THE NAGORNO KARABAKH CONFLICT IN THE AFTERMATH OF THE RUSSIA-GEORGIA WAR

The unresolved conflict between Armenia and Azerbaijan over Nagorno-Karabakh is considered the most daunting issue for South Caucasus’s security. Since 1994, when a cease-fire was reached between the parties, many attempts have been made to find a political solution to this conflict. Last year’s Russia-Georgia war considerably changed the geo-political situation and renewed efforts of regional and non-regional actors to reach a comprehensive solution. At the same time the recognition of Abkhazia and South Ossetia by Russia demonstrated again that the current stalemate of any frozen conflict can easily be transformed into a new cycle of violence. Therefore the EU and the United States are more interested in resolving this conflict, now especially taking into consideration the geo-strategic and geo-economic parameters of the Caspian region. In this context Turkey, as a transit energy country, has a beneficial impact on the whole region, serving as a bridge to the West through its unique location.

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Due to its geo-strategic location at the crossroads between East and West, the territory of the South Caucasus was always conquered by different empires – becoming a zone of permanent migration, active contact of cultures, languages, religions and a juncture of trade and transport routes.

The significance of the geo-economic parameters of the region and in particular of oil-rich Azerbaijan increased for regional and non-regional actors as a result of an immense demand of oil products starting from the 1880s, leading consequently to the first oil boom in Baku. Using its national energy strategy Azerbaijan has gone through the second oil boom a century later in the middle of the 1990s after regaining its independence. “Thus, through the years of independence Azerbaijan has evolved from an economically weak, internationally isolated, and unknown country into a most dynamic economy, a regional leader, and an important strategic partner,”¹ which proves Zbigniew Brzezinski’s reflection: “Despite its limited size and small population, Azerbaijan, with its vast energy resources, is also geopolitically critical…It is the cork in the bottle containing the riches of the Caspian Sea basin and Central Asia.”²

However independent Azerbaijan inherited an unresolved conflict with neighbor Armenia over Azerbaijan’s Nagorno-Karabakh autonomous region. It is the first and the longest running conflict that took place in the territory of the former Soviet Union. In the course of this conflict,

• Armenian forces seized close to one-fifth of Azerbaijan’s territory, including all of Nagorno-Karabakh and seven other adjacent Azerbaijani districts located outside the autonomous region (Lachin, Kelbajar, Fizuli, Jebrail, Zangelan, Aghdam and Gubadli). One region of the country and its surrounding adjacent districts is currently outside government control;

• the occupied territories have been transformed into a buffer zone considered by Armenians as a bargaining chip on the issue of Nagorno-Karabakh and a security guarantee against Azerbaijan. Armenia is trying to use the current status quo as

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¹ Ambassador Mahmud Mammadguliyev “Azerbaijan’s Foreign Economic Relations,” in Azerbaijan in Global Politics Crafting Foreign Policy (Baku, Azerbaijan Diplomatic Academy, 2009), p. 203.
an instrument of political pressure to impose finally a *fait-accompli*-based solution;

• the leadership of this breakaway territory continues to integrate the region into Armenia as much as possible. No statements to the contrary can alter the fact that Nagorno-Karabakh economically and politically depends heavily on Armenia and the Armenian Diaspora around the world;

• some estimates put the number of deaths on both sides at about 30,000; a huge number of refugees and internally displaced persons have created a devastating humanitarian crisis that has lasted for more than 20 years;

• sources, including Armenian ones, report that tens of thousands of settlers have moved to the occupied territories of Azerbaijan, including districts adjacent to the Nagorno-Karabakh region, including Lachin, Kalbajar, Zangilan and Jabrayil in an organized manner with the purpose of annexing these territories;3

• a substantial damage has been caused to material and cultural resources within the internationally recognized borders of Azerbaijan, and this has brought about an irreplaceable loss of national heritage;

• a significant amount of illegal military equipment may be concealed on the occupied territories of Azerbaijan that is not subject to the Conventional Forces in Europe Treaty (CFE) inspection regime and makes the national security of the Republic of Azerbaijan a particularly noteworthy question. Russia’s continuous illegal military transfer to Armenia and the continued close military co-operation between Russia and Armenia gives cause for concern to those in Azerbaijan;

