

# Ukraine and the MH17 Crash: Washington's Use of the UN Security Council as an Instrument of Propaganda, "Regime Change" and War

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*In 1991, UN Security Council Resolution 678 under Chapter VII led to the "destruction of the infrastructure necessary to support human life in Iraq." (Quote from Report by Marti Ahtisaari)*

In 2011, UN Security Council Resolution 1973 under Chapter VII led to the destruction of Libya, now a terrorist infested failed state.

Will another Security Council Resolution under Chapter VII lead to the destruction of Russia?

When the following five words are heard at the UN Security Council: "Resolution Adopted Under Chapter VII," be afraid, be very afraid! For the second time in 21 days, Russia vetoed a US-NATO sponsored draft resolution, the most recent one invoking Chapter VII. Russia's veto helped avert the risk of a major war.

The agenda of the Malaysia draft resolution S/2015/562 was transparent, and any suggestion of impartiality was ludicrous. The war drums were beating, and without trial, without the presumption of innocence, and without any impartial investigation into the actual perpetrators of the internecine warfare which is now destroying Ukraine, Russia is condemned as the guilty party, though the facts reveal that Russia is the victim of intrigues so Byzantine that even Russia may not be able to withstand them.



Although the responsibility for the downing of Malaysia Airline Flight MH17 on July 17, 2014 has never been established, nor, indeed, has it been established if the downing of the flight was an accident, a mistake, or an act of premeditated murder, the Malaysia draft resolution

vetoed by Russia, with abstentions by China, Angola and Venezuela, has prejudged, tried, convicted, condemned and sentenced to imprisonment or death parties which are the victims of one of history's most venal acts of geopolitical engineering, the destabilization and overthrow of Ukraine's democratically elected President Yanukovich, an action masterminded by US Assistant Secretary of State Nuland, on behalf of the US-NATO neo-conservative agenda.

The consequences of this destabilization of Ukraine have been described in detail by the Russian Ambassador one year ago, during Security Council meeting 7231 on July 30, 2014, as follows:

"The cruelty of the Kiev authorities' attacks have simply spiraled. Donetsk, Luhansk, Horlivka and many other residential areas have suffered massive bombardments, including indiscriminate firing of Grad rockets and aerial bombing. Strikes are hitting civilian targets, including transport and public routes, hospitals and residential areas. In Horlivka alone, dozens of civilians have died. And in most cases there are no militias to be found anywhere near. Does the information that we have been seeing on the use of Ukrainian military ballistic missiles not speak to rampant military escalation? All of this fully supports our description of the Kiev authorities' actions as a punitive operation against its own people. A stream of refugees continue to arrive on Russian territory, with more than 150,000 so far seeking temporary asylum, residence permits or citizenship.

The number of those who are crossing the border and staying in the Russian Federation has reached the hundreds of thousands. Rockets launched by Ukrainian forces continue to fall on Russian territory. On 29 July, Russian customs personnel at the Gukovo border crossing were again deliberately fired on. It appears that Kiev does not want the OSCE observer mission to conduct its normal work monitoring the situation on the Russian-Ukrainian border. We demand that Kiev stop firing on Russian territory and ensure the international observers' safety."

In this year's UN Security Council Meeting 7498 the Russian Ambassador further affirmed:

In Resolution 2166 (2014) we insisted on the inclusion in the text of provisions concerning the immediate cessation of all military activities in the area directly adjacent to the crash site. It was the Russian Federation that raised in the Security Council the issue of Kiev's violation of that provision in August, when the Ukrainian authorities unilaterally declared they would no longer adhere to the ceasefire agreement, as a result of which the joint investigation team was forced to suspend its work for a lengthy period. Within the framework of the technical investigation, pursuant to annex 13 to the Convention on International Civil Aviation, Russian experts transferred to the Dutch side all the information requested of us, including data from the Rostov radar station of the air traffic control system. A few days after the crash, the Russian Ministry of Defence held a briefing during which it released all Russian satellite data, which were also sent to the Dutch side. Analysis and calculations regarding one version of the catastrophe -that the flight was shot down by a surface-to-air Buk-type missile—were also sent to the Netherlands by experts of the Russian manufacturer Almaz-Antey. To that end, data concerning the technical characteristics of such missiles was declassified. Russia was the only country to make public such data."

