



# **International Boundary Study**

**No. 104 – October 1, 1970**

## **Sudan - Uganda Boundary**

**(Country Codes: SU-UG)**

**The Geographer  
Office of the Geographer  
Bureau of Intelligence and Research**

**INTERNATIONAL BOUNDARY STUDY**

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## **SUDAN – UGANDA BOUNDARY**

### **I. BOUNDARY BRIEF**

The Sudan–Uganda boundary is approximately 270 miles in length. It is situated both east and west of the Bahr al Jabal and has tripoints with Kenya and Congo (Kinshasa), respectively. The boundary is delimited for about 180 miles by straight-line segments, many of which extend between mountain peaks. Most of the remainder of the boundary is demarcated by rivers.

### **II. HISTORICAL BACKGROUND**

In 1886 and 1890, the United Kingdom and Germany signed agreements on their spheres of influence in East Africa north and south, respectively, of boundaries established inland first from the Indian Ocean to Lake Victoria and then from the Indian Ocean to the 30th meridian. The eastern limit of the Congo Free State was delimited by the 30th meridian at this time in accordance with its declaration of neutrality on August 1, 1885.

In an agreement of May 12, 1894, King Leopold II of the Belgians, Sovereign of the Congo Free State, was given a lease of territories in the western drainage area (most of which was known as the Bahr al Ghazal) of the Nile by the United Kingdom in return for his having recognized the British sphere of influence, as determined by the Anglo–German agreement of July 1, 1890.

II. Great Britain grants a lease to His Majesty King Leopold II, Sovereign of the Independent Congo State, of the territories hereinafter defined, to be by him occupied and administered on the conditions and for the period of time hereafter laid down.

The territories shall be bounded by a line starting from a point situated on the west shore of Lake Albert, immediately to the south of Mahagi, to the nearest point of the frontier defined in paragraph (a) of the preceding Article.<sup>1</sup> Thence it shall follow the watershed between the Congo and the Nile up to the 25th meridian east of Greenwich, and that meridian up to its intersection by the 10th parallel north, whence it shall run along that parallel directly to a point to be determined to the north of Fashoda. Thence it shall follow the thalweg of the Nile southward to Lake Albert and the western shore of Lake Albert to the point above indicated south of Mahagi.

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<sup>1</sup> "Article I—(a). It is agreed that the sphere of influence of the Independent Congo State shall be limited to the north of the German sphere in East Africa by a frontier following the 30th meridian east of Greenwich up to its intersection by the watershed between the Nile and the Congo, and thence following this watershed in a northerly and north-westerly direction."

The lease shall remain in force during the reign of His Majesty Leopold II, Sovereign of the Independent Congo State.

Nevertheless, at the expiration of His Majesty's reign, it shall remain fully in force as far as concerns all the portion of the territories above mentioned situated to the west of the 30th meridian east of Greenwich, as well as a strip of 25 kilom. in breadth to be delineated by common consent, stretching from the watershed between the Nile and the Congo up to the western shore of Lake Albert, and including the port of Mahagi.

This extended lease shall be continued so long as the Congo territories as an independent State or as a Belgian Colony remain under the sovereignty of His Majesty and His Majesty's successors.

Throughout the continuance of a lease there shall be used a special flag in the leased territories.

Because of French influence and interest in central Africa, King Leopold occupied only the Lado Enclave and the Mahagi Strip in the leased territories.<sup>2</sup> The Enclave was so-named because it included the river port of Lado on the Bahr al Jabal about 10 miles north of Juba. Except for the Lado Enclave and the Mahagi Strip, the lease of the territories both west and east of the 30th meridian were annulled by an agreement between the United Kingdom and the Congo Free State on May 9, 1906.

Also, in the agreement of May 12, 1894, the Congo Free State in Article III agreed to lease to the United Kingdom a narrow corridor of land between Lake Edward and Lake Tanganyika. However, Germany opposed the transaction, and it was decided to annul the lease by a joint declaration on June 22, 1894.

In the meantime following the troubled administration of the Imperial East Africa Company chartered in 1888, the British Government declared a protectorate over the Kingdom of Buganda or Uganda, located north and west of Lake Victoria, on June 18, 1894. Shortly thereafter in 1895, the United Kingdom created an East African Protectorate<sup>3</sup> which included the present Kenyan territory between the Indian Ocean and the Rift Valley, the latter a short distance west of Nairobi. Gradually the United Kingdom extended protectorate rights to the areas adjacent to Buganda including the territory eastward to Lake Rudolf, and the name of Uganda came into usage for the entire area. On April 1, 1902, the then Eastern Province of Uganda, with its valuable agricultural lands in the Kenya

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<sup>2</sup> After King Leopold did not occupy most of the leased territories, an agreement of August 14, 1894, between France and the Congo Free State delimited the eastern sector of their common boundary from west to east as the thalweg of the Oubangui, the thalweg of the Mbomou, and a straight line to the Congo–Nile drainage divide.

