

MIGRATION AND VULNERABILITY: CHALLENGES, IMPLICATIONS AND DIFFICULTIES FACED BY THE SAHRAWI MIGRANT POPULATION

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Abstract: This article analyses transnational communities through the case study of the Sahrawi migrant community in Spain. After reviewing the most important theoretical contributions on transnational migration and determining the characteristics of these communities, this article will examine potential difficulties that derive from regulations and from the process of acquiring citizenship, which in turn affect the inclusion of this group of migrants within the host society. The article studies whether these regulations and processes may become determinants of this group's vulnerability, and provides the main conclusions deriving from the challenges that this community faces.

Keywords: Transnational communities, citizenship, vulnerability, Sahrawi migrants.

Summary: I. INTRODUCTION; II. LOOKING BACK AT THE EVOLUTION OF SAHRAWI MIGRATION; III. AN OVERVIEW OF TRANSNATIONALISM THEORIES, CITIZENSHIP AND VULNERABILITY; IV. CHARACTERISTICS, CHALLENGES, IMPLICATIONS AND DIFFICULTIES OF THE MIGRANT SAHRAWI POPULATION. ANALYSING DETERMINANTS OF VULNERABILITY OF MIGRANT SAHARAWI PEOPLE IN THE PROCESS OF ACQUIRING CITIZENSHIP; V. CONCLUSIONS

I. INTRODUCTION

Sahrawis are a nomadic people. Their movements, based on pastoralism or on commercial reasons, have determined their national identity. As Alice Wilson mentions, although some authors – most of them demographers – state that nomadism cannot be considered a type of migration, there are other authors, mainly anthropologists like Phillip Salzman, that defend that it is in fact a migratory movement (Wilson, 2012, p. 5). Regardless of the conceptualization of migration, which is not the object of this article, what is indisputable is that this situation of constant movement has largely determined both the characteristics of the Sahrawi society and its national identity, being portrayed in its culture and social organization.

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The Spanish colonization of their territory forced the population to settle. This triggered a series of changes that were not only of a social nature, but also of a cultural one, and that subsequently influenced the population's abilities to face conflict and invasion (Reina Delgado, 1998, p. 43; Díaz Hernández, et al., 2014, p. 9). When Morocco and Mauritania invaded the territory, the people that had been pushed to settle in the newly born urban areas had to face exile under poor humanitarian conditions. This new displacement forced the population to resettle in the camps of the refugee population (Gómez Martín, 2010).

The stalemate both of the conflict and of political negotiations had clear humanitarian consequences (donor weariness, reduced amount of aid, deteriorating living conditions of the population) and entailed the violation of human rights, mostly in the case of the population under Moroccan occupation. In addition to this, the series of social changes derived from the situation in the camps of the refugee population and in the occupied territories have caused new migratory flows (Wilson, 2012, p. 9).

Sahrawi migratory flows can be mainly divided into: (i) migrations towards territories under Moroccan occupation; (ii) migrations towards liberated territories (*badia*); (iii) migrations towards Europe, particularly Spain. The populations that migrate to each of these destinations have to face different challenges and obstacles. Whereas the first ones have to deal with the violation of their Human Rights, those moving to the *badia* have to consider not only the anti-personal landmines but also the complications that come with a nomadic lifestyle, which the new generations – born in exile - have forgotten. Finally, those who choose to move to Europe, mainly Spain, find legal, social, and cultural barriers. The political vulnerability of the Sahrawi cause and the SADR (Sahrawi Arab Democratic Republic) lies in these barriers.

This article focuses on this increasingly large third group, for which migration seems to be the only option to overcome this situation of stagnation. However, when this part of the population arrives to Spain, a series of legal obstacles are set in motion as they try to regularize their situation in the country, and these have a considerable effect on their identity. On the other hand, exile and diaspora represent even bigger threats to the preservation of the eminently oral Sahrawi culture and tradition, which is hard to maintain in the host society.

Taking these difficulties into account, this article aims to analyse the Sahrawi migrant community in Spain from a transnational point of view. This last approach is quite popular nowadays among scholars of international migrations and it will be used to determine if the traditional conception of citizenship perpetuates the vulnerability of the Sahrawi community in Spain.

Attempting to provide answers to these questions, this article has been divided into three parts. By looking at the mobility patterns of this group, the first one revolves around the context of Sahrawi migration in Spain.

The second part is centred on the main contributions of the transnationality theory, focusing on authors that have analysed transnational spaces and, more

specifically, their relation to citizenship. A synthesis of the evolution of citizenship and of the different theories regarding the validity - or lack of it - of this paradigm is also included in this part of the article, as well as an analysis of how inequalities caused by the most conservative portions of the citizenship act as determinants of the Sahrawi group's vulnerability. In this second part we will explain how the State regulates citizenship, as it determines the legal framework used to obtain it. The State is also in charge of determining its orientation with respect to international conflicts and obligations that derive from the international legal order. This article defends that these two roles of the State increase the vulnerability of the Sahrawi community, because of the position that the State adopted with respect to the Sahrawi conflict and to the legal status of Sahrawi people in Spain.

The third part will look at the Sahrawi community in Spain as a case study of transnational communities. Although some authors (Bowen & Wiersema, 1999; Rouse & Daellenbach, 1999; Campbell & Stanley, 2015) have questioned the qualitative methodology of case studies, we agree with authors such as Yin, who consider these as proper tools for the analysis of concrete phenomena in specific contexts (Yin, 2009). Along these lines, by examining the Sahrawi community, we can study transnational spaces, and particularly transnational communities, from different perspectives. In turn, this would help identify a series of behavioural patterns and come up with an explanation of the phenomenon, giving internal validity to this work. Nevertheless, this work is a preliminary analysis of this matter based on the conviction that the study of the Sahrawi community in Spain has the potential of serving as an example of the transnational space phenomenon, and more specifically of its relation with citizenship. Nonetheless, this is still a work in progress, which is why data has not been collected yet. Literature on transnational migration and communities, as well as the work of authors that have addressed the topic of Sahrawi migration, have been carefully reviewed. Following the classic structure of case study and after giving details about the theoretical proposals and describing the unit of analysis, in the third part of this article data gathered from the bibliographic and documentary sources will be applied to the theoretical proposals.

