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Ukraine's Foreign Minister: MH17 Investigation May Again Request UN Tribunal

By Anna Dolgov

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The United Nations headquarters in Manhattan, New York.

UNITED NATIONS — Countries seeking to prosecute those responsible for the downing of Malaysia Airlines Flight 17 over eastern Ukraine may once again ask the UN Security Council to establish an international tribunal, Ukraine's foreign minister said.

A Security Council-approved tribunal would ensure Moscow complies with the proceedings, Ukrainian Foreign Minister Pavlo Klimkin told reporters at the UN on Tuesday.

Russia — a veto-wielding permanent member of the Security Council — has previously rejected the proposal, and on Tuesday denounced the Dutch investigation's report as politically biased.

The five countries that have been conducting an independent investigation into the downing of MH17 – Australia, Belgium, Malaysia, the Netherlands and Ukraine — "may go again to the Security Council and ask for its backing for an international tribunal," Klimkin said.

The Dutch ambassador to Moscow said on Monday, "Russia has very clearly stated its position with the veto. This is the end of efforts for the establishment of the tribunal, and now we are looking for an alternative to it," RIA Novosti reported.

When Russia vetoed the call for the Security Council to establish a tribunal this summer, Moscow officials argued that the motion would be premature until the Dutch investigation results were released.

"If somebody rejects the possibility of a body that is fully accountable to the Security Council, fully open and fully transparent, then it means they they have their own special reasons for that," Klimkin said. "For me, that would be both an implied and a direct confirmation of Russia having a hand in this [MH17 downing]."

Following the publication on Tuesday of the Dutch report, Moscow has shown displeasure with the investigation's conclusions.

"The attempt to reach a biased conclusion and fulfill a political order is obvious," Russia's Deputy Foreign Minister Sergei Ryabkov said Tuesday, state-run TASS news agency reported. "We expect that in the future those deviations from the norm, from how such questions should be viewed, will be corrected."

The Dutch Safety Board said in its report that MH17 was hit by a Russian-made Buk missile, but did not specify who fired it. Any new attempts to ask the Security Council to establish an international tribunal may have to wait for additional investigative data, and suspects are named, Klimkin said.

"We now have a technical report. In a few months we will receive a report about who was behind this tragedy, and I am sure this can change the attitude, of Russia in particular, toward the idea of an international tribunal," Klimkin said.

Alternative options include a "so-called hybrid tribunal" or cooperation between national legal systems, he said.

The Dutch Safety Board report also criticized the Ukrainian government for failing to close the airspace over eastern areas of Ukraine, where Russia-backed separatists have been fighting Kiev government forces.

Klimkin said Tuesday that the Ukrainian government thought it impossible that the rebels

could possess surface-to-air missiles capable of bringing down a commercial airliner, or the skills to use such weapons.

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