Unfortunately, a year after the adoption of resolution 2166, serious issues remain as to how

the investigation has been conducted. Russian experts were not provided equal access to the various aspects of the technical investigation. They unilaterally provide their data and calculations, but remain unaware of what then happens to the information. We have repeatedly offered to provide qualified experts and equipment to carry out complicated work, for example, metallurgical analysis, which would have enabled us, by testing pieces of the wreckage, to determine the type of missile that brought down the plane. All that remains unanswered.

Turning to criminal investigations, they are being carried out by members of the joint investigation team in a closed fashion. It was reported that an agreement had been reached by the five countries not to disclose information. Given this case, what grounds are there to be assured of the impartiality of this investigation? Can the investigation stand up to the backdrop of aggressive propaganda from the media? Can it withstand the pressure of an obvious political put-up job when the causes of the disaster and those responsible are announced in advance? Moreover such statements are being made by a number of the leaders of States that make up the joint investigation team.

The Russian Federation was the only country to point out that resolution 2166 provides for comprehensive United Nations assistance for the investigation. We offered to consider the creation of the post of a Special Representative of the Secretary General, which would have helped to ensure a truly international and transparent investigation. However, our proposal was not accepted... What did we get instead? We got something that was summarily prepared outside the Security Council, without thoughtful consideration of the available options for a criminal investigation: a draft resolution under Chapter VII of the Charter of the United Nations. Our position that this was a premature, ill-defined and legally untenable step was not heeded.

We have repeatedly stated that we do not support the idea of setting up a tribunal under Chapter VII of the Charter. There are no grounds for it, given that in Resolution 2166 the Security Council did not classify the Boeing tragedy as a threat to international peace and security. It is difficult to explain how this event, which a year ago was not considered to be a threat to international peace and security, now suddenly becomes one. In principle, issues pertaining to organizing a criminal investigation do not fall under the remit of the Security Council.....No precedent in principle exists for the establishment by the Council of international tribunals to bring to justice those responsible for transportation disasters. This is something that has also happened in Russia, of course. In 2001, a Siberia Airlines flight was shot down over the Black Sea by Ukrainian anti-aircraft missiles. There was also the incident involving the Iran Air flight shot down over the Strait of Hormuz in 1988 by a missile fired from an American destroyer. National investigations were carried out at the time in Ukraine and in the United States, but no determination was made that a crime had been carried out. However, resolution 616 (1988) adopted following the deadly downing of the Iranian airliner, did not qualify the incident as a threat to international peace and security....We must therefore note that the draft resolution (S/2015/562) that was put to the vote today lacked any legal basis or precedent...the authors of the draft resolution have refused to act in a spirit of cooperation and put it to a vote, knowing that it would not lead to a positive outcome. In our view, this points to the fact that political aims were more important to them than practical objectives. This is regrettable.

The Chinese Ambassador stated:

“Under circumstances in which some members of the Council still have major

concerns about the draft resolution, to forcibly push forward a vote could only result in division among the States members of the Council. It will not help to ease the grief of the bereaved families of the victims of the crash of Flight MH-17, nor will it help to establish the facts or bring the perpetrators to justice. For these reasons, China abstained in the voting on the draft resolution.”

The Venezuelan Ambassador stated:

“ We believe that the reference in the draft resolution to Chapter VII of the Charter of the United Nations goes beyond the political and legal framework set out in resolution 2166 –which established the objective of determining the path to take in adopting the relevant measures on this issue within the Security Council. The description of this incident as a threat to international peace and security is untimely and politicizes the handling of this case, which is in the technical phase of investigation—making it a criminal matter. On that basis, we believe that the Security Council does not have the competence to establish an ad hoc international criminal tribunal.”

In no circumstances would we like to see this deplorable incident and the suffering of the victims be politically used as part of the conflict affecting this region of Ukraine. Our country condemns this attack against civil aviation. Such acts are inadmissible and must not go unpunished. On this occasion, we would like to recall the hijacking of the Cubana de Aviacion flight in 1966, which resulted in deaths of 73 innocent civilians. The perpetrators of that heinous act still enjoy impunity.....Let us not prejudge or reach conclusions that are unfounded. We must avoid the politicization of this affair within the Security Council and continue with the investigations, which we hope will produce results enabling us to determine the causes of this deplorable incident and the responsibility for it.