Finally, we will draw the most important conclusions of the analysis in relation to the questions that guide this work and provide details about the results obtained, as well as the topics that should be further investigated and that will be framed as the main challenges faced by this community.

II. LOOKING BACK AT THE EVOLUTION OF SAHRAWI MIGRATION

From the very beginning, the history of the Sahrawi community has been tied to migrations coming from the Arabian Peninsula to this territory. The former intermixed with the autochthonous Berber population throughout the 11th and 13th centuries²,

² The first arrival of people coming from the Arabian Peninsula was during the 11th century through massive Yemeni incursions in North Africa, until they finally settled in the Maghreb during the 14th and 15th centuries. In the 13th century, a new wave of Arabian migration in Northwest Africa mixed with the

giving place to the Sahrawi people. These were characterized for being a nomadic society linked to pastoralism and commerce³ until the 20th century. During the mid-twentieth century, a progressive sedentariness was promoted in the context of the Spanish colonization, but until then most of the Sahrawi people were still nomads. When Morocco and Mauritania invaded the area in 1975, they were forced to flee, first within the territory, and later to Argelia, when the civil population was bombarded in Um Draiga, Guelta and Tifarti, as Carlos Martín Beristain (Martín Beristain, 2015) describes. The Sahrawi society then started a war of national liberation and the establishment of a State that was ruled from their exile in Argelia, which is where most of the population had taken refuge.

During the conflict and the first years, the Frente POLISARIO (Polisario Front, hereon) promoted the movement abroad of Sahrawian youth from the camps to encourage their education. This was supported by agreements made with countries like Cuba, Venezuela, Syria or Libya. When this young population went back to the refugee camps after 10 to 15 years apart from their families, they started working for the community (Fiddian-Qasmiyeh, 2011, p. 437).

Following the stalemate of the conflict after the ceasefire in 1991 and the subsequent failed attempts to organize a referendum, as described by Juan Soroeta (Soroeta Licerias, 2001), an atmosphere of discouragement and weariness began to reign in the refugee camps and these feelings were then translated into important social changes that took place in the camps⁴ and from which a new immigration wave originated. As the *status quo* of the conflict extended, this wave of migration focused mainly on three destinations. Therefore, as Alice WILSON summarizes, while a minority of the population chose to go back to its territory despite the persistence of the Moroccan occupation (Wilson, 2012, p. 9), another part decided to recover their traditional lifestyle and move to the liberated territories (*badia*) and go back to nomadic herding or establish commercial activities with Mauritania, as relations with this country had been restored since the peace treaty was signed in 1979⁵. A third group

remains of the Almohad Empire. A tribal conflict between these dynasties resulted in the population moving to the south, towards the Western Sahara, where they mingled with the Sanahas of the Western Sahara in the 15th century, giving place to the current Arab-Berber population (Villar, 1982, p. 25)

³ Spanish presence in the territory promoted this traditionally nomad population's settlement, which took place in urban areas. A homogenous demographic group then emerged from a traditionally hierarchic society that was arranged by a guild system based on social and ethnic groups and made up of family or patrilineal groups structured around the *haima* and tribes. *Ibidem*, p. 27; (Fiddian-Qasmiyeh, 2011 p. 435).

⁴ Many authors have reflected on the social changes taking place at the refugee camps. Along these lines, an article that is worth mentioning – especially based on its thoroughness and impact – is that of Sophie Caratini (Caratini, 2006). Juan Carlos Gimeno also summarizes these changes from a more cultural perspective (Gimeno Martin, 2010)

⁵ Mauritania took part in the so-called “Madrid Accords” trying to stop Moroccan territorial claims over Mauritanian territories, which resulted in Mauritania's implication in the conflict after Spain left the territory. Knowing their opponents' characteristics, the Polisario Front focused on the first stage of the national liberation war in Mauritania. Only two years after the proclamation of the SADR, the Polisario Front managed to put Mauritania in a very delicate situation, specially following the 1976 Nouakchott attack, in which the Secretary General of the Polisario Front, El Ouali, died. The country's economic

decided to go north, mainly to Spain. At the beginning, this group consisted mainly of university graduates that were tired of seeing that the effort they had made to study was not relevant in the refugee camps (Gómez Martín, 2010; Fiddian-Qasmiyeh, 2011, p. 441). According to Alice Wilson, in the first decade of the 2000s, less qualified workers –who had become part of the construction boom in the refugee camps– joined this group, as well as activists from the occupied territories who were fleeing from repression (Wilson, 2012, p. 11).

As we mentioned before, this article focuses on this third group of Sahrawi migrants, who are the ones that chose to settle in Europe, and particularly in Spain. We decided that it was appropriate to narrow down our study to this population group, not only because of its specific characteristics, but also because of how it has been treated by the Spanish State, the administering power of the last African colony.

This analysis is not so simple, considering that in the first place it is quite difficult to quantify this group among the different groups of migrants that currently live in Spain. Authors such as Carmen Gómez have already highlighted this issue, which she tried to solve by comparing the estimates with those of the Sahrawi Community Office in Spain⁶ and of the Polisario Front delegation in Madrid, since it is still in charge of controlling access to necessary documents to leave the camps of the refugee population. This author, through her fieldwork, came up with the total sum of 10,000 people belonging to this community (Gómez Martín, 2010, p. 33), while other media sources mention approximately 3,000 people⁷.