<sup>3</sup> In 1920 the East Africa Protectorate became Kenya Colony, and a coastal strip leased from the Sultan of Zanzibar became the Kenya protectorate.

Highlands and in the Kavirondo area east of Lake Victoria, was transferred to the East Africa Protectorate.

After more than six decades of administration, the Egyptians were expelled from most of Sudan by the Mahdi in 1882.<sup>4</sup> Sixteen years later a joint Anglo–Egyptian force occupied Khartoum. In 1899 the United Kingdom and Egypt signed an agreement to create a dual administration for the entity to be known as the Anglo–Egyptian Sudan.

In 1910 an Anglo–Belgian–German conference held at Brussels ended in agreement that Sabinio (Volcan Sabinio) would be the tripoint of their respective territories of Uganda, Belgian Congo, and German East Africa, which led to bilateral treaties among the participants on May 14, 1910. The Anglo–Belgian agreement of this date transferred the territory west of the 30th meridian between Sabinio and the Semlike river from Belgian Congo to Uganda. In the same agreement, an elongated piece of land extending northeastward from the 30th meridian to the southern boundary of the Mahagi Strip, including the western half of Lake Albert and adjacent territory, was transferred from Uganda to the Belgian Congo. However, the lease of the Mahagi Strip was retained by the Belgian Congo. In accordance with the terms of the Anglo–Belgian Agreement of May 12, 1894, following the end of the reign of King Leopold II, the Belgian lease of the Lado Enclave was terminated and the administration of the territory was transferred to the Anglo–Egyptian Sudan on June 16, 1910.

In 1912–13 an Anglo–Belgian commission redelimited in detail the Belgian Congo–Uganda boundary between Lake Albert and the present tripoint with Sudan. Also in 1913, a Sudanese–Ugandan commission attempted to delimit on the ground a common boundary between the Belgian Congo tripoint and Lake Rudolf. Because of the unfavorable season and lack of water supply, the line could not be completed in the field for the eastern sector from Jebel Harogo (Urungo, part of the Didinga Hills) to Lake Rudolf. On January 1, 1914, sizable transfers of territory were made south and north of the Sudanese–Ugandan commission line of 1913: (1) west of the Nile the Anglo–Egyptian Sudan transferred to Uganda the southern part of the former Lado Enclave which became the West Nile District, and (2) east of the Nile the protectorate of Uganda transferred to the Anglo–Egyptian Sudan the territory from the parallel of five degrees eastward to the boundary with Ethiopia. Thus, the towns of Nimule and Gondokoro changed from Ugandan to Sudanese administration. By an Order of the Secretary of State under the Uganda Order in Council, 1902, the Anglo–Egyptian Sudan–Uganda boundary delimited by the commission in 1913 was promulgated officially on April 21, 1914.

An Anglo–Belgian agreement of February 3, 1915, afforded official recognition to the territorial transfers of 1910 between the Belgian Congo and Uganda and to the boundary as presently determined between Congo (Kinshasa) and Uganda northward from Sabinio to the Congo–Nile drainage divide (Sudan tripoint) as follows: (1) between Sabinio and

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<sup>4</sup> Although nominally under the suzerainty of the Turkish Empire, Egypt was occupied by British forces from 1882 to 1914, and was in effect a United Kingdom protectorate. On December 18, 1914, the United Kingdom declared an official protectorate over Egypt, which was maintained until January 28, 1922.

Nkabwa (Mont Ngabua) by the Anglo–Belgian agreement of May 14, 1910 and the joint delimitation commission of 1911, (2) between Nkabwa and the parallel of 2°7' N. in Lake Albert by a joint delimitation commission in Brussels during 1910, and (3) between 2°7' N. and the Congo–Nile drainage divide by the joint delimitation commission of 1913. In accordance with the Anglo–Belgian Agreement of February 3, 1915, the southeastern part of the Mahagi Strip was included in the Belgian Congo, which afforded the town of Mahagi direct access to Lake Albert through Mahagi-Port. Thus, the transfer of the southeastern part of the Mahagi Strip to Belgian Congo eliminated the need for a corridor to Lake Albert and in effect annulled the lease to the territory.

On February 1, 1926, Rudolf Province was transferred from Uganda to Kenya by the Kenya Colony and Protectorate Boundaries, Order in Council, 1926. This action automatically made the Uganda 1914 Line between Zulia (mount) and Lake Rudolf the Anglo–Egyptian Sudan–Kenya boundary. Also later in 1926, Uganda ceded an area to the Anglo–Egyptian Sudan north of Madi Opei in the vicinity of the Tereteinia Mountains in order to reunite tribal groups which were severed by the 1914 boundary.