The following statements by Mr. Albert Koenders, Foreign Minister of the Netherlands, and Ms. Julie Bishop, Foreign Minister of Australia were noteworthy for their venomous and enraged attack demonizing Russia, and their hysteria is suggestive of a preconceived agenda, a kangaroo court fabricating a bogus case against the East Ukrainians, contriving biased, politicized accusations and convictions, with the intent of using the proposed resolution under Chapter VII to authorize and attempt to justify a US-NATO attack on East Ukraine. Their verbal violence suggests the possibility that the Russian veto had frustrated an aggressive and deadly agenda that reached far beyond concern for bereaved families, or concern for accountability.

Mr. Koenders stated:

“On behalf of the Netherlands, Australia, Belgium and Ukraine, Malaysia presented to the Council a thorough and carefully drafted proposal for an international criminal tribunal, to be established under Chapter VII of the Charter of the United Nations.....I express my deep disappointment that Russia has used its veto to stop the Council from actively ensuring that justice is served. My thoughts go out to the families of the victims who had placed their hope on the resolve of the Council to set up this tribunal....I find it incomprehensible that a member of the Security Council obstructs justice in a tragedy that has affected so many. Impunity will send a very dangerous signal and will threaten the safety of civil aviation –the safety of all of us, the safety of Council members.”

Julie Bishop's verbal onslaught against Russia is alarming. It verges on a declaration of war. She states:

In a world with an increasing number of violent terrorist groups and other non-State actors, many with sophisticated military capabilities, it is inconceivable that the Security Council would now walk away from holding to account those who brought down a commercial aeroplane.

The veto only compounds the atrocity. Only one hand was raised in opposition, but a veto should never be allowed to deny justice. The recital of discredited contentions and the anticipated excuses and obfuscations of the Russian Federation should be treated with the utmost disdain. The exercise of the veto today is an affront to the memory of the 298 victims of Flight MH17 and their families and friends. Russia has made a mockery of its own commitment to accountability enshrined in resolution 2166. If Russia has evidence relevant to this matter, surely Russia would want it heard by a wholly independent and impartial tribunal set up by the Security Council, of which it is a member, and with a registrar, prosecutor and judges appointed by the impartial Secretary General. The tribunal would have operated in accordance with the highest international standards under the auspices of the Security Council, of which Russia is a member.....It has been alleged that our request for the Council to act is premature, but the establishment of a prosecution mechanism before the completion of a criminal investigation is wholly in keeping with the Council's own practice....In unanimously adopting resolution 2166 last year, the Council demanded that those responsible be held to account and that all States cooperate fully with efforts to establish accountability. Resolution 2166 sent a definitive message that there would be no impunity for those responsible. Today one member has prevented the Council from fulfilling its commitment to the friends and families of the victims of Flight MH-17 and to the international community. Those responsible may believe that they can now hide behind the Russian Federation veto. They will not be allowed to evade justice.....Twelve months ago, the tragedy of MH-17 shocked the world. Russia has used today's vote to seek to politicize our quest for justice and should rightly be condemned. In defiance of today's veto, we will ensure that the demand in resolution 2166 for accountability and the cooperation of all States is implemented in full.

Mr. Klimkin, Ukraine's Foreign Minister, disqualified himself, as he is revealed to be incapable of impartiality, or objectivity. He stated:

"More than anyone, we want the perpetrators to be arraigned and tried by a public international court. There can be no reason to oppose that, unless you are a perpetrator yourself....Our aim here is to create an effective, transparent, unbiased and independent vehicle to bring to justice those responsible for the crime. It is about the individual criminal responsibility of the murderers, and it is not about politics. That is why it is particularly disappointing that one country -Russia, to be precise—still mixes two completely separate issues: its responsibility for aggression against Ukraine and its continuous support for terrorism, on the one hand, and the individual responsibility of the perpetrators of the tragedy, on the other....The role of Russia in the conflict is absolutely clear and well known. Thousands of Russian soldiers and mercenaries and tanks and every type of heavy weaponry have been delivered across the border, that is simply impossible to hide...When I look at the Russian delegation today, I feel pity. It dared to dampen the aspirations of the entire world, especially those of the families of the victims. It has aligned itself with the thugs who committed this atrocious crime."



The Ukrainian Foreign Minister's statement is not merely irresponsible, partisan and unfounded; it is reckless and dangerous, and an incitement to escalation of the fratricidal war in Ukraine. He states: "If you know the truth, the truth will set you free," attributing this homily to the Gospels. This motto is also the motto of the CIA.

