



# **International Boundary Study**

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## **Namibia (*South-West Africa*) – Zambia Boundary**

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

# INTERNATIONAL BOUNDARY STUDY

No. 123

## SOUTH-WEST AFRICA (Namibia) – ZAMBIA BOUNDARY

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## **SOUTH-WEST AFRICA (Namibia) – ZAMBIA BOUNDARY**

### **I. BOUNDARY BRIEF**

The South-West Africa–Zambia boundary is approximately 145 miles long. It extends in a straight line demarcated by pillars for about 55 miles between the eastern side of the Kwando and the Katima Mulilo Rapids on the Zambezi. The remainder of the boundary follows the thalweg of the Zambezi downstream to the river's confluence with the Linyanti.

### **II. HISTORICAL BACKGROUND**

South-West Africa—In 1883 a German merchant acquired a land concession from a local chief at Angra Pequena (Luderitz), and the following year on August 16th, Germany proclaimed a protectorate over part of South-West Africa. Expanded rapidly by tribal agreements, proclamations, and international treaties to its present size, the protectorate was declared a German colony in 1892.

German administration of South-West Africa ended during World War I when the territory was occupied by South African forces. In the treaty of Versailles, Germany ceded rights to its former colonies to the principal Allied and Associated Powers. Article 22 of the Covenant of the League of Nations gave international status to the former German colonies. On December 17, 1920, the administration of South-West Africa was assigned to the Union (now Republic) of South Africa as a League of Nations mandate.

After World War II, the General Assembly of the United Nations rejected a South African request to annex South-West Africa, and South Africa refused to place the territory under a U.N. trusteeship agreement, maintaining that the United Nations was not an automatic successor to the responsibilities of the League of Nations. On October 27, 1966, the General Assembly adopted resolution 2145 which terminated South Africa's mandate in South-West Africa<sup>1</sup> and brought the territory under the direct responsibility of the United Nations. In an advisory opinion in 1971, the International Court of Justice concluded, inter alia, that the presence of South Africa in Namibia being illegal, the Government of South Africa must withdraw its administration.

Zambia—The United Kingdom proclaimed the tract later to become Northern Rhodesia to be within the British sphere of influence in 1888. The operations of the British South Africa Company were extended north of the Zambezi in 1891, and the territory was organized as Northern Rhodesia in 1911. The administration of Northern Rhodesia was transferred to the British Colonial Office as a protectorate in 1924.

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<sup>1</sup> By a resolution of June 12, 1968, the General Assembly of the United Nations changed the name of South-West Africa to Namibia.

Between August 1, 1953, and December 31, 1963, Northern Rhodesia along with Southern Rhodesia and Nyasaland, was a member of the Federation of Rhodesia and Nyasaland. Northern Rhodesia became independent from the United Kingdom as the Republic of Zambia on October 24, 1964.

### **III. BOUNDARY TREATIES**

On December 30, 1886, a declaration by Germany and Portugal established a boundary between their respective possessions and spheres of influence from the mouth of the Kunene on the Atlantic Ocean inland to the Zambezi.

Art. I.—The Boundary line which shall separate the Portuguese and German Possessions in South-West Africa follows the course of the River Kunene [Rio Cunene] from its mouth to the waterfalls which are formed to the south of the Humbe by the Kunene breaking through the Serra Canna. From this point the line runs along the parallel of latitude to the River Kubango [Rio Cubango, Okavango], then along the course of that river to the village of Andara, which is to remain in the German sphere of influence, and from thence in a straight line eastwards to the rapids of Catima [Katima Mulilo Rapids], on the Zambesi [Zambezi].

Article III, Paragraph 2 of an Anglo–German Agreement of July 1, 1890, extended the territory of German South-West Africa eastward to the Zambezi by a narrow corridor known as the Caprivi Zipfel (Strip). Because the declaration of December 30, 1886, had established previously a northern line to the strip, the agreement of 1890 had only to delimit a southern boundary adjacent to British Bechuanaland as follows:

... [from the intersection of the 21st meridian with the 18th parallel] it runs eastward along that parallel till it reaches the River Chobe [Kwando or Linyanti];<sup>2</sup> and descends the centre of the main channel of that river to its junction with the Zambezi, where it terminates.

