

Today's Border Disagreements, Tomorrow's Border Disputes: A Case of Rubafu Peninsula on the 1°00'S Tanzania-Uganda Border

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Abstract

One of the sources of border disagreements and disputes in Africa is the improperly delimited, poorly demarcated or un-demarcated colonial inherited borders. Consequently, border disagreements and disputes are on the rise on the continent as 'new discoveries' are made in the borderlands. I present a case of Rubafu Peninsula arguing that if border disagreements receive no attention and remain unresolved, they are likely to generate serious political tensions in the future. I propose that ongoing initiatives to resolve border disputes, like on the Tanzania-Uganda border, should be comprehensive in nature encompassing other hotspots that are disrupting peace and security in the borderlands. I recommend conducting follow up studies to capture the impact of border disagreements on cross border cooperation, migration and international relations as they unfold or get resolved. African nation states, individually and collectively, should establish mechanisms guiding processes of border disagreement and dispute resolution that are Africa-friendly, recognizing and incorporating Africa's history within contemporary African context.

Key words: *border disagreement, border dispute, Tanzania-Uganda border, Rubafu peninsula, borderlands, borderlanders.*

1. Introduction

Okumu (2010) correctly observed that "among the sources of current border disputes in Eastern Africa are the improperly delimited and poorly demarcated colonially inherited borders, the procrastination of post-independent governments to correct the colonial errors, poor border administration and management, increasing populations, and discoveries of mineral wealth in the borderlands and frontiers". The argument made and as propagated by many border theories is that if border disputes are not resolved, they are likely to erupt into conflicts and even wars, thus disrupting peace between and among adjacent states. In this paper I use a case of the Rubafu Peninsula on the Tanzania-Uganda 1°00'S border to demonstrate how unresolved border disagreements emerging from improperly delimited and poorly demarcated or un-demarcated inherited colonial borders and the failure of independent governments to correct the colonial border errors could build into political tensions among African states in the future.

2. The definition of the Tanzania-Uganda 1°00'S border

The Tanzania-Uganda border stems from the Anglo-Germany delimitations of spheres of influence of November 1st, 1886, 1890 and 1893, with modifications by an Agreement of May 14, 1910 (McEwen, 1971; Brownlie, 1979). The 1°00'S Tanzania-Uganda border is defined by border points (BPs) number 27 located at Kagaga on the east bank

of the Kagera river as it ‘crosses’ the 1°00’S from Uganda into Tanzania and BP number 41 located in Kashenye on the western shore of Lake Victoria in the present Missenyi district, with a few beacons in-between. The Anglo-Germany Agreement of May 14, 1910 is unspecific on the definition of the border over Lake Victoria and on the Rubafu Peninsula (McEwen, 1971). As a result, there is no BP on Rubafu Peninsula or in Lake Victoria east or west of the peninsula.

However, the unsigned, may be due to the outbreak of World War One (WWI), draft of the Anglo-Germany Agreement of 1914, concluded that the whole of Rubafu Peninsula was entirely in German East Africa. Article 2 of the draft of the Agreement stipulates as follows,

Across Lake Victoria, the boundary continues to follow latitude south 1°, as shown in Maps 2 and 3 annexed to this Agreement to a point 1½ kilom. west of the coast of Rubafu [Rubafu] Peninsula, whence it runs parallel to and a distance of 1½ kilom. from the west coast line around the northern extremity of the peninsula until it again meets latitude south 1°. Thence, along that parallel of latitude... (Delméé-Radcliffé’s report quote in McEwen, 1971:280).

Several points emerge from this quotation. First, the two powers had ‘agreed’ that for smooth administration, the whole of Rubafu Peninsula was in German-Tanganyika and the border follows 1°00’S over Lake Victoria, until the Tanganyika-Uganda-Kenya tripoint. Second, it explains in part, why there is no BP on Rubafu Peninsula and in Lake Victoria; hence the unfinished colonialism’s work that independent state governments have neglected or assumed could not lead to border disagreements or disputes. Finally, it explains, in part, the sources of on-going but latent conflict over Rubafu Peninsula shoreline (Malehe) between the Tanzanians and Ugandans engaged in economic activities, mainly fishing, at this point and in Lake Victoria.

