What needs to be considered, subsequent to this, is the population growth that occurred in these groups over the course of time. Taking everything into account, we arrive at a figure of around 6,000 Roma and Sinti in the Netherlands. The Sinti in this population, who were the largest group shortly after the war, are now somewhat in the minority (2,500). The number of Roma as a result of the influx of the 1970s is now estimated at 1,500. The Roma living in the Netherlands who go way back (500) and the so-called new Roma community (500) equal each other in size. The new Roma fled to the Netherlands primarily as refugees. In addition there were also Roma among the migrant labourers recruited to work in the Netherlands from countries abroad (1,000).⁴⁸ Most of the Roma now living in the Netherlands have received the Dutch nationality.⁴⁹

Not only is the amount of Roma and Sinti difficult to estimate, it is even more difficult to determine where they can be found in the Netherlands, though certain concentrations are apparent. The majority of the Sinti live in Southeast Brabant and Middle and South Limburg. They themselves provided a number of reasons for this particular location: a desire to be close to the border, the southern and 'Burgundian' lifestyle in the traditionally Catholic part of the Netherlands that tends to go well with their own culture, and the fact that there is comparatively a lot of space for caravan sites. The Roma who arrived at the end of the 1970s were originally required to live in the eleven municipalities designated at that time.⁵⁰ Even though Roma families are still found in those places, by now many

have left for larger cities such as Den Bosch, Tilburg, and Amsterdam (the Bijlmer neighbourhood on the outskirts of Amsterdam where many different minority groups live). The newest group of Roma (refugees) are mostly found in larger cities, but also appear in smaller communities such as Oss, where the *Landelijke Stichting 'Roma Emancipatie'* (National Foundation 'Roma Emancipation') is also located.⁵¹ Apart from the southern provinces of the Netherlands, concentrations of Roma, and to a lesser degree also of Sinti, can be found in the provinces Utrecht as well as the provinces of North and South Holland. There are actually Roma and Sinti living in every province, especially in the larger cities. The majority of these city dwellers do not live in caravans but in houses.

4.2 —

Culture

Part of this report must also be devoted to the 'culture' of the Roma and Sinti. A comprehensive and detailed dissertation on this topic is however not necessary for our research, and this would also be difficult given there are very few organised records or statistical data available. So, we have confined ourselves to a brief sketch based on an array of sources we consulted and the discussions we had with our key informants.

The first thing that needs to be pointed out is that one cannot speak of 'the culture' of the Roma and Sinti. Actually, it is a blend of their 'own' culture, of (im)migrant culture, and of elements of the culture of the communities where the Roma and Sinti dwell. An important difference with western cultures, including that of the Netherlands, is that the Roma and Sinti do not have a written tradition. As a result, much information is communicated via oral tradition; in fact, this is particularly the case with many older members of the community. Young people in the community are educated via the stories, firsthand experiences, and attitudes about values and customs conveyed to them by older members of their family. The language(s) used for this verbal communication do not have one written form. According to a few of our key informants, many in the community prefer that this tradition continue. One could even say that this lack of a written tradition is seen as a regular part of the lifestyle. The notion that the language is something that belongs exclusively to the Roma and Sinti and that it is better not to share it with the outside world plays a role here. We were told

that this attitude not only stems from a long tradition but also has to do with their experiences during the Second World War. If a language is kept secret, as an old saying goes, ‘words cannot be used as weapons’ against you.

In present-day practice, the lack of a written tradition and the illiteracy that results from this is an obstacle to integration and emancipation. Furthermore, it is not surprising that these factors contribute to the existence of prejudice and discrimination. People can easily be labelled as ignorant and backwards.

Another cultural characteristic in Roma and Sinti tradition is their determination to preserve their own culture. A number of elements of the culture are extremely old – for example the language – and its preservation is partially facilitated by isolation. Due to their history of travelling and persecution, they have frequently shut themselves off from the outside world and external influences. Conversely, the surrounding society has more often discouraged than encouraged interaction with the Roma and Sinti. This situation has contributed to the preservation of the uniqueness of this group on the one hand. However, on the other hand, this focus on identity has certainly not advanced the participation of the Roma and Sinti in Dutch society and this is apparent even today.

The Roma and Sinti community is reportedly organised very hierarchically. According to custom, the elders must be shown a great deal of respect and consulted regarding important events or decisions. If the elderly need to be cared for, this is arranged within their own circles and families. The position of men and women in their society is generally not considered equal. Men usually occupy a higher position in the hierarchy than women. This especially applies to communication with the outside world, where the men traditionally speak for the community. The women are basically expected to carry out household tasks and to assume the major responsibility for raising the children. However, these traditional role patterns are now being challenged. Particularly many of the Sinti women are apparently no longer willing to accept their inferior status and are pushing for change. It is remarkable that in the stride for emancipation for Sinti in the Netherlands and in terms of communication with the ‘civilian society’ that it is primarily Sinti women who are at the forefront.⁵² We were told they sometimes experience resistance from the older generation regarding their actions. Therefore, these women spoke about their twofold struggle for emancipation: that of the Sinti within Dutch society as well as the younger generation

of women in relationship to the older generation of Sinti men.

Roma and Sinti in the Netherlands do not practice one common religion. During their travels they often adopted the religion of their surroundings. There are momentarily many followers of Roman Catholicism and the Pentecostal Church, especially among the Sinti. Most Roma and Sinti practice their religion in their own circles and are not regular churchgoers. Though they do organise large religious gatherings such as the yearly Sinti pilgrimage to Roermond where most of the children are baptised. Not only are there Christians among the new Roma refugees from Eastern Europe, but also Muslims.

4.3 —

Roma and Sinti: one group?

To answer the questions in this study related to the likelihood of discrimination occurring against Roma and Sinti in the Netherlands, it is crucial for the classifications that are made to be correct. The question then arises whether it is judicious to regard the Roma and Sinti as one population group, or is it essential to our analysis to divide them into diverse groups with their different backgrounds and circumstances? It is difficult to provide an answer to this question, because it is dependent as well on the approach selected.

What all Roma and Sinti have in common is their history of travelling and being persecuted. Furthermore, it would seem they share a common origin and their languages and customs exhibit huge similarities. Additionally, they are almost always stigmatised by the outside world as one group: with terms such as ‘Heathens’, ‘Gypsies’, or simply ‘caravan dwellers’. Some of our informants admitted that even they, at times, have presented themselves as one group in order to improve their position. Certainly a large group has more influence than all sorts of smaller groups with competing interests. It is indeed striking to see that when they have a mutual interest at stake, such as their rehabilitation after the Second World War, that different groups of ‘old’ Roma and Sinti can work together relatively well. Aside from the similarities mentioned here, there is also a huge amount of diversity within and between these groups, something they themselves generally like to emphasise. Therefore, whenever possible, it is important to keep these differences in mind. Illustrative of this diversity in

the community is the fact that not even our key informants could agree about the breakdown of and eventual differences between the groups. However, it is clear that except for a few Roma families, the Sinti have lived in the country the longest. Their situation in Dutch society is therefore not an issue. They know how to arrange the essentials required to survive in Dutch society. For a (limited) number of the Roma — some who arrived in the 1970s as well as some new refugees — problems still exist related to the status of their residency. Naturally, this uncertainty about their situation and future does not contribute to their integration into Dutch society. At this moment, the Dutch Roma tend to travel more than the Dutch Sinti. By all accounts the Roma feel more European — more like world citizens — than they do Dutch and are therefore less inclined to invest in their position in the Netherlands. In contrast to this, the majority of Roma live in more urban areas and mingle faster with the rest of society, while the Sinti primarily live in the countryside and often withdraw into their own communities. This can be attributed in part to the Sinti being more attached to traditional customs.

The question remains if the differences between the diverse groups of Roma are not just as great as between the Roma and the Sinti. The older group of Roma (from before the Second World War) resembles the Sinti the most. Besides their long history in the Netherlands, among other things, they have the experience of the war years in common. The Sinti and 'old' Roma regularly have contact with each other, including via the marriages that occur between their families. In many ways, the 1970s Roma are removed from these other groups. Both the Sinti and the 'old' Roma were unhappy with the stigmatisation created by the problems that existed at that time, and the media attention that this group attracted. Despite the steps that were finally taken toward legalisation, the problems with this group were not resolved. This can, in part, be attributed to the uncertain position they found themselves in for quite a long time. In addition, the arrival of (new) illegal Roma and their unwillingness to adhere to certain rules and procedures increased the difficulty of their situation. Today, a relatively large amount of problems still plague this group. In the meantime, not only does this affect the public image of the 'old' Roma and Sinti, but that of new Roma refugees as well.

4.4 —

Housing

Right after the war ended, the Dutch government was not interested in the Roma and Sinti, but they were concerned with the larger population of caravan dwellers. At the end of the 1950s, a study was conducted of the caravan-dwelling population in the Netherlands. This inquiry led to the enactment of a bill that finally resulted in the Dutch *Woonwagenwet* (Caravan Sites Act) of 1968. The objective of this law was ‘for the caravan-dwelling population to adapt to the established society.’⁵³ Although the aim of the law was also to improve the social position of caravan dwellers, it was apparent that caravans were considered an undesirable form of housing. Fifty regional encampments were planned, where all caravan dwellers were obliged to locate. If somebody wanted to move to a different encampment, they would first have to know with certainty that another site was available for their caravan. This was hardly ever possible due to a general shortage of encampments, as well as a shortage of sites. New licenses that permitted living in caravans were only issued when this was necessary for practicing one’s (ambulant) profession. However, a new licence could only be acquired if one had parents who had also lived in a caravan. This so-called *afstammingsbeginsel* (birthright proviso) would have eventually resulted in the disappearance of caravans as a form of housing and was therefore considered by many to be discriminatory.

There were many negative consequences for caravan dwellers and also for Roma and Sinti living on caravan encampments as a result of the Dutch *Woonwagenwet*. Due to the shortage of sites, beginning a family in a caravan became almost impossible. In addition, the new locations that were chosen for encampments were usually in isolated or neglected areas of the country where services were poor. So living in these isolated locations also created distance with the ‘civilian society’. The economic consequences of the law were also negative. Travellers and caravan dwellers, who practiced ambulant professions for the most part, could no longer work due to this masked ban that prohibited them from travelling. Moreover, due to the resulting concentration of caravans there was a lot of competition in a given area. Many lost their means of earning a living and became dependent on government income benefits.

