Kingdom of the Netherlands

H.E. Mr. Mansour Ayyad Sh. A. Alotaibi
President of the Security Council

Cc: H.E. Mr. António Guterres
Secretary-General of the United Nations

Permanent Mission of the
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Our reference
NYV/2019/331

Date 20 June 2019

Excellency,

I am writing to you on behalf of the Permanent Representatives to the United Nations of Australia, Belgium, Malaysia and Ukraine, in your capacity as President of the Security Council for the month of June.

With reference to Council resolution 2166 (2014) and my previous letters to the Council on 1 and 28 August 2014, 9 September and 16 December 2014, and 20 July and 13 October 2015, 28 September 2016, 5 July 2017, 24 May and 25 May 2018 I have the honor to inform you as follows.

Since 2014, the investigative authorities of Australia, Belgium, Malaysia, the Netherlands and Ukraine have been working together in the Joint Investigation Team that has been conducting the independent and international criminal investigation into the downing of Malaysia Airlines Flight MH17 over eastern Ukraine on 17 July 2014.

On 19 June 2019, the Joint Investigation Team announced that four individuals, with Russian and Ukrainian nationality, will be charged with crimes related to their role in the downing of Flight MH17. The presentation and further materials regarding the Joint Investigation Team's findings have been posted on the website of the Dutch Public Prosecution Service, accessible via this link: https://www.om.nl/onderwerpen/mh17-crash/ .
As communicated to the Council in my letter of 5 July 2017, criminal charges against individuals with regard to the downing of Flight MH17 will be brought in the Netherlands, under Dutch law, and legal proceedings will take place before a Dutch court.

The actions taken by the JIT and the Dutch Public Prosecution Service continue to implement Security Council resolution 2166 (2014), including the Council's demand that those responsible for the downing of Flight MH17 be held to account. I wish to recall that the Security Council, in this resolution, also demanded that all States cooperate fully with efforts to establish accountability. In this context, the Joint Investigation Team has informed us that the answers provided by the Russian Federation to a significant number of questions submitted through

requests for mutual legal assistance, have proven to be inadequate and insufficient.

The indictment of individuals for crimes related to the downing of Flight MH17 is a significant further step towards truth, justice and accountability for the victims and their next of kin. Australia, Belgium, Malaysia, the Netherlands and Ukraine have full confidence that the above mentioned legal proceedings will contribute to achieving justice in accordance with the highest international legal standards of professionalism and independence.

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20-06-2019

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I would be grateful if you would have the present letter circulated as a document of the Security Council.

Yours sincerely

Karel J.G. van Oosterom
Ambassador
Permanent Representative