

JIT investigation blames Russia for MH17 crash in Ukraine

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30 September 2016

On Wednesday, the Joint Investigation Team (JIT) into the shooting down of Malaysian Airlines Flight MH17 over Ukraine issued its much-awaited report on the horrific crash.

The loss of MH17 and the unsolved murder of all 298 people aboard over separatist-held eastern Ukraine, on 17 July 2014, set off an explosive confrontation between NATO and Russia, as US and European officials and media charged that Moscow had shot down the jetliner. In August 2014, the NATO investigation was handed over to the JIT. The JIT included officials of several countries who lost citizens in the crash—Holland, Australia, and Belgium—and from the far-right CIA-backed regime in Ukraine.

From the outset, the JIT was beset by scandal and evidence of bias. It first excluded Malaysia, then relegated it to a secondary role as a provider of information. Then, Dutch news magazine *Elsevier* revealed that JIT proceedings are controlled by a secret pact giving each member, Ukraine included, veto power over what is revealed. The Dutch state invoked the state secrets privilege to block inquiries into this matter.

The report, which produced little new evidence and drew heavily on Ukrainian sources likely to be biased, was greeted with reservation by sections of the European press. But in the United States, the media, led by the *New York Times*, charged that the report presented damning and irrefutable evidence of Russian complicity in the downing of MH17.

“With meticulous detail, working with cellphone records, social media, witness accounts, and other evidence, the prosecutors traced Russia’s role in deploying the missile system into Ukraine and its attempts to cover its tracks afterward,” the *New York Times* wrote.

The day after the report’s publication, the *Times* seized upon its findings to declare Russia an “Outlaw State” in its lead editorial. Denouncing the “unconscionable behavior” of Russian President Vladimir Putin, the *Times* hinted that the Obama Administration is preparing to take a more directly confrontational stance toward Russia, particularly in Syria.

The JIT report, issued on the website of the Dutch public prosecutor, shows that MH17 was shot down by a mobile Buk surface-to-air missile battery. This is now the consensus view of NATO and Russian officials, but in and of itself it proves little, since both Ukrainian and Russian forces are armed with Buk missiles.

Specifically, the JIT alleges that the Buk launcher involved in the attack came from Russia but crossed into Ukraine for a day, firing a missile at MH17 from the village of Pervomaiskyi, near the town of Snizhne. This contradicts Russian claims that the Buk was fired by Ukrainian forces from a Ukrainian-held town, Zaroshchenskoye.

“Based on the results of the criminal investigation, it may be concluded that flight MH17 was shot down on July 17, 2014, by a 9M38-series missile from a Buk missile launcher [that] was brought from the territory of the Russian Federation and, after launch, subsequently returned to the Russian Federation territory,” said Dutch National Police official Wilbert Paulissen, introducing the report.

The materials published by the JIT—a brief, two-page report and six short YouTube videos—do not, however, provide sufficient evidence to substantiate its accusations. Indeed, in the course of two years of work, the JIT did not obtain any independent information that it saw fit to publish yesterday.

The JIT neither released data from MH17’s black

box—which was taken from Malaysian authorities two years ago and sent to Britain, where it has not been heard from since—nor radar data on eastern Ukraine provided by Moscow. Nor did it publish US radar and satellite data on the area. Instead, it relied on wiretaps, photos and a few brief videos posted by unidentified users to Ukrainian social media and apparently collected by Ukrainian intelligence.

The JIT's six YouTube videos are all made up of computer-generated images produced by the JIT to illustrate what it alleges took place. Every so often, the CGI video is interspersed with unidentified social media pictures or a few brief videos. In short, the JIT videos are not credible or independent evidence on who fired the Buk that brought down MH17.

The JIT claims to have tracked the launcher that shot down MH17 and identified “approximately 100 people” involved in guarding, transporting, and controlling it. To this effect, the JIT cites cellphone data and several wiretapped phone calls, apparently between unidentified separatist officials, who discuss moving vehicles and express confusion and concern over the MH17 shoot-down.

The JIT report does not, however, identify them, establish what motive or order they would have had to destroy MH17, or indeed assign any broader political responsibility for the MH17 attack.

Paulissen himself tacitly acknowledged the weakness of the JIT report, saying that the JIT was not blaming the Russian state or Russian individuals for the attack. “We have determined that the weapons came from the Russian Federation. Having established this, we do not make statements about the participation of the Russian Federation as a nation or people from the Russian Federation,” he said.

Significantly, reports emerged that the Dutch government itself lacks confidence in the conclusions it is itself drawing in the JIT report. “If Dutch authorities are prudent and refuse to draw any conclusions, it's also because the most conclusive evidence found til now—the recordings of conversations—come from the SBU, the Ukrainian intelligence service,” wrote *Le Monde*. The daily cited a diplomat in The Hague: “This organization [the SBU] served the old regime and changed its loyalties to the new regime without changing its methods.”

Russian officials criticized the JIT report. “Instead of

[working together], international investigators suspended Moscow from comprehensive participation in the investigative process, allowing our efforts only a minor role. It sounds like a bad joke, but at the same time they made Ukraine a full member of the JIT, giving it the opportunity to forge evidence and turn the case to its advantage,” said Russian Foreign Ministry spokeswoman Maria Zakharova.

Russian officers had previously maintained their allegations that Ukrainian forces were responsible for shooting down the plane. “The Ukrainian side has air situation data in the area of the Malaysian Airlines Boeing 777 crash from both civilian and military sources. The fact that Ukraine has not published radar data leads us to the conjecture that the missile, if it was a Buk, was launched from territory under the control of the Ukrainian military,” said Andrey Koban, the head of Russian Air Force radar operations.

At present, all that can be said is that the question of who shot down MH17 remains unresolved, primarily due to blatant interference in the investigation by the NATO powers.

From a political standpoint, however, there is no doubt as to where responsibility for the MH17 shoot-down lies: it is squarely with Washington and its European allies. In 2014, these countries backed a violent, pro-European putsch in the Ukrainian capital of Kiev that brought to power far-right and pro-fascist parties hostile to the Russophone population of eastern Ukraine. This broke Ukraine apart, as far-right militias began attacking civilians and provoking armed resistance in eastern Ukraine, which was then supported by Moscow.

Without this flagrant intervention in Ukrainian affairs, the separatist movement in eastern Ukraine would not have emerged, and the fighting in eastern Ukraine which led to the destruction of MH17 would not have begun.



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