Introduction

What started more than two years ago as a peaceful uprising in Syria in the wake of the then Arab Spring which swept the region, has become a nightmare. First a civil war, now a war with regional and international dimensions, Syria has become the symbol of an international crisis that seems unsolvable. On one side stands the Syrian Government under the leadership of president al-Assad, a Shi’ia Alawite, helped by the Russian federation via arms and protected by Russia and China in the UN Security Council. On the other side stands a conglomerate of unclear opposition groups. The biggest is the Syrian National Council, which is comprised of Sunni’s and Kurds. But there are many other opposition groups that all seem to disagree with one another. The worst development yet is that in the past year also other groups have infiltrated. A first one is Al Nusra, which is Al Qaeda in Syria. A second one is ISIS, Islamic State of Iraq and the Levant. They want to create a sharia based state covering the current Iraq and Syria. These fighters are highly active and successful on the battle field. In some cases, they have been more successful than the Syrian National Council. This has created a situation in which Western powers (the UK, France and the US) de facto are supporting their own enemy. The Russian federation and China have always proposed an inclusive solution involving all the ethnical groups in the country. The policy of the US, the UK and France has been already for over a year to get rid of al-Assad, a position which was initially suggested by the Syrian National Council. In the UN Security Council (UNSC), there was an unwillingness to come to a solution. Western powers blame Russia and China, and the other way around. The result was that all the actors tried to achieve their goals by
surpassing the UNSC. The Russian federation delivered heavy weapons and helicopters to the al-Assad regime. Later on, they suggested they would even consider delivering al-Assad modern anti-air S300-rockets, which could be used against “foreign aggression”. Western powers such as the US, the UK and France made it possible to deliver arms to Syrian opposition groups. Special attention hereby goes to Saudi Arabia and Qatar. For different reasons these countries have embarked on a foreign offensive agenda in the region, using the Arab Spring as an opportunity to create regimes that would be friendly to them. Both countries are delivering arms, and there are signs that their intelligence agencies are also involved.

The situation changed somewhat when there was a chemical attack near the Syrian capital Damascus on 21 August 2013. A team of UN chemical weapons inspectors confirmed later that the nerve agent sarin was used in an attack on the Ghouta agricultural belt around Damascus on the morning of 21 August. UN Secretary General Ban Ki-moon told the UN Security Council that he believed the attack constituted a war crime. The American president had, exactly one year before, stated that “using chemical weapons would constitute a red line” for his administration. In order to remain credible, he threatened war and a substantial number of US military assets in the region were put in place. The Russian president Vladimir Putin believed this was a set-up, and that rebels such as Al-Nusra had stolen chemical weapons and mounted an attack, so that the American president would have no other choice to go to war. Al-Nusra and ISIS thrive in an atmosphere of chaos and unrest. During that same time also Iraq experienced a growing instability. It seemed a direct confrontation between Western powers on the one hand, supported by Qatar and Saudi Arabia and Syria.
and the Russian federation was in the making. Only at the last possible moment a diplomatic opening was created; US Minister of Foreign Affairs John Kerry stated that war could only be avoided if Syria would give up all of its chemical weapons. Russia made sure Syria did; in a few day’s Al-Assad proclaimed his country’s intention to become party to the Organisation on the Prohibition of Chemical Weapons and within one week he declared the full list of his chemical weapons installations and inventory. For the first time in more than two years, a consensus could be realized in the UN Security Council; UNSC resolution 2118 was voted on chemical weapons in Syria. In the meantime, OPCW inspectors have been active in Syria; by 1 November 2013 they had visited all the sites, and have rendered the chemical weapons factories inoperable. Meanwhile however, the civil war goes on with conventional weapons.… A question which some ask is whether UNSC 2118 (2013) could be used as a stepping stone for a further, larger UNSC resolution text. For instance, OPCW inspectors say that, in order to work properly and guarantee the safety of their inspectors, partial or broader cease-fires might be necessary. One of the avenues to explore is whether this is politically possible within the international community.
Meanwhile, UN Special Envoy Brahimi has been quite active in trying to bring all parties together for a so-called Geneva 2-conference, to try to solve the Syrian problem. The conference is planned for the end of November 2013, but things are not looking very good. The Syrian National Council continues to state that “Assad must go”, and that there should be a clear time table for this. Al-Assad states that he will come, and that he still remains president of the country until the elections of 2014. More radical opposition groups have stated that they will kill any other opposition members who go to Geneva. If the Geneva conference at the end of November fails to materialize, the international community will have to deal with the political fall out related to that. And even if it the conference is held, the situation is very complex; guidance and support of the UN Security Council will be essential for the peace talks to succeed. For the moment, the diplomatic understanding between Western powers and Russia is holding, but this could disintegrate at any moment, with further reaching consequences for other security issues in other places in the world.