This number differs from official statistics that identify Saharawi people among different groups. Thus, for instance, according to the number of asylum requests⁸, in 2014 only, 31 Saharawi (27 men and 4 women) requested international protection in Spain. One of those requests was accepted and 17 (all men) were dismissed (Interior, 2014, p. 64). The rest of the official numbers on migration do not include Saharawi people in an independent category. Instead, they are listed among those coming from

crisis led to a coup d'état on 10 July 1978, during which a military junta -Comité Militaire de Redressement National (CMRN)- took full control and arrested Ould Dadah (Hodges, 1983, p. 265). A subsequent coup d'état promoted by another military group, the Comité Militaire de Salut National (CMSN), resulted in the signing of the peace treaty with the Polisario Front in Algiers. In this agreement, known as the "Algiers Agreement", Mauritania established that it waived all its claims over Western Sahara territories, that it retreated from the war and that all the territories under Mauritanian control would be transferred to the Polisario Front. However, right before the Sahrawi troops could take control of that territory, Moroccan military forces in Mauritania also occupied the southern part of the Western Sahara.

⁶ The Sahrawi Community Office in Spain (<http://delsah.polisario.es/oficina-de-la-comunidad-saharai-en-espana/>) is in charge of supporting, helping and mobilising the Sahwari community in Spain.

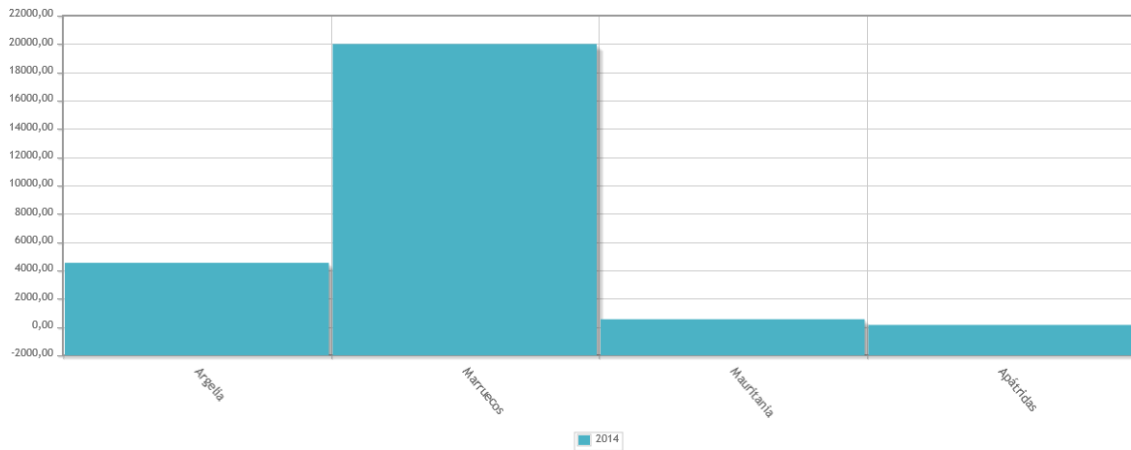
⁷ La Vanguardia (2016), "Spain will be accepting Sahwari documents once again to process citizenship requests" La Vanguardia newspaper 01/02/2016 Available on:

<http://www.lavanguardia.com/politica/20160201/301818809891/espana-admite-de-nuevo-los-documentos-saharais-para-tramitar-la-nacionalidad.html> Fecha de acceso 2 de mayo de 2016.

⁸ Asylum-related figures in Spain are published each year by the Spanish Ministry of Interior:

<http://www.interior.gob.es/web/archivos-y-documentacion/documentacion-y-publicaciones/publicaciones-descargables/extranjeria-y-asilo/asilo-en-cifras>

Argelia, Morocco, Mauritania, and stateless persons. The following graph has been taken from the official statistics of the National Institute on immigration flows organized by year (2014), sex, age group and nationality, based on the aforementioned places of provenance⁹:



As we can see, the number of Moroccan immigrants is much higher than the other three that have been included in the graph, given that this is one of the major groups of immigrant population in Spain. However, as far as this article is concerned, we believe that Saharawi immigrants have been mostly included in the Argeline population. The reason behind this is that although since the beginning of the century the number of Saharawi people that come from the occupied territories has increased, it is still presumed to be lower than the number of Saharawi people coming from refugee camps. Another part of this population would be included under “stateless” people, making their situation even more complex.

Now that we have gone through the evolution of Sahrawi migration, we will present the theoretical proposals that will be linked to the object of analysis in the last section so that its characteristics may be identified, and above all the repercussions that the citizenship request process have on the vulnerability of the Sahrawi community.

III. AN OVERVIEW OF TRANSNATIONALISM THEORIES, CITIZENSHIP AND VULNERABILITY.

The issue of migratory flows and of how challenging these can be to European society, which is the final destination of many of these, is at the top of the current international agenda. As a matter of fact, migration has been given priority in the political agenda since the beginning of the century and it seems that this will remain like that for the time being, as migration continues to increase.

⁹ Data gathered from the Spanish Ministry of Interior statistics:
<http://www.ine.es/jaxi/Datos.htm?path=/t20/p277/prov/e01/10/&file=01003.px>

Population movements in the 21st century differ to a large extent from previous migratory waves. Some of the factors that have caused these current changes, both with respect to movements and migrants, are technological advances and communication systems, which have greatly contributed to the emergence of a phenomenon that is being addressed by the academic community: transnational migration.