When the goals of the *Woonwagenwet* were not achieved in the Netherlands, the first modifications were quickly implemented. In the mid-70s, the government decided to change over to a deconcentration of caravans.⁵⁴ Indeed, now the goal was contact and integration with the ‘civilian society’. However, the largest problem was not resolved. Decisions continued to be made about caravan dwellers without asking them what they wanted. The coercion that accompanied each measure did not go down well with caravan dwellers and finally some of them simply decided to take matters into their own hands. All of this contributed to increasing the mutual distrust between the government and caravan dwellers. Naturally, the aforementioned also applied to Roma and Sinti living in caravans. After a variety of modifications, the decision was made in 1999 to abolish the *Woonwagenwet*. The government has not dealt with caravan dwellers as a specific target group since that time, and local municipalities have become largely responsible for providing caravan sites. Although the reaction to the abolishment of this law was initially positive, the resulting situation in many communities has not improved the position of caravan dwellers in general or the Roma and Sinti in particular.⁵⁵

4.5 —

Education

Though more and more progress continues to be made in the area of education, the situation is still troubling. The Roma and Sinti remain seriously behind in terms of their schooling. This frequently occurs because of their negligible participation in the educational system. However, many Roma and Sinti children do attend primary school by now. Sometimes they even go on to secondary school, but their school careers are broken off early more often than not. An important reason for this is the lack of an educational tradition — or even a written tradition — in the community. Many Roma and Sinti parents are illiterate, which consequently means they cannot help their children with their schoolwork. It also seems at times that self-interest plays a role: to keep children at home, for example, to help with the household chores. In addition, there is enormous mistrust of schools. According to some of the key informants, people are afraid that their children will be robbed of their cultural identity. Another possible explanation is that many parents are still saddled with their own traumatic experiences, caused by the Second World War; moreover they themselves were bullied as

children and there was discrimination at school. Because of this, parents tend to be overprotective and find it difficult to let go of their children. This is reflected in the school attendance of Roma and Sinti children and especially during extra-curricular activities such as school trips. Roma and Sinti children often do not participate in these outings because of their cultural background, customs, and taboos.

What hampers the situation even further is that up until now, many Roma and Sinti have chosen to withdraw from 'civilian society'. Quite early in their lives, the children take on the day-to-day rhythm of their parents, which is often difficult to combine with attending school on a regular basis. Most importantly, the Roma in particular still travel a lot and this results in their children not going to school for long periods. In the past, the government allocated funding to provide special assistance to the children of caravan dwellers, but this no longer occurs. In addition, policymaking related to education has recently shifted from the regional to the local level and it is no longer mandatory to make policies for specific target groups.⁵⁶ Because of these changes, Roma and Sinti children (and the children of caravan dwellers) are less recognisable as a separate group in the educational system. The registration figures from diverse schools are unreliable because not every school adequately keeps track of the attendance of its registered pupils. What can be said is that Roma and Sinti children who complete their secondary school educations are still more the exception than the rule.

Nonetheless, a growing number of Roma and Sinti understand that getting an education is the key to improving their position in Dutch society. Furthermore, according to a few of our key informants, the situation of the older group of Roma and Sinti differs from that of the more recent Roma refugees from Eastern Europe. The latter have usually been educated in their country of origin, and some of them have even received a higher education. Given that a tradition of education is more integrated into their culture, they have no objections to their children attending school in the Netherlands.

Another issue concerns the type of schools Roma and Sinti children attend. It is striking that a large number of these children end up at secondary schools for students with special needs. It is true that this sometimes results from aberrant behaviour often interpreted as a behavioural problem,⁵⁷ but many children end up being educated beneath their abilities due to this. Some even make the

choice themselves. Because all the other Roma and Sinti children also attend a particular school and they do not want to be the only one who goes to school somewhere else. Also, the schools sometimes have a hand in this, such as the case illustrated in Chapter 5.⁵⁸ Furthermore, until very recently, special classes were still being set-up for Roma and Sinti children. We also elaborate further on this in Chapter 5.

Roma and Sinti children are far behind in terms of their schooling when compared to other Dutch children and other minority groups.⁵⁹ Nonetheless, it is also important to keep in mind that progress has been made. Besides the slow but steady increase in the number of Roma and Sinti who attend secondary school, parents are more often inclined to bring their children to pre-school programmes offered by many community centres and primary schools in the Netherlands. In addition, those youngsters who do manage to get their diplomas serve as role models for other children in the Roma and Sinti community.

4.6 —

Work and income

Having now assessed the situation in the area of education, it is not surprising that many Roma and Sinti are struggling in terms of work and income. After all, a good job usually begins by participating in and completing a good education. This still occurs too little. Particularly if you are illiterate, it is extremely difficult to find work nowadays. Also the nomadic lifestyle, especially of some of the Roma, can act as an obstacle. And finally there is unwillingness from both sides. Many Roma and Sinti would rather not have a regular job; it makes them dependent and forces them into a normal lifestyle. They are accustomed to being self-employed. Yet, the traditional trades have vanished for the most part and the Roma and Sinti do not have the financial means needed to set up new types of businesses. Those who are interested in having regular jobs often experience resistance from employers and are excluded from the hiring process.⁶⁰ Though playing music has always provided a successful form of self-employment for the Roma and Sinti. Those practicing this as a profession unmistakably portray themselves as interpreters of ‘Gypsy music’ and jazz in the tradition of Django Reinhardt (1910-1953). Fans of this genre are not limited to Roma or Sinti, nor are they found solely in the Netherlands (for example: the internation-

al success of the Rosenberg Trio). Although a musical career is not set aside for everyone, music does provide a good source of income for diverse families.

It is difficult for many Roma and Sinti to earn a living. Therefore many of them live off welfare. Some sources estimate that ninety percent of the Roma and Sinti families in the Netherlands are dependent on income benefits.⁶¹ However, concrete figures about this are not available and we believe that percentages tend to vary from group to group. Our impression from the interviews is that the percentage among the new Roma is relatively low, however in terms of the group from the 1970s, the figure is much closer to hundred than to fifty percent. Perhaps the government was too lenient about this in the past. Especially after the war, income benefits were extended to Roma and Sinti rather easily without other options being considered.⁶² Whenever it could, the government wanted to keep its problems to a minimum and its needs were served if the Roma and Sinti were as complacent as possible. Today, many municipalities devote extra attention to the prospects of Roma and Sinti in the job market and income benefits are only allocated with good cause. However, the older generation is generally regarded as 'lost'.

The poor position of Roma and Sinti in the labour market has partially contributed to a relatively high degree of criminality in the community. Concrete figures are also not available here. Due to a lack of research in this area, all kinds of assumptions cannot be substantiated, but cannot be denied either. This has contributed to the stigmatisation of the entire group, even though most of the Roma and Sinti do not get involved in criminal activities.

It is also important to keep in mind the progress that has been made regarding work and income. Here again, based on the information we received from our interviews, a distinction can be made between the groups. The new Roma are doing relatively well in terms of education and work. The Sinti occupy a position somewhere in the middle. The group from the 1970s and some of the 'old' Roma are behind in terms of their participation in the labour force. As a point of fact, more and more youngsters — especially from the Sinti community — have been able to find jobs recently. Special employment projects have been set up in some municipalities to devote attention to Roma and Sinti youngsters. These youngsters are sometimes also successful on their own, usually as a result of finishing their schooling. Sinti women are also entering the job market in in-

creasing numbers. Many see the Roma and Sinti who hold steady jobs as a model for the younger generation. According to our informants, those Roma and Sinti who are successful in Dutch society very often distance themselves from their own culture or are afraid to reveal themselves as Rom or Sinto, for fear of the discrimination that might follow. Though quite understandable given their vulnerable position, prejudices are maintained in this manner and primarily those who are less successful are the ones who continue to be associated with the Roma and Sinti community.

4.7 —

Organising

As the process of emancipation progressed, as one might expect, the Roma and Sinti developed a need to organise and mobilise amongst themselves. Up until the 1980s, only a few organisations for caravan dwellers existed. However, ‘native Dutch’ caravan dwellers were by far in the majority and this gave the Roma and Sinti the feeling that they did not belong. The *Vereniging Lau Mazirel* (Lau Mazirel Society, 1981-1997) was more skilful at representing the interests of ‘Gypsies’ but the organisation was still always made up of ‘Gorgios’, meaning non-Roma and Sinti. Slowly but surely, the Roma and Sinti began to form their own organisations, at first in their own family circles. The largest organisation in the Netherlands at this moment is the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation), which was founded at the end of the 1980s from the extended Sinti family named Weiss in the Dutch town of Best. This organisation is still operating there today.⁶³ The LSO is managed mainly by Sinti women and plays an important role in the emancipation of the Sinti in the Netherlands. For instance, the organisation has set up literacy, education, and employment projects for youngsters. Since 1999, they have also played an important role in the allocation of compensation related to the rehabilitation of the Roma and Sinti who survived the Second World War. The LSO has received a variety of awards for its work, including as the pinnacle the *Geuzenpenning 2001* for their struggle against discrimination and criminalisation. This medal of honour is given annually in remembrance of fifteen members of the Dutch resistance group ‘*Geuzen*’ who were executed by the German occupying forces on 13 March, 1941.⁶⁴ The continued existence of the LSO has been threatened since the spring of 2003 because of a decision by the Dutch *Ministerie van Volksgezondheid, Welzijn*

en Sport (Ministry of Health, Welfare and Sport) to terminate the subsidy the organisation has been receiving. This decision is in sharp contrast to the aim and responsibility of the government to support the advancement of emancipation amongst the Roma and Sinti. The LSO is sometimes accused of working too little with the (new) Roma. Apart from the question of whether this assertion is justified, the differences between the groups – mentioned earlier in this report – tend to be too great and certainly play a role in this.

Other Roma and Sinti organisations are working primarily at the local level. The only other national organisation, also mentioned in this report, is the *Landelijke Stichting 'Roma Emancipatie'* (National Foundation 'Roma Emancipation') in Oss.⁶⁵ Established in 1998 by a Roma refugee from Macedonia (former Yugoslavia), this organisation acts as a spokesperson for the Dutch Roma and regularly organises gatherings and festivals. Until now, they have not worked together with the LSO.