3. The perceptions of the border disagreement

It was evident from qualitative data collected in the Tanzania-Uganda borderlands in 2002 that the Tanzania political elite and the citizens understand

the whole of Rubafu Peninsula lies south of the 1°00’S. That is, it is within the Tanzanian territory. For example, the Kagera Regional Administrative Secretary (RAS) pointing at a Tanzania map hang in his office confidently testified, “[T]he whole of Rubafu is in Tanzania; not in Uganda ... the Ugandans are troublesome; they want to take our territory ... We cannot allow it to happen” (Interview, Bukoba, June 21, 2002).

The Kagera RAS used a map produced by the Tanzanian government indicating the whole of the contested area lies south of the 1°00’S to justify his confidence. On the contrast, a map of the same area produced by the Ugandan government observed at the Bunge Library in Dodoma on April 23, 2002, shows that the northern extremity of the peninsula is well above the 1°00’S; in Uganda. Similarly, the en.wikipedia.org maps of the Tanzania-Uganda border area accessed on July 20, 2017, indicate that Rubafu peninsula is well below 1°00’S, in Tanzania.

The Kagera Regional Surveyor interviewed on June 24, 2002 was aware of the border disagreement that was going-on over the peninsula. He was also aware of the Ugandan fishermen’s claim that the Rubafu Peninsula belongs to Uganda; the Tanzanians had to leave. He further reported that beginning 2001, the Bukoba district officials and Bugabo division leaders faced resistance carrying out their duties like collecting tax from the Ugandan fishermen who had ‘invaded’ Malehe fish market.

The Regional Surveyor, however, was not sure why there is no BP on Rubafu Peninsula and in the lake. In his view,

The lack of BPs in Rubafu suggests that the whole peninsula is in Tanzania ... although according to these Standard Sheets it appears to be a little bit above [1°00’S] ... You should know ... at the time of demarcating African borders there was no appropriate technology to position the BPs in the water [Lake Victoria]. I trust, they assumed the border to follow the 1°00’S east of BP No. 41 positioned at Kashenye to the tripoint [Tanzania-Uganda-Kenya borders intersection] (Interview, Bukoba, June 24, 2002).

Data from interviews with the borderlanders confirm the border disagreement started in the late 1999. Before, the Ugandans never conducted business at

Malehe, but at Kasensero (Rakai district) and ‘far away in the lake’. Ugandan fishermen cooperated with Tanzania counterparts providing markets to each other’s catch depending on the law of supply and demand and market availability (Kamazima, 2003; Heck, *et al.*, 2004). That is, if Tanzania markets offered better prices, the Ugandans would sell their catch at Malehe and vice versa. A borderlander and a fisherman interviewed in Katare village reported,

Till the second half of 99 [1999] we had good relationships with the Ugandans [at Kasensero, Rakai district] ... We faced some problems where the Ugandans or the Tanzanians would blame the other for stealing their [fishing] nets ... but did not lead to terrible conflicts we are facing today ... By the end of 1999, the Ugandans deployed patrol boats on the lake. We were informed we have been living and fishing on the Ugandan side and that part of Rubafu peninsula was Ugandan territory ... They [Ugandan patrols] would round us in the lake, take all the catch we had and sometimes the engines, nets, boats or threatening to shoot us Our [Bugabo] division leadership has notified the district authority on this problem ... We hope they will come up with solutions soon (Interview, Katare, Bugabo, June 22, 2002).

Another borderlander, a fisherman and boats owner interviewed in Kyamalange village on June 28, 2002 linked the problems with the demand for the Nile Perch on the European markets. In his view, the Ugandans are so smart; they had established [fish] fillet factories in Jinja a long time ago and the country was leading in East Africa in exporting fish to Europe and other parts of the globe. So, they needed more fish to meet market demands. To do so, they had to use any means including invading Tanzania’s fishing zones. As a result, the Tanzanian fishermen have been pushed out of business, which has left them without income to support their families. He was optimistic that the government would soon save them from this downfall. Yet another borderlander interviewed in Katare on June 22, 2002 noted, “No one has shown us the borders ... Rubafu [peninsula] is our home ... We move around the lake following the seasonal migration of fish population in the lake.” (See also Heck, 2004).

