Dear Madam or Sir,

Today the JIT announced that the Dutch Public Prosecution Service will prosecute four suspects for their involvement in shooting down flight MH17. However, this does not mean that the criminal investigation has ended; it will continue. Despite the fact that the investigation is ongoing, the criminal proceedings against four suspects will start next year and thus the next phase will begin.

You have had to wait for a long time for a message about a possible prosecution. And now that the decision has been made, it undoubtedly raises a lot of questions and emotions. Unfortunately, we cannot yet answer all questions at this time. For example, we do not yet know whether the suspects will be present in court and/or whether they will be represented by lawyers. We recognise the presence of one or more suspects would have a major influence on the trial. We also do not yet know how certain rights of next of kin, such as the right to speak, will be implemented. The view of the court plays a crucial role in this matter.

The coming months will be used to compile the extensive process file. This file forms the basis for the criminal proceedings, which will commence on **9 March 2020 at 10:00 AM**. In the run-up to the 2020 trial, a lot of practical matters still need to be settled, also by the court. After the summer we will inform you at various moments about what you can expect in relation to the criminal proceedings. You can read more about this below.

Information meeting 21 September 2019:

The National Police, Victim Support Netherlands (VSN) and the Public Prosecution Service (OM) are organising a closed information meeting for relatives on 21 September 2019. Legal issues will be discussed, but it will also be indicated what you as a relative can and may expect from the Public Prosecution Service, the coordinating family investigators and VSN. The court has announced that it will make information available on this day, including information on practical matters such as access to the hearing and the right to speak.

This meeting will be held at the NBC in Nieuwegein. The day will start at 10:00 hours (AM) with a short, plenary meeting. Then, the attendees will be divided into two groups to attend a presentation by VSN or OM. At the end of the presentation, each group will change rooms to attend the next presentation, so that everyone can attend both presentations. Afterwards there is the opportunity to ask questions to VSN and OM. You will receive a separate email about the program and the method of registration before 1 September 2019.

Relatives who cannot be present at this meeting will receive the same information digitally on 21 September 2019 via the mailbox MH17@politie.nl.

JCS visiting day (Schiphol court, Badhoevedorp) 28 September 2019:

The attention for the criminal investigation has been enormous in recent years. It is to be expected this will not be different in the trial phase. It is therefore realistic to assume the courtroom of the Court at the Schiphol Judicial Complex (JCS), or any other Dutch courtroom, will be too small for all interested parties (read: relatives, media and third parties).

This means that choices will have to be made by the court as to who will be able to personally attend the court hearings and when.

The court has already indicated that the hearings can be followed via a live stream. This live stream will be provided with an English voice over. This will allow anyone who has access to the internet, anywhere in the world, to follow the proceedings.

On 28 September 2019, only relatives will be given the opportunity to visit the court building in Badhoevedorp. The court has given consent. The National Police and the OM will organise this day. Several guided tours will be given, so that the relatives can get an impression of the complex where the criminal proceedings will take place.

Also with regard to this visit you will receive a separate email no later than 1 September 2019 containing, among other things, the method of registration and the routes (travel options) to and from JCS in Badhoevedorp.

Relatives, who cannot be present this day, will receive a link via the mailbox MH17@politie.nl to a (pre-recorded) video of this tour. They will receive exactly the same information and the accompanying images on 28 September 2019 as the relatives who will be able to attend.

October – November 2019: personal meetings

From the end of October 2019 and throughout the month of November, a team of ten highly experienced prosecutors will hold personal interviews with relatives at five locations in The Netherlands. These meetings will take place on Fridays and Saturdays in Assen, Apeldoorn, Eindhoven, Dordrecht and Hoofddorp and are intended to give relatives the opportunity to make clear to the OM what impact the downing of flight MH17 has made on their lives.

Normally during such a meeting, the OM provides information about the expected course of the proceedings. In this case it has been decided to share this type of information in other ways, namely through the information meetings on 21 September 2019, through the viewing day of 28 September 2019 and through the information packages for those who cannot be present. This gives the meeting a more personal character and it will therefore be mainly about you as a relative and what the events have meant for you.

Due to the large number of next of kin and the expected number of meetings, a team of ten prosecutors is being composed. These prosecutors are not all (or have not all been) involved in the MH17 investigation, but of course they do have experience with conducting these kinds of interviews. The public prosecutors who will take the case to court will also have personal conversations with some relatives, however they will be focussing on preparation for the future court proceedings.

Due to the large number of victims, it was decided in principle to conduct one interview per traveling party and to limit the number of relatives participating in such a meeting to six (6) persons. It is up to you in consultation with your family members to determine which six family members and/or other relatives (on behalf of the family) will participate in this meeting.

Of course you are not obliged to have a meeting with a public prosecutor.

If a personal meeting is not (yet) possible due to the distance, alternative solutions will be sought, such as the possibility of having a conversation via Skype. Before 15 September 2019 you will receive further information about the victim interviews and the method of registration via the familiar email address MH17@politie.nl.

Transfer of proceedings from Ukraine to The Netherlands:

Flight MH17 crashed on Ukrainian soil and therewith Ukraine has full jurisdiction. The Netherlands has requested to hand over jurisdiction in order to be able to prosecute the suspects in the Netherlands. Ukraine has agreed to do so, but can only do this after having notified the suspects about their status, which means that the Ukrainian Prosecutors General's Office (PGO) has to inform the suspects about the allegations. This will be done today, amongst others by publishing the so called notifications on the websites of the PGO and the Security Service of Ukraine (SBU). Just like in the Netherlands, the names of the victims will have to be mentioned in the allegations. Therefore, these names are part of the notification and have to be published as well.

Transfer of proceedings from Ukraine to The Netherlands:

Flight MH17 crashed on Ukrainian soil and therefore, Ukraine has full jurisdiction. The Netherlands has requested Ukraine to hand over jurisdiction in order to secure prosecution of the suspects in the Netherlands on behalf of all victims regardless their nationality. Ukraine has agreed to do so, but can only do this after having notified the suspects about their status as a suspect. This means that the PGO has to inform the suspects about the allegations. This will be done today by publishing the so called notifications including the names of all victims on the websites of the PGO and the SBU. The reason for naming the victims on the website is that theses names are part of the allegations of which the suspects must be notified.

Right to legal counsel:

In November 2018 we informed you about the right to be represented by a legal counsel. The Dutch Ministry of Justice and Safety already informed you that a form of free counselling would be arranged for all next of kin, including the non-Dutch next of kin. Ultimately on 1 September 2019 you will be informed about these arrangements via the Dutch Ministry of Justice and Security.

Expansion of OM team MH17 with a view to care for the relatives:

In order to inform you as fully as possible in the run-up to the criminal proceedings and also during the trial, the Public Prosecution Service recently recruited an additional, highly experienced public prosecutor. And with a view to careful victim treatment, a victim coordinator and a senior legal officer have also been added to the OM team. The core tasks of these three officers will be maintaining contact with relatives and informing relatives and answering questions.

They will all be involved in the preparation of the information meetings and also participate in the aforementioned personal interviews.

Any questions?

If you have any questions regarding this letter, you can send them by email to the coordinating family investigators at the familiar email address: MH17@politie.nl for the attention of the Public Prosecution Service (OM).

Fred Westerbeke

Chief Prosecutor of the National Prosecutor's Office and JIT-coordinator