A great number of works that have given place to different schools of thought have been developed since the pioneers of this new concept, Nina Glick Schiller, Cristina Blanc-Szanton and Linda Bach, first defined transnationalism (Glick Schiller, et al., 1992). Authors such as Peggy Levitt and Nina Glick Schiller herself have identified four “traditions” that address this new approach: the one coming from sociology and anthropology in the USA; the one developed in the United Kingdom, specially by the Oxford Transnational Community Programme; literature produced by authors focusing on transnational families and the links they create; and the one focused on space and the analysis of social structure (Peggy Levitt & Schiller, 2006, p. 194).

On the other hand, a series of authors have classified the different schools of thought according to disciplines that have made contributions. Therefore, Peter Kivisto (Kivisto, 2001) makes a distinction between contributions made from cultural anthropology by authors such as Nina Glick Schiller, Cristina Blanc-Szanton and Linda Bach; Portes’ sociological contributions (Portes, 2001); or the political science work of authors such as Thomas Faist (Faist, 2000).

This branching out has also come along with new terms and concepts linked to the issue of transnational migration and some authors such as Álvaro Morcillo consider these to be obstacles to the emerging paradigm (Morcillo Espina, 2011, p. 764). As a matter of fact, we can see that authors like Nina Glick Schiller and Cristina Blanc refer to a “transnational social field” (Levitt & Glick Schiller, 2006), whereas Thomas Faist talks about “transnational spaces” and Steven Vertovec of “transnational communities” (Vertovec, 1999). However, and despite criticism in relation to the many works that have addressed these issue, there is consensus when it comes to understanding transnational migrations as:

“the series of processes by which certain migrants create and preserve recurrent relations and social activities that establish links between home and host societies” (Velasco, 2009)

Given that this article does not intend to carry out a comprehensive analysis of all the work related to this new field, our point of reference will be the work of Thomas Faist on transnational social spaces and, more specifically, on transnational communities. This last concept is highly relevant for our purpose of linking the analysis of these communities to the role of the State as the one in charge of establishing conditions of access to citizenship. This author considers that transnational spaces are characterized by the “existence of formal and informal inter-sectorial links between different physical and temporary spaces” (Faist, 2000, p. 190). Of the three types of transnational spaces that Faist defines in his article “Transnationalization in

international migration: implications for the study of citizenship and culture” (transnational family groups, transnational circuits and transnational communities), we will focus on transnational communities. According to this author, the main characteristics of these are collective representations based on symbolic links, such as religion, nationality and ethnicity. He also states that the primary resource used in these links is solidarity among the members of the community, and that diasporas are clear examples of this. However, Levitt and Glick Schiller point out that it is necessary to establish a difference between the existence of these links and “the conscious integration in those communities” (Levitt & Glick Schiller, 2006, p. 196). Diasporas, common to these communities, are characterised by a threefold relation among a dispersed group of people, the States in which they reside and the vision or memory of a lost or imagined homeland (Safran, 1991).

For Thomas Faist, transnational communities built around political or religious projects that last for more than one generation, like diasporas, are driven by: i) the existence of strong links that migrants and refugees have for a long period of time with the State of origin and the host country; ii) the assimilation of these links not only through migratory flows but also by other means like commerce or communications; iii) legal and political regulations that may allow to varying degrees for the movement of people, and tolerate or repress political and religious activities of migrants and refugees. The latter issue will become especially relevant in our case study, as we will see further on.

The emphasis that these authors put on diverse links among different physical and temporary spaces is clearly related to the political importance given to the adaptation of migrants to their countries of residence. According to Levitt and Glick Schiller, understanding migration from this transnational perspective implies analysing integration and the sense of belonging to these States (Levitt & Glick Schiller, 2006, p. 214). As Velasco pointed out, “the non-transitional character of transnational links challenges basic assumptions of assimilationist concepts”, particularly the links with countries of origin, which become weaker as the stay in the States of residence is extended (Velasco, 2009, p. 35). On the contrary, people that integrate into transnational spaces and communities seem to have multiple points of reference, which translate into a duplicate or multiple senses of belonging, which in turn give place to the establishment of hybrid identities (Velasco, 2009).

All of these matters hardly fit into the traditional perspective of citizenship defended by Marshall (Marshall, 1964), and for this reason, new approaches to this issue have emerged. For instance, post-national citizenship, a concept brought about by Yasemin Soysal (Soysal, 1994) states that nowadays there are international institutions and legal instruments that go beyond the space of the nation-State. According to the defenders of multicultural citizenship like Will Kymlicka, it is necessary to ensure the cultural background of people by guarantying the rights of political and religious minorities (Kymlicka, 2003). Despite the different perspectives, there is consensus about making a distinction among four dimensions of citizenship: legal citizenship, citizenship entailing a series of rights, political citizenship and citizenship as identity

and belonging (Bosniak, 2000). These aspects are related to the two axes of access to citizenship which were defined by Faist according to the links between the State and citizenship (Faist, 2000, p. 203): the vertical axis, which includes the legal dimension and the human rights dimension, and the horizontal axis, which embraces the dimensions of political citizenship, identity and belonging. All of these dimensions come together within the boundaries of migrants' States of residence. The limitations imposed by the vertical axis on the horizontal one largely influences the migrants' access to these dimensions of citizenship, and therefore determines the vulnerability of these groups of the population.

Although we cannot ignore that vulnerability is a circumstance that is tied to migration in general¹⁰, vulnerability understood as the “exposure to contingencies and stress, and the difficulty in coping with them”¹¹, is somehow related to the case in which a person or group is exposed to a difficult situation, or a situation that entails some type of risk and that the person or group finds it hard to deal with. This exposure is twofold – internal and external – as it is related both to the risky situation that the person or group is exposed to, and to the available resources to cope with it. Based on this definition, vulnerability is a phenomenon that has a “relative dimension”, given that it varies according to each individual and his/her circumstances, as well as his/her specific situation at the time (Pérez De Armiño, 2000, p. 584). Among some of the personal determinants of vulnerability, these author highlights ethnicity or religion, level of education or legal status (Pérez De Armiño, 2000). As far as we are concerned, the legal status and regulated access to citizenship will clearly determine the Sahrawi community, as we will see in the next section.

