

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific geographical locations.

## Boundaries with Issues

### Soft Border Management as a Solution?

**ANNETTE WEBER**

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- Borders, boundaries, and borderlands constitute multiple possibilities as well as obstacles. Whereas borders are important to demarcate the physical boundaries of state territories, they are in daily practice even more important to the people living along the borders.
- Border issues such as oil, migration, pastoralists, citizenship, trade, and nationality must be negotiated and administered. Mutually tended borders – demarcated or not – might bring a variety of positive effects.
- Border populations as a source of knowledge and trade potential and transnational citizenship should be assets from a regional as well as national perspective.
- In the Horn of Africa, all the cases for complex and paradoxical issues of borderlands can be found. However much a central government insists on securing the border, the idea(l) of a hard border regime (wall, fence, or Berlin or Korean-type division) is not feasible. It is an illusion to believe that Sudan or South Sudan or any other country in the Horn of Africa would have the capacity to fully secure and monitor its borders.
- While the great majority of borders in Africa are porous and constitute no real obstacle to the borderland communities, the borders in the Horn of Africa region have quite symbolic meanings that are contested and fought over.

Borders, boundaries, and borderlands constitute multiple possibilities as well as obstacles. Whereas borders are important to demarcate the physical boundaries of state territories, they are in daily practice even more important to the people living along the borders.

The Horn of Africa – with its millions of pastoralists in search of fertile grasslands, its cross-border communities that share social and ethnic relations, as well as its mainly centralised governments – is a region that should have a great interest in peaceful borders, localised mutual border administration, and flourishing regional trade and movement.

Yet many states in the region tend to take the position that the lack of defined or secured borders encourages violent conflicts and tempts traffickers to defy checkpoints and border guards. Promoters of soft borders, however, argue that it is the proliferation of hard borders (symbolic, legal, and material walls, fences, and frontiers) that incites violence, provides mechanisms for domination, and undermines opportunities for peaceful and sustainable political association.

In all cases – hard or soft border regimes, demarcation or no demarcation – border issues such as oil, migration, pastoralists, citizenship, trade, and nationality must be negotiated and administered. Mutually tended borders – demarcated or not – might bring a variety of positive effects. Border populations as a source of knowledge and trade potential and transnational citizenship should be assets, from a regional as well as national perspective. At the same time, the fluidity and negotiating skills

necessary for the flow of goods, people, and knowledge might be an ambivalent issue for the central state. Small arms smuggling, human trafficking, and providing refuge for armed opposition groups are all activities that might be carried out by borderland communities and pose a risk for the state's security.

In the Horn of Africa, all the cases for complex and paradoxical issues of borderlands can be found. However much a central government insists on securing the border, the idea(l) of a hard border regime (wall, fence, or Berlin or Korean-type division) is not feasible. It is an illusion to believe that Sudan or South Sudan or any other country in the Horn of Africa would have the capacity to fully secure and monitor its borders. Therefore only localised border administration is a realistic option. However, the tendency to outsource security to proxy militias and to instrumentalise borderland populations in the interest of the central government constitutes a risk and must be critically reflected upon when localising border issues and disputes. Yet, the interests of the borderland communities, the enormous number of pastoralists, and the interdependency of the states and their populations leave no doubt that soft border management is relevant and is a step towards stability and peace.

## Actual Situation on the Borders in the Greater Horn of Africa

While the great majority of borders in Africa are porous and constitute no real obstacle to the borderland communities, the borders in the Horn of Africa region have

### Definition

Border – a line that indicates a boundary. Borders are understood as boundaries between states, whereas boundaries are markers in existing states. Delimitation is the mapping exercise to describe boundaries along existing or yet to be drawn borders, whereas demarcation is the physical marking of the terrain. While demarcation and the local acceptance for demarcation might appear as the main obstacles – since they entail issues of land rights, grassing rights, citizenship, and territory – consideration of the variety of actors with vested interests in borders and boundaries is equally important.

If the boundary is only drawn to satisfy the interests of faraway governments or even external actors (colonial boundaries), the reality on the border may be contrary to these interests.