A retired civil servant and a borderlander who recognizes that the northern extremity of the peninsula is well above the 1°00’S; in Uganda, interviewed in Rubafu on May 24, 2002 narrated in *Kihaya*, the first language in Bugabo borderland that, “*Ak’osiga omu masinde okashangamu nobagala*” a *Kihaya* proverb explaining that the ongoing border disagreement in Rubafu Peninsula is a haunting ghost from the colonialism’s unfinished work and the ignorance of or neglected task by independent Ugandan and Tanganyikan/Tanzanian governments to correct the inherited border errors. He recalled that before the British took over Tanganyika, “The British in Uganda used to patrol the end point [Malehe shoreline] while the rest of the peninsula was under the Germans, which led to a series of attacks between the two powers ... Hence, the colonialists and our [independent] governments knew there was unsettled border dispute over this area that would one day erupt ... It is a pity that we [the borderlanders] are the ones paying the price.”

4. Discussion

During the 2002 study, the author-researcher was denied opportunity to interview key national level officials. At that time, the two countries were holding joint meetings to resolve the Tanzania-Uganda border dispute; hence, the Tanzania-Uganda border issues were perceived ‘sensitive’ to be discussed with an ‘outsider’. Data from these interviews would have facilitated clarifying the national level Tanzania elite’s perspective over the sovereignty of the extreme point of Rubafu Peninsula. In the absence of such data, it was, and still is, assumed that the area under discussion is technically above 1°00’S (McEwen, 1971) and that Tanzania and Uganda have no agreement that recognizes or refutes a draft of the unsigned Anglo-Germany Agreement of 1914. Thus, the Anglo-Germany delimitations of spheres of influence of November 1st, 1886, 1890 and 1893, with modifications by an Agreement of May 14, 1910 (McEwen, 1971; Brownlie, 1979) are, and remain, legitimate.

Like the Tanzania political elite, most of the borderlanders interviewed understand that the northern part of Rubafu peninsula belongs to Tanzania. This understanding suggests that experience and the geographical positioning of Malehe shoreline, rather than legal documents defining territorial borders, inform many Tanzanians’ understanding of Rubafu point’s sovereignty and the

perceptions of borderlanders' cross border activities. It is also clear that some Bugabo borderlanders have technically been living on Ugandan territory, paying allegiance to the United Republic of Tanzania and crossing the border several times a day as they fulfill their daily duties on the land and the lake. More important, perhaps, Tanzania authorities have been exercising powers over Tanzanians on the Ugandan territory.

Various factors have precipitated the Rubafu Peninsula point border disagreement. First, the unfinished demarcation of the borders by the colonialists that has left many parts of African borders that do not follow natural features unclear on the ground. The 1°00'S latitude is an imaginary line that may not be exactly traced on the ground. The Anglo-Germany Commission began the border survey in 1902 and accomplished the task in 1904 (Delmée-Radcliffe, 1905). Poor technology that was available and used during the 1902-1904 survey contributed a lot to this situation (Kamazima, 2003; Okumu, 2010). Each commission carried out the triangulation independently from Mazinda on the west shores of Lake Victoria in Kanyigo border region, westwards to the Congo Free State border. This observation adds doubt on the possibility of precisely positioning the border demarcations (BPs) along the 1°00'S on the ground. Evidently, the commissions did not conduct border survey from the west shores of Lake Victoria (Mazinda) eastwards to the Tanganyika-Uganda-Kenya tripoint. This observation explains, in part, why there is no BP on Rubafu peninsula or in Lake Victoria.