Social disadvantage and exclusion

Introduction

As already mentioned, a small number of complaints about disadvantage and exclusion of Roma and Sinti were received by the standard complaint agencies during the years 2002 and 2003. However, the figures that appeared in yearly overviews released by the *Landelijke Vereniging van Anti-Discriminatie Bureaus en Meldpunten* (LVADB or National Federation of Anti-Discrimination Agencies and Hotlines) did not reflect this. A national registration system for reporting discrimination cases via the police was not yet operational in 2004.⁶⁶ The Public Prosecutor's Office has access to this information via the *Landelijk Expertise Centrum Discriminatie* (LECD or National Expertise Centre Discrimination), but did not register any criminal cases in which Roma or Sinti were victimised during the period 2002-2003. In its 2002 annual report, the *Meldpunt Discriminatie Internet* (MDI or Dutch Complaints Bureau for Discrimination on the Internet) reported three complaints of discrimination of Roma and Sinti and one complaint in 2003. In 2003, the *Commissie Gelijke Behandeling* (CGB or Equal Treatment Commission) ruled only once on a case in which the position of Roma and Sinti played a role.⁶⁷

This lack of figures about discrimination of Roma and Sinti in the Netherlands can be explained in one of two ways: this population group does not experience discrimination, or it does, but no complaints are submitted to the aforementioned agencies. To determine which of these two explanations is accurate, a number of experts from amongst the Roma and Sinti, as well as other experts familiar with the subject⁶⁸ were interviewed based on a prepared list of questions.⁶⁹ The purpose of these questions was to determine if this population group

in the Netherlands has been victimised by discrimination in the past years (2002-2003). To obtain as complete a picture as possible, we also asked the people we interviewed for their general impressions about disadvantage, exclusion, and discrimination of the Roma and Sinti in the Netherlands. The aim of the interviews was to make the research questions more specific and to inventory the views of the experts. In addition, we analysed the limited statistics available from the complaint agencies, accounts of discrimination cases that could be found in literature on the subject, and incidents that were collected by the Anne Frank House's Documentation Centre. For purposes of illustration, some quotations from these interviews have been included in this chapter.

This report often refers to 'disadvantage' and 'exclusion'. The specific choice of these two words comes from the fact that the term discrimination often implies intent, certainly as used in the Articles of Dutch Law related to discriminatory crimes. However, intent is often not involved nor required as evidence of unequal treatment under Dutch Civil Law: *Algemene Wet Gelijke Behandeling* (AWGB or Equal Treatment Act). After all, unequal treatment can also be caused by insensitivity, thoughtlessness, and negligence. Therefore, in this report preference is given to the words disadvantage and exclusion.

5.2 —

Complaint behaviour

One of the most striking outcomes of the interviews we conducted is that most of our informants could barely recall any concrete complaints or incidents in the period 2002-2003. Hypothetically, this could mean that the Roma and Sinti experience little disadvantage and exclusion, or discrimination. However, the general impressions of the key informants conveyed a different feeling. They stated, almost without exception, that the Roma and Sinti are in fact disadvantaged, excluded, and discriminated against in the Netherlands. They could remember few concrete examples because complaints are seldom made public and are often not formally reported. We also did not come across one specific place where Roma and Sinti go with their complaints. The special interest groups that serve the Roma and Sinti community scarcely keep systematic records about incidents that occur throughout the country. The *Landelijk Woonwagengestuur* (a national association of Church communities serving the needs of

caravan dwellers) in Den Bosch is an exception and it contributed significantly to our perspective on concrete casuistry.

We enquired, in the interviews we conducted, why there seem to be so few concrete complaints from the Roma and Sinti. A large number of plausible reasons were discussed varying from practical obstacles to reasons that can be traced back to the culture and the social status of the Dutch Roma and Sinti.

‘It (discrimination) is of course discussed, but (Roma and Sinti) don’t take it any further. It is a matter of habituation and powerlessness.’

‘Discrimination and denigration occur regularly.’

The practical obstacles, which are still tied to culture and society, include that relatively large numbers of the Roma and Sinti are illiterate or do not have enough of a written command of the Dutch language. It is almost impossible for these people to officially report their complaints, because a considerable amount of paperwork is always involved. This is often a determining factor in not submitting a complaint. Apparently, some Roma and Sinti organisations do occasionally receive complaints by telephone, but these usually do not lead to a formal complaint because of the written steps that then need to be taken.

‘The Roma are not people who keep records, while the Netherlands is exactly that... a country of paper pushers.’

‘There are too many agencies. The Roma don’t want tell their story over and over again.’

A cultural ‘explanation’ can also be given for the lack of complaints from Roma and Sinti. Already for ages, the Roma and Sinti have not felt comfortable sharing their problems with the outside world. In addition, the Roma and Sinti are afraid that complaining has a negative effect on their public image. To the outside world, complaining can be seen as evidence that the Roma and Sinti are ‘difficult’. This phenomenon is called victimisation: the certain chance of (once again) experiencing disadvantages if one files a complaint about discrimination. This fear, experienced by many victims of discrimination, can be paralysing and it acts as a huge barrier to reporting complaints.⁷⁰ For this reason, some try to break through the negative image the public has of the Roma and Sinti. They see this as the most constructive way to reduce prejudice and discrimination.

‘Reporting discrimination to the police only makes things worse; it’s negative energy. We prefer to focus on the pragmatic, for example to mediate with employers.’

‘Their experience is that complaining is a waste of time. Everything they report reflects negatively on their public image.’

Apart from the practical obstacles and cultural objections, many Roma and Sinti are simply not geared towards submitting official complaints. This is also based on a number of reasons: most often mentioned is that the Roma and Sinti are accustomed to their marginalised position in Dutch society and the disadvantage, exclusion, and discrimination that accompany it. Due to their long history of persecution, they often do not know any better. An incident where they experience discrimination is more often perceived as an affirmation of their image of Dutch society than as a form of injustice, which they need to go up against.

‘Not talking about problems is inherent in the culture; it’s a matter of survival. Besides, discrimination is considered normal. That’s why it’s so difficult for them to recognise it as such.’

Another reason mentioned is that because of the negligible amount of schooling the Roma and Sinti receive, their knowledge of rights and responsibilities in society is limited. Due to this, they have difficulty distinguishing between behaviour directed at them that is acceptable and behaviour that is unacceptable. According to most of the experts we interviewed, the habituation to exclusion and discrimination leads many Roma and Sinti to distance themselves emotionally and retreat even further from Dutch society. They have a feeling of not belonging and of not being accepted by this society. Accordingly, they continue to retreat farther into their own circles. In the words of one informant:

‘Because they’ve always been persecuted, they have an entirely different worldview and behave defensively toward the outside world. Many Roma and Sinti are not interested in participating in the civilian hierarchy.’

‘They have no access to the Dutch bureaucracy. That’s because they are isolated from society and they also isolate themselves.’

Some Roma and Sinti are not even conscious of the fact that reporting stations exist where they can file their complaints. Those who are aware of these facilities are generally distrustful. Their poor relationship with governmental institutions and the police contributes to this. If and when they do report an incident, they feel that it takes too long for something to happen or that there are too few results.

5.3 —

Complaint reporting stations

The aforementioned indicates the variety of reasons why the grievances of Roma and Sinti do not reach the existing complaint reporting stations. The most important reasons being that the Roma and Sinti:

- a. are not well informed about where they can go with their complaints;
- b. often have a poor command of the Dutch language and cannot manage the written procedures;
- c. have little faith that their complaint will be taken seriously or followed through on;
- d. do not want to reinforce the stereotype that they are ‘difficult’;
- e. have developed a kind of complacency due to a history of habituation.

In reaction to these indications, we asked ourselves if there is a need for a new complaint reporting station exclusively for the Roma and Sinti – a place they might have more trust in and where their specific circumstances would be taken more into account. We asked our key informants if they also thought there was a need in the community, and if so, what form this complaint station should take.

All those we interviewed agreed that a condition for any complaint station being a success is obtaining the trust and support of the Roma and Sinti themselves. Not everyone was convinced of the desire in the Roma and Sinti community for such a reporting station. Most thought it was a good idea, provided certain conditions could be met. If one wants to win the trust of the Roma and Sinti, then they themselves have to be involved. Something must not be set up once again without first consulting directly with the Roma and Sinti community. Be-

cause they do not like to discuss their problems with outsiders, some of the key informants even thought it was essential that Roma and Sinti operate such a complaint reporting station themselves. However, there was a consensus that some sort of outside help would be necessary. There are presently not enough skilled people amongst the Roma and Sinti to manage all aspects of a complaint station. In addition, such a station should improve the community's relationship with established governmental agencies, so that the Roma and Sinti gain access to the right channels and are taken seriously.

The next question is whether a single complaint reporting station is enough, or if each Roma and Sinti group must conduct their own registrations. Some of those we interviewed prefer that there be one reporting station and they would ideally have all the Dutch Roma and Sinti work together. In chapter four we reported that cooperating is apparently possible when an issue is of considerable importance to both communities, but that the groups tend to differ so much from each other that such a collaboration cannot simply be assumed.

Some believe that the special interest organisations that already exist, such as the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation) and the *Landelijke Stichting 'Roma Emancipatie'* (National Foundation 'Roma Emancipation') could serve as locations for the reporting stations. However, they would need support in coming up with a good working method, improving relations with the government and authorities, as well as with the systematic collecting and cataloguing of complaints. In addition, there are a variety of special interest groups active on the local level in the Roma and Sinti community that could eventually join forces with them. Others give their preference to setting up a new reporting station that would be independent of any existing organisations. What has also been suggested is that the already existing anti-discrimination bureaus and other reporting stations could do more to make themselves known amongst the Roma and Sinti - to point out that they are there for them as well. They could institute a separate registration process for complaints from Roma and Sinti, so that some clarity could be obtained about how many complaints are submitted by these groups and also about the kinds of trends that appear over an extended period of time.

5.4 —

Public image

Already earlier in this report, we indicated that the public image of the Roma and Sinti plays an important role in the discrimination they experience. Without exception, all of those we interviewed thought that the portrayal of the Roma and Sinti in the media is almost exclusively negative. It seemed to some of those we interviewed that negative incidents seem more newsworthy to the media than reports of (gradual) achievements.⁷¹ There is a feeling among these experts that whenever the Roma and Sinti organise gatherings, festivals, or debates for a large public that little or no interest is shown by the media.

‘Only the bad news is reported by the media. This reinforces negative images and plays into discrimination. When our organisation arranges a festival, I always contact the media. They still never write anything about it.’

‘The impression created by the media is that nothing works with this group. So there is little trust in the press, they hardly report on anything positive. Employers continue to run scared because of this reporting, and as a result they don’t dare hire Roma and Sinti.’

Because of all of this, there is a feeling in the Roma and Sinti community of biased reporting and unequal treatment. One should not underestimate the influence of the media. This is the only way most people in the Netherlands receive any information about the Roma and Sinti community.