The Six Point Plan of former UN secretary-general Kofi Annan is still quoted by some as a reference framework for any future solution (16 March 2012). It asks the Syrian authorities to:

(1) commit to work with the Envoy in an inclusive Syrian-led political process to address the legitimate aspirations and concerns of the Syrian people, and, to this end, commit to appoint an empowered interlocutor when invited to do so by the Envoy;

(2) commit to stop the fighting and achieve urgently an effective United Nations supervised cessation of armed violence in all its forms by all parties to protect civilians and stabilise the country.

To this end, the Syrian government should immediately cease troop movements towards, and end the use of heavy weapons in, population centres, and begin pullback of military concentrations in and around population centres.

As these actions are being taken on the ground, the Syrian government should work with the Envoy to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism.

Similar commitments would be sought by the Envoy from the opposition and all relevant elements to stop the fighting and work with him to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism;

(3) ensure timely provision of humanitarian assistance to all areas affected by the fighting, and to this end, as immediate steps, to accept and implement a daily two hour humanitarian pause and to coordinate exact time and modalities of the daily pause through an efficient mechanism, including at local level;

(4) intensify the pace and scale of release of arbitrarily detained persons, including especially vulnerable categories of persons, and persons involved in peaceful political activities, provide without delay through appropriate channels a list of all places in which such persons are
being detained, immediately begin organizing access to such locations and through appropriate channels respond promptly to all written requests for information, access or release regarding such persons;

(5) ensure freedom of movement throughout the country for journalists and a non-discriminatory visa policy for them;

(6) respect freedom of association and the right to demonstrate peacefully as legally guaranteed.

At the same time, the humanitarian situation, both inside Syria (IDPs; internally displaced persons) and outside in neighbouring countries such as Jordan, Turkey, Iraq and Lebanon is very bad. This dossier and the reader that is linked with it provide more information. Winter is coming, some countries such as Jordan and Lebanon are under extreme pressure because of this; the question is how long they will hold out. Even if the international community cannot solve the essence of the conflict, or is not able to use UNSC 2118 as a lever, the humanitarian situation has become so pressing that something should be done in order to further prevent an even worse situation. That question also lies before the Emergency Session of the UNSC in Bruges, Belgium in December.
Country profile

The Syrian Arab Republic, once at the center of the Ottoman Empire, covers an area which has witnessed invasions and occupations over the ages, from Romans and Mongols to Crusaders and Turks. It is situated in the Middle Eastern region, bordering the Mediterranean Sea, between Lebanon and Turkey.

Source: The World Factbook

Syria has a very complex sociopolitical make-up. It is home to diverse ethnic and religious groups, including Kurds, Armenians, Assyrians, Christians, Druze, Alawite Shia and Arab Sunnis, the last of who make up a majority of the Muslim population. This demographic mosaic is further complicated by divisions within many of these groups. As has often been the case in similar situations throughout history, the relative stability that the country enjoyed from 1970 until 2010 had little to do with the people’s sense of a common identity. Rather, it was a direct consequence of the dictatorial ruling in place at that time (see below). Once the authoritarian system began to implode, the country easily slipped into a civil war.

Following World War I, France acquired a mandate over the northern portion of the former Ottoman Empire province of Syria. Modern Syria gained its independence from France in 1946. The new country however lacked political stability since it was driven by the conflicting interests of the above-mentioned various groups, and experienced a series of military coups.

during its first decades. Syria united with Egypt in February 1958 to form the United Arab Republic. In September 1961, the two entities separated, and the Syrian Arab Republic was reestablished.

