

# Netherlands covers up secret pact controlling investigation of MH17 crash

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On Wednesday, the Dutch government invoked the state secrets privilege to stonewall queries by leading Dutch news magazine *Elsevier* on a secret pact controlling the investigation into the July 17 shooting down of Malaysian Airlines flight MH17 over war-torn east Ukraine.

What is known about the secret pact exposes the investigation into the destruction of MH17 and the killing of the 298 people aboard as a sham. In four months, despite receiving extensive data about the crash from pro-Russian separatist forces at the crash site, investigators have been unable to establish who and what precisely destroyed MH17. The investigation is not a probe to impartially establish how MH17 was destroyed, but a cover-up controlled by the far-right regime in Kiev and its backers in Washington, Berlin and other NATO states.

On August 29, the Dutch press revealed that a secret pact had been signed on August 7 by the countries in the official MH17 Joint Investigation Team (JIT): the Netherlands, Australia, Belgium, and the Ukrainian regime installed by February's CIA-backed putsch in Kiev. According to Dutch state radio NOS, "Part of the agreement is that signatories retain control of the information they contribute. So they can veto disclosure of their own data."

An investigation subject to such restrictions is neither impartial nor credible. Russian military sources, citing radar data, and the Malaysian press have independently charged that forces loyal to the Kiev regime in fact shot down MH17 to then blame it on Russia and justify a NATO escalation against Russia. Nonetheless, the current investigation gives key suspects in the crime—that is, Kiev and its CIA backers—veto power over what the supposedly independent and authoritative investigation can reveal.

For as-yet-unknown reasons, the secret pact also excludes Malaysia, which is allowed to contribute information but is not part of the JIT "team."

Significantly, the existence of the JIT secret pact was hushed up by major international media outlets; it was only pursued by Dutch media.

On Wednesday, however, Dutch prime minister Mark Rutte's government issued a statement rejecting all Freedom of Information Act (WOB) requests by *Elsevier* into 17 documents relating to the JIT pact. It said that the benefits of disclosing information about the MH17 investigation were outweighed by the risk of damage to the Dutch state's relations to other states and world bodies.

"This interest should weigh more heavily than the importance of publicity, as this is a unique investigation into a very serious event," the Dutch Security and Justice Ministry wrote to *Elsevier*. "If it were nevertheless undertaken to disclose these documents, contacts between states and with international organisations would be harder, and they would be less likely to share information."

The question immediately raised by this response is: What are the Ukrainian, Australian, Dutch, and Belgian states trying to hide? Each state is at liberty to select what information it will present to the joint investigation. Nonetheless, they want this information and even the terms under which it is being processed to remain hidden from the public.

Nearly 300 people are dead in an unresolved tragedy that Washington and its NATO allies, by immediately and without any evidence blaming the crash on Russia, used to justify a massive military escalation across eastern Europe, bringing NATO and Russia to the brink of war. The NATO powers have continued with this reckless escalation, even though the MH17

investigation has produced no probative evidence against the Kremlin. The imperialist powers have exploited the tragedy purely as a propaganda exercise to be harnessed to the purpose of threatening Russia.

Also on Wednesday, Malaysian officials protested their exclusion from control over the probe. At a Kuala Lumpur press conference, Inspector-General of Police Tan Sri Khalid Abu Bakar said: “We must first be included in the JIT, otherwise it would be hard for us to cooperate in the investigation. The parties inside the investigation must include us in the team, right now we are just a participant.”

Asked if he was “appalled” by Malaysia’s exclusion from the probe, he replied, “Of course!”

The JIT investigation itself is going nowhere, apparently due to lack of support from the major NATO and allied powers. It produced only one insignificant document in September, making the obvious point that the jetliner was shot down by unidentified “high-energy objects” (see: Dutch report into Ukraine jetliner disaster continues cover-up). On November 13, the Australian government announced that the investigation would be delayed a further nine months.

This follows a trend in which Washington and Kiev have done nothing to assist the investigation, which has proceeded only due to pressure and work from Malaysia, Russia and the families of MH17 victims.

Even MH17’s black boxes were obtained not by NATO but through back-channel talks between Malaysian prime minister Najib Razak and pro-Russian separatist forces in east Ukraine where MH17 crashed, as Razak confirmed in a September interview with CNN’s Christiane Amanpour. Razak also negotiated an agreement that the separatists would recover the bodies and allow investigators access to the crash site.

The investigation has been repeatedly interrupted, however, by offensives launched by the Kiev regime, leading to fighting around the crash site. Malaysian authorities then handed over the black boxes to the JIT investigation, however, and nothing more has been heard about their contents.

The Kiev regime has also suppressed all information regarding the apparently extensive contacts between the Kiev airport air traffic control and the doomed jetliner. This led relatives of German victims of the MH17 crash to sue Ukraine and Ukrainian president Petro

Poroshenko for manslaughter and negligence, in light of their decision not to shut down Ukrainian air space even as a civil war raged in east Ukraine.

In an October 27 interview with *Der Spiegel*, JIT investigation leader Fred Westerbeke of the Dutch National Prosecutors’ Office said they had no “watertight evidence” in the case. Months after the investigation began, Westerbeke indicated that US and German intelligence officials had still not provided the investigation with satellite images backing up their claims to have definitive proof of Russian involvement in the crash.

There are only two possible explanations for this remarkable situation. Either there are no such images, and NATO allegations against the pro-Russian separatists are an outright fabrication; or Western intelligence officials do have images implicating pro-Russian forces, but they have refused to provide them to investigators—perhaps because they also implicate Western-backed forces. In either case, the contempt of the NATO governments for the MH17 investigation is obvious.

Asked about Russian allegations that a Ukrainian fighter jet shot down MH17, Westerbeke refused to deny them. He stated that, “a shooting down by a surface-to-air missile remains the most likely scenario. But we are not closing our eyes to the possibility that things might have happened differently.”

The next day, Dutch investigators announced they would contact Russia to seek information that Moscow might have regarding the shooting down of MH17.

The Dutch cabinet also sent a letter to the parliament, confirming that The Hague is considering the possibility that a fighter jet—Ukrainian, as it was operating without hindrance in Ukrainian air space—shot down MH17. It wrote, “The investigation primarily looks at a scenario involving a ground-based attack and then at an airborne attack.... It’s tempting to speculate how the disaster happened, but the Dutch government specifically will not.”



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