• in 1993, the UN Security Council adopted four resolutions (822, 853, 874, 884) that were directly related to the Nagorno-Karabakh conflict. The resolutions stressed the need for immediate cessation of military activities and hostile acts, immediate, complete and unconditional withdrawal of occupying forces from all occupied regions of the Republic of Azerbaijan;

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• section 907 of the Freedom Support Act, passed by the U.S. Congress in 1992 bans American government aid of any kind (including humanitarian) to be given to the government of the Republic of Azerbaijan. However, due to Azerbaijani support provided to the U.S. in its efforts to counter international terrorism, section 907 was amended which resulted in a Presidential waiver authority which has been exercised annually starting from 2002;

• in December 2005, the Parliamentary Assembly of Council of Europe (PACE) adopted resolution 1416 entitled “The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Group” reaffirming the occupation of a considerable part of the territory of the Republic of Azerbaijan. PACE made it clear that the occupation of foreign territory by a member state constitutes a grave violation of that state’s obligations as a member of the Council of Europe and urged the parties concerned to comply with the relevant resolutions of the UN Security Council, in particular by withdrawing military forces from any occupied territories;

• in March 2008, the UN General Assembly adopted a resolution concerning “the situation in the occupied territories of Azerbaijan” reaffirming the territorial integrity of the Republic of Azerbaijan and demanding withdrawal of all Armenian forces. The resolution calls for the return of the population of the occupied territories, and recognizes the need to provide secure and equal living conditions for Armenian and Azerbaijani communities in the Nagorno-Karabakh region;

• there are no diplomatic relations between Armenia and Azerbaijan or Armenia and Turkey;

• since 1994 when a cease-fire was reached, many attempts have been made to find a political solution to this conflict.

Before the Russian-Georgian War – Road to Independence

Before proceeding with an analysis of the implications of the Russia-Georgia war for the Nagorno-Karabakh conflict, it should be noted that the South Caucasus has been considered a Russian sphere of influence for almost 200 years. Since 1991 it has become a region of global interest due to its key geo-strategic and geo-economic parameters, when three new independent states appeared in this territory. However, due to divergent foreign policies pursued by the leaders
of these countries, the South Caucasus has been gradually polarized.

For instance the active pro-Western approach demonstrated by Georgian leaders after the “Rose Revolution” towards integration into European and Euro-Atlantic structures including NATO was quite different in its nature from the stance of the neighboring Armenian ruling elite with regards to Russia. Armenia being Russia’s “outpost” in the region has only Russian military bases on its soil to date. As opposed to that, Azerbaijani leaders have pursued a more independent and balanced foreign policy since 1993, trying to “find a modus vivendi with regional and non-regional actors which pursue their own, sometimes divergent, policies.”

In parallel, geo-economic considerations and energy resources of the wider Black Sea-Caspian basin attract a persistent interest of external actors. Hence, the region has continued to be an area of dispute between regional and non-regional actors in the course of their struggle for control over energy resources. “The Caucasus and the Black Sea are at the epicenter of the energy game, through which the most important energy corridors connecting the Caspian resources with the European markets pass and challenge Russia’s energy primacy.”

In this context Turkey as a regional actor with the aspiration to become an energy hub has a beneficial impact on the whole region, serving as a bridge to the West through its unique location. Supported by the U.S. and the EU, Turkey is trying to strengthen its political and economic influence in the South Caucasus. “Since 1993 and the Ankara Accord, Turkey had seen it as a national priority that a main export pipeline be built from Baku to the Turkish blue water oil port on the Mediterranean at Ceyhan.”

In September 1994, after signing “The Contract of Century” with a consortium of international oil companies, Azerbaijan along with its key partners in the region, Turkey and Georgia, completed and put into operation two major pipelines – the Baku-Tbilisi-Ceyhan oil pipeline and the Baku-Tbilisi-Erzurum natural gas pipeline, which will forever change the economic landscape of the entire region

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and lay the foundation for a new international energy security architecture.\(^7\)

At the same time Turkey has always been a major strategic ally of Azerbaijan. It has closed its border with Armenia since 1993 in response to the Armenian occupation of Nagorno-Karabakh and the adjacent seven districts.