From a state perspective, boundaries are essential, since they describe the territory that, according to Max Weber, is created because multiple powers contest a finite global space – each power seeking monopoly, exclusive control or sovereignty. While borders demarcate a state's territory borders also describe identities, belonging, and political affiliation.

quite symbolic meanings that are contested and fought over. Whereas overall only 20 per cent of African boundaries are demarcated, yet do not cause conflict, in the Horn of Africa borders are a common conflict trigger. While the war between Eritrea and Ethiopia was fought over a small border village with little strategic interest but high emotional value and cost more than 70,000 lives, the conflict in Abyei might just be one aspect of a deep border conflict between Sudan and South Sudan.

Symbolic of the border conflicts is the small village of Badme on the Eritrean-Ethiopian border. To summarise, after Eritrea claimed Badme as Eritrean territory in 1998, war between the two neighbours broke out, costing more than 70,000 lives. It was resolved by the International Court of Arbitration and monitored by the UN and still remains an emotional trigger for the two countries, whereby renewed fighting could break out at any time.

Other contested borders are between Sudan and South Sudan – mainly Abyei and the two areas of Southern Kordofan and Southern Blue Nile. While Abyei is monitored by a UN Mission (UN Interim Security Force for Abyei), the two areas are in a full-fledged internal conflict with no end in sight. In both cases, Badme and Abyei, the International Court of Arbitration issued a ruling, yet the cause of the conflict goes beyond the boundary demarcation.

Although the Ethiopia-Somalia border and the Kenya-Somalia border are not contested (only from a greater Somalia perspective), the borders are quite insecure. Recent initiatives by the two countries to install a buffer zone inside Somalia – in order to curtail the threat of the Somalia jihadist group al-Shabaab crossing over – shows the severity of border insecurity in the region. The relatively stable and functioning quasi-state entities in northern Somalia, Somaliland, and Puntland are also engaged in border skirmishes in the Sool and Sanaag regions.

Other border issues are: the Ilemi triangle between South Sudan, Kenya, and Ethiopia; the north/south border issue between Sudan and Egypt at the Hala'ib triangle; as well as some border conflicts between Eritrea and Djibouti.

Distinctively different from the hard border dealings in the Horn is the border approach in the East African Community (EAC) region, where the idea of a common market thrives and the establishment of soft border

management with easy access for trade and borderland populations – rather than hard border regimes and border disputes – is the preferred solution in the EACs proposal.

The Horn of Africa, as described before, has a variety of borders, border issues, and border conflicts, which can be grouped into three categories.

## Border Conflicts

Under the category of border conflicts, two borders stand out: the border between Eritrea and Ethiopia – with its symbolic border town Badme – and the border conflicts along the north/south border of Sudan, mainly Abyei. Here the border itself is contested and is a source of conflict. Besides the contested international borders in the Horn of Africa, piracy resulting from the lack of control of maritime boundaries might be added to the list of active border conflicts in the region.

## Borders with Issues

This category includes borders where security issues, terrorism, crime, uncontrolled migration, and illicit trade constitute problems. Currently this is the case on the Somali border with Kenya and Ethiopia. There is a risk of infiltration of al-Shabaab jihadist fighters into the neighbouring countries as well as a humanitarian challenge posed by refugee streams from Somalia to the neighbouring countries. Similarly, the Somaliland administration fears an increasing influx of jihadist from southern Somalia. Another border with security issues is the triangle between South Sudan, Uganda, and the Democratic Republic of Congo. This is due to the activity of the Ugandan Lord's Resistance Army, which threatens and attacks civilians in this borderland.

Security threats also occur along the borders of Kenya-Uganda, Kenya-Ethiopia, and South Sudan-Kenya – mainly in relation to cattle raiding by pastoralist groups. Illicit and illegal trade is a border issue with two angles: for the borderland community – very often neglected and marginalised by the central government – it provides income. For the governments, it is mainly an issue of tax evasion, since illicit trade, smuggling, and trafficking are not registered under legal trade regulations.

During the 1990s, borderlands in the Horn of Africa were used by armed insurgent groups to seek shelter in neighbouring countries. Most insurgents were supported by the neighbouring governments. For example, Sudan supported the Eritrean People's Liberation Front and the Tigrayan People's Liberation Front fighting against the Mengistu regime in Ethiopia, which, at the same time, supported, trained, and equipped the Sudan People's Liberation Army in southern Sudan and allowed the SPLA-controlled refugee camps to be based on the Ethiopian side.

