

UN action against Russia by Australia, Netherlands over MH17

A Monitor Report

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Sydney : Australia and the Netherlands said on March 14 that they had begun joint legal action against Russia at the United Nations' aviation agency over the downing of Malaysia Airlines Flight MH17 eight years ago.

The Boeing 777 of Malaysia Airlines was flying from Amsterdam to Kuala Lumpur on July 17, 2014, when it was hit over rebel-held eastern Ukraine by what international investigators and prosecutors say was a Russian-made surface-to-air missile, killing all 298 on board.

Australian Prime Minister Scott Morrison said Russia was responsible under international law and that taking the matter to the UN's International Civil Aviation Organisation would be a step forward in the fight for victims, including 38 Australians.

The Dutch government said the UN Security Council had also been informed of the step.

"The death of 298 civilians, including 196 Dutch, cannot and should not remain without consequences. The current events in Ukraine underscore the vital importance of this," Foreign Minister Wopke Hoekstra.

The rare procedure comes under an article of ICAO's Chicago Convention designed to protect civilian aircraft from weapons fire. It was added in 1984 following the

shooting down of a South Korean airliner by Soviet fighters the previous year. Australia said it was seeking full reparations from Russia for the injury caused, and the suspension of Russia's voting power in ICAO, which sets standards for civilian air travel.

Morrison said Russia's "unprovoked and unjustified invasion of Ukraine" that began last month highlighted the need to hold Russia accountable for what he described as a "blatant violation of international law".

Australia and the Netherlands said they would rely on evidence that MH17 was shot down by a Russian surface-to-air missile system transported from Russia under the control of Russian-backed separatists and returned to Russia after the downing.