Iran, as another regional actor, perceives Azerbaijan and Central Asia as its potential sphere of influence. But due to its suspicions that one day secular Azerbaijan could be a threat for Iran, it supports Armenia, which proves in turn that the religion factor is not that important in determining the foreign policy choices of even the most ideologically oriented countries.

Before the war, the U.S. and Europe’s goals in the region were broadly compatible, but the question was whether the U.S. and particularly the EU could play a more significant role in the South Caucasus. Suffice it to say that as part of the European Neighborhood Policy (ENP), the EU signed Action Plans with the three South Caucasian states in November 2006, seeking to stabilize the region through economic integration and institutional cooperation. However, the EU was not involved in conflict resolution and broader security issues in the South Caucasus before the war.

Unlike the EU, the United States has been involved in the search for an agreement on the Armenian-Azerbaijani conflict over Nagorno-Karabakh within the OSCE Minsk group which took the lead in mediating the conflict since March 1992, though it must be noted that the current cease-fire reached in May 1994 was the result of Russia’s mediation efforts.

Since 1996, Russia, France and the U.S. assumed the chairmanship of the Minsk Group. Since 1999 there has been a trend towards engaging the Presidents of Armenia and Azerbaijan in bilateral talks and—at the beginning of 2006 a settlement seemed near. However subsequent meetings between the two presidents ended in failure— including the Rambouillet peace negotiations in early February 2006 and the meeting in Bucharest in June 2006.\(^8\)


“On 13 July 2007, the Co-chairmen of the OSCE Minsk Group issued a statement in which they provided an assessment of the emerging situation in the settlement process for the conflict in light of the meeting between the President of the Republic of Azerbaijan Ilham Aliyev and the President of the Republic of Armenia Robert Kocharian in St. Petersburg on 9 June 2007. The co-chairmen stated that during the meeting the presidents’ discussion was focused on a limited number of obstacles that stand in the way of an agreement on a set of “basic principles” for the peaceful settlement of the conflict. The co-chairmen further stated that the presidents could not overcome these remaining differences.9

In sum, the Armenian-Azerbaijani conflict over Nagorno-Karabakh has been stalemate for over 15 years and it is critical to reassess it in the aftermath of the Russia-Georgia war.

After the War – Shattered Dreams and Little Hope

After the Russia-Georgia war it has been widely understood that the frozen conflicts put the stability of the South Caucasus region at risk. “In fact, Russian-Georgian war followed by annexation of the part of Georgian territory by Russian Federation changed the very basis of the international order emerged in the part of the world after the year 1991. Certain international consensus and rules, which were a milestone of stability and security in the Eastern Europe (or Western Newly Independent states – Western NIS) does not exist anymore.”10

This five-day long (8-12 August 2008) war proved that Russia still considers the South Caucasus as the zone of its vital and strategic historical interest and perhaps is ready to fight against the establishment of any “undesirable domination” in the region. It is obvious that as President Medvedev pointed out in his so called “five bullet points” doctrine, there are regions in which Russia has privileged interests, regions that are home to countries with which Russia shares special historical relations and is bound together as friends and good neighbors.11

In this context the unilateral recognition by the Russian Federation of Abkhazia and South Ossetia – breakaway regions of Georgia– proved this conception once

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11 Ibid., p. 3.
again and verified that the “frozenness” of the unresolved conflicts in the South Caucasus was an illusion – stalemate of any frozen conflict can easily be transformed into a new cycle of violence.

Thus, the Russian invasion of Georgia brought new implications not only for Georgia, but also for the wider South Caucasus and beyond.

**The Caucasus Stability and Cooperation Platform (CSCP)**

Turkey reacted immediately to the situation that occurred in the aftermath of the Russia-Georgia war. Turkish Prime Minister Recep Tayyip Erdoğan visited Georgia, Azerbaijan and Russia and proposed a multilateral diplomatic initiative for a “Caucasus Stability and Cooperation Platform” (CSCP) in Moscow on 13 August 2008. Aimed at promoting peace, stability and cooperation in the Caucasus region among all three South Caucasus countries and including Turkey and Russia, CSCP is an updated version of an older idea on the establishment of a “Stability Pact for the Caucasus”, proposed by ninth Turkish President Süleyman Demirel in 2000.