The outbreak of WWI, left the draft of the Anglo-Germany Agreement of 1914 unsigned, perhaps making it a non legitimate document to be used to conclude the Rubafu border disagreement. However, it is more likely that diplomatic adaptation of this Agreement by the two countries would facilitate settling contentions over Rubafu Peninsula (Malehe shoreline). Following defeat in WWI, Germany had to renounce its rights on colonies as per Article 119 of the Peace Treaty of Versailles, in favor of the Principal Allied and Associate Powers (McEwen, 1971). In 1923, the British took over Tanganyika as a Mandate Territory adjoined to Uganda and Kenya, which facilitated controlling a corridor that connected the British South Africa and the British-controlled Egypt in the north. Hence, the issue of resolving previous border disagreements and disputes in the Great British Empire in Africa was not a priority.

That is, the British did not expect border disagreements and disputes to erupt in their Great Empire (Kamazima, 2003; Okumu, 2010).

Second, the independent Tanganyikan, Kenyan and Ugandan governments had imperative social, political and economic plans to accomplish for national development. For example, at independence, Tanganyika/Tanzania identified ignorance, poverty and diseases and colonialism and its discontents key internal and external enemies respectively. That is, not the borders, race or citizenship were identified key enemies. Fighting internal enemies, pioneering Pan Africanism, spearheading liberation movement on the continent and beyond and the creation of the East African Community (EAC) became fundamental to the Tanganyikan/Tanzanian government. In the spirit of Pan Africanism, Tanganyikan/Tanzanian borders remained open to freedom fighters and liberation heroes irrespective of their countries of origin. Some freedom fighters and liberation heroes used Tanganyikan/Tanzanian identities to travel abroad or seek political asylum. In addition, the Pan-African movement propagated for the rejection of colonial borders that divide Africa and its people for the creation of a United Africa.

Furthermore, Pan-African movement promoted the liberation of all human kind from exploitation of man by man to create a world where people from different backgrounds could coexist and support each other for better life. The Tanganyikans/Tanzanians recognized human beings of all races as brothers and sisters, *Ndugu*, and Africa as one and undivided. Certainly, at this time resolving inherited border disagreements or disputes with its eight neighbors had no room in Tanzania's politics. In other words, the Tanganyika/Tanzania elite and the citizens did not perceive nation state borders sources of conflict (Kamazima, 2003).

Moreover, the independent Tanganyikan, Kenyan and Ugandan governments had to abide to the Organization of African Unity (OAU)'s resolution AHG/Res.16(1) adopted at the Cairo Summit in July 1964. The resolution requires all African states to "respect the borders existing on their achievement of national independence". However, experience has demonstrated that while the resolution was meant to reduce border conflicts, it has failed to provide solutions to ever rising border disagreements and disputes in Africa. Over the past 53 years, at least each country has had a border disagreement or

dispute with its neighbors (Okumu, 2010). Some of the border disagreements evolved into border disputes, where a few have culminated into wars. For example, the Tanzania-Uganda (Kagera) war of 1978-1979; the Somalia-Ethiopia war of 1978, the Ethiopia-Eritrea border war of 1998-2000 and the Eritrea-Djibouti border war of 2008. In the perspective of the argument presented in this paper, a consented, by all African states, review of this resolution to suit current African context would facilitate resolving border disagreements and disputes shaking contemporary Africa.

In January 1971, Idd Amin overthrew the Uganda People's Congress (UPC)-led government. It was the ideological differences between Tanzania and Amin's Uganda that led to conflicts between the two countries and finally ended up in the Kagera war of 1978-1979. Since Amin's defeat and the liberation of Uganda in April 1979, both governments have, at some point, accused each other for trespassing into the other's territory, establishing military posts close to the border or in the buffer zone, destroying the border beacons/BPs or failing to control pastoralists' movements across the border. Some of these latent border disagreements and disputes have been somehow resolved and some are pending. The Rubafu Peninsula border disagreement and the border dispute over Lake Victoria are vivid examples.

Certainly, the on-going 'scramble for Nile perch in Lake Victoria' (Matshanda, 2008) among Tanzania, Uganda and Kenya that began in late 1999 re-candled contentions over Rubafu Peninsula extreme north point and the lake that have been pending at the diplomatic level. The British and the German powers clashed several times over Rubafu point. The dispute remained unresolved to the present. However, it re-erupted in 1999 in the form of struggles over 'new' resources in the lake, the Nile perch. It suggests, therefore, that the contention over existing or rumored existing resources and discovered ones in Malehe, Rubafu peninsula or over the lake would intensify political conflicts that could culminate into 'new' border disputes (Portnow, 2008; Okumu, 2010). There are several cases on the continent to support this observation.