IV. CHARACTERISTICS, CHALLENGES, IMPLICATIONS AND DIFFICULTIES OF THE MIGRANT SAHRAWI POPULATION. ANALYSING DETERMINANTS OF VULNERABILITY OF MIGRANT SAHARAWI PEOPLE IN THE PROCESS OF ACQUIRING CITIZENSHIP.

As we have seen, the presence of Sahrawi migrants in the Spanish society is quite a recent phenomenon. As a matter of fact, authors like Carmen Gómez define Sahrawi migration both as being a “late effect” of the conflict (Gómez Martín, 2010, p. 34) and as a complex phenomenon (Gómez Martín, 2013, p. 230). Despite the severity of the first years of the conflict, until the end of the 90s the number of Sahrawi people in Spain did not increase. Until then, it included mostly local representations of the Polisario Front, ill people that were temporarily hosted in shelter homes, or families that were part of the program “Vacaciones en Paz” (Holidays in Peace). Therefore, since the

¹⁰ Along these lines there are several reference publications that address the existing relation between the migration phenomena and vulnerability, with elements such as environment, poverty or identity. See, for instance: Afifi, Tamer; Jäger, Jill (ed.). (2010) *Environment, forced migration and social vulnerability*, Springer, Heidelberg; Newman, Edward, et al. (2003) *Refugees and forced displacement. International security, human vulnerability and the state*. United Nations University Press; Chambers, Iain (2008). *Migrancy, culture, identity*. Routledge, London and New York; Turner, Brian. S. (2006) *Vulnerability and Human Rights*, Pennsylvania State University Press-University Park, Pennsylvania.

¹¹ Robert Chambers' definition taken by Karlos Pérez de Armiño (2000, p. 584)

beginning of the conflict and until the end of the 90s, the majority of migrants coming from the refugee camps were young people involved in educational agreements. This successfully accomplished the objective of the Polisario Front of reducing the illiteracy rate inherited from the Spanish colonization¹² and it attracted the interest of important specialists such as Elena Fiddian-Qasmiyeh or Randa Farah, who addressed the implications of this program both for the youth that took part in it, as well as for the Sahrawi population in general, from the perspective of transnational migration¹³. Following the social changes that took place in the camps and that were caused by the failed referendum of 1998 (Dubois Migoya, et al., 2011, p. 505; Dubois, et al., 2011, p. 148) that, according to Elena Fiddian and Carmen Gómez, first affected this generation of young people educated abroad (Fiddian-Qasmiyeh, 2011, P. 441; Gómez Martin, 2010, P. 31), the population started leaving the camps of Tinduf, and this was perceived in a very negative way, according to Carmen Gómez herself and Alice Wilson (Gómez Martin, 2010, p. 36) (Wilson, 2012, p. 11). Gómez states that choosing to emigrate from the camps was perceived as an abandonment of the national cause provoked by worsening personal situations and and, considering that the Polisario Front controls access to necessary documents to emigrate, the author relates that the departure from camps was done under the so-called “triple promise”: immediate return if the circumstances demand so¹⁴; the union of the Sahrawi community abroad; and the dissemination of the Saharawi cause in the host societies (Gómez Martin, 2010). This “triple promise” contributes to the existence of the threefold relation that William Safran described among the group of people living in different parts of the Spanish territory, Sahrawi population camps and the defence of the national cause (Safran, 1991).

¹² Regarding the level of education, in her monograph work *Hijos de la Nube*, Claudia Barona provides specific available data on education at the end of the Spanish colonization: “At the end of the colonial period, in 1974, the Statistical Yearbook of Spain includes 204 teachers (144 Europeans and 60 natives or “Islamic teachers”), and 7,608 students (2,321 Europeans, 3,184 natives and 2,103 adults), in addition to 621 secondary school students (398 Europeans, out of which 255 were boys and 143 girls; and 223 natives, out of which 208 were boys and 15 girls). (Barona, 2004). Other reference works regarding education in the Sahara include: Velloso A. 2005, “Education in the Western Sahara: the permanent exile”, CSCAWeb, of 15 April 2005, which is available on the following webpage:

http://www.nodo50.org/csca/agenda05/misc/sahara-veloso_15-04-05.html Last visited on 20 May 2016.

¹³ Elena Fiddian Qasmiyeh is one of the most important academicians studying Sahrawi migration. Some of her main publications include: Fiddian-Qasmiyeh, Elena. (2015) *South-South Educational Migration, Humanitarianism and Development: Views from Cuba, North Africa and the Middle East*, Oxford: Routledge, part of the ‘Routledge Studies in Development, Mobilities and Migration’ book series; January 2015; Fiddian-Qasmiyeh, Elena. (2014) *The Ideal Refugees: Gender, Islam and the Sahrawi Politics of Survival*, Syracuse NY: Syracuse University Press, part of the ‘Gender, Culture and Politics of the Middle East’ book series; January 2014; female Muslim refugees in Spain,’ *Gender, Place and Culture*, 21(2): 174-194; Fiddian-Qasmiyeh, Elena. (2013) ‘The Inter-generational Politics of “Travelling Memories”’: Sahrawi refugee youth remembering homeland and home-camp,’ *Journal of Intercultural Studies*, 34(6): 631-649. Randa FARAH has also addressed the issue of educational politics of the Polisario Front in international agreements in her article (Farah, 2010).

¹⁴ The first element of this “triple promise” was proven in 2001, when an important diplomatic incident took place as the organization of the Paris-Dakar rally tried to go through the liberated territories. This was a very tense moment as within 24 hours a large number of Sahrawi people, including those in the diaspora, were incorporated in military ranks.

