

4. Ethiopia and Italy were bound, not only by the undertakings in the Covenant of the League of Nations, but also by the provisions of the Treaty of Amity, Conciliation and Arbitration of August 2nd, 1928. Whereas Ethiopia requested the application of the arbitration procedure provided for in Article 5 of that treaty, Italy demanded reparations in the form of apologies from the Governor of Harrar, a salute to the Italian flag, the punishment of the offenders, and compensation for the dead and wounded. The Italian Government considered that the incident of December 5th had occurred in such clear and manifest circumstances that there could be no doubts as to its nature. It was, in the Italian Government's opinion, a sudden and unprovoked attack by the Ethiopians upon an Italian post, and the Government could not see what question there was to submit to arbitration.

5. The Ethiopian Government replied that arbitration was possible on the two following main questions: "(1) there was an Italian aggression first at Walwal and three days later in the interior of Ogaden, notably at Ado and Gerlogubi; (2) Walwal is Ethiopian territory illegally occupied by Italian troops."

6. In support of this latter assertion, the Ethiopian Government appealed to the Italo-Ethiopian Treaty of May 16th, 1908, which had defined the frontier between Ethiopia and Italian Somaliland. Making reference to that treaty, the Ethiopian Government pointed out that Walwal was situated in the Ethiopian province of Ogaden, at about one hundred kilometres from the frontier. The Italian Government maintained, on the other hand, that Walwal belonged to the Italian colony of Somaliland and had been occupied by Italian troops for several years past. It added that, in that region, the frontier had not been demarcated on the ground and that the delimitation work had been broken off in 1911, owing to difficulties raised by the Ethiopian Government. The Italian Government was prepared to resume it "once the Ethiopian Government has given it due satisfaction in compensation for the rights which have been infringed by the flagrant aggression at Walwal, whereby the Ethiopian Government has violated the treaties existing between the two countries and the Covenant of the League of Nations."

7. The controversy was inflamed by mutual accusations regarding the policy of the two countries prior to the Walwal incident. The telegram from the Italian Government, dated December 24th, represented that incident as the most serious of "a lengthy series of attacks carried out . . . in the frontier zone between Italian Somaliland and Ethiopia . . . with a view to disputing by means of threatening acts, the legality of the presence of Italian detachments in certain frontier localities." The Italian Government added that it possessed ample documentary evidence on this subject. The Ethiopian Government replied that the Walwal incident, "like previous incidents is due to the Italian policy of gradual encroachment" in an area which could not be described as one "whose sovereignty