The key informants specifically listed housing, education, work, goods and services, public policymaking and the judiciary as important areas in society where exclusion (and disadvantage) occurs. In addition, many of those we interviewed remarked that it is difficult to determine whether something is a problem or an impasse as opposed to actual discrimination. Those we interviewed see disadvantage and exclusion more as a structural phenomenon than as a string of isolated incidents.

5.5 —

Housing

The most important issue for Roma and Sinti in the area of housing is policy-making related to caravan sites. This is a problematic issue that also applies to many other caravan dwellers.

The shortage of caravan sites that has existed just about everywhere in the Netherlands has already been a problem for years. This shortage is estimated at somewhere around 3,000 sites.⁷² The government initially tried to reduce this shortage by measures taken in the Dutch *Woonwagenwet* (Caravan Sites Act). The *afstammingsbeginsel* (birthright proviso) that was included was in fact directed at diminishing the number of caravan sites. Since the abolishment of the *Woonwagenwet* in 1999, policymaking for caravan dwellers has been covered by regular housing legislation. Some municipalities have taken this as a signal that they are no longer responsible for providing enough caravan sites, which has resulted in long waiting lists. This often makes it impossible for family members to pitch on the same encampment, something of great importance to the Roma and Sinti.⁷³ Even a temporary visit by a family member with a caravan can lead to their wagon being towed away.⁷⁴

In the summer of 2002, the municipality of Houten expelled two Romany families.⁷⁵ Due to a shortage of sites, these families travelled in their caravans between the towns of Bunnink, Driebergen, Houten, Nieuwegein, IJsselstein and Vianen. No matter where they went, after some time, they were towed away from their illegal caravan site and expelled.⁷⁶ A so-called revolving-door construction was used in these expulsions.⁷⁷ Based on this, within twenty-four hours, families could once again be set over the city lines. A situation similar to this occurred in the year 2000 when the municipality of Driebergen paid off three Roma families to leave their community.⁷⁸ These families also wandered in circles for months.⁷⁹ The municipality of Houten finally decided to give the families an *urgentieverklaring* (certificate of urgency) for housing.⁸⁰ They moved into permanent quarters in February 2003.⁸¹

The municipality of Nuenen is just one of the places where there has been a shortage of caravan encampments and sites for a very long time.⁸² Already on two occasions, a few Sinti have protested by setting up camp nearby city hall.⁸³

Illustrative of the extent of this problem is the situation of a Sintezza who has been signed up for a site in this town since 1991. She has been living in the caravan of a family member all this time; the municipality tolerates her but only provides her with temporary residence permits. Subsequently, the deadlines the city has repeatedly set for itself have not been met. In 2003, the woman contacted the city again because a permanent solution had still not been found. She wanted to know where she stood. After many discussions, all with unsatisfactory results, the municipality of Nuenen sent her a letter stating that it was in discussion with different private parties interested in managing the town's caravan sites. As far as the municipality was concerned, the responsibility for delegating caravan sites would also then lie with the new site manager. This situation typifies a trend that has emerged since the abolishment of the Dutch *Woonwagenwet* (Caravan Sites Act). Whenever possible, municipalities delegate the exploitation of caravans and caravan encampments and sites to private companies. According to one of our key informants, presently sixty percent of the caravans that are being rented belong to private owners. On the other hand, what should be noted is that municipalities encounter a lot of resistance from the local population when looking for sites for caravan encampments.⁸⁴ Almost without exception, there are protests against the establishment of any new caravan locations. Neighbourhood residents are afraid of trouble and fear that their property values will decrease. This argument is strengthened by incidents such as one that occurred in 1997 in the Dutch town of Weert. A councilman was awarded damages in a case he brought because a few new caravans located near his home obstructed his view.⁸⁵ The compensation in this case led to claims for damages by other neighbours. This is probably the reason that in appropriating caravan sites, the (isolated) locations that are usually chosen could be called unpleasant at best and at times downright dangerous. The housing of minority groups in inferior areas in terms of environmental and safety standards – such as the blasting zone of an explosives factory⁸⁶ – is known as environmental racism in the United States.⁸⁷

Problems related to housing also arose when the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation) in Best went looking for a better location for their headquarters. They were initially in short-term housing in two temporary buildings situated between an industrial area and the town's sports fields. The new space they were interested in was too centrally located as far as neighbourhood residents were concerned. They were no doubt afraid that

this would give way to large groups of Sinti in the centre of Best. Based on some formal technicality, the municipality kept the LSO from renting this building. Although the LSO finally found a fine location in Best, which the organisation has been using since 2003, this does not change the feeling that the Sinti connection is actually the reason why they were turned down for the first space they had their eye on.

Many municipalities prefer to accommodate caravan dwellers in houses. Long waiting lists and vague procedures to qualify for caravan sites apparently contribute to this. Roma and Sinti sometimes agree to relocate to a house because they can have a permanent dwelling sooner than a site might become available for their caravan.

From a judicial standpoint, there is the question of whether the government is responsible for providing sites for Roma and Sinti. After all, living in caravans is part of the cultural identity of (many) Roma and Sinti. If the government actually makes it impossible for this cultural identity to be sustained and experienced, then the government is in violation of the rules of international law. For instance, it is violating the European Directive implementing the principle of equal treatment between persons, irrespective of racial or ethnic origin (hereafter: Racial Equality Directive).⁸⁸ In this Racial Equality Directive, member countries of the European Union are charged with the responsibility of providing access to available housing to every person without distinguishing by race.⁸⁹ Therefore, providing enough caravan sites ought to be included under this directive as well.⁹⁰ Otherwise, the government is in violation of the International Covenant on Civil and Political Rights (ICCPR) as stated in Article 27, which protects the rights of (ethnic) minorities to ‘enjoy their own culture’.

5.6

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Education

We identified quite a lot of complaints about disadvantage and exclusion or discrimination in the area of education. Certain schools seem to be guilty of discrimination because they refuse to admit Roma and Sinti, if not always explicitly because of their ethnicity. Other problems are school absenteeism and segregation.

Admittance

An important ruling was issued in 2003 by the *Commissie Gelijke Behandeling* (CGB or Equal Treatment Commission) with respect to admittance in a case involving a primary school in the town of Ede.⁹¹ The case was brought before the commission by the *Landelijk Bureau ter bestrijding van Rassendiscriminatie* (LBR or National Bureau against Racial Discrimination) and the Anti-Discrimination Bureau in the town of Veenendaal.

The complaint filed by these anti-discrimination bureaus was directed against the governing body of an association for Protestant-Christian primary school education. This association applied a maximum admittance of fifteen percent for children using Dutch as their second language. In addition, the association imposed a quota on the number of children they would enrol from the Roma and Sinti community. The school association also made agreements with other educational institutions regarding this dispersal policy.

There is established jurisprudence that enrolment based on quotas directly related to race violates the *Algemene Wet Gelijke Behandeling* (AWGB or Equal Treatment Act).⁹² It is irrelevant if the arguments to support such a distinction are of sound intent. In making a direct distinction by race, one can never speak of an objective justification. This also led the CGB to conclude that a quota policy for children from the Roma and Sinti community directly distinguishes by race.⁹³ The fact that the quota was based on a dispersal policy and that agreements were made with other educational institutions is of no consequence here. Given in this instance of direct distinction that no lawful exception can be applied, the school is in violation of the AWGB.

The key informants acknowledged in the interviews that Roma and Sinti children are regularly refused admittance to schools they want to attend. The reasons for this are often vague and usually not based on school performance. The mistrust of Roma and Sinti is so great in some areas of the Netherlands that schools ask for prior assurance that a child will not cause any problems. Bad experiences and prejudice seem to contribute to this. In the meantime, it becomes more and more difficult for the Roma and Sinti to find a school where their children are welcome. There are ways to hold schools that refuse children without legitimate reasons accountable, but this is seldom the approach pursued. This would undoubtedly disturb the relationship with that school from

the start, so Roma and Sinti children who are refused enrolment usually end up going to other schools.

Absenteeism

Nowadays, most Roma and Sinti complete at least primary school and usually attend a few years of secondary education.⁹⁴ However, absenteeism is above average and many students prematurely drop out of school. Given that education is compulsory in the Netherlands (until the age of 16), this should probably not be occurring on such a large scale. Adequate controls of compliance with the compulsory education law are extremely important. Members of the Dutch Parliament have expressed their concern about this to the government in parliamentary debates.⁹⁵ Some Roma and Sinti still do not feel it is normal for their children to attend school for an extended period and on a regular basis. In the past, truant officers often looked the other way in respect for the culture, but also out of despair. Often those involved with compliance are uncomfortable pointing out to the Roma and Sinti what their own responsibilities are in this matter.

A few of our key informants suspect that some schools enrol Roma and Sinti pupils so the school will receive the extra funding allocated by the Dutch government for (minority) groups that are socially disadvantaged, but that subsequently these schools hardly check if these children are actually coming to school. The fact that a relatively large number of parents still underestimate the importance of regularly attending school contributes to the continuation of this. For a long time, experts were reluctant to force Roma and Sinti children to go to school, because in the past this sometimes had a contrary effect. For instance, it led to children being sent out of the country to avoid the compulsory education regulations.

There is now a broad consensus that getting an education is the only key to bettering the position of the Roma and Sinti in society. It is therefore in their best interest that compulsory education regulations be enforced. However, a practical problem occurs because the procedures that truant officers are able to set in motion often take too long. By the time parents are officially approached about absenteeism, the child has already returned to school again. In the meantime, little can be done against the scores of short periods of absenteeism. Therefore, in some municipalities an educational consultant has been appointed espe-

cially for Roma and Sinti children; somebody who knows the group personally and can intervene as soon as problems arise. By building relationships in the community that are based on mutual trust, these consultants can achieve more in a short time than an anonymous official who only hands out fines and sets procedures in motion.⁹⁶

Segregation

Tackling problems in the area of education with a special approach has also led to another trend, namely the establishment of separate educational programmes for Roma and Sinti children. Diverse schools and municipalities encountered such difficulties integrating these children into the regular educational system that they chose to establish separate classes for them.⁹⁷ In these classes, extra attention could be devoted to the specific needs of these children, their language problems and other areas of education where they were lagging behind. Much criticism has arisen about the existence of these separate classes. Most experts fear that this hampers the integration of these Roma and Sinti children into the regular educational system. Besides, both the quality of the education and the classroom facilities are not always reliable. There is some anxiety that this creates a situation – such as in Middle and Eastern Europe – where Roma children are often forced to settle for a second rate education.⁹⁸ Some of these separate classes have been disbanded by now and the focus has shifted more towards providing the Roma and Sinti with extra assistance within the regular educational system. We consider the establishment of separate educational programmes as undesirable, both from the point-of-view of equal treatment as well as integration.