This definition of the national cause implies the existence of a distinctive feature in the Sahrawi community (Szente-Varga, 2012, p. 122; Alvarez Gila, Et Al., 2011, p. 159) considering that, as Randa Farah states, self-determination becomes an identifying factor of their identity (Farah, 2010, p. 65). Moreover, this link and the conditions that derive from the triple promise constitute the main source of relations and social activities in and with the host society, while circular mobility patterns contribute to preserving strong links with those who have remained in the refugee camps and the occupied territories. This connection with national identity is the main reason that keeps the Saharawi population from settling in a specific location, as the places of residency simultaneously become the place of arrival and the destination. For this reason, this author describes the migrant Sahrawi population as transmigrant (Gómez Martín, 2010, p. 38). The network of Sahrawi migrant associations, which were formed since the first decade of the 2000s, has contributed to the reinforcement of circular mobility patterns (Gómez Martín, 2010, p. 38; Wilson, 2012, p. 10; Chatty, Et Al., 2010). Through them, information regarding the evolution of conditions for the population in the different Autonomous Communities and municipalities became available, and this was a clear example of the underlying solidarity in the relation between the Sahrawi community and Spain, as well as with the people that have remained in the refugee camps and the occupied territories.

Besides providing information about facilities and obstacles to reside in the Spanish State, the Sahrawi community residing in this European country has also established important financially solidary relations with the people living in the refugee camps and the occupied territories. As a matter of fact, these economic relations, which are tied to the exodus of the first Sahrawi migrants and the existing links among Spanish families and Sahrawi people have translated into important social changes in the refugee camps (Fiddian Qasmiyeh, 2011; Bellosó & Mendia Azkue, 2009).

As we mentioned earlier, most of the Sahrawi population that decides to emigrate to Spain comes from the refugee camps. Given that Spain does not recognise the SADR as a State, Sahrawi migrants in this country are forced to use Argelian or Mauritanian documents, or request the Spanish citizenship in order to legalize their situation in Spain. On the other hand, the migrant group coming from the occupied territories is forced to use Moroccan documents to leave and move to Spain, notwithstanding all the implications that this has in relation to the Sahrawi identity and the dynamics of an ongoing conflict. As it was mentioned before, this makes it hard to quantify the exact number of Sahrawi residents in Spain, define their socio-demographic characteristics and sex-disaggregation, in addition to making this group invisible among the whole migrant population in Spain. For what regards gender, the role that Saharawi women have had and still have in the struggle for national liberation is well known, as well as their involvement in the political and social infrastructure of the refugee camps and of the occupied territories. However, to this day, there are barely any academics addressing the role of Sahrawi women in the migrant community. One of the few available, carried out by Elena García Vega, makes statements that in our opinion are hard to challenge due to inherent issues of the Sahrawi migrant group. First of all, based on “quantitative reasons”, she mentions that the presence of Sahrawi

women is less representative than the male one (García Vega, et al., 2009). We find it difficult to confirm this statement because, as we will see further on, one of the difficulties linked to the vulnerability that characterizes the Sahrawi migrant population is precisely the lack of official data to quantify the exact number of Sahrawi residents in Spain, and least of all to determine sex-disaggregation. Moreover, the sample that she selected for her study includes a young migrant female population, mostly single and without family burdens. Although we cannot challenge this sample as we have not carried out a thorough study of this issue and there are no other available studies we can compare this one to, the average age of this sample seems a bit low to us. This is specially true if we take into consideration that, as Carmen Gómez mentions, the main group of Sahrawi migrants is encompassed by the “second generation of the Polisario”, that would currently be between 45-50 years old (Gómez Martín, 2010, p. 35). Furthermore, this sample does not seem to include groups whose presence has increased over the last years: the wives and families of the Polisario Front in Spain or of Policario Front representatives that use their contacts to bring their families to Spain as the conflict continues. In any case, it is hard – and necessary to support this analysis - to disaggregate data by sex given the lack of official numbers of the Sahrawi migrant group.

The most important consequence of having to use documents from other States is that, for most of the Sahrawi migrant population, regularizing their status or migrating to Spain implies diluting their identity as Sahrawis. This, in turn, clearly challenges the group representation of this community, stated by Faist (Faist, 2000). This circumstance, together with the extension of the conflict itself, contributes to this population’s settlement in Spain but, on the other hand, limits the capacity of people residing in the refugee camps to face the challenge of migrating. Even though we have stated a generation of highly qualified Saharawi people exists, three generations have been born in exile and are the target of the so-called “culture of the aid” (López Belloso, 2011, p. 65).

As we already mentioned, according to the definition provided by Karlos Pérez de Armiño, the concept of vulnerability is connected to the exposure of a person or group to a difficult situation or a situation that entails some type of risk that the person or group finds hard to deal with. Among some of the personal determinants of vulnerability these author highlights ethnicity or religion, level of education or legal status (Pérez De Armiño, 2000). In this case, the legal status of the Sahrawi community in Spain seems to be a fundamental determinant of the group’s vulnerability (Pérez De Armiño, 2000). This is why it is essential to analyse the legal procedures connected to the regularization process of Saharawi people in Spain.