In November 1970, Hafiz al-Assad, a member of the socialist Baath Party and the minority Alawi sect, seized power in a bloodless coup and brought political stability to the country. The Baath government was based on a strong authoritarian rule and a strong anti-Western policy, particularly under President Hafez al-Assad from 1970 to 2000. Following the death of President al-Assad, his son, Bashar al-Assad, was approved as president by popular referendum in July 2000 and renewed for another term in May 2007.

Influenced by major uprisings that began elsewhere in the region (i.e. the so-called Arab Spring uprisings) anti-governmental protests broke out in the southern province of Dar’a in March 2011. Protesters called for the repeal of the restrictive Emergency Law allowing arrests without charge, the legalization of political parties, and the removal of corrupt local officials. The protests rapidly took on a more formal nature when the opposition began to organize political and military wings for a long uprising against the Baath government. As 2012 wore on, the stand-off escalated into civil war, with fractions from the governing elite signaling the steady collapse of central authority. Since then demonstrations and unrests have spread to nearly every city in Syria, but the size and intensity of protests have fluctuated over time. The government responded to the tumult with a mix of concessions - including the repeal of the Emergency Law and approving new laws permitting new political parties and liberalizing local and national elections - and force. However, the government's response has failed to meet opposition demands for Assad to step down, and the government's ongoing security operations to quell unrest and widespread armed opposition activity have led to extended violent clashes between government forces and oppositionists.

International pressure on the Assad regime has intensified since late 2011, as the League of the Arab States (Arab League), the European Union (EU), Turkey, and the United States of America have expanded economic sanctions against the regime. Lakhdar Brahimi, current Joint Special Representative of the United Nations (UN) and the Arab League on the Syrian crisis, in October 2012 began meeting with regional heads of state to assist in brokering a cease-fire. In December 2012, the National Coalition of Syrian Revolution and Opposition Forces was recognized by more than 130 countries as the sole legitimate representative of the Syrian people. Unrest persists in 2013, and the death toll among Syrian Government forces, opposition forces, and civilians has topped 100,000.

The Syrian Crisis

While the international community continued to be disunited over its response to the armed conflict, the latter’s scope and intensity as well as its humanitarian consequences reached unprecedented level. There is, on the one hand, aragging armed conflict filled with violations of all kind causing the humanitarian situation to be increasingly ruthless. On the other hand, one can witness a lack of response from the international community to deal with these issues. These elements will be further explained in the following pages. Attention will also be given to the reported use of chemical weapons in August 2013 which further deteriorated the situation but which also might have led to a first step in the right direction.
from the international community with the adoption of the latest UNSC Resolution: Resolution 2118 (2013).

Civil war

The Syrian conflict has been growing in intensity and scope for more than three years, with the UN estimating more than 100,000 dead and millions displaced. While the conflict entered its third year on 15 March, the prospect of a resolution to the it remains remote with the fighting intensifying around strategic locations and the opposition becoming more fractured, especially in the north. In July 2012, the ICRC officially declared the Syrian conflict a non-international armed conflict (NIAC) since the hostilities had spread all over the country. Consequently, the fighting in Syria falls under the Common article 3 to the Geneva Conventions regime, with both sides obliged to respect the laws of war. Common article 3 lists the minimum obligations that have to be respected during NIAC. These basic rules include the protection of persons not taking active part in hostilities. In addition, these recall the prohibition of torture and cruel and inhumane treatment and the obligation to take care of the wounded. These minimum requirements are furthermore complemented by customary IHL rules and by human rights guarantees.