5.7 —

Work

The percentage of Roma and Sinti who are unemployed is very high. Some believe the percentages reach even as high as ninety percent.⁹⁹ However, concrete figures, as well as a break down amongst the different groups, are not available. The high unemployment in this community is a direct result of disadvantage in the area of education. The ambitions and traditions of the Roma and Sinti are also contributing factors. Many of them prefer self-employment as opposed to holding down a regular job. Due to the vanishing of many traditional voca-

tions and the administrative and financial activities that accompany starting a business, the Roma and Sinti are frequently not successful at this, with the exception of performing music.

Not all Roma and Sinti are interested in having permanent jobs. Yet, those who are, encounter discrimination from employers more often than not.¹⁰⁰ Our key informants who are involved with mediating in the labour market indicated that employers are prejudiced as a result of the negative reporting by the media. This probably exerts the most influence on small companies in the towns where Roma and Sinti live. Larger companies, in cities such as Eindhoven, seem more prepared to give Roma and Sinti a chance. However, the Roma and Sinti often actually prefer smaller companies. They feel more comfortable there and above all they do not have to travel to the big city, which is considered dangerous especially for youngsters and women.

‘From this new group, it’s hard to distinguish straight away if they are Roma; they look like Turks or Moroccans. If people discover that somebody is Rom, problems immediately arise because of the bad reputation of the community. So, they might refer to themselves as a Turk or a Macedonian. This actually occurs the most amongst Roma who are well educated and integrated. As a result, those with the most disadvantages are associated with the Roma, and therefore people do not realise that there are also differences in levels of education and social status in this community.’

According to some of our key informants, when an employment agency mediates between the Roma and Sinti and employers, the person’s background is usually disclosed immediately. This approach could in itself be seen as discriminatory, but those who are directly involved report having better experiences than when the person’s background is revealed at a later date. The Roma and Sinti are still refused employment based, for instance, on their last name or their address being on a caravan encampment.

5.8 —

Goods and services

As far as the delivery of goods and services to Roma and Sinti is concerned,

the problems that arise seem to be related to the surroundings where they live. Some companies are reluctant to deliver to the residents of caravan sites. Another example is that companies will only deliver goods when specific conditions are met. Customers have to pay in advance or have to collect the goods themselves. What is often pointed to in defence of this sort of unequal treatment is that because of the bad experiences of suppliers in the past, they do not want to risk exposing their personnel to violence or threats. They also consider the chance of goods being stolen too great. The *Commissie Gelijke Behandeling* (CGB or Equal Treatment Commission) ruled in a case brought by a caravan dweller that this kind of unequal treatment against all caravan dwellers in the Netherlands is not justifiable based on a few bad experiences of the past.¹⁰¹ Refusal of goods and services sometimes takes place based on the 'suspect' postal code of the client. Excluding certain postal codes when providing (customer) service is called 'redlining'.¹⁰²

Problems also arise for Roma and Sinti when they try to purchase insurance, because insurance companies consider this group as a whole to carry an increased risk.¹⁰³ This leads to insurance premiums being higher or caravan sites being excluded. The latter sometimes occurs because of high claims by a few other people living on a particular encampment.¹⁰⁴ Based on the *Algemene Wet Gelijke Behandeling* (AWGB or Equal Treatment Act) such an indirect distinction by area of residence is only permitted if there is an objective justification.¹⁰⁵ Therefore a legitimate goal is required and the means of achieving this goal must be appropriate and necessary. The concrete examples that are known are only related to caravan dwellers, but it seems obvious that Roma and Sinti living in caravans could encounter the same problems.

A specific complaint that is frequently articulated by Roma and Sinti is that they are scrutinised more than others when they are shopping in stores.¹⁰⁶ This is probably attributable not only to the bad reputation they have but also to the stereotypical image of 'Gypsies' as thieves. Two out of four complaints to the *Meldpunt Discriminatie Internet* (MDI or Dutch Complaints Bureau for Discrimination on the Internet) are related to remarks that label the Roma and Sinti as criminals or thieves. This stereotype is also alive and well among shopkeepers. It is understandable that they want to reduce risks to their businesses and decrease the chances of theft. However, for the Roma and Sinti who have no bad intentions, to be scrutinised because of one's ethnic background creates an unpleasant and discriminatory atmosphere.

5.9 —

Public policymaking

What can be concluded from the interviews we conducted is that the relationship of the Roma and Sinti with governmental agencies is often problematic. Not only is there a certain apprehension in organisations about Roma and Sinti, there is also a lack of understanding. Particularly the people who work closely with the Roma and Sinti complain that a variety of agencies such as juvenile social work, the departments that allocate income benefits, and the schools inspectorate are often too afraid to intervene in the face of problems, while they simply would not hesitate with other groups. As a result, the Roma and Sinti are only approached when things have gone too far. Often, the aid of the police or a bailiff is then immediately called for. Subsequently, the Roma and Sinti feel they are being criminalised. This apprehension at different organisations is purportedly fed by a few incidents of threats made by Roma and Sinti. The generally poor relationship with government agencies leads Roma and Sinti to ask other people to call for them, also because people with Roma or Sinti names are not taken seriously. Given that Roma and Sinti often come from very large families, there is a good chance that people who have not done anything wrong might end up paying the price for somebody else's actions.

As already mentioned, city officials are frequently not very sensitive when dealing with the Roma and Sinti. According to one informant, a city official deliberately housed Roma and Sinti in a disadvantaged neighbourhood so they would have the least possible problems with discrimination by their neighbours. Perhaps this was meant well, but it is obviously discriminatory. Another informant related that there are generally few social welfare programmes specifically set up for the Roma and Sinti, while they often do not have access to neighbourhood projects in the isolated areas where they live. An additional problem is that Roma and Sinti in most municipalities are such a small group that it is hardly feasible to set up special activities only for them. Some municipalities with a larger number of Roma and Sinti have developed special projects, such as the town of Ede (educational project) and Nieuwegein (an afternoon open house for Roma women). A number of our informants felt that projects such as these are usually terminated much too quickly.

Many key informants perceive the government's termination of the structural funding it was allocating to the Dutch National Sinti Organisation (LSO) as evidence that the government is not seriously committed to the situation of Roma and Sinti in the Netherlands.¹⁰⁷ It is incomprehensible from their standpoint that in countless European forums the government of the Netherlands supports the prevention of disadvantage, social exclusion, and poverty among the Roma¹⁰⁸ but fails to do so at home.¹⁰⁹ We can only conclude that a striking discrepancy exists here.

5.10 —

Police and judiciary

Our research indicates that the relationship of Roma and Sinti to the police is far from optimal. Due to (often unsubstantiated) criminality, the Roma and Sinti frequently come in contact with the police. This often gives them the feeling that the police discriminates against them without due cause. For example, in 1998, the police in the Dutch province of Limburg hung a flyer in a nursing home warning of thieves. The residents were asked to keep their eyes open for 'sinister' as well as 'Gypsy-looking' types. More recently, a Roma woman came to police headquarters because she felt that some policeman had behaved in a discriminatory manner towards her. According to one of our key informants, when she tried to file a complaint about this at the police station, she was reportedly dismissed. Police raids that are regularly conducted on caravan encampments¹¹⁰ where the police use an inordinate amount of force, according to those involved, serve to damage underlying relations even further.

We listened to a number of complaints about possible irregularities in the judicial process. These alleged denial of liberty based on uncertain grounds, representation by incapable lawyers, and excessive punishments. However, the dossiers kept on these cases were not documented adequately enough to be able to arrive at any conclusions. Another incident we were told about concerned a twelve-year-old Roma youngster, from the town of Nuenen, who was unjustly accused of a sexual offence. This was allegedly not handled according to the rules of the juvenile justice system. The same fate awaited a thirteen-year-old girl caught in the act of pickpocketing.¹¹¹ In addition, against policy, the youngster was apparently not questioned in his own language (Romani). He was released

after the intervention of one of our key informants.

Many people were amazed by the handling of the extradition request by the United States of America to the government of the Netherlands regarding the Romany family named Moro, especially from a humanitarian standpoint.¹¹² The family was suspected of theft in the U.S. and many of them were imprisoned for 28 months in the Netherlands while they awaited extradition. After the judge¹¹³ and the Minister of Justice¹¹⁴ agreed to hand over these stateless Roma, the U.S. abandoned prosecuting them any further.¹¹⁵ The threat that Father Moro would be separated for an extended period from his underage children who lived in the Netherlands expired with this decision.

Another incident in 2003 also received a lot of publicity.¹¹⁶ A Public Prosecutor from the city of Arnhem was charged with discriminating against the Roma. He made the following controversial remarks in his arguments at the trial of six members of a Roma family accused of theft and fraud:¹¹⁷ ‘In the Roma Gypsy community, criminality is considered commonplace. The Roma community is involved with crime and punishable offences. Breaking and entering is considered normal. Although there are a few exceptions amongst them who are not criminals, all the rest are.’ At the end of the trial day, the Prosecutor was asked if he had actually meant these remarks as he had phrased them. He confirmed this. Only when his statement appeared in the media and there were many outraged reactions, was a press release issued in which the Public Prosecutor’s Office declared that ‘by no means is this office of the opinion’ that a majority of the Roma community are criminals.¹¹⁸ A press release followed a day later in which the Prosecutor rectified his statement and apologised.¹¹⁹ Nevertheless, this incident resulted in many indignant reactions from Roma and Sinti themselves, as well as from many others who were involved with the community in some way or another. In addition, different special interest groups – including the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation) and the *Landelijke Stichting ‘Roma Emancipatie’* (National Foundation ‘Roma Emancipation’) – filed a (criminal) complaint.¹²⁰ In this way, creating a platform for the many concerned reactions they had received in just a short period of time. After their complaint, the Prosecutor was removed from the case. Early in 2004, the Public Prosecutor’s Office decided not to pursue criminal prosecution.¹²¹ Even though the statements were insulting, according to the Public Prosecutor’s Office, the unusual context in which they were made kept these defamatory remarks from

being punishable as a crime. In its explanation, the Public Prosecutor's Office basically relied on the lack of (criminal) intent. However, it seems to us that according to the notion of 'conditional intent' in this case that the Prosecutor should have been aware of the insulting nature of his statements, and because of this one can certainly speak of intent in the legal sense. In addition, the task of the Prosecutor was to prove the guilt of the suspect and not to condemn an entire population group.