The CSCP conception is being pursued by Turkey’s proactive diplomacy targeted to achieve “zero problems” and maximum cooperation with the countries in the neighboring regions. However an agreement on CSCP is not easy to reach today due to unresolved issues over Nagorno-Karabakh and current Russian-Georgian relations which seriously suffered in the aftermath of the Russia-Georgia war.

If, in tandem with Armenian-Azerbaijani negotiations over Nagorno-Karabakh, some progress is achieved from the Turkish-Armenian protocols signed on 10 October 2009 on the establishment of diplomatic relations and development of bilateral relations positive steps can be foreseen towards the realization of CSCP.

**The Moscow Declaration**

One of the repercussions of the Russia-Georgia war is the Moscow Declaration on Nagorno-Karabakh signed on 2 November 2008 by the Russian, Armenian and Azerbaijani presidents. It is an example of increasing Russian interest to play a more active and persistent broker’s role in this process and restore its

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reputation after the war with Georgia. This document declares that the settlement of the conflict based on the norms and principles of international law will create favorable conditions for economic growth and all-around cooperation in the region. It affirms the importance of having the co-chairs of the OSCE Minsk Group continue their mediation efforts, including the outcome of the meeting between the parties in Madrid on 29 November 2007, and subsequent discussions on further steps to agree on the basic principles for political settlement.

It also agrees that a peace settlement should be accompanied by legally binding guarantees for every aspect and stage of the settlement process. Noting that the presidents of Azerbaijan and Armenia have agreed to continue to work on reaching a political settlement to the conflict, including further contacts at the highest level, and have instructed the heads of their respective foreign ministries to work together with the co-chairmen of the OSCE Minsk Group to activate the negotiation process, the Declaration also considers that it is important to encourage the establishment of conditions for carrying out confidence-building measures.13 “Thus, the document brings to naught the speculations by Armenia on priority of regional cooperation before the final settlement of the conflict and elimination of its main consequences.”14

Eastern Partnership and the Nabucco Pipeline Project

It is obvious that “in response to the war in Georgia, the EU should take a more active role in defusing ‘frozen’ conflicts in Eastern Europe, and it should accelerate the integration of countries between the EU and Russia into the European Union.”15

As a result of this policy, “a summit of 33 countries in Prague brought the EU’s 27 governments together for the first time with the leaders of the post-Soviet countries of Ukraine, Georgia, Moldova, Armenia, Azerbaijan and Belarus to inaugurate the so-called ‘Eastern Partnership’” in May 2009. This new initiative

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is aimed at bringing these six countries together and establishing free trade areas between them and the EU, to tap their energy resources, and to promote human rights and democracy-building.\textsuperscript{16}

Being one of the important projects contributing to European Energy Security, the Nabucco pipeline project was signed by the Prime Ministers of Turkey, Romania, Bulgaria, Hungary and Austria on 13 July 2009 in Ankara. Backed by several EU states and the United States, the Nabucco pipeline is a planned natural gas pipeline from Turkey to Austria diversifying the current natural gas suppliers and delivery routes for Europe. Azerbaijan is considered one of the transit and possible supplier countries. “So far, however, Nabucco is a critical part of Europe’s energy diversification strategy…If the EU pushes for the development of the Caspian-EU gas corridor, Azerbaijan, Kazakhstan and Turkmenistan might play a more significant geo-economic role in the system of global energy security”.\textsuperscript{17}

On 15 September 2009 the European Union prepared\textsuperscript{18} a new South Caucasus strategy paper to work towards stronger ties with South Caucasus nations Georgia, Armenia, and Azerbaijan. The EU Ministers asked the European Commission to prepare separate mandates for Associations Agreements with the three countries. According to Swedish Foreign Minister Carl Bildt “these countries are sovereign nations and they have the right to choose their own destiny. They have expressed their view for a closer relationship with the European Union.”\textsuperscript{19}

A possible incorporation of the South Caucasus states into the geopolitical and energy security framework of the European Union could create favorable conditions for resolving the Nagorno-Karabakh conflict.