Media coverage on the events in Syria suggests the violation of at least some of the above mentioned laws. In addition, numerous NGO reports have argued that civilians are not only being killed in the course of action, but instead may have been directly targeted or even tortured and executed. Reports indicate an increase in the use of cluster munitions and ballistic missiles in populated areas, and serious accusations have been made that chemical weapons have been used. Even more so, according to the Chief executive of the NGO for child protection Save the Children, “Syria’s children are perhaps the greatest victims of their country’s conflict”\(^2\). Child protection is indeed of increasing concern with reports of killing and maiming; sexual violence including rape; torture; arbitrary detention; recruitment and use of children by armed forces and armed groups.\(^3\) All of the above represent grave violations of IHL most probably leading up to war crimes. It has been put forward that those responsible for these violations should be held accountable. In this sense, prosecution before the International Criminal Court could offer a solution. That is, if the UNSC were to decide on the referral of the situation to it since Syria is not party to the Rome Statute. Reports also indicated that the fighting in Syria spilled over into Iraq, Turkey and particularly Lebanon and the occupied Golan Heights which constitutes a further threat to the stability in the region and eventually world peace. Recently, the conflict has reached its peak when more than 1,400 people were killed with chemical weapons (more specifically on the issue of chemical weapons see below). The international community has strongly condemned the widespread violations of international humanitarian law and human rights by the Syrian authorities as well as by the different armed groups.


Humanitarian situation

Within Syria the humanitarian situation deteriorates on a daily basis as millions of Syrians are driven deeper into poverty. In addition, the ability of the Government to provide basic services is eroded. This complicates the protection of citizens, widespread fighting affects Syrians countrywide, in a State lacking law and order. Concerning the humanitarian situation two elements are to be flagged: Firstly, the problem of the access of humanitarian aid and, secondly, the situation of displaced persons and refugees and the pressure they bring on neighboring countries.

Concerning the first point, gravely concerned by the deepening ‘humanitarian tragedy’ in Syria, the United Nations Security Council has been urging all sides of the conflict to immediately provide access for humanitarian aid. Indeed, the magnitude of the humanitarian tragedy caused by the conflict in Syria requires immediate action to facilitate safe and unhindered delivery of humanitarian assistance across the entire country. Access of humanitarian aid has been a big problem in the Syrian conflict from the very beginning. It is important to recall that according to customary law rule 55 (applicable in both international and non-international armed conflicts): “The parties to the conflict must allow

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4 Ibid.
5 Ibid.
7 Ibid.
and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control”,

In the midst of this grave humanitarian tragedy, more than 2.5 million Syrians have fled their homes, taking refuge in neighboring countries or within Syria itself. The large-scale exodus of refugees continues at a pace outwitting humanitarian response planning in neighboring countries. Indeed, according to the United Nations High Commissioner for Refugees (UNHCR), over 600,000 have fled to immediate neighbors Turkey, Lebanon, Jordan and Iraq. The real number of Syrian refugees in these countries is much higher – perhaps double UNHCR statistics, since these only record those people officially registered as refugees. The lack of knowledge on the number and needs of unregistered refugees continues as a cause of concern while the delivery of basic services both to refugees in camps, in host communities and in ad hoc settlements remains challenging. Absorbing the massive influx of refugees has been an enormous challenge for Syria’s neighbors, with strong implications for the stability of the entire region.

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Use of chemical weapons

On the morning of 21 August 2013 two chemical attacks took place on the opposition-controlled suburbs of Eastern and Western Ghouta, located 16 kilometers apart. A team of UN Chemical weapons inspectors confirmed that the nerve agent sarin was used in those attacks. This nerve agent is considered to be 20 times more deadly than cyanide and attacks the nervous system, often causing respiratory failure. Sarin is difficult to detect as it is odourless, tasteless and colourless but it can cause death within minutes of the exposure. The attacks have been qualified as being the deadliest in the Syrian conflict so far. Hundreds of civilians, including large numbers of children were killed in the attacks. The Syrian government has denied its responsibility for the attack, and has blamed opposition groups. No evidence has been presented to back up these claims. The special UN mission was not asked to ascertain who was behind the attacks. However, Human Rights Watch, based on the available evidence, did conclude that Syrian government forces were almost certainly responsible for the August 21 attacks. Others, such as the Russian government produced a dossier stating that they believed opposition groups did it. The matter remains unsolved, and within the UNSC countries have de facto “agreed to disagree” for now, although the posturing remains.