For example, the Cameroon-Nigeria border dispute over the oil-rich Bakassi peninsula in Lake Chad started in 1994. Since then, the two countries clashed over the ownership of the peninsula on land and water. Cameroon sought the International Court of

Justice (ICJ)'s ruling over the sovereignty of Bakassi in the same year. On October 22, 2002, the ICJ, ignorant of the conditions on the ground and neglecting Bakassi residents' history, knowledge, experience, wishes and fears; ruled the whole peninsula belongs to Cameroon (*Newswatch*, October 31, 2002). Unfortunately, the ICJ's ruling did not completely resolve the dispute but pushed it underground. As the Cameroonians are celebrating their victory, the Nigerians are still mourning and blaming the then leaders for disloyalty. Definitely, the two countries are sitting on dynamite that might re-explode in the future.

Other cases include the Tanzania-Malawi border dispute over Lake Nyasa (Malawi) that started in 1967, cooled down but re-erupted in recent years following rumors of existing 'new' resources in the lake; the 2009 quarrel between Kenya and Uganda over Migingo Island's sovereignty in Lake Victoria (Kisiangani, 2011) fueled by the 'scramble for the Nile perch', and the Tanzania-Mozambique shared Ruvuma Basin rumored potential for the exploration of hydrocarbons (Okumu, 2010).

Indeed, the border disagreement over Rubafu peninsula that led to fishing controls and patrols deployed in Lake Victoria have impacted the borderlanders' economic and social activities. In addition, a decline in fish supply on open markets was reported and observed at Malehe, Bukoba fish market and other parts of Bukoba District (see also Heck, *et al.*, 2004; Partnow, 2008), which has further ruined the borderlanders' economic and nutritional status. What the 2002 study failed to establish and that needs further study is what factors led the Ugandan fishermen, in late 1999, to recognize that Rubafu Peninsula northern shoreline, Malehe, belongs to Uganda and not Tanzania?

In the borderlanders' view, the Tanzania government was 'not doing enough' to resolve the Rubafu border disagreement. The explanation is that at the time of the 2002 study, none of the two countries had made an official claim over Malehe shoreline at the diplomatic levels to attract international attention. In other words, the contention over Rubafu peninsula is not nationally and internationally recognized a 'border dispute' but 'a border disagreement' that could be tolerated or dealt with at the lower levels. This understanding, therefore, explains why all efforts intended to resolve the Tanzania-Uganda border dispute that took place in early 2000 and 2003

focused on Missenyi-Masaka and Karagwe-Mbarara borderlands.

In contrast, at the Bugabo division, Bukoba Rural district and Kagera region levels, the contention over Malehe was a concern that needed quick attention from the national level. The argument is that as border disputes are known to threaten national peace and security and require immediate interventions at the diplomatic level, so are the border disagreements to the borderlanders' well being and the immediate authorities' functioning. Governments ought to respond to reported border disagreements timely and strategically with effective responses that would not harm borderlanders' livelihoods, peace and security.

In July, 2017, Tanzania and Uganda representatives met in Bukoba, Kagera Region to discuss and plan for the re-identification of the border. The meeting was 'so urgent' because both countries reported many beacons (BPs) missing in the Missenyi-Masaka borderlands. Each country suspected the other responsible for this destruction. If the two countries agree to undertake this task, it suffices suggesting that the borderlanders' history, interests, wishes, knowledge, experiences and fears should be recognized and respected. The argument is that the two governments should allow and facilitate borderlanders' full participation in the whole course of re-identifying the border.

This proposal is very important because colonial nation state borders on the ground, alleged to demarcate the extent of territorial sovereignty, are hardly ever as precise as they appeared on the maps (Okumu, 2010). The deployment of advanced survey technologies, the modern hi-tech digital methods based on satellite imagery (compared to the 1902-1904 survey) could change the course of the 'border on the ground' resulting into unanticipated shocks to the elite, the borderlanders or both. Following this plea, the question becomes, what lessons do we learn from the Nigeria-Cameroon border dispute?