An Anglo–Portuguese treaty of June 11, 1891, delimited a boundary between British and Portuguese spheres of influence from the Katima Mulilo Rapids on the Zambezi upstream to the Barotse Kingdom.

Art. IV. It is agreed that the western line of division separating the British from the Portuguese sphere of influence in Central Africa shall follow the centre of the channel of the Upper Zambezi, starting from the Katima Rapids (Katima Mulilo Rapids) up to the point where it reaches the territory of the Barotse Kingdom.

That territory [Barotse Kingdom] shall remain within the British sphere; its limits to the westward, which will constitute the boundary between the British and Portuguese

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<sup>2</sup> This river is or has been known by other names in various sectors including the Rio Cuando and Mashi.

spheres of influence, being decided by a Joint Anglo–Portuguese Commission, which shall have power, in case of difference of opinion, to appoint an Umpire.

A decision could not be reached on the extent of the Barotse Kingdom, and an Anglo–Portuguese Agreement of May 31–June 5, 1893, recorded an understanding for a *modus vivendi* to remain in force until July 1, 1896, pending the demarcation of the boundary.

Art. V. Pending the delimitation of a boundary line as laid down in Article IV of the treaty of the 11th June 1891, the line formed by the course of the Zambezi from the cataracts at Katima up to the confluence with the Cabompo [Kabompo] River, and thence by the course of the Cabompo, shall be the provisional boundary between the respective spheres of influence in that region, and the provisions of Article VIII of the treaty above referred to shall be applicable to the territories separated by the said provisional boundary until a definitive boundary shall have been substituted in its stead.

A second agreement on January 20, 1896, prolonged the *modus vivendi* for an additional two years until July 1, 1898. An Anglo–Portuguese declaration of August 12, 1903, agreed to recourse to arbitration of the Barotse boundary question by the King of Italy within the meaning of Article IV of the treaty of 1891. The territory of the Barotse Kingdom was defined as that over which the King of Barotse was paramount ruler on June 11, 1891.

Victor Emmanuel III, King of Italy, announced the following line in his award of May 30, 1905, which shifted the Angola–Northern Rhodesia boundary westward from the Zambezi to the Rio Cuando.

The straight line between the Katima Rapids, on the Zambezi, and the village of Andara, on the Okovango, as far as the point where it meets the River Kwando [Rio Cuando]; ...

The eastern side of the bed of the upper waters of the Kwando,<sup>3</sup> as far as the point of intersection with the 22nd meridian east of Greenwich;

During 1930–31 a joint boundary commission surveyed and demarcated the line between the Okavango and Zambezi. An agreement was signed relative to the alignment of the boundary by representatives of South Africa (Mandatory Power for South-West Africa), Portugal, and Northern Rhodesia on August 16, 1931.

Also in 1931 a joint Northern Rhodesia–South Africa commission inspected the Zambezi between its confluence with the Linyanti and the Katima Mulilo Rapids, plotting the thalweg or main channel. The commissioners signed a report at Katima Mulilo on August 8, 1931, with an accompanying map, listing the islands in the Zambezi as being either on the Northern Rhodesian or on the South-West African (Caprivi Strip) side of the thalweg or

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<sup>3</sup> Written in the French language as "le bord oriental du lit des hautes eaux du Kwando," the exact meaning of the expression was subject to various interpretations.

main channel. In an exchange of notes between the South African Minister of External Affairs and the British High Commissioner on July 4, 1933, and July 25, 1933, respectively, it was agreed that the thalweg of the Zambezi as indicated by the listing of islands and the map in the commission report was the eastern boundary of the Caprivi Strip.

Likewise, in a second exchange of notes by the same principals on the same dates, permission was granted by His Majesty's Government in the Union of South Africa and noted by the High Commissioner that nationals of Northern Rhodesia could cut reeds and fish on the Caprivi Strip islands of Nantungu, Kasuntula, Sikachila, Ngolongo, Greater Isolionke, and Samasikili. Although unlimited in point of time, permission could be withdrawn at any time, in respect of all or any of the islands named, without any reason being assigned.

#### **IV. ALIGNMENT**

The sector of the South-West Africa–Zambia boundary from east of the Kwando to the center of the Katima Mulilo Rapids on the Zambezi consists of a straight line. It is part of a straight line which continues westward to the northern extremity of Sibanana Island in the Okavango to form the eastern sector of the Angola–South-West Africa Boundary.