Today, the continuation of civil wars and armed insurgencies in many of the countries in the Horn of Africa have resulted in a never-ending stream of refugees – some of them, as in the case of the Blue Nile region, seeking shelter in the neighbouring country for the third or fourth time in just two decades.

### Border Opportunities

The category of opportunities needs to be analysed more thoroughly, since the opportunity depends on the actor. Whereas grassing agreements and secondary rights for pastoralists might serve the interests of two border populations for living in peace, it might be diametrically opposed to the interests of the state(s) with a primary interest in sovereignty. The category of border opportunities builds upon the foundation of the African Union's Border Programme (AUBP), which is based on three pillars: a) co-operation and co-ordination, b) capacity building, and c) community involvement. Their outlook is regional and states that mutually tended borders, border security, and easy movement across borders through co-operation and co-ordination will enhance regional and continental integration.

### History and Statehood

Pre-colonial African states are less bound to a territorial concept, mainly because the land was vast and the populations thin. The movement of people in pre-colonial African states was not so much based on identification with the state or the ruler but oriented more towards fertile land. People could occupy and use but not own land, and the limited control of the periphery by the centre – either of territory or citizens – made boundaries

as territorial demarcations of sovereign states obsolete. However, in order to bind citizens to the centre, the rulers needed to invest in proxy authorities representing the state's interests in the periphery.

Throughout Africa, boundaries distinguishing different sovereign state entities were drawn by colonial powers in the late 19th century without local knowledge and interest in the political, social, and regional particularities. But besides the colonial borders, one needs to look into the history as well as the use of borders by the various sovereigns, empires, and groups in the region. As for Sudan, Douglas Johnson (2010) provides some insights into the border regimes of kingdoms and sultanates (Darfur and Sennar), which were drawn as concentric circles of power. The main method to ensure power and loyalty was the conferring of land grants to tribal leaders. The regimes under Turco-Egyptian (1821-1885) and Anglo-Egyptian (1899-1956) rule used flexible boundaries amongst various local authorities as competing centres of power.

In the case of the Eritrean-Ethiopian border, Wolbert Smidt (2010) argues that boundaries were nothing new or artificial to the Tigrinya speakers. However, former boundaries now installed as state borders have changed the perception. What is particularly interesting in the case of the war over Badme are the different references to statehood, and therefore to boundaries made by Eritrea and Ethiopia. Eritrea claimed to be established as a modern state with a colonial history that was bound to international law. For the Tigrayans on the Ethiopian side however, the boundary was from ancient history, the history of settlement, and through the border practice of the borderland population. With the introduction of a new currency in Eritrea in 1997 and the subsequent halting of trade by Ethiopia, the border turned from a unifying bridge into a barrier. What is seen in the Badme case – a war stemming from two different concepts of a border – might be indicative for the persisting conflict on parts of the north/south border of Sudan.

Besides the distinction between borders conceptualised as boundaries of a modern nation-state and those based on ethnic or language identities, other borders were drawn by local powers, separating areas of enslaved villages and those of free people. Wendy James (2007) shows this with the case of the Sudan-Ethiopian border of the Southern Blue Nile.

The Horn of Africa is composed of a variety of states originating and based on different types of statehood. However, there is possibly one unifying factor: the negligence of its peripheral regions by the central powers – many of them border regions. While a mix of negligence and ambiguity of central powers towards their peripheral borders often constitutes a lack of power, services, and recognition of those marginalised, it can also be of advantage to the borderland communities. To them, the absence of the state translates into freedom of movement.

If border disputes mainly stem from conflicts in the centre, the border becomes the centre and focus of national security concerns. In most cases, this leads to armed conflict and violent border disputes without any gain, nor recognition nor representation of the needs and interests of the border communities. It is therefore more likely that border issues do not turn into violent conflicts when the states remain ambivalent.

On the other hand, precisely because of the neglect of borderland communities with regard to national education, health, and other services – and because borderland communities are rarely integrated into the legal trade of a state – the development of illicit trade routes and illegal trade in unmanaged borderlands is increasing and is not beneficial to the state's economy.

### Interests, Issues, and Concerns

Cross-border concerns can be roughly summarised as resources, including water, people, and security as well as environmental concerns. No matter how effectively a border is protected, water and environmental degradation know no borders.