The chemical attacks have provoked a wave of indignation within the international community and even pushed the USA on the verge of military intervention. It can be recalled that President Obama stated a year earlier that the use of weapons of mass destruction in Syria constituted the ‘red line’ for the US. A lot of reflection followed on possible intervention: be it unilateral (by the US) or be it on the basis of, for example, some kind of right of humanitarian intervention if the UNSC still were to be blocked.

Western powers often refer to the ‘Responsibility to Protect’ (R2P) in this case, whereas Russia states that the principle of ‘non interference in the internal matters of other states’ applies. Russia and China have bad experiences with R2P in the Libyan case (2011), where NATO stepped over its initial mandate and started aiding opposition groups, via military equipment and advice, far beyond the mandate to just protect the civilian population.

With the adoption of UNSC Resolution 2118 (2012), finally, a compromise on what attitude to adopt vis-à-vis Syria following the chemical attack was found. Importantly, even though the Resolution does not contain an authorization for intervention, it managed to break the diplomatic impasse over Syria in the Security Council and avert the threat of unilateral military strikes, as mentioned earlier. But could UNSC 2118 be used as a lever to broker a more broader peace deal?

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15 Ibid.
16 Ibid.
18 Ibid.
The Role of the Security Council in this Case, and Your Role

In light of all these developments, it is decided that the UN Security Council (UNSC) will again convene to assess the current situation, and possibly to vote a resolution on this topic. It is important for all delegations to distinguish the different security dimensions embedded within this case.

The Emergency Session of the UNSC (VVN MUN) on the topic ‘Towards a solution for the Syrian Crisis’ will be held in Bruges from 5-8 December 2013. The following negotiation questions are on the agenda;

1. **Is it possible to find a final solution for the Syrian crisis?** The situation is fluid, much will depend on whether the Geneva 2-conference will materialize. If it does, how can the UNSC further support these negotiations? If it doesn’t, how can the international community deal with the political fall out? What should the new Syria look like? How to create a new balance between the different ethnical groups? What about the interests of the external parties? Are confidence building measures an option to create more trust between the parties? If yes, what kind of solutions?

2. **Is it possible to make use of UNSC 2118 (2013) on chemical weapons in Syria as a stepping stone for peace, for instance via creating temporary or geographically limited cease fires?** What about conventional weapons and arms deliveries? Are the great powers willing to establish such a ban?

3. **What about the humanitarian situation, both internal and external?** What urgent measures should be taken to further avoid a worsening of the situation? Not only limit yourself to words, but also to concrete actions, commitments, money, support of humanitarian organisations, etc. Could ‘safe havens’ be a solution, or not? What about overflight rights, logistics, personnel, etc.? What is the time table? Winter is approaching very fast and the situation on the ground is more dire every day.

Beware that the abovementioned negotiation questions are interconnected. The United Nations Security Council will convene in an Emergency Meeting in Bruges in an attempt to develop a common answer from the international community to this volatile crisis. A Plenary Session will give each of the member-countries of the UN Security Council an opportunity to influence the course of current international politics. Some other countries will also be invited by the 15 to have a say, although they will themselves not be deciding parties. You
will act as the Ambassador of one of the 15, or of an invited delegation. Be aware, however, that negotiations constitute a **dynamic process**; it will be up to you to defend the interests of your country/delegation! You and only you will also be answerable for your actions to your own Government upon returning to your capital.

Thus, much is at stake... It will therefore prove crucial that you reflect in advance about the strategy you will follow during the deliberations. For this purpose, you will be asked to write a **position paper** in preparation of the Emergency Meeting. The position papers will be officially distributed in advance. The strategy papers however should be considered top secret material which can only circulate **within** and not **between** delegations.

It is very probable that the UNSC will move from a formal setting to an informal setting during its deliberations. This is called ‘caucusing’, a setting which can be suggested by one or more of the delegations. There are two forms of ‘caucusing’; moderated and unmoderated. Both are informal ways of negotiating. The difference can be stated quite simply; (1) a ‘moderated caucus’ is led by the presidency around the negotiating table, (2) an ‘unmoderated caucus’ can be seen as an interaction between delegations away from the negotiating table (the presidency thus has no role to play in an ‘unmoderated caucus’).