In accordance with the agreement signed by South Africa, Portugal, and Northern Rhodesia on August 16, 1931, a joint commission concurred that the village of Andara referred to in the treaty of 1886 was located on Sibanana Island in the Okavango. A beacon or pillar, known as the Andara or western terminal, was erected at 18°01'32.75" S., 21°25'28.81" E., a site described as a large rock on the western edge of Dikuyu Island.

On the straight-line sector of the boundary, the Angola tripoint, known as the Triune Point, was not finalized until after the settlement of the Kwando sector of the Angola–Zambia boundary by the Anglo–Portuguese agreement of November 18, 1954. The agreement stated that the Kwando sector "shall follow the normal limit of the River Kwando on its Eastern side when the river is in flood." In the exchange of notes (October 21, 1964) approving the report of the Anglo–Portuguese demarcation commission for the Angola–Zambia boundary, the Triune Point was listed as Beacon No. 9 which corresponded to Beacon No. 32 of the Kwando series located at 17°38'10.600" S. and 23°25'47.604" E. Portugal and the United Kingdom informed the Government of South Africa of their decision on the location of the Triune Point by notes on October 14 and October 16, 1964, respectively.

The straight-line sector of the South-West Africa–Zambia boundary was demarcated by nine pillars numbered from east to west in accordance with the agreement of August 16, 1931.<sup>4</sup> The Katima or eastern terminal (equivalent of No. 1) is located on the right

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<sup>4</sup> The entire line from the Zambezi to the Okavango was demarcated by a total of 30 pillars between the Katima or eastern terminal and the Andara or western terminal.

(western) bank of the Zambezi at 17°28'29.28" S., 24°14'50.04" E., where the line enters the river opposite the Katima Mulilo Rapids.

The remainder of the South-West Africa–Zambia boundary follows the thalweg of the Zambezi downstream as stated in an exchange of notes between the South African Minister of External Affairs and the British High Commissioner on July 4, 1933, and July 25, 1933, respectively:

[The Governments of South Africa and Northern Rhodesia] are prepared to recognize that the "thalweg" of the Zambezi to its junction with the "thalweg" of the Chobe or Linyanti should be regarded as the eastern boundary of the Caprivi Strip and are prepared to agree that the map referred to in the above quoted report [indicates the islands of the Zambezi in relation to the thalweg or main channel], signed at Katima Mulilo on the 8th August, 1931, should be accepted for the purpose of defining the position of the thalweg.

According to the report (with associated map) signed at Katima Mulilo on August 8, 1931, the following islands in the Zambezi are listed in sequence upstream from its confluence with the Linyanti to the Katima Mulilo Rapids relative to their location on the South-West Africa (SWA) side or the Zambian (Z) side of the thalweg or main channel of the river.

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| 1. Kankumba (SWA)                        | 18. Nambezo (Z)                           |
| 2. Small island near Kankumba (SWA)      | 19. Kasuntula (SWA)                       |
| 3. Mpalela (SWA)                         | 20. Unnamed island near Kasuntula (SWA)   |
| 4. Nuntanga (Z)                          | 21. Silombe (Z)                           |
| 5. Nansansi (SWA)                        | 22. Mutonga (Z)                           |
| 6. Ibozu (Z)                             | 23. Kambili Muliata (Z)                   |
| 7. Kasuma (Z)                            | 24. Mangonda (Z)                          |
| 8. Lombe (Z)                             | 25. Kampengule (Z)                        |
| 9. Liabwelwa (Z)                         | 26. Kaytoya-ka-Musisanyane (SWA)          |
| 10. Sipalandwe (Z)                       | 27. Nameless island below Sikachila (SWA) |
| 11. Kakomwe (SWA)                        | 28. Sikachila (Matabele) (SWA)            |
| 12. Kasange (Z)                          | 29. Ngolongo (SWA)                        |
| 13. Masulamini (Z)                       | 30. Likunganeno (SWA)                     |
| 14. Nantungu (SWA)                       | 31. Lesser Isolionke (Z)                  |
| 15. Unnamed island opposite Nantungu (Z) | 32. Greater Isolionke (SWA)               |
| 16. Mabala (SWA)                         | 33. Samasikili (SWA)                      |
| 17. Kachila (SWA)                        |   |