The easy movement of goods and people, the prevention of crime, and profitable cross-border trading instead of smuggling are in the interests of both the state as well as the borderland population. Furthermore, enhanced border management – based on the principles of the AUBP – would even go beyond the national interest and strengthen regional integration. These would be pre-conditions for more prosperity and a more peaceful region in the now conflict-prone Horn of Africa.

One could argue that the border demonstrates most vividly the divergence between state and citizen. While the state has an interest in demarcating its sovereign territory, the borderland population's need is for freedom of movement and soft border management.

In order to enhance and encourage a soft border approach with local representation on mutual border management, the following recommendations call upon the various actors to improve the stability in the region, enhance the opportunities, and include borderland populations in boundary-making.

## Recommendations

### Governments in the Horn of Africa

- Think regionally. All the countries in the Horn of Africa are interdependent. Governments in the region should promote the positive aspects of regional integration (common market, trade, seasonal migration) in order to overcome (or pragmatically sideline) political stalemates (Badme-Abyei-Illemi triangle).
- Agree on local border administration in order to ensure that local knowledge as well as borderland population interests are reflected in border practice.
- In the absence of services, often borderland populations become agents in »illicit« trade. In order to fight criminal activities and collect taxes, it is imperative that states include borderland populations in their welfare and service delivery mechanisms and make them part of the »legal« trade structures.
- On Sudan: negotiations of the political concerns of the states – security, oil, trade, migration, citizenship – should be earnestly pursued in the existing fora, namely the Joint Political and Security Mechanism, the Joint Political Committee, as well as the African Union High Implementation Panel. An agreement about local border administration is paramount, irrespective of whether the border is to be fully demarcated or not.

## IGAD (Intergovernmental Agency for Development) and EAC

- Continue to promote a regional integration and build on the EAC's four pillars: customs union, common market, monetary union, and political federation.
- Include the north/south border of Sudan as well as South Sudan's southern borders into the IGAD/ Conflict Early Warning and Response Mechanism pastoralist networks.
- Strengthen cross-border security and mutual co-operation by localising border management and calling for vigilance by the border population. Enhance efficiency and inclusiveness in peace-building along the borders.
- Promote the sense of belonging for all citizens; encourage women in border-conflict management.

## Borderland Communities

- »Inviting the right people«. Borderland populations have their own interests that need to be considered. Yet they are also often instrumentalised by the central state. They fight for the territorial gains of the central state and are, in response, promised secondary or seasonal rights. This makes it difficult but mandatory for local border administration mechanisms to carefully include »legitimised representatives of the communities« and not delegate proxies of the governments.
- Collect positive examples of border dispute settlements as learning tools.
- Identify the common interests of the actors on the borders.

## AU (African Union)

- Demarcation of international borders by the AUBP in consultation with the states and the borderland communities.
- The AUBP should be hosted by the regional economic communities (RECs) in order to provide a better interface.
- Implementation of the Strategy for Enhanced Border Management in Africa. The soft border approach through the cultivation of a culture of co-operation and co-ordination is an important step towards security for the region, the borderland communities, as well as the states.
- The AU needs to audit current border conflicts and develop an operational mechanism to deal with border disputes.

## International Actors (Donors, INGOS)

- Include borderland populations in development projects as well as in conflict mediation activities. Negotiations on borders facilitated by third-party actors should make sure to include borderland-population representatives in the negotiations.
- Regionalisation of development programmes, including border areas. Borderland populations should be integrated in development programmes.
- Capacity-building for border experts in the AU, RECs, and the countries should be enhanced. We need a critical mass of people with technical knowledge in order to take border issues out of the political battle zones.

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### About the author

**Dr Annette Weber** is Senior Associate in the Africa and Middle East Division of the German Institute for International and Security Affairs. She spent two years on leave from the Foundation researching the relationship between governance and government in South Sudan and Somalia.

### Imprint

Friedrich-Ebert-Stiftung  
Africa Department  
Hiroshimastraße 17 | 10785 Berlin | Germany

Responsible:  
Michèle Auga, Head of Africa Department

Tel.: ++49-30-269-35-7443 | Fax: ++49-30-269-35-9217  
<http://www.fes.de/afrika>

Bestellungen  
[ulrich.golaszinski@fes.de](mailto:ulrich.golaszinski@fes.de)

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