This case had a huge impact on the Roma and Sinti community. They experienced the defamatory comments as especially shocking because somebody exercising a public function had uttered them. In addition, the Prosecutor's remarks were supposedly not based on facts. What was even more disturbing is that the Prosecutor initially refused to rescind his remarks. Given that the Prosecutor's defamatory statement did not result in legal action, people in the Roma and Sinti community are very concerned that this gives others free reign to express their prejudices and hatred of 'Gypsies'. In the forum section of the right-wing extremist website *Storm Front*, this fear has already become reality.¹²²

Conclusions and recommendations

Conclusions

The issues we have presented in this report originate in essence from the huge cultural differences and long-standing mutual lack of acceptance that exist between the Roma and Sinti community in the Netherlands and Dutch ‘civilian society’. This has created a considerable amount of distrust between these parties, which further contributes to prejudice and leads to unequal treatment. The Roma and Sinti do not see themselves as ‘civilians’ and are usually not interested in participating in Dutch society. They differ in this way from other ethnic minority groups, because during their long history they have not aspired to ‘civilian’ careers. They are therefore less receptive to help and advice to achieve this. The high unemployment and criminality in the community does not contribute to their integration either. Moreover, the (nomadic) lifestyle of the Roma and Sinti no longer has its place in today’s post-industrial society.

The social status of the Roma and Sinti is cause for concern. The considerable disadvantage they experience in participating in education and the labour market surpasses that of other minority groups in the Netherlands. There are not enough caravan encampments and sites in the country, which leads to housing problems for those Roma and Sinti who are still living as caravan dwellers.

In addition, the public image of ‘Gypsies’ in Dutch society is negative and stereotypical, and the Roma and Sinti are often perceived as threatening. It is not surprising then that negative attitudes about this population group lead to suspicion and exclusion. The Dutch government has not managed to turn this tendency around, and at times exactly the opposite has occurred. This tentative

relationship between the Roma and Sinti on the one hand and governmental agencies on the other is influenced by the persecution of the community during the Second World War.

It seems as if the Roma and Sinti more or less accept the discrimination directed against them as something normal. Incidents or complaints are virtually not reported. However, our study indicates that disadvantage and exclusion did occur in important areas of society during the period 2002-2003. This was usually not related to individual incidents of discrimination, but primarily concerned mechanisms that result in structural forms of discrimination. For instance, because the criteria that cause distinction are an integral part of policies connected to acceptance and selection.

In the designating of caravan encampments and sites for Roma and Sinti, apparently unpleasant locations are chosen on purpose. Several motives contribute to this, among them avoiding problems and discrimination. However, the result of this strategy is that the government can also be faulted for disadvantaging the Roma and Sinti. In failing to provide enough caravan sites, the government makes it impossible for Roma and Sinti to sustain their cultural identity. This violates the requirement to provide housing without distinguishing by ethnic background, as established in the European Racial Equality Directive.

In the area of education, the creation of quota policies for the admittance of Roma and Sinti pupils is an example of structural discrimination. Another problem is the permissive, or even indifferent, attitude related to truancy. In not having to adhere to the compulsory education rules, it seems as if the Roma and Sinti community is receiving privileged treatment, while the final result – especially for those directly involved – can be detrimental. Seen from the perspective of equal treatment and integration, separate education for Roma and Sinti pupils should be rejected.

In every area of society, bad experiences as well as prejudice play a significant role in the creation of negative attitudes that easily result in exclusion. In the area of work, for example, not only does the lower level of education of the Roma and Sinti play a role but also their public image among employers. Small businesses, in particular, often refuse to hire Roma and Sinti.

Many Roma and Sinti do not feel welcome in shops and stores. They have the impression that they are viewed as potential thieves. Though this is not completely incomprehensible given the (relatively) high criminality amongst the Roma and Sinti, nevertheless many experience this as insulting and discriminatory. In addition, the delivery of goods and services to caravan sites is often problematic. Precautions to limit risks to businesses are not always in compliance with the principle of equal treatment.

Furthermore, the policymaking of the government in relation to the Roma and Sinti seems to be predominantly based on negative experiences. This not only leads to distrust and reticence but also to exclusion. What is especially frustrating is that the Dutch government supports a commitment to Roma and Sinti civil rights in international political forums, but does not commit to this at home.

The image that the police and judiciary have of Roma and Sinti is primarily coloured by those who misbehave. As a result of their negative public image, the Roma and Sinti are often confronted with prejudice. The incident that occurred involving the Public Prosecutor in the Dutch city of Arnhem only served to increase this prejudice.

Preventing disadvantage and exclusion means that the principle of equality has to be respected. It is a widespread misunderstanding that this somehow implies everyone is the same. It is precisely this principle of equality that tries to do justice to the differences that could occur between (groups of) people. This means that respecting equal treatment can sometimes justify treating people in different ways. The goal of these different approaches should be to achieve equality. There is no room for giving into anxiety and fear here. Disadvantage, exclusion, and unequal treatment are not necessarily the result of discriminatory intent. Sometimes intentions that are well-meaning, backfire when put into practice.

The lack of statistics about Roma and Sinti in the Netherlands raises the question of why the Dutch government does not do more to monitor them. What finally needs to be said is that accountability for a marginalised population group in a country cannot only be placed with the group itself, especially when the government has played (and still plays) a considerable role in that marginalisation.

6.2 —

Recommendations

1. The *Landelijke Vereniging van Anti Discriminatie Bureaus en Meldpunten* (National Federation of Anti-Discrimination Agencies and Hotlines) and the Anti-Discriminatie Bureaus (ADB's or Anti-Discrimination Bureaus) should include Roma and Sinti in their complaint registration process as a separate group. Promoting awareness about ADB's in the Roma and Sinti community is also recommended.
2. The *Landelijk Expertise Centrum Discriminatie* (LECD or National Expertise Centre Discrimination) of the *Openbaar Ministerie* (Public Prosecutor's Office) and the *Landelijk Bureau Discriminatiezaken van de Politie* (LBD or National Discrimination Bureau Police) should indicate as much as possible with their registrations, the extent to which Roma or Sinti approach them with their complaints.
3. The registration and documentation of disadvantage and exclusion amongst the Roma and Sinti should also be carried out by that community itself. It is advisable that the national special interest groups *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation) and the *Landelijke Stichting 'Roma Emancipatie'* (National Foundation 'Roma Emancipation') play a significant role in this. Therefore cooperation between different organisations seems logical.
4. In preventing disadvantage and exclusion, priority should be given to dispelling already existing prejudices and whenever possible preventing new ones. To do this, the government — in cooperation with national and local special interest groups in the Roma and Sinti community — needs to appeal to the 'civilian society' as well as the Roma and Sinti community.
5. It is important to dispel the negative images that the police and judiciary and the Roma and Sinti have of each other. After all, mutual distrust only strengthens prejudice. By organising regular gatherings between community workers and representatives of the Roma and Sinti, this negative spiral can be broken through and future problems can be avoided.
6. Within a framework of creating equal opportunity for the Roma and Sinti, policymaking in the area of education is extremely important. Here, the emphasis

should be placed on rights and obligations. One should only take differences into consideration if these will lead to equal educational opportunities. Quotas, disregarding truancy, and separate (segregated) forms of education need to be rejected because these are in violation of the principle of equal treatment.

7. The Dutch government is responsible for providing a sufficient amount of caravan encampments and sites. If it is unable to do so, then it is in violation of the European requirement to provide housing without distinguishing by ethnic origin.
8. The Dutch government needs to fulfil the commitments, which it has made on an international level regarding the Roma and Sinti, also at home. It should make every effort to alleviate the marginal position of this population group. Given the mutual distrust, which continues to escalate, improving their social position also serves Dutch society as a whole.

Notes

As a courtesy to the reader, the titles of Dutch articles, reports and books have also been provided in English translation (only) the first time they appear below. However, this is not meant to imply that these materials are actually available in English.

1. J. van Donselaar & P.R. Rodrigues, *Monitor racisme en extreem rechts, vierde rapportage*, Amsterdam: Anne Frank House 2001, pp. 118-120.
2. Article 1, section 1 (ICERD)
3. CGB (Equal Treatment Commission) 1999-17.
4. www.cbs.nl/nl/publicaties/publicaties/algemeen/index/index1119.pdf, p. 25 (24/06/2004).
5. See paragraph 4.1 of this report.
6. CGB 1999-65.
7. J. Boom, Heimwee naar de horizon (Longing for the horizon), *De Groene Amsterdammer* (magazine), September 2000, pp. 10-12.
8. A. Cottaar, L. Lucassen & W. Willems, *Mensen van de reis. Woonwagenbewoners en zigeuners in Nederland 1868-1995* (People of the road: Caravan dwellers and Gypsies in the Netherlands 1868-1995), Zwolle: Waanders Uitgeverij, 1995, p. 10.
9. J. Boom, Heimwee naar de horizon, *De Groene Amsterdammer*, September 2000, pp. 10-12.
10. J. Overbekking, A. Hahn & R. Geerts, *Concessies en compromissen: de maatschappelijke positie van Nederlandse zigeuners* (Concessions and compromises: the social status of Dutch Gypsies) in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland. Cultuur, geschiedenis en beleid* (Gypsies in the Netherlands: Culture, history and policy). Nijmegen: Instituut voor Culturele en Sociale Antropologie (Institute of Cultural and Social Anthropology at Catholic University Nijmegen), 1988, pp. 202-203.

