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Ensuring accountability for the downing of flight MH 17

Motion for a resolution

tabled by Mr Aleksander POCIEJ and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

On 17 July 2014, Malaysia Airlines flight MH 17 was shot down over eastern Ukraine. All 298 people on board died. On 21 July 2014, the United Nations Security Council unanimously adopted [Resolution 2166 \(2014\)](#) demanding that those responsible be held to account and that all States co-operate to establish accountability.

The air safety investigation under the Montreal Convention delegated to the Dutch OVV was hampered by a refusal of the Russian Federation to make all relevant radar data available. The remains of the victims and other evidence were not immediately handed over after the crash. Recently, the public prosecutor in the Netherlands, based on the work of the Joint Investigation Team, announced that he would prosecute four suspects: Igor Girkin, Sergey Dubinski, Oleg Pulato and Leonid Kharchenko.

It is of utmost importance that justice be done and that all member States fully co-operate with the efforts in this respect by those States that have jurisdiction. Under Article 2 of the European Convention on Human Rights, all States Parties have the duty to carry out effective investigations to identify and punish those responsible for the loss of life that occurred under their jurisdiction. Suspects for serious crimes should be either extradited on the request of the State undertaking the investigation and prosecution or prosecuted in their home State, if this State does not extradite its own nationals.

The Parliamentary Assembly should therefore inquire about the extent to which countries have carried out investigations required under the European Convention on Human Rights and co-operated with one another as instructed by the United Nations Security Council and to make appropriate recommendations.

Signed (see overleaf)



*Signed*¹:

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FDG: Free Democrats Group
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group

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