In February 1953 the United Kingdom and Egypt concluded an agreement for Sudanese self-government. The first parliament inaugurated under self-government took office on January 9, 1954, and approximately two years later on January 1, 1956, the former condominium achieved independence as the Republic of the Sudan. Uganda was self-governing from March to October 1962. On October 9, 1962, Uganda obtained its independence from the United Kingdom and it became the Republic of Uganda on September 8, 1967.

### **III. BOUNDARY ALIGNMENT**

The Order of the Secretary of State for the United Kingdom in 1914, establishing the boundary between the Anglo–Egyptian Sudan and Uganda, delimited the boundary in two sectors: (1) from the Bahr al Jabal westward to the Congo–Nile watershed or drainage area divide and (2) from Lake Rudolf to the Bahr al Jabal. The delimitation of the 1914 Order determines the present-day Sudan–Uganda boundary between the Bahr al Jabal and the Congo–Nile drainage area divide as follows:

A line beginning at the intersection of the thalweg of the river Bahr–el–Jebel or White Nile with the thalweg of the river Unyama; thence in a straight line due west to the bottom of the foothills of the escarpment running north-west from Jebel Elengua; thence following the bottom of the foothills of this escarpment in a north-westerly direction, or such a line as shall exclude the riverain people below Nimule, to the westernmost point of the foothills; and thence following a straight line due northwest to the thalweg of the Khor Kayu (Aju); thence following the thalweg of the Khor Kayu (Aju) upwards to its intersection with the thalweg of the Khor Nyaura (Kigura); thence following the thalweg of the Khor Nyaura (Kigura) upwards to its source; thence following the southern boundary of the Kuku tribe to

the thalweg of the river Kaia; thence following the thalweg of the river Kaia upwards to its source, in a re-entrant of the Congo–Nile watershed about 9 miles west-north-west of the village Kegui and about 11 miles south of the village Bangali; thence following a straight line to the nearest point on the Congo–Nile watershed (about 3°27'40" N., 30°50'30" E.);....

Because of the transfer of Rudolf Province by Uganda to Kenya in 1926 and the transfer of the Tereteinia area by Uganda to Sudan later in the same year, the delimitation of the 1914 Order of the Secretary of State between Lake Rudolf and the Bahr al Jabal is applicable to the present-day Sudan–Uganda boundary in two discontinuous segments as follows:

...thence following a straight line [from Mogila Range] in a south-westerly direction [to the Kenya tripoint north of Zulia at about 4°13' N., 33°59'30" E. and then] to the southernmost point at the bottom of Jebel Harogo [Urungo, part of the Didinga Hills]....<sup>5</sup>

From Urungo to Module (peak), the present Sudan–Uganda boundary follows straight-line segments designated as the southern limit of the Tereteinia area transferred from Uganda to Sudan. Thus the boundary continues in a straight line southwestward from Urungo to Lonyile (peak), extends in a straight line westwards to the southernmost tip of the Tereteinia Mountains, and then passes by a straight line to Module.

...thence [from Module] following a straight line to the summit of Jebel Hala; thence following a straight line to the summit of Jebel Aggu; thence following a straight line to the northernmost point of the bottom of Jebel Matokko (Batogo or Atokko); thence following a straight line in a south-westerly direction towards the village Lokai as far as the intersection of this line with the thalweg of the river Assua; thence following the thalweg of the river Assua upwards to its intersection with a straight line from the summit of Jebel Ebijo to the summit of Jebel Kadomera; thence following a straight line to the summit of Jebel Ebijo; thence following a straight line due west to the thalweg of the river Unyama; thence following the thalweg of the river Unyama downwards to its intersection with the thalweg of the Bahr el Jebel;....

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<sup>5</sup> Prior to the transfer of the Tereteinia area from Uganda to the Anglo–Egyptian Sudan the boundary of the 1914 Order extended between Jebel Harogo and Jebel Lanhia as follows: "thence [from Jebel Harogo] following a straight line to the summit of the Jebel Latome; thence following a straight line to the northernmost point of the northernmost crest of the long spur running north-west from Jebel Tereteinia; thence following a straight line to the summit of Jebel Tiya; thence following a straight line to the southern summit of Jebel Lanhia."