Since there are several Bakassi-like places in Africa, answers to the posed question are important to guide border disagreement or dispute resolution initiatives on the continent. The Nigeria-Cameroon border stems from the Anglo-Germany Agreement of 11 March 1913 and modifications made by Henderson-Fleureau Exchange of Notes of 9 January 1931 between French and Great Britain. However, this Agreement left the Bakassi peninsula ownership

status undecided between the two colonies (Brownlie, 1979; *This Day*, November 2, 2002). After Nigeria lost the peninsula to Cameroon, some Nigerians alleged they lost because of the "secret deal between [General Yakoub] Gowon and President Ahmadu Ahidjo as compensation for Ahidjo's support of Nigeria to execute the war against Biafra" (*This Day*, October 22 & November 2, 2002).

On June 1, 1975, the allegation goes, Gowon and Ahidjo secretly entered the Maroua Agreement stating that the border between the two countries from the mouth of the Akwa Yafe River to point G is situated at 8° 22' 19" E and 4° 17' 00" N [in Cameroon] (*This Day*, November 2, 2002). Cameroon used the Maroua Agreement to argue for the Bakassi case at the ICJ. The ICJ depended on Colonial Agreements, the Anglo-Germany Agreement and treaties, information from Nigeria and Cameroon teams (the elite) and the agreement between Gowon and Ahidjo, the Maroua Agreement of 1975 to make the judgment. The ICJ maintained that the Youndé II Declaration and Maroua Agreement were valid; hence, the whole Bakassi Peninsula fell under Cameroonian sovereignty. The Cameroonians celebrated victory while the Nigerians found the ruling hard to comprehend.

The Nigerian government and the citizens opposed the ruling on the basis that back in 1978, Nigeria had informed Cameroon that the Maroua Agreement was not binding because the Supreme Military Council, the highest legislative body in the country, did not ratify the (Gowon-Ahidjo) signed Agreement. In addition, the Nigerian Officials argued that "Bakassi and the 33 villages in Lake Chad area have, from time immemorial, been inhabited by Nigerians who owe allegiance to local Nigerian rulers, state government and the federal government" (*This Day*, November 2, 2002). Knowing their history and their attachment to Bakassi, the Nigerian borderlanders voiced,

We cannot move out, we are Efik from Cross River [Nigeria] ... our parents have been here for more than 300 years. If we are told to leave, we do not know where to go ... If there is going to be war, it will meet us here. And if Nigeria decided to cede that place to Cameroon, Bakassi people will never quit... (*Newswatch*, October 31, 2002).

A follow up question is; why is Bakassi Peninsula so important to both Nigeria and Cameroon? A column in *NewsWatch*, October 31, 2002 provides an answer that,

The conflict over Bakassi is based on economic potentials and strategic location. The area is blessed with abundant sea food, including shrimps and fishes. More than 100,000 Nigerians living in the area are fish farmers. Taxes from the Nigerian fishermen fetch Cameroonian government more than N5 million every month ... The sandy Atlantic beaches have tourist attraction ... The peninsula is also rich in crude oil ... [with] the capacity to produce more than 250,000 barrels a day.

Clearly, the Bakassi dispute appears to have been economically and politically motivated (*This Day*, October 22, 2002). The peninsula's richness in oil, sea food and tourist attraction led the two countries to clash several times. The Youndé II Declaration and Maroua Agreement are outcomes of the elite's personal, economic and political interests, which greatly influenced the ICJ's ruling. The implication is that with more explorations, privatization and (foreign) investment, valuable resources will be found in many Bakassi-like places in Africa that would trigger quarrels between and among bordering states. Nation states would seek ICJ's intervention, which may be maddening as in the Bakassi case. Similarly, it is likely that personal, economic and political interests, rather than history, patriotism and citizens' dignity, will continue informing African political elite's decision making over borders, borderlands and the borderlanders. Unfortunately, these developments would trigger more political tensions within nations and border disagreements and disputes between and among neighboring states.

