



Security Council

Distr.: General
28 June 2024

Original: English

Letter dated 25 June 2024 from the Permanent Representative of the Kingdom of the Netherlands to the United Nations addressed to the President of the Security Council

I am writing to you, also 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 Security Council resolution [2166 \(2014\)](#) and my previous letters to the Council on 1 and 28 August, 9 September and 16 December 2014, 20 July and 13 October 2015, 28 September 2016, 5 July 2017, 24 and 25 May 2018, 20 June 2019, 6 March 2020 and 10 January, 23 March and 10 May 2023, I have the honour to inform you as follows.

On 17 July 2014, Malaysia Airlines flight MH17 was shot down over Ukrainian territory. All 298 innocent people on board including 80 children died as a result. They were taken from us for no reason, without warning. The pain of their passing is still felt intensely today, by their families and friends all over the world. The victims came from 17 different countries.

As we approach 10 years since this tragedy, Australia, Belgium, Malaysia, the Netherlands and Ukraine wish to underline that they remain steadfast in their commitment to achieving truth, justice and accountability for the victims of the downing of flight MH17 and their next of kin. Those who have been left behind deserve closure. They need to know that everything that can be done has been done to prevent these tragedies from happening in the future.

In response to the disaster, on 21 July 2014, the Security Council adopted resolution [2166 \(2014\)](#), in which it demanded that those responsible for the incident be held to account and that all States cooperate fully with efforts to establish accountability. To this end, the law enforcement authorities of Australia, Belgium, Malaysia, the Netherlands and Ukraine have been cooperating in a joint investigation team to conduct an independent international criminal investigation into the downing of flight MH17, with the involvement of other countries. The purpose of the criminal investigation was to determine what happened, identify the individuals responsible for the downing of flight MH17 and gather criminal evidence for use in court. On 17 November 2022, the District Court of The Hague, sitting in the MH17 criminal case, sentenced three individuals to life imprisonment for their role in the downing of flight MH17.

On 17 July 2024 Stichting Vliegcramp MH17, the united foundation for the relatives of the MH17 victims, will be hosting a memorial service in the Netherlands for the next of kin from all over the world. The 10-year commemoration memorial services will bring back many painful memories and strong emotions. Our respective countries will appropriately mark this solemn occasion.



As outlined in our letter of 10 May 2023, the International Civil Aviation Organization (ICAO), acting under article 84 of the Convention on International Civil Aviation (Chicago Convention) and the Rules for Settlement of Differences, has confirmed it has jurisdiction in the dispute brought by Australia and the Netherlands against the Russian Federation for the Russian Federation's role in the downing of flight MH17. On 15 March 2024, the ICAO Council decided to commence its consideration of the merits of the dispute and schedule a first oral hearing for June 2024. This is an important further step towards truth, justice and accountability for the victims of the tragedy and their next of kin. The safety and security of international civil aviation is of critical importance to all States. The ICAO Council bears responsibility for ensuring State adherence to legal and operational standards that underpin the safety and security of international civil aviation.

Furthermore, as outlined in our letter of 23 March 2023, the European Court of Human Rights issued a decision on 25 January 2023 in which it declared the Netherlands' inter-State application against the Russian Federation regarding the downing of flight MH17 admissible. The Court is currently considering the merits of the application, which includes a hearing that took place on 12 June 2024. This is another important step towards establishing the truth and achieving justice and accountability for all the victims and their next of kin.

As United Nations Member States, we all owe it to those who are grieving to honour their loved ones by seeking accountability for the downing of flight MH17 pursuant to Security Council resolution [2166 \(2014\)](#) and by making sure that we do our utmost to protect passenger safety.

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

(Signed) Yoka **Brandt**
Ambassador
Permanent Representative of the Kingdom of the Netherlands
to the United Nations