## APPENDIX

### I. Documents

1. Circular of the Administrator–General of Foreign Affairs of the Independent States of the Congo, declaring the Neutrality of that State, within its Limits as defined by Treaties. Brussels, August 1, 1885. Edward Hertslet, The Map of Africa by Treaty, 3 vols., 3rd ed., (London: Harrison and Sons, 1909) Vol. 2, pp. 552–553.
2. Agreement between the British and German Governments, respecting the Sultanate of Zanzibar and the opposite East African Mainland, and their Spheres of Influence, October 29–November 1, 1886. Ibid. Vol. 3, pp. 882–886.
3. Agreement between the British and German Governments, respecting Africa and Heligoland, Berlin, July 1, 1890. Ibid., Vol. 3, pp. 899–906.
4. Agreement between Great Britain and His Majesty King Leopold II, Sovereign of the Independent State of the Congo, relating to the Spheres of Influence of Great Britain and the Independent State of the Congo in East and Central Africa, signed at Brussels, May 12, 1894. British and Foreign State Papers (BFSP), Vol. 86 (1893–4), pp. 19–22.
5. Declaration as to Withdrawal of Article III of the Agreement between Great Britain and his Majesty King Leopold II, Sovereign of the Independent state of the Congo, relating to the Spheres of Influence of Great Britain and the Independent State of the Congo in East and Central Africa, signed at Brussels, June 22, 1894. BFSP, Vol. 86 (1893–4), p. 23.
6. Agreement between Great Britain and the Kabaka, Chiefs, and People of Uganda, relating to Boundaries, Administration, Taxes, etc. Signed at Mengo, March 10, 1900. BFSP, Vol. 92 (1899–1900), pp. 907–920.
7. British Order in Council, establishing Jurisdiction in the Uganda Protectorate. London, August 11, 1902. BFSP, Vol. 95 (1901–2), pp. 636–646.
8. Agreement between Great Britain and the Independent State of the Congo, Modifying the Agreement signed at Brussels, May 12, 1894, relating to the Spheres of Influence of Great Britain and the Independent State of the Congo in East and Central Africa. Signed at London May 9, 1906. BFSP, Vol. 99 (1905–6), pp. 173–175.



9. Agreement between Great Britain and Belgium Settling the Boundary between Uganda and the Congo. Signed at Brussels, May 14, 1910. BFSP, Vol. 107 (1914, Part I), pp. 348–9.
10. Proclamation by the Acting Governor–General of the Soudan announcing that the Administration of the Lado Enclave has been taken over by the Soudan Government and laying down the boundaries of the Territory. Khartoum, August 4, 1910. BFSP, Vol. 103 (1909–10), pp. 458–9.
11. Protocol between Great Britain and Belgium describing the Frontier between the Uganda Protectorate and the Belgian Colony of the Congo. Signed at Busenda, May 4, 1911. BFSP, Vol. 107 (1914, Part I), pp. 349–51.
12. The Uganda Order in Council, 1902, Order of the Secretary of State. Signed April 21, 1914. Uganda Official Gazette (May 30, 1914), Vol. VII, No. 10.
13. Agreement between Great Britain and Belgium respecting the Boundary between the British and Belgian Territories in East Africa, from Mount Sabinio to the Congo–Nile Watershed. London, February 3, 1915. BFSP, Vol. 110, pp. 487–490.
14. Order in Council annexing to His Majesty's Dominions and including in Kenya Colony certain Territories in Uganda Protectorate, London, February 1, 1926. BFSP, Vol. 123, Part I, 1926, pp. 123–125.
15. Jentgen, P., "Les Frontieres du Congo Belge," Institut Royal Colonial Belge, Memoires, Tome XXV, 1952.
16. Jentgen, P., "Notice de la Carte des Frontieres du Congo Belge." Atlas General du Congo (Bruxelles, 1953).
17. Atlas of Uganda, Department of Lands and Surveys, Uganda, First Edition, 1962.

## **II. Maps**

1. Uganda: 1:50,000 series Y732, published 1961-9 by Lands and Surveys Department (Uganda) or Directorate of Overseas Surveys (United Kingdom). Sheets (east to west): 8/2 (Akilok North), 8/1 (Agoro), 7/2 (Lomwaka), 7/1 (Lokung North), 6/4 and Part of 6/2 (Parachele), 6/3 (Nimule), 5/4 and Part of 5/2 (Laropi), 4/3 and Part of 4/1 (Lobel), 3/4 (Oraba), and 11/2 (Koboko).
2. East Africa: 1:250,000 series Y503, published 1961-65 by Lands and Surveys Department (Uganda). Sheets (east to west): NA-36-3 (Kaabong), NA-36-2 (Kitgum), and NA-36-1 (Arua).

This International Boundary Study is one of a series of specific boundary papers prepared by The Geographer, Office of the Geographer, Directorate for Functional Research, Bureau of Intelligence and Research, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16.

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