When you return to a formal setting, be aware that a resolution is adopted if 9 out of 15 votes are in favour and if there is no veto. Any amendments will be voted upon before the resolution has become final. In procedural matters, a veto cannot be used. The presidency calls the meeting to order and as it proposed this emergency session of the Council, he/she will speak up first. After this opening address the permanent members will take the floor, followed-up by the non-permanent members.

The final goal of the negotiations should be the drafting of a UNSC resolution. If this would ultimately prove politically and/or technically unattainable, the negotiating parties can draw up statements, on their own or as a group. If a resolution is attainable, the negotiating parties can also issue explanatory statements. **Last but not least**, if certain countries were to agree upon separate ‘secret’ deals during the Emergence Session in Bruges, the parties involved will be asked to disclose the content of their arrangements during the evaluation **after** the negotiations, so that a full group-evaluation of the political process can be made, all the cards on the table.

A final piece of advice; be aware that the negotiations can also be affected by ‘new developments on the ground’. You must therefore **‘be prepared for anything’**.
Beware of the Dynamics in the Decision-making Arena!

The Emergency Session of the UNSC (VVN MUN) on the topic ‘Towards a solution for the Syrian Crisis’ will convene in the Flemish city of Bruges.

The UN Security Council consists of five permanent members (the so-called “P-5”, with veto powers); the People’s Republic of China, the Republic of France, the Russian Federation, the United Kingdom and the United States.

Furthermore, the UNSC consists of an additional ten non-permanent members; currently Australia, Morocco, Islamic Republic of Pakistan, Azerbaijan, Argentina, Republic of Korea, Guatemala, Rwanda, Luxembourg and Togo.

In addition, a number of delegations will also be invited to the work of the Security Council during the negotiations, a representative of the following countries: Syrian National Council, Iran, Syria, Qatar, Turkey, Israel, Lebanon, Human Rights Watch, International Committee of the Red Cross.

Be aware that these invited delegations can be a source of advice and/or exert informal pressures on the negotiations. However, they do not have any voting powers in the UNSC...

At the end of the day, it will thus be upon the 15 to (try to) decide upon an international course of action to safeguard peace and stability. The presidency of the Security Council will be observed by a number of professors, together with 2 vice-presidents (assistants).

The distribution of the delegations among the different Flemish universities is as follows:
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Extra Reader: your essential guide to a negotiated settlement

All delegations are advised to familiarize themselves with the content of a separate READER which has been established especially for this negotiation. It offers all delegations more insight information in the topic, and possible solutions.

I. GENERAL


II. TOWARDS POLITICAL SOLUTIONS?


III. CONVENTIONAL ARMAMENT AND CHEMICAL WEAPONS


IV. HUMANITARIAN DIMENSION: INTERNAL AND EXTERNAL


V. ‘GENEVE 1’ & ‘GENEVE 2’


VI. BASIC DOCUMENTS


Extra Video’s on the topic (for use in class or at home)

- **VIDEO 1**: BBC PANORAMA: Syria Inside the Secret Revolution (Documentary 2013):
  [http://www.youtube.com/watch?v=r0VMQo_PwZM](http://www.youtube.com/watch?v=r0VMQo_PwZM)

- **VIDEO 2**: A BBC Documentary by Dan Snow on the History of Syria:
  [http://www.youtube.com/watch?v=KaBsvNahBp8](http://www.youtube.com/watch?v=KaBsvNahBp8)

- **VIDEO 3**: Putin: Russia doesn’t defend Assad, we defend international law:
  [http://www.youtube.com/watch?v=ntkkJwl8TNY](http://www.youtube.com/watch?v=ntkkJwl8TNY)

- **VIDEO 4**: CNN: Russia And IRAN Threaten Retaliation If Syria Attacked (September 2013):
  [http://www.youtube.com/watch?v=SSTyXLLMqlo](http://www.youtube.com/watch?v=SSTyXLLMqlo)

  [http://www.youtube.com/watch?v=OyjAwEWLhWM](http://www.youtube.com/watch?v=OyjAwEWLhWM)

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Good luck!