Several lessons come out from the review of Bakassi dispute drama. First, the dispute erupted more than 100 years after its 'creation'. With many places on the continent with similar circumstances as Bakassi, Africa is likely to witness more border disagreements and disputes in the future. To avoid this situation, state governments should be willing to resolve border disagreements early on as they happen and still manageable. Correcting inherited border errors and completing unfinished border demarcations might be mandatory now than ever.

Second, it is evident that the nation state elite assume the borderlanders have no contribution to border disagreements' or border disputes' resolutions. As in the Bakassi case, without consultations with the borderlanders and other citizens, the presidents 'secretly' took initiatives to resolve the dispute without success. The Nigerian citizens deduced the move a sign of disloyalty leading to the loss of Bakassi to Cameroon. This interpretation fueled mistrust between the rulers and the ruled that has been pushed underground but might explode as other episodes happen in the country. Indeed, like other border actors, the borderlanders are active agents in creating and attaching meanings and functions to the borders through contentions over borders among themselves, the borderlanders and the immediate authorities and between the borderlanders and the nation states.

Finally, turning to the ICJ for a solution to Bakassi quarrel did not resolve the border dispute completely. In fact, the ICJ's ruling turned the dispute into a 'quiescent volcano' that might erupt anytime conditions ripen. The ICJ will always depend on Colonial Agreements, treaties and information from nation state teams, the elite, disregarding the borderlands' history and borderlanders' interests. Disappointments from the ICJ's luring could trigger more political and social tensions among the borderlanders, between the borderlanders and the states and between flanking nation states. To thwart this situation, African nation states, individually and collectively, need to establish mechanisms guiding processes of border disagreement and dispute resolution that are Africa-friendly, recognizing and incorporating Africans' history and interests within contemporary African context.

Successful archetypes of such initiatives that could be replicated in other parts of the continent include the Nigeria's National Boundary Commission and Mali's National Directorate established to handle borders issues with neighboring countries. Others are The Liptako-Gourma Integrated Development Authority (LGIDA), a borderlands development agency established in 1970 that has successfully resolved long standing border problems among Mali, Niger and Burkina Faso and the Burkina Faso and the Lake Chad Basin Commission initiative operating among Cameroon, Chad, Niger and Nigeria (see IPSS, 2012). To facilitate implementation of this strategy, the African Union Border Program (AUBP) Unit of

the African Union (AU) “is already in the process of producing a guidebook on the subject, to stimulate Member States through the RECs [Regional Economic Communities] to take necessary steps” (IPSS, 2012:32).

5. Conclusion and recommendations

The latent Tanzania-Uganda border disagreement in Rubafu and the border dispute over Lake Victoria are affecting peace and security in the Bugabo border region. Fishing controls and patrols implemented by the East African countries have impacted the borderlanders’ economic and social activities. Moreover, the fact that the borderlanders do not know where the border is suggests they will continue crossing the border on a daily basis as dictated by deep rooted ties between communities in Rubafu Peninsula and Kasensero in Uganda (Kamazima, 2003; Heck, 2004). Viewed through the contentions over resources in the lake lenses, such cross border movements would be interpreted illegitimate and trespasses, which could trigger more political conflicts.

It is recommended that given the two countries’ context, the ongoing discussions aimed at resolving the Tanzania-Uganda border dispute could be extended to include border disagreements like that over Rubafu peninsula, not just Missenyi-Masaka borderlands. The two countries’ diplomats or representatives could consent to lower level authorities to undertake initiatives to resolve this strife for the sake of borderlanders’ broadly defined peace and security. In the view of this paper, if the Rubafu border disagreement receives no attention and remains unresolved, contentions budding in the area would generate serious political tensions in the future. In addition, it is recommended conducting follow up studies to capture the impact of border disagreements on cross border cooperation, migration and international relations as they unfold or get resolved. It is further recommended that African nation states, individually and collectively, establish mechanisms to guide processes of turning border disagreements and disputes into border cooperation to foster African integration for sustainable development.

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