In order to understand this, we would have to recall the Spanish colonial presence in the territory, supporting what the aforementioned author refers to as vulnerability’s “dynamic dimension in time”, meaning that the former is the consequence of historical developments such as colonialism (Pérez De Armiño, 2000, p.590). One of the strategies that Spain used to avoid, or at least delay, decolonization – which is still an unfinished process– of the Western Sahara territory, was to

provincialize it. This implied that during a certain period of time, the Spanish and Saharawi populations were “equal”, although the effects of this “equality” have been largely debated from a legal and doctrinal basis¹⁵. The solution, as Javier Pérez Milla states, was to link territory to nationality. Nevertheless, and according to this same author, a series of procedural obstacles to demonstrate national status derived from this territorial connection, and the Sahrawi population ended up claiming statelessness, requesting from the Spanish judicial authorities to “use legal instruments to remedy an inherently political conflict” (Pérez Milla, 2011, p. 445). However, this same incongruent political position of Spain regarding the Sahrawi conflict is evident in the legal remedies provided for the legal status of this community in Spain (Viñas Farre, 2009, p. 38). These remedies, as we mentioned earlier, fluctuate between the recognition of the Spanish nationality¹⁶, of statelessness¹⁷, and even the insinuation of the Moroccan citizenship of Sahrawi residents in occupied territories¹⁸. This means that Saharawi people that choose not to initiate these type of legal procedures have the following choices: to request residency and work permits as part of the aforementioned groups (Argelian, Moroccan, Mauritanian), accepting the slow and bureaucratic nature of granting and renovation processes; or to acquire the Spanish citizenship based on residency as provided by Article 22 of the Spanish Civil Code (Ortega Giménez, Et Al., 2016). This article became a new determinant of the Sahrawi population’s vulnerability, given that this ‘fast track’ to acquire citizenship within two years does not include the Sahrawi group, whereas other groups with similar characteristics, such as certain Latin American countries, the Equatorial Guinea or the Sephardic community are taken into account. Discrimination towards the Sahrawi community increased with the enforcement of Law 12/2015, which established that the Sephardic community would not be required to renounce their original nationality¹⁹. Following the strong political pressure exerted by the opposition, on 5 April 2016 a motion to modify the aforementioned Article 22 was approved in the Parliamentary Commission of Justice. The modification implied the inclusion of the Sahrawi community in this Article, stating that they would no longer have to renounce to their original nationality²⁰. In addition to this legal discrimination, for almost two years, the Sahrawi community also suffered serious procedural discrimination, given that during that period of time, the Directorate General for Registers and Notaries (DGRN) dismissed all documentation provided by the SADR for procurement actions to access citizenship based on residency. It was only after several appeals of the Professional Association of Sahrawi Lawyers in Spain

¹⁵ The legal debate has been translated mainly in Supreme Court Judgements regarding different requests of Spanish citizenship from Sahrawi citizens that have been appealed following their systematic dismissal by the National High Court. A compilation of these judgements is available at (Pérez Milla, 2011; López Baroni, 2014; Soroeta Licerias, 2001; Soroeta Licerias, 1999)

¹⁶ Supreme Court Judgement, Civil Division of 28 October 1998. 1026/1998 (RJ/1998/8257); and Supreme Court Judgement, Administrative Chamber, section 6^o, of 7 November 1999(RJ/2000/849)

¹⁷ Supreme Court Judgement of 20 November 2007 (RJ 2008, 6615)

¹⁸ Supreme Court Judgement, Administrative Chamber, Fifth Section, of 18 July 2008 (RJ 2008/6875)

¹⁹ Act 12/2015, of 24 June, in granting Spanish citizenship to Sephardims originally from Spain.

²⁰ Motion on the amendment of Article 22.1 of the Civil Code. 161/000265. Published in the Official Gazette of the General Courts (Spanish Parliament). Congress of Deputies, p. 12 Available at: http://www.congreso.es/public_oficiales/L11/CONG/BOCG/D/BOCG-11-D-46.PDF#page=12 Last accessed on: 13 May 2016.

(APRASE) that the DGRN rectified its position and acknowledged the validity of the documents provided by the SADR²¹.

In addition to facing clear legal determinants, the Sahrawi migrant community in Spain also encounters other factors that determine its vulnerability and that are mostly tied to their trans-migrant nature. Nina Glick Schiller states that “transmigrants draw upon and create fluid and multiple identities grounded both in their society of origin and in the host societies” which therefore link them to more than one society (Glick Schiller, et al., 1995, p. 48; Glick Schiller, et al., 1992, p.1). In our opinion, this circumstance becomes clear in the Sahrawi migrant population that, in addition to preserving their Sahrawi identity, is also very connected to the Spanish society not only because of historical reasons, but also of cultural aspects. Sidi Mohamed Omar states that this multiple link becomes more complex (Omar, 2012, p. 151) in the case of the Sahrawis that moved to third countries, and particularly the so-called *cubarauis*. Because of the links of the Sahrawi community with their national identity, as well as with the Spanish –or even the Caribbean– society, as Carmen Gómez Martín states, there is some reluctance to qualify them as migrants or immigrants, and expressions such as “third period of exile tiempo” are preferred instead (Gómez Martín, 2013, pp. 233). This term is connected to migrant communities such as diasporas and the existence of “hybrid identities” as stated by Velasco (Velasco, 2009).

This terminology is consistent with an issue that we already pointed out when we described the characteristics of the Sahrawi migrant population that Sidi Mohamed Omar refers to as the “prevailing political nature of the Sahrawi diaspora” (Omar, 2012, p. 150). The commitment to the Sahrawi cause highlighted by this author has led the activities and efforts of the Sahrawi community in Spain to focus on the dissemination of the political dimension of the conflict, neglecting an aspect that was especially present during the movement of Sahrawi youth to the Caribbean: the protection of their cultural identity (Farah, 2010; Fiddian-Qasmiyeh, 2013, p. 883). The consequences of neglecting the protection of culture are many, considering that the traditional Sahrawi culture is basically oral and that its language, the *hassania*, is an Arab dialect that has not been greatly developed grammatically. As Larosi Haidar points out, the Sahrawi oral tradition encompasses the *as-sa’r* or poetry, the tale in its different modalities, story telling (*al-matal*), and the proverb. Poetry is the only of these that has been transcribed in very few occasions (Haidar, 2006, p. 361). As a matter of fact, authors such as Bahia Awah, consider that Sahrawi poetry is pre-eminently oral, despite the efforts made to preserve it in written archives (Awah, 2010, p. 208). This differs from the efforts made by the aforementioned “second generation” that went to study abroad accompanied by Sahrawi instructors who had the role of making sure that not only their culture and language were conveyed properly, but also a “specific narrative” of the Sahrawi cause (Fiddian-Qasmiyeh, 2013, p. 882).