It is only the Russian Ambassador who raises the obvious question of identifying the root cause of the crash of the Malaysian jet, and exposing the perpetrator who must be held responsible: the Kiev authorities. Ambassador Churkin stated:

"Today's meeting was a very emotional one, which is understandable. At times it gave rise to this question: are there any limits to the political exploitation of the feelings of the families of the victims who perished and who are experiencing a living horror? A number of accusations were levelled at the Russian Federation that I consider insulting and not worthy of diplomats.. We made, and reaffirm, a proposal to consider various formats for judicial proceedings. Among them are simpler ones that are more effective, and appropriate and certainly less politicized, these are the ones on which we should focus."

The Russian Ambassador continued:

"In his statement, the Ukrainian Foreign Minister attempted to speak from a moral and religious position of superiority. He referred to the unacceptability of impunity and the need to cooperate. I have only two questions for him: why were civilian airliners sent to areas where military activities were under way, areas where the Ukrainian forces were fighting using military aircraft? Why were civilian flights sent through that airspace? The passengers on that airliner simply could not have known that a military conflict was under way there. But Kiev knew it. Why did it do this? Why has it thus far not provided the recordings of its military air dispatchers? That is impunity. Did Kiev punish anyone in Ukraine for this? We hope that the investigation will shed light on both that and on impunity. We too will punish those who sent the aircraft into a military zone and those who shot it down."

Two crucial questions demand an answer: what is the identity of the person or persons or authority responsible for directing the civilian airline to fly over Ukrainian territory at war, and what was their motive? Was it mere negligence and incompetence, or something more sinister? The possibility cannot be excluded that the Kiev authorities deliberately martyred the 298 human beings aboard Malaysian flight MH-17, with the malicious intent to further demonize the East Ukrainians, and implicate Russia in the tragedy, thereby concocting the "justification" to crush East Ukraine beneath the weight of a Chapter VII UN Security Council resolution authorizing "all necessary means" for NATO to destroy the East Ukrainians' anti-nazi struggle for dignity. This would make it impossible for Russia to avoid direct military involvement, and would constitute a provocation detonating a major war.



Alternatively, or in tandem, a review of the “Statute of the International Criminal Tribunal for Malaysia Airlines Flight MH-17,” reveals a grotesque travesty of any legitimate search for justice, and makes obvious the trap set for Russia, and, indeed for President Putin, himself. The entire Statute is a blatant and infamous connivance to falsely accuse Russia, facilitating what in US law is described as “malicious prosecution,” a deliberately false accusation and a fabricated prosecution. It is brazen, to the point of notoriety, in view of the fact that the pro-nazi Kiev authorities have already, without due process, condemned Russia for instigating the current internecine war. At no point is the role of the US in initiating and instigating the current Ukrainian crisis ever mentioned – nor is prosecution of those agents of the US government who instigated the destabilization of Ukraine and the coup d’etat which overthrew democratically elected President Yanukovich ever mentioned, although no one could possibly have forgotten the US Assistant Secretary of State’s immortal comment: “F\*\*ck the EU.” Article 7 of the Statute is obviously intended to include only the prosecution of Russian President Putin, who is accused of supporting the anti-nazi East Ukrainian rebels.

Article 7 of the Statute states: “irrelevance of official capacity.

1. This statute shall apply equally to all persons without any distinction based on official capacity. In particular, official capacity as a Head of State or Government, a member of a government or parliament, an elected representative or a government official shall in no case exempt a person from criminal responsibility under this Statute, nor shall it, in and of itself constitute a ground for reduction of sentence.

SECTION III: Article 13: A person shall be criminally responsible and liable for punishment for war crimes if that person:

- a) Commits such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible
- b) Orders, solicits or induces the commission of such a crime which in fact occurs or is attempted
- c) For the purpose of facilitating the commission of such a crime, aids, abets or otherwise assists in its commission or its attempted commission,

including providing the means for its commission:

- d) In any other way contributes to the commission or attempted commission of such a crime by a group of persons acting with a common purpose. Such contribution shall be intentional and shall either:
- e) i. Be made with the aim of furthering the criminal activity or criminal purpose of the group, where such activity or purpose involves the commission of a crime within the jurisdiction of the Tribunal; or
- f) ii. Be made in the knowledge of the intention of the group to commit the crime

Russia has been framed and demonized for aiding the anti-nazi East Ukrainians. Evidently the capacity for relatively short-term memory has atrophied within the brains of the representatives of the states supporting this Statute, (or perhaps they have been manipulated), those who attribute blame to Russia, and, inevitably, as the Russian Ambassador describes it, implementation of this Statute will be a “put-up job.” Have all of these Russophobic Security Council governments forgotten the BBC News report of 7 February, 2014, which quotes U.S. Ambassador Geofferey Pyatt saying:

“Yeah, I guess,... in terms of him not going into the government, just let him stay out and do his political homework and stuff”

Nuland (Breaks in) “I think Yats is the guy who’s got the economic experience, the governing experience. What he needs is Klitsch and Tyahnybok on the outside. He needs to be talking to them four times a week, you know. I just think Klitsch going in...he’s going to be at that level working for Yatseniuk, it’s just not going to work.”