11. www.auschwitz.nl (18/05/2004).
12. J.A.Goldston, *A future for Roma rights?* Access via: www.eumap.org (27/01/2004).
13. N. Bogaart, P. van Eeuwijk & J. Rogier, *Zigeuners. De overleving van een reizend volk.* (Gypsies: The survival of a travelling people), Amsterdam: Elsevier, 1980, p. 28.
14. L. Lucassen, *En men noemde hen zigeuners. De geschiedenis van Kalderash, Ursari, Lowara en Sinti in Nederland 1750-1944* (And they called them Gypsies. The history of... in the Netherlands), Amsterdam: Stichting Beheer I.I.S.G./SDU Uitgeverij, 1990, p. 17.
15. J. Boom, Heimwee naar de horizon, *De Groene Amsterdammer*, September 2000, pp. 10-12.
16. N. Bogaart, P. van Eeuwijk & J. Rogier, *Zigeuners. De overleving van een reizend volk*, Amsterdam: Elsevier, 1980, pp. 42-43.
17. L. Lucassen, *En men noemde hen zigeuners. De geschiedenis van Kalderash, Ursari, Lowara en Sinti in Nederland 1750-1944*, Amsterdam: Stichting Beheer I.I.S.G./SDU Uitgeverij, 1990, p. 128.
18. W. Willems & L. Lucassen, *Ongewenste vreemdelingen* (Unwelcome strangers), The Hague: SDU Uitgeverij, 1990, p. 17.
19. P. Öfner & M. Rooker, *Van schooien om brood tot het eisen van respect. De naoorlogse behandeling van Roma and Sinti* (From scrounging for bread to demanding respect. The post-war treatment of Roma and Sinti) in: H. Piersma (ed.), *Mensenheugenis. Terugkeer en opvang na de Tweede Wereldoorlog. Getuigenissen* (Living memory. Return and reception after the Second World War. Testimonies), Amsterdam: Bert Bakker, 2001, p. 75.
20. W. Willems & L. Lucassen, *Ongewenste vreemdelingen*. The Hague: SDU Uitgeverij, 1990, pp. 19-20.
21. Paragraph 3.4 in this report.
22. P. Hovens & L. Weiss, Sinti en Roma anno 2002, in: P. Jorna (ed.) *Terug naar Auschwitz. Een gedenkwaardige reis van Nederlandse Roma and Sinti* (Back to Auschwitz: An unforgettable journey of the Dutch Roma and Sinti), Utrecht: Forum, 2002, p. 1920.
23. Id.
24. W. Willems & L. Lucassen, *Ongewenste vreemdelingen*. The Hague: SDU Uitgeverij, 1990, p. 75.
25. Zie: *Samen!* (Together!) 2003, no. 2, p. 7 and also *Contrast* (magazines about the multicultural society), 11 November 1999.

26. Non-gypsies in England are referred to by the Roma and Sinti as *Gorgios* and in the Netherlands (and France) as *Gadjes*.
27. K. Sikkema, *Roma and Sinti in Nederland, Een onderzoek naar de algemene levensomstandigheden, gezondheidssituatie en toegang tot de gezondheidszorg van de Roma and Sinti in Nederland* (...a study of the general living conditions, health, and access to healthcare of Roma and Sinti in the Netherlands), Amsterdam: Dokters van de Wereld (Doctors of the World), February 2004, p. 5.
28. P. Öfner & M. Rooker, *Van schooien om brood tot het eisen van respect. De naoorlogse behandeling van Roma and Sinti* in: H. Piersma (ed.), *Mensenheugenis. Terugkeer en opvang na de Tweede Wereldoorlog. Getuigenissen*. Amsterdam: Bert Bakker 2001, pp. 77-79.
29. Id., pp. 88-93.
30. The first Roma and Sinti monument in the world was dedicated on 25 November 1978 on the Museumplein (Museum Square) in Amsterdam.
31. *Stichting Rechtsherstel Roma and Sinti* (Rehabilitation Foundation), P.O. Box 1282, 5004 BG, Tilburg, The Netherlands.
32. *Contrast*, 23 April 2004.
33. H. Mayjers, H. Poeth & B. De Rooij, *Rechtsproblemen van buitenlandse zigeuners* (Legal problems of foreign Gypsies) in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland. Cultuur, geschiedenis en beleid*. Nijmegen: Instituut voor Culturele en Sociale Antropologie, 1988, p. 285.
34. W. Willems & L. Lucassen, *Ongewenste vreemdelingen*. The Hague: SDU Uitgeverij, 1990, p. 77.
35. Id., pp. 65-74.
36. H. Mayjers, H. Poeth & B. De Rooij, *Rechtsproblemen van buitenlandse zigeuners* in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland. Cultuur, geschiedenis en beleid*. Nijmegen: Instituut voor Culturele en Sociale Antropologie, 1988, pp. 284-285.
37. W. Willems & L. Lucassen, *Ongewenste vreemdelingen*. The Hague: SDU Uitgeverij, 1990, p. 77.
38. See *Allochtonen in Nederland 2003* (Ethnic minorities in the Netherlands 2003), CBS: Voorburg/Heerlen, 2003 (same applies in 2002 and 2001).
39. *Kamerstukken* (Parliamentary documents) II, 2002/03, 28 612, no. 2, p. 4.
40. *Landelijke Sinti Organisatie*, Oranjestraat 75a, 5682 CB, Best, The Netherlands. Tel: +31 (0)499-379471, Fax: +31 (0)499-377868, e-mail: landelijke.sintiororganisatie@planet.nl

41. J. van Donselaar & P.R. Rodrigues, *Mapping Exercise*, Amsterdam: DUMC, February 2001, p. 2. In the *Maanstatistiek van de bevolking* of the CBS (Monthly population statistics of the Central Statistical Office) about May 2000, the same number is mentioned.
42. Jaarboek van de multiculturele Samenleving 2000 (Yearbook of the multicultural society 2000), Utrecht: Forum, 2001, p. 53.
43. J. van Donselaar & P.R. Rodrigues, *Monitor racisme en extreem rechts, vierde rapportage*, Amsterdam: Anne Frank House, 2001, p. 118.
44. H.M.A.G. Smeets e.a., *Jaarboek Minderheden 2003*, Houten/Mechelen: Bohn Stafleu van Loghum; The Hague: SDU/Koninklijke Vermande, 2003, p. 80.
45. K. Sikkema, *Roma and Sinti in Nederland, Een onderzoek naar de algemene levensomstandigheden, gezondheidssituatie en toegang tot de gezondheidszorg van de Roma and Sinti in Nederland*. Amsterdam: Dokters van de Wereld, February 2004, p. 4.
46. www.cbs.nl (24/06/2004).
47. See also paragraph 3.3 of this report.
48. Hovens and Weiss's estimate of a few thousand (see note no. 22) seems high to us.
49. *Monitor maatschappelijke en economische positie woonwagenbewoners* (Monitor social and economic status caravan dwellers) Cebeon, February 2002, p. 6.
50. See paragraph 3.3.
51. *Landelijke Roma Stichting 'Roma Emancipatie' Nederland*, Gerrit van der Veenplein 12, 5348 RG, Oss, The Netherlands. Tel / Fax: +31 (0)412-651346.
52. Particularly Lalla Weiss as spokesperson for the LSO.
53. L. de Goei, *Lau Mazirel en de Woonwagenwet van 1968* (...and the Dutch Caravan Sites Act of 1968) in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland. Cultuur, geschiedenis en beleid*. Nijmegen: Instituut voor Culturele en Sociale Antropologie, 1988, p. 156.
54. A. Cottaar, L. Lucassen & W. Willems, *Mensen van de reis. Woonwagenbewoners en zigeuners in Nederland 1868-1995*. Zwolle: Waanders Uitgeverij, 1995, pp. 66-67.
55. We return to this in paragraph 5.5.
56. Y. van der Ree, A. van der Hurk & R. Timmermans, *Als niet kan wat moet, moet wat kan. Handreiking ter bestrijding van het schoolverzuim onder woonwagen en zigeuner kinderen*. (If the impossible cannot be done, then the possible must be done. Assistance in combatting truancy among caravan dweller and Gypsy children) Den Bosch: KPC Groep, 2001, p. 3.

57. Id., p. 8.
58. Paragraph 5.6.
59. M. Hulsen & L. Mulder, *Kinderen van woonwagendwoners en zigeuners in het basisonderwijs* (Children of Caravan dwellers and Gypsies in primary education) Nijmegen: IRS (research bureau), 2003.
60. See paragraph 5.7.
61. K. Sikkema, *Roma and Sinti in Nederland, Een onderzoek naar de algemene levensomstandigheden, gezondheidssituatie en toegang tot de gezondheidszorg van de Roma and Sinti in Nederland*. Amsterdam: Dokters van de Wereld, February 2004, p. 11.
62. J. Overbekking, A. Hahn & R. Geerts, *Concessies en compromissen: de maatschappelijke positie van Nederlandse zigeuners*, in: P. Hovens & R. Dahler (eds.), *Zigeuners in Nederland. Cultuur, geschiedenis en beleid*. Nijmegen: Instituut voor Culturele en Sociale Antropologie, 1988, p. 214.
63. J. Overbekking & P. van Daal, *Over eigen wegen. Evaluatie van de Landelijke Sinti Organisatie* (An approach of their own. Evaluation of the LSO). Tilburg: PON Institute for advice, research and development in Northern Brabant, 2003, p. 11. See note no. 40 for address of the LSO.
64. Id., p. 24.
65. See note no. 51 for address information.
66. The *Landelijk Bureau Discriminatiezaken van de Politie* (LBD or National Discrimination Bureau Police) was established as of 1 September 2002, but there are still no national figures available.
67. CGB 2003-105.
68. See Appendix I for the list of key informants.
69. See Appendix II for interview questions.
70. M.A.J. Leenders, *Procesrecht en handhaving van de AWGB* (Legal procedures and enforcement) in: *Gelijke behandeling: oordelen en commentaar 1999* (Equal treatment: rulings and commentary), T. Loenen (ed.), Deventer: Kluwer, 2000, p. 69.
71. *Utrechts Nieuwsblad* (newspaper), 31 May 2003.
72. K. Sikkema, *Roma and Sinti in Nederland, Een onderzoek naar de algemene levensomstandigheden, gezondheidssituatie en toegang tot de gezondheidszorg van de Roma and Sinti in Nederland*. Amsterdam: Dokters van de Wereld, February 2004, p.10.
73. See also the kamervragen *Aanhangsel Handelingen II* (Appendix parliamentary questions II), 2002/03, no. 32 and no.199.