NOTE: This International Boundary Study indicates the agreements relevant to the South-West Africa–Zambia and Botswana–South-West Africa boundaries at the confluence of the Zambezi and Linyanti. It neither intends to define the exact point of contact between these two boundaries nor attempts to interpret their relationship to the Southern Rhodesia–Zambia and Botswana–Southern Rhodesia boundaries in the vicinity of the confluence of these rivers with respect to the physical conditions of the area or the legal consequences of various treaties and all the facts. Accompanied by a boundary disclaimer, the map in the study because of its small scale shows Botswana, Southern Rhodesia,

South-West Africa, and Zambia converging to a quadripoint at the junction of the Zambezi and Linyanti.



## **APPENDIX**

### **I. Documents**

1. Declaration between Germany and Portugal respecting the Limits of their respective Possessions and Spheres of Influence in South-West and South-East Africa. Lisbon, December 30, 1886. Edward Hertslet, *The Map of Africa by Treaty*, 3 vols., 3rd Edition (London: Harrison and Sons, 1909). Vol. 2, pp. 703–706.
2. Agreement between the British and German Governments, respecting Africa and Heligoland. Berlin, July 1, 1890. *Ibid.*, Vol. 3, pp. 899–906. Also see Great Britain Treaty Series, Africa No. 6 (1890), C. 6046.
3. Treaty between Her Britannic Majesty and His Majesty the King of Portugal, defining their respective Spheres of Influence in Africa, Lisbon, June 11, 1891. *Ibid.*, Vol. 3, pp. 1016–26. Also see Great Britain Treaty Series, Portugal No. 1 (1891), C. 6375.
4. Declaration between Great Britain and Portugal, respecting the Submission of the Barotse Boundary Question to an Arbitrator. Signed at London, August 12, 1903. *British and Foreign State Papers (BFSP)*, Vol. 97 (1903–4), pp. 506–7. Also see Great Britain Treaty Series, No. 28 (1907), Cd. 3731.
5. Award of the King of Italy in the Question between Great Britain and Portugal respecting the Western Boundary of the Barotse Kingdom. Rome, May 20, 1905. *BFSP.*, Vol. 98 (1904–5) pp. 382–5. Also see Great Britain Treaty Series, Africa No. 5 (1905), Cd. 2584 [with map].
6. Exchange of Notes between South Africa and Portugal respecting the Boundary between the Mandated Territory of South-West Africa and Angola. Lisbon, April 29, 1931. *BFSP.*, Vol. 134 (1931), pp. 465–71. Also see Great Britain Treaty Series, No. 28 (1931), Cmd. 3896.
7. Agreement between the Union of South Africa, Northern Rhodesia and Portugal concerning the Boundary between the Caprivi Zipfel, Angola, and Northern Rhodesia. Signed at Kwando, August 16, 1931. *South Africa Treaty Series*, No. 8 (1931).
8. Exchange of Notes between the Government of the Union of South Africa and the Government of Northern Rhodesia regarding the Boundary between the Caprivi Zipfel and Northern Rhodesia and the Grant of Privileges to Natives of Northern Rhodesia on Islands belonging to the Caprivi Zipfel. Pretoria, July 4, 1933; and Capetown, July 25, 1933. *South Africa Treaty Series*, No. 1 (1933) [with maps].

9. Agreements between the United Kingdom on its own behalf and on behalf of the Federation of Rhodesia and Nyasaland and Portugal with regard to (1) the Northern Rhodesia–Angola Frontier and (2) certain Angolan and Northern Rhodesian Natives living on the Kwando River. Lisbon, November 18, 1954. BFSP., Vol. 161 (1954), pp. 161–73. Also see Great Britain Treaty Series No. 27 (1955), Cmd. 9453; and United Nations Treaty Series Vol. 210 (1955), No. 2841, pp. 265–89.
10. Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Portuguese Republic with Regard to the Northern Rhodesia–Angola Frontier. Lisbon, October 21, 1964 [with Exchange of Notes between the United Kingdom and South Africa]. Great Britain Treaty Series No. 18 (1965), Cmd. 2568; and United Nations Treaty Series, Vol. 539 (1966), No. 2841, pp. 353–6.

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