

The MH17 Airline Crash: Methodology of an International Cover-Up

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Investigative journalists' inquiries into the facts behind the fateful crash of Malaysia Airlines on Flight MH17 on July 17, 2014 are being stonewalled by all of the directly and indirectly implicated parties. The discourse is dominated by political and geopolitical positioning and scapegoating with the aid of "partial" not independently verifiable "evidence". Everything, including law, suggests that all parties are interested in denying investigative journalists access to verifiable, testable evidence.

On June 5, 2015 the Russian Foreign Minister Sergey Lavrov met his Dutch counterpart in Moscow to discuss "efforts to prosecute suspects in the downing of the Malaysian Airlines Boeing 777-200 on Flight MAS [MH17](#) from Amsterdam to Kuala Lumpur." Dutch Foreign Minister Koenders would state that "the discussions had not been easy but needed to happen".

The Dutch Safety Board (DSB) was assigned the lead role in the investigation of the crash that plunged all 298 passengers and crew on board the Boeing 777-200 to their death in eastern Ukraine. Reasons cited for assigning the lead role to the DSB were that the majority of souls on board that Malaysian plane were Dutch citizens and that Ukraine was a belligerent party to the civil war in that country.

The DSB had previously published an intermediate report in which it stated that the airliner had been struck by high-velocity objects. These objects reportedly struck the fuselage from the outside. On June 7, 2015, the DSB published a statement about a meeting of investigators from Ukraine, Malaysia, the United States, the United Kingdom, Australia, the Netherlands and the Russian Federation. The statement read:

This afternoon, the team of international aviation investigators who investigate the cause of the crash of flight MH17 concluded an investigation meeting at Gilze Rijen air force base. During the team's first meeting (at the end of February) the members shared the findings of the investigation as a whole on the preliminary results of the forensic investigation. The participants also received further details on the work carried out to reconstruct the aircraft. The meeting is part of the procedure for international aviation investigations as laid down by the ICAO Convention. During the meeting, good progress has been made.

The DSB also reiterated its commitment to prosecute those responsible while stressing that it will be legally and politically challenging to put foreign suspects on trial.

The Firewall against Transparency.

Numerous journalists, the author included, have made considerable efforts to elicit independently verifiable evidence from all of the involved parties. This includes mails and phone calls to relevant ministries in Ukraine, the USA, UK, Russia, Australia, Malaysia, and the Dutch Safety Board in The Netherlands.

All requests to provide independently verifiable data have remained unanswered. That includes requests for a certified copy of radar data released by the Russian Ministry of Defense, certified copies of communications between Ukrainian Air Traffic Controllers and the flight crew on board the downed Boeing 777-200, and not least a certified copy of the Comma Separated Variable (CSV) file from the downed Boeing 777-200's flight data recorder.

To mention but a few examples that demonstrate the significance of the need for full transparency. The DSB published a "transcript" of ATC – Flight Crew communications. Investigative journalists have, in other words, no possibility to see whether the audio has been tempered with or for that sake, if the voices even are consistent with those of the flight crew.

[Dennis Cimino](#), an expert on Flight Data Recorders discovered that a FOIA request pertaining the flight data recorder data from American Airlines Flight 77 on September 11, 2001 were from a "bench unit".

That is, the data had been falsified – to say the very least. Journalists and the international flying public are expected to "take the DSB's word for that it works independently and follows professional standards, ICAO guidelines and ethical standards".

The radar data that were released by the Russian Ministry of Defense could as well have been computer generated after the fact. What independent journalists have to demand is access to certified, independently testable data that would stand up in a court of law.

The Anatomy of the Firewall.

One might be puzzled by the fact that all inquiries including freedom of information requests are being stonewalled by all of the ministries and authorities from all of the countries who are part of the investigative team.

The explanation for this is extremely simple, but it raises extremely complex problems. The key lies in the fact that the DSB is the lead investigative authority, in Dutch law, and the fact that Ukraine, Russia, Australia, Malaysia, the USA, the UK, and the Netherlands all are parties to the investigative team and bound by Dutch legislation.

Sara Vernooij from the Dutch Safety Board implicitly provided the key to the puzzling question why non of the involved parties is forthcoming with regards to independently testable and verifiable data end evidence by stating to the author:

The Dutch Safety Board is financed from the national budget via the Department of Security and Justice, but national legislation guarantees the Dutch safety Boards independence. The department has no access to the investigations conducted by the Board and the department cannot influence the investigations....

The investigation information is protected by Dutch law ([Dutch Kingdom](#)

[Act](#)) . This act determines that only the information issued in the Final Reports is public, sources and files containing investigation information are not publicly accessible. In case of the investigation into the cause of the MH17 crash, the Dutch Safety Board works by the [international ICAO agreement, annex 13](#). (emphasis added)

In the Netherlands it is possible to register a WOB (Open Government Act) with the body involved. But I point out the fact that the Kingdom Act concerning the Dutch Safety Board excludes investigation information from the WOB. There is no possibility to get any access to investigation information by the Dutch Safety Board if you are not a member of the investigation team. (emphasis added)

By implication, and due to the fact that the governments of Australia, Ukraine, USA, the UK, Malaysia and Russia have delegated investigators and become party to the DSB-led investigation, they have thus agreed to work within the framework of the Kingdom Act. That is – no independently testable and verifiable information will be made available to the public.

All that investigative journalists can do is to encourage whistle-blowers from within the relevant ministries and other authorities in Australia, Malaysia, Russia, Ukraine, USA and The Netherlands to show the integrity that the worldwide flying public should be entitled to expect from all of the involved parties.

Unprecedented tragedies like the downing of [MH17](#) require unprecedented initiative, integrity and courage. Without the possibility for independent media to have independent experts test the validity of alleged “evidence” there is no transparency at all. Period!

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