74. *Eindhovens Dagblad* (newspaper) 8 October 2003.
75. ANP (Netherlands national news agency) 20 July 2002.
76. *De Volkskrant* (newspaper) 31 July 2002.
77. *Utrechts Nieuwsblad* (newspaper) 24 August 2002.
78. *NRC Handelsblad* (newspaper) 3 August 2002.
79. J. van Donselaar & P.R. Rodrigues, *Monitor racisme en extreem rechts; vierde rapportage*, Amsterdam: Anne Frank House, 2001, pp. 118-20.
80. *Utrechts Nieuwsblad* (newspaper) 25 October 2002.
81. *De Telegraaf* (newspaper) 5 February 2003.
82. *Haarlems Dagblad* (newspaper) 20 March 2003.
83. *Eindhovens Dagblad* (newspaper) 20 January 2003.
84. See for example *Eindhovens Dagblad* (newspaper) 20 January 2003.
85. *HP/De Tijd* (magazine) 11 July 1997 (*Weert op wielen/Weert on wheels*).
86. *Noord-Hollands Dagblad* (newspaper) 20 November 2003.
87. See for example D. M. Robinson, *Environmental Racism: Old Wine in a New Bottle* to access via <http://www.wcccoe.org/wcc/what/jpc/echoes/echoes1702.html> (16/06/2004).
88. European Directive: 2000/43/EG *PbEG* 2000, L 180/22.
89. Racial Equality Directive Art. 3 sub h.
90. See also *Report on the situation of fundamental rights in the European Union in 2003*, January 2004, p. 105.
91. CGB 2003-105.
92. See also CGB 2001-99
93. See also the note by P. Rodrigues regarding this opinion in *NJCM Bulletin* 2004 (no. 2, pp. 211-223), a publication of the Dutch section of the International Commission of Jurists.
94. See also paragraph 4.5.
95. *Aanhangsel Handelingen* II (Appendix parliamentary questions II), 2002/03, no. 1614.
96. A. Cox, *De glazen bol is leeg!* (The crystal ball is empty!). *TOON* 2003, no. 8. a monthly magazine about education and social welfare (www.toon.nl).
97. For example in the Bijlmer neighbourhood on the outskirts of Amsterdam. See *Het Parool* (newspaper) 29 November 2002 and *Vrij Nederland* (magazine) 12 December 2002.
98. See the press release from the European Roma Rights Center on 6 May 2004 (www.errc.org).

99. K. Sikkema, Roma and Sinti in Nederland, *Een onderzoek naar de algemene levensomstandigheden, gezondheidssituatie en toegang tot de gezondheidszorg van de Roma and Sinti in Nederland*, Amsterdam: Dokters van de Wereld, February 2004, p. 11.
100. M. Beijering, *Stichting Romene Sinti* (Foundation Romany Sinti) in: *De grote kleine-kansen atlas* (The big atlas of little opportunity), P. Voogd (ed.), Den Haag: Landelijk Centrum Opbouwwerk (National Centre Community Work), 2003, p. 95.
101. CGB 1999-65.
102. P.R. Rodrigues, *Anders niets? Discriminatie naar ras en nationaliteit bij consumententransacties*. Discrimination of consumers on the grounds of race and nationality, Lelystad: Koninklijke Vermande, 1997, p. 154.
103. (newspapers) *De Telegraaf* and *Het Financiële Dagblad* on 23 October 2003.
104. P.R. Rodrigues, *Anders niets? Discriminatie naar ras en nationaliteit bij consumententransacties*. Lelystad: Koninklijke Vermande 1997, p. 29 and see CGB 2004-15.
105. Article 2 section 1 AWGB (Equal Treatment Act).
106. J. Overbekking & C. van der Steen, *Woonwagengewoners, Roma and Sinti: ontwikkeling en perspectieven* Caravan dwellers (Roma and Sinti: development and perspectives), *Scoop* 2002, issue 2, p. 13.
107. See also *Eindhovens Dagblad* (newspaper) 23 September 2003.
108. See among others Recommendation Rec (2001)17 of the Council of Europe (27 November 2001) and Decision 566 of the de ovse (27 November 2003).
109. See also: *Aandacht voor Roma in verband met de uitbreiding van de Europese Unie* (attention for the Roma and Sinti in an expanding European Union), *Kamerstukken II* (Parliamentary documents), 2002/03, 23 987, no. 29.
110. *Eindhovens Dagblad* (newspaper) 16 January 2003.
111. *NRC Handelsblad* (newspaper) 10 July 2002.
112. *De Volkskrant* (newspaper) 3 September 2002.
113. Rb (District Court) Den Haag 28 August 2003, *LJN nummer* (number) AI 1543.
114. *De Volkskrant* (newspaper) 20 August 2003.
115. *NRC Handelsblad* (newspaper) 24 September 2003.
116. See newspapers such as: *De Gelderlander* (15 May 2003), *NRC Handelsblad* (16 May 2003), and *Vrij Nederland* (24 May 2003).
117. ANP, 15 May 2003.

118. Eindhovens Dagblad (16 May 2003) and press releases from the Public Prosecutor's Office in Arnhem, 15 and 16 May 2003.

119. Follow-up press release related to this case from the Public Prosecutor's Office (Arnhem) on 16 May 2003.

120. *De Volkskrant* (16 May 2003).

121. *NRC Handelsblad* (14 January 2004) and see also: www.om.nl/info/nieuws.php?p=pg&id=2232 (14/06/2004).

122. See www.stormfront.org/archive/t112445 (18/06/2004).

Key informants

1. *Gjunler Abdula* – Chairperson *Landelijke Stichting 'Roma Emancipatie'* (National Foundation 'Roma Emancipation') in the town of Oss.
2. *Dirck van Bekkum* – Practicing anthropologist and advisor in the field of intercultural work at consultancy firm *Moira CRT* in the city of Utrecht.
3. *Henk van Beurden* – Counsellor at the reintegration firm *Pluspunt* in the city of Eindhoven.
4. *Ad van den Breekel* – Counsellor at the reintegration firm *Pluspunt* in the city of Eindhoven.
5. *Peter Jorna* – Staff policymaker at *FORUM*, Insitute for Multicultural Development in the city of Utrecht.
6. *Leo Lucassen* – Senior lecturer in History at the University of Amsterdam.
7. *René Mennens* – Counsellor *woonwagenwerk* (social work among caravan dwellers) at social work institute *Trajekt* in the city of Maastricht.
8. *Door Merzel* – Project Counsellor social services project for Roma in the municipality of Nieuwegein.
9. *Roel Nuss* – Counsellor *woonwagenwerk* (social work among caravan dwellers) at social work institute *Trajekt* in the city of Maastricht.
10. *Jos Overbekking* – Researcher and staff member *Prisma Brabant* in the city of Tilburg. This independent institution advises governmental bodies in the areas of social services and education.
11. *Marcia Rooker* – Researcher and legal scholar; received her doctorate with a dissertation on: 'The International Legal Protection of Roma and Sinti in Europe'.
12. *Bluma Schattevoet* – Writer and Sinti spokesperson.
13. *Marga Veenstra* – Educational consultant for *Steunpunt zigeuner* (Gypsy Support Centre) and *woonwagenwerk* (social work among caravan dwellers) for the municipality of Utrecht.
14. *Josephine Verspaget* – Specialist on the Roma for the Dutch Labour Party (PvdA) and chair of the Raadkamer projecten (supervisory body) of the *Stichting Rechtsherstel Sinti and Roma* (foundation for the rehabilitation of Roma and Sinti victims of the Second World War).
15. *Kokalo Weiss* – Artistic leader of the Royal Gypsy Orchestra *Tata Mirando*.
16. *Lalla Weiss* – Spokesperson of the *Landelijke Sinti Organisatie* (LSO or Dutch National Sinti Organisation) in the town of Best.

17. *Zoni Weisz* – Advisor on Roma and Sinti issues.
18. *Jan Marinus Wiersma* – Member of the European Parliament for the Dutch Labour Party (PvdA).
19. *Jan van der Zandt* – Pastor for the *Landelijk Woonwagenpastoraat*, Den Bosch branch (a national association of Church communities serving the needs of caravan dwellers).

Interview questions

1. What is your profession or function and in which organisation?
2. In what capacity are you involved with the Roma and Sinti community?
3. How long have you been involved with them?
4. What activities are you presently involved with in relationship to this community?
5. How would you subdivide the Roma and Sinti into groups?
6. In which ways do the Roma and Sinti differ from each other?
7. How important is this difference (more differences or more similarities)?
8. How is the contact between these groups?
9. How many Roma and Sinti do you think are presently in the Netherlands?
10. Can you provide geographical information about the different groups in the Netherlands?
11. How would you describe the social position of the different groups?
12. Do you have any knowledge of incidents or complaints about discrimination of Roma and Sinti in the Netherlands the past few years (when, committed by who, in which area)?
13. Do you think (structural) discrimination, disadvantage, and exclusion of Roma and Sinti occur in the Netherlands?
14. Do you have any idea why so few complaints from Roma and Sinti reach the established institutions?
15. Do you think it is possible to set up a complaint reporting station that (groups of) Roma and Sinti would be able to relate to, or does this somehow not comply with their customs?
16. Can you suggest other people we should interview for this study?

Published in Dutch in the series *Monitor racisme en extreem-rechts*

Monitor Reports

1. *Monitor racisme en extreem-rechts, eerste rapportage* (Monitor Racism and the Extreme Right: first report), Jaap van Donselaar, Leiden: Leiden University, 1997.
2. *Monitor racisme en extreem-rechts, tweede rapportage: media* (Monitor Racism and the Extreme Right: second report - media), Jaap van Donselaar, Fanda Claus and Carien Nelissen, Leiden: Leiden University, 1998.
3. *Monitor racisme en extreem-rechts, derde rapportage* (Monitor Racism and the Extreme Right: third report), Jaap van Donselaar, Leiden: Leiden University, 2000.
4. *Monitor racisme en extreem-rechts, vierde rapportage* (Monitor Racism and the Extreme Right: fourth report), Jaap van Donselaar and Peter R. Rodrigues, Leiden: Anne Frank House / Leiden University 2001.
5. *Monitor racisme en extreem-rechts, vijfde rapportage* (Monitor Racism and the Extreme Right: fifth report) Jaap van Donselaar and Peter R. Rodrigues, Amsterdam: Anne Frank House / Leiden University 2002.
6. *Monitor racisme en extreem-rechts, zesde rapportage* (Monitor Racism and the Extreme Right: sixth report) Jaap van Donselaar and Peter R. Rodrigues, Amsterdam: Anne Frank House / Leiden University 2004.

Reports on Public Policy

1. *Racistisch en extreem-rechts geweld in 2002* (Racist and Extreme Right Violence in 2002), Jaap van Donselaar and Peter R. Rodrigues, Amsterdam: Anne Frank House/Leiden University 2003.
2. *Opsporing en vervolging in 2002* (Investigation and Prosecution in 2002), Jaap van Donselaar and Peter R. Rodrigues, Amsterdam: Anne Frank House / Leiden University 2003.
3. *Roma en Sinti* (Roma and Sinti). Peter R. Rodrigues and Maaïke Matelski, Amsterdam: Anne Frank House / Leiden University, 2004.