

Russia Proposes Alternative UN Resolution to MH17 — on Ukraine

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Local workers transport a piece of the Malaysia Airlines flight MH17 wreckage at the site of the plane crash near the village of Hrabove (Grabovo) in Donetsk region, eastern Ukraine, Nov. 20, 2014.

As Russia argues that the UN Security Council would overstep its boundaries by establishing an international tribunal to try those responsible for the downing of a Malaysian airliner over eastern Ukraine last year, a Moscow official has called for the council to establish another international tribunal — to prosecute Ukrainian officials.

Investigative Committee spokesman Vladimir Markin said that Ukrainian government officials could at some unspecified future time face an international tribunal established by the UN Security Council to try them for their role in the conflict, RIA Novosti reported Thursday.

The UN Security Council established international tribunals in the 1990s to prosecute those responsible for the genocide in Rwanda and violations of humanitarian law in former

Yugoslavia. But now that the possibility of a tribunal over the downing of Malaysia Airlines Flight MH17 is on the agenda, Russia says the Security Council has no business establishing one.

“We believe it's not in the UN Charter, the UN Security Council is not supposed to deal with situations like that,” Russia's UN Ambassador Vitaly Churkin said this week.

Russia — which holds veto power as a permanent member of the Security Council — went along with the council's resolution in 1993 establishing the tribunal on former Yugoslavia, and another in 1994 to establish the tribunal on Rwanda.

But Russia has strongly opposed establishing an international tribunal on the MH17 downing, citing an array of reasons that varied from calling the plan premature to Churkin's argument that it went against the UN Charter.

Western governments and Kiev have blamed the MH17 downing on a strike by a Russian-made Buk missile fired by Moscow-backed separatists in eastern Ukraine. Russia denies providing weapons and fighters to the insurgents and has suggested that Ukrainian troops shot down the passenger jet.

Flight MH17 went down over rebel-controlled territory in Ukraine's east on July 17, 2014, killing all 298 people aboard.

Five countries conducting an independent investigation into the downing — Australia, Belgium, Malaysia, the Netherlands and Ukraine — are seeking an international tribunal to prosecute those responsible. Malaysia has submitted a draft resolution to the UN Security Council to establish the tribunal.

Meanwhile, Moscow blames the Ukrainian government for the conflict in the east, which has killed more than 6,500 people.

Investigative Committee head Alexander Bastrykin also called for an international tribunal to try Kiev officials — though unlike his agency's spokesman, Bastrykin did not specify whether the tribunal might be established by the UN Security Council.

“The possibility can't be excluded that in the future, working from the example of former Yugoslavia, Kosovo or other countries, an international tribunal on Ukraine will be created that would give a legal assessment of the actions of Ukrainian officials and military servicemen in the southeast of that country,” Bastrykin told Rossiiskaya Gazeta official government daily in an interview published Thursday.

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