\textit{The Madrid Principles}

On 10 July 2009 a Joint Statement on the Nagorno-Karabakh conflict was issued by the Presidents of the OSCE Minsk Group’s co-chair countries France, the Russian Federation, and the United States at the “L’Aquila Summit of the Eight”

\textsuperscript{18} http://www.payvand.com/news/09/sep/1170.html
in Italy. Along with this document, on the same day, a preliminary version of the Basic Principles for a Settlement to Armenia and Azerbaijan in November 2007 in Madrid (the so called “Madrid principles”) presented by the Ministers of Foreign Affairs of the U.S., France, and Russia were made public.

The Basic Principles reflect a reasonable compromise based on the Helsinki Final Act principles of Non-Use of Force, Territorial Integrity, Equal Rights and Self-Determination of Peoples.

These principles stipulate a return of the territories surrounding Nagorno-Karabakh to Azerbaijani control, an interim status for Nagorno-Karabakh providing guarantees for security and self-governance, a corridor linking Armenia to Nagorno-Karabakh; future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will; the right of all internally displaced persons and refugees to return to their former places of residence; and international security guarantees that would include a peacekeeping operation.20

According to Haroutiun Khachatrian, analyst on political and economic issues based in Yerevan, Armenia “the three mediators of the Nagorno-Karabakh peace process so far seem successful in pushing Armenia and Azerbaijan toward a compromise. The parties are expected to sign a framework document later this year as an initial step of a long settlement process. In particular, the participation of the Nagorno Karabakh de-facto authorities in the process is proposed via providing them with an ‘interim status’ before the final settlement of the conflict is reached. However, heavy obstacles are still ahead, mainly caused by lack of mutual trust between Armenians and Azerbaijanis. Domestic political issues, especially in Armenia, could also create obstacles to the process.”21

**Armenian-Turkish Rapprochement**

The Armenian-Turkish rapprochement, which intensified after the Russia-Georgia war, significantly changed the geo-political situation in the region. Starting from the “soccer diplomacy” in September 2008, Turkish-Armenian relations are developing towards normalization. Announced on 22 April 2009, a Joint

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Turkish-Armenian Statement prepared under Swiss mediation was the next step in this process. During the talks parties have agreed on a comprehensive framework for the normalization of their bilateral relations and “within this framework, a roadmap has been determined.”

On 31 August 2009, Armenia and Turkey agreed to start their internal political consultations on the two protocols – on the establishment of diplomatic relations and on development of bilateral relations between these two countries – which had been initiated through Swiss mediation. These two protocols provide a framework for the further normalization of the bilateral relations within a reasonable timeframe to contribute to regional peace and stability.

Azerbaijan highly appreciates these positive changes which will help mollifying Turkish-Armenian bilateral relations in the long term and “strengthens Turkey’s diplomatic position, not only because it would be a sign of Turkey’s flexibility but also because it would help push the genocide question off international agenda, thereby removing another obstacle from the path of Turkey’s geopolitical rise. This would, in turn, increase pressure on the European Union to look more positively on Turkey’s application to join – something Obama urged during his recent trip to Europe.”

At the same time there are some reservations from the Azerbaijani side, which are based on a fear that after this rapprochement Armenia will feel no more pressure to negotiate over Nagorno-Karabakh. According to the statement of the Spokesman for Azerbaijan’s Ministry of Foreign Affairs, “undoubtedly every country has a sovereign right to determine its relations with other countries, but this issue concerns the Azerbaijani national interests and therefore we consider that the opening of Turkey-Armenia borders before the solution of Nagorno-Karabakh problem conflicts with the national interests of Azerbaijan.”

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25 APA Information Agency, 1 September 2009.
**Conclusion**

Due to the new geopolitical situation that occurred in the South Caucasus in the aftermath of the Russia-Georgia war, favorable conditions for the resolution of the conflict over Nagorno-Karabakh were put in place. Almost all of the regional and non-regional actors came to an agreement that this conflict hampers peace, stability and development of the region. As shown above, a number of different interventions were introduced by various external actors after August 2008 which directly or obliquely influenced ways to reach a comprehensive solution to this conflict.

After signing the Moscow Declaration six meetings were held between Armenian and Azerbaijani Presidents in 2009 and in 2010, which took place in Sochi on 25 January 2010. However no tangible results have been achieved in this process up to date.