²¹ “Birth certificates and criminal records issued by the SADR, that may have evidentiary value to confirm the identity and good citizenship of the person requesting the Spanish citizenship”. Excerpt from the communiqué issued by APRASE on 1 February 2016. Available at: <http://www.splсахара.org/wp-content/uploads/2016/02/COMUNICADO.pdf> Last accessed on: 13 May 2016.

According to Carmen Gómez, beyond language and oral tradition, Sahrawi literature shows three main features: “the interpretation of writing, and especially of poetry, as a weapon to fight oblivion; the vindication and use of Spanish as a bridge language and identity symbol against other French-speaking people of the Maghreb; themes related to the Sahrawi land (the desert), geography, tradition and Sahrawi culture” (Gómez Martín, 2013, p. 236). This author considers that these three features, which portray the multiple links that exist within this group, can be seen in the so-called “Generación de la Amistad” (The Friendship Generation). The latter was formed in Madrid in July 2005 and consists of a group of Sahrawi poets and writers that belong to the aforementioned “second generation”. In these writers, who have taken on the role of defending memory and culture through literature, the multiple aspect of the Sahrawi identity is traceable, especially in their recollection of childhood memories in the refugee camps, Caribbean nostalgia or their own migratory experiences in Spain. According to the author, these mirror a “complex migratory experience” that, at the same time, is a clear example of transnational migration (Gómez Martín, 2013, p. 234).

In spite of these authors’ effort to disseminate and protect Sahrawi culture, the extension of the conflict and the settlement of this community in Spain are having negative consequences on the preservation of its culture. Traditional knowledge is being lost as the elder generations pass away and new generations lose their roots, given that some of them have been born and raised in Spain and keep only residual and sporadic contact with the Sahrawi culture, only occasionally visiting the refugee camps or the occupied territories.

In our opinion, it would be interesting to carry out an in-depth analysis of these two matters by filling out forms and conducting interviews with members of the Sahrawi community. This would allow us to thoroughly document the relations and links that are established between the different spaces, as well as the perception that the community has with respect to the difficulties of acquiring citizenship, the defence of collective identity, relations based on solidarity and the situation of the Sahrawi culture.

These determinants of the vulnerability of the Sahrawi community in Spain represent, from our point of view, a fundamental issue that is also the main weakness of this group: the political fragility of the Sahrawi population and the SADR government in an international context ruled by a discourse about safety and the defence from terrorism, confronted with the last vestige of colonialism in Africa, that is consistently advocating for the defence of its rights in a pacific way, unlike the current international trend.

In addition to this, the difficulties that the Sahrawi community faces while trying to integrate in the Spanish territory are a direct consequence of this country’s political stance, which is still an administering power of the territory in the context of an ongoing conflict. Unlike other countries, like Portugal –or even looking at the treatment that the Spanish State has given to other groups such as the Guinean– Spain takes no historical responsibility to solve the conflict, nor does it offer any options to the Sahrawi

community living in the country, even though this community is affected by the regulation of its legal status, which is the result of a failed decolonization process.

V. CONCLUSIONS

Based on the contents of this article, we can conclude that the Sahrawi community in Spain keeps social, political and economical links with other spaces such as the refugee camps, the occupied territories or the places in which the Sahrawi youth has pursued a higher education. These relations are marked by the so-called “triple promise”, which mostly translates into the solidarity that exists between the members of the community in their defence of a cause, but also in relation to the other members of the community and the Sahrawi State. This community faces a series of challenges while trying to integrate into the Spanish society.

Despite the fact that the migrant Sahrawi population has its own characteristics, the first challenge stems from the fact that it is difficult to obtain official data and statistics regarding this group. We have seen that the Sahrawi population is included among different statistic information under “labels” or categories that make it difficult to identify someone as Sahrawi, and that entails its inclusion the Argelian, stateless, Spanish or even Moroccan groups.

This issue is strictly related to another main challenge faced by the Sahrawi population when arriving in Spain: getting around the legal barriers set by the Spanish legislation in order to regularize their situation, barriers that not only neglect their social, historical and cultural ties with Spain, but that discriminate them with respect to other groups under similar circumstances.

When their legal status is finally regularized, the next challenge they face is maintaining an equilibrium between their legal, employment and family stability with definitively settling in specific spaces or places that may collide with the defence of the national cause that, as we have previously seen, is one of the main traits of the migrant Sahrawi population: the power of national identity and its predominant politicisation.

The power of national identity prevails over traditional cultural identity, which dilutes in different transnational spaces even when these spaces are a circular combination of the Saharan territory (occupied territories or liberated territories), the refugee camps and Spain; or a series of temporary exiles in camps, in the Caribbean (mostly in Cuba) or other States and Spain.

Perhaps the biggest challenge that this migrant community faces is the temporary challenge from a double perspective. On one hand, the ongoing conflict has greatly affected the transmission of the traditional culture – which is mostly oral – as the elderly people, who are the carriers of tradition, pass away. Also, new generations raised in Spain assimilate this culture in a more distant way. On the other hand, with the passing of time the political speech on the Sahrawi cause has weakened, especially in an

international context in which decolonization and the right to self-determination are not at the top of the political priorities of the international agenda.

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