Pyatt: “Yeah, no. I think that’s right. OK. Good Do you want us to set up a call with him as the next step?”

Nuland. “ My understanding from that call – but you tell me- was that the big three were going into their own meeting and that Yats was going to offer in that context a..three-plus-one conversation or three-plus-two with you. Is that not how you understand it?”

Pyatt: “No I think...I mean that’s what he proposed but I think, just knowing the dynamic that’s been with them where Klitschko has been the top dog, he’s going to take a while to show up for whatever meeting they’ve got and he’s probably talking to his guys at this point, so I think you reaching out directly to him helps with the personality management among the three and it gives you also a chance to move fast on all this stuff and put us behind it before they all sit down and he explains why he doesn’t like it.”

Nuland: “OK good. I’m happy. Why don’t you reach out to him and see if he wants to talk before or after.”

Nuland: “OK...one more wrinkle for you Geoff.. I can’t remember if I told you this, or if I only told Washington this, that when I talked to Jeff Feltman (UN Under-Secretary-General for Political Affairs) this morning, he had a new name for the UN guy Robert Serry did I write you that this morning?”

((Jonathan Marcus of the BBC interjects here:’ An intriguing insight into the foreign policy process with work going on at a number of levels. Various officials attempting to marshal the Ukrainian opposition, efforts to get the UN to



play an active role in bolstering the deal, and – as you can see below – the big guns waiting in the wings – US Vice-President Joe Biden clearly being lined up to give private words of encouragement at the appropriate moment.)

Nuland: “OK. He’s now gotten both Serry and UN Secretary General Ban Ki-moon to agree that Serry could come in Monday or Tuesday. So that would be great, I think, to help glue this thing and to have the UN help glue it and, you know, Fuck the EU.”

The atrophied brains of the UN Security Council supporters of this “Statute” have also forgotten the conversation between the EU’s Catherine Ashton and Urmas Paet, Estonian Foreign Minister who states: “There is now stronger and stronger understanding that behind the snipers, it was not Yanukovich, but it was somebody from the new coalition.”

Ashton replies: “I think we do want to investigate. I mean, I didn’t pick that up, that’s interesting. Gosh.”

Paet visited Kiev on February 25, 2014 after the crisis of clashes between the pro-EU protesters and security forces in the Ukrainian capital..... Paet spoke with a doctor who treated the sniper victims. She said that both protesters and police were shot at by the same people...All the evidence shows that the people who were killed by snipers from both sides, among policemen and then people from the streets, that they were the same snipers killing people from both sides, and it’s really disturbing that now the new coalition, that they don’t want to investigate what exactly happened.” The doctor who treated the sniper victims turned down the position of Vice Prime Minister of Ukraine for Humanitarian Affairs offered by the coup-appointed regime.

The Estonian Foreign minister stated that the whole sniper issue “already discredits from the very beginning the new Ukrainian power.”

And who could forget Ms. Julia Tymoshenko stating: “Ukrainians must take up arms against Russians so that not even scorched earth will be left where Russia stands – it’s time to grab guns and kill damn Russians” She also called for the “nuclear slaughter of the eight million Russians who remain on Ukrainian territory.” “I hope I will be able to get all my connections involved. And I will use all of my means to make the entire world raise up, so that there wouldn’t be even a scorched field left in Russia” she declared.

With the exception of China, Venezuela and Angola, it is clear that the propagandizing of the UN Security Council has proceeded seamlessly. The Russian veto of the Malaysian draft resolution S/2015/562 prevented a lethal and deliberate miscarriage of justice, and a probable escalation of the crisis in Ukraine, and the vote on this scandalous resolution was forced to embarrass Russia and create the illusion of Russian recalcitrance. But be afraid, be very afraid. There will be more conniving and barely disguised draft resolutions under Chapter VII to come in the UN Security Council. The target is Russia, and the pathological goal is regime change or world war.

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