In his interview to Russia’s Vesti TV channel on 30 June 2009, the President of Azerbaijan Ilham Aliyev shared his ideas regarding the future steps to be taken in order to achieve a comprehensive framework agreement between Armenia and Azerbaijan over Nagorno-Karabakh. He said that five of the seven districts would be liberated at the first stage of implementing the peace agreement, while Lachin and Kelbajar would revert to Azerbaijani control in five years. With reference to Nagorno-Karabakh’s status, the President said that a mechanism for provisional status could be agreed on in the first stage of the peace process, while the issue of the final status will be solved only when the parties agree on that.

On 10 July 2009 a Joint Statement on the Nagorno-Karabakh conflict issued by the presidents of the OSCE Minsk Group’s co-Chair countries along with the “Madrid principles” were announced, which gave a new impetus to the negotiation process. The work on updated version of this document is in progress. So far, the parties reached an agreement only on the wording of the preamble of this document in Sochi on 25 January 2010.

The Armenian-Turkish rapprochement, intensified after the Russian invasion of Georgia, is currently at a very complicated stage. Transformation of Armenian-Azerbaijani and Armenian-Turkish relations is the most challenging issue now. In this context the evaluation of the role of the Armenian Diaspora is quite important. The irredentism present among Armenians and fed by a sense of victimization
and revenge plays a very negative role in the conflict resolution process. The Armenian interest in uniting communities particularly in the former Soviet Union (Nagorno Karabakh and Nakhichevan regions in Azerbaijan, Javakhetia region in Georgia) and the Eastern Anatolian region in Turkey still exists as a dominant doctrine of the Diaspora and some domestic Armenian political actors. The role of the Diaspora in this particular issue is the most critical and is linked to the mobilization around memories of 1915. This past bloody experience between Armenians and Turks is the main barrier to the revitalization of their relations. Probably the historical memory of this event marks a psychological trauma in certain parts of the Diaspora, who are not ready to put aside the “revanchist policy”. Azeris have been punished as a result of “guilt by association”, because Armenians usually do not differentiate between Turks and Azeris. This idea is supported by Libaridian who noted that “close identification of Azerbaijan with Turkey made Azerbaijan an extension of Turkey in the minds of the Diaspora Armenians…The occupation of Azerbaijani territories was also perceived by many Diasporans as the rightful revenge of the past. There are those who believe that the return of these territories would constitute treason.”

However, there are Armenians and Azerbaijanis still alive who had a positive experience of living together and of the mutual enrichment of their cultures. This factor, if used with skill, can become an important instrument for helping to overcome conservative aspects of the memory of these peoples. In this connection, the Azerbaijani side could conduct a more active and even intermediary role in the rapprochement of Turkey and Armenia just starting out. Of course, Azerbaijan will find it more difficult to begin such a dialogue with Armenia when part of its territory remains under the control of Armenian armed forces. In this situation, any attempts at resolving these identity issues may be conceived as a manifestation of “weakness” and a concession to the aggressor. That is why for Baku the demand for the return of its territory is so important as a first step toward this process.

Domestic opposition in all three countries could be also considered as an impediment for the conflict resolution processes: compromises are necessary in any conflict settlement, which usually bear the possibility of political cost.

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26 APA Information Agency, 1 September 2009, p. 144.
At the same time the continuous work of Armenian lobby groups to recognize 1915 events as genocide through resolutions in the parliaments of different countries including the U.S. creates serious impediments for the normalization of Armenian-Turkish relations.

A lot needs to be done to overcome the prejudices and stereotypes about each other and to re-shape new relations based on confidence building measures putting mistrust and fears behind us.

“Furthermore, without the genuine interest and serious responsibility shown by mediators and the international community, as well as some mutual positive steps to be taken not only towards progress on Armenian-Turkish rapprochement, but also on Karabakh, it will be impossible to secure long lasting peace, sustainable development, and prosperity to the wider South Caucasus region.”28

There have been peaks within the negotiation process over Nagorno-Karabakh, when political breakthrough seemed very near. We are in similar situation again today; but let us believe that “This is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.”29

29 Speech of Winston Churchill given at the Lord Mayor’s Luncheon, Mansion House, London, 10 November 1942.