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**UKRAINE:
WHO IS RESPONSIBLE FOR THE
DEATH OF THE PASSENGERS OF THE
MH17?**

A COMMENTARY IN TEN POINTS

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Ukraine:

Who Is Responsible for the Death of the Passengers of the MH17?

A Commentary in Ten Points

Marcel H. Van Herpen

1. Let us be clear: if Ukraine's eastern neighbor would have been Norway, we would not have a 'civil war' in Ukraine.
2. The war in Ukraine is a war of Putin's Russia against the government and people of Ukraine.
3. This war started as a secret war in 2004 and became an open aggression with the annexation of the Crimea. Today this war is being continued as a hybrid 'proxy war' in Eastern Ukraine.
4. Referring to the anti-Ukrainian militias in the Donbas region as 'separatists' means accepting the Kremlin's interpretation of the events. In fact these 'separatists' consist of four groups: a) Russian special forces (Spetsnaz), belonging to the GRU, the intelligence service of the Russian army, b) Russian militias, consisting of former (contract) soldiers c) Cossack and Chechen militias (these were also active in South Ossetia during the war with Georgia in 2008), and d) local mercenaries who sympathize with the Kremlin's annexationist drive. The Kremlin's narrative refers only to the last category, thereby denying any Russian interference and presenting the war in Eastern Ukraine as a conflict between the Ukrainian government and local rebels.
5. Russia delivers not only troops, but also weapons. These include not only MANPADS (shoulder-held portable air-defense systems) and APCs (armored personnel carriers), but also tanks: three T-64 tanks crossed the Russian-Ukrainian border early June.

6. The delivery of the SA-11 BUK missile system was a further escalation. It was with this system that on July 17 the Malaysian plane MH 17 was shot above the Donetsk region, killing almost 300 passengers.
7. The SA-11 BUK missile system is a sophisticated high-tech radar-led system, which can only be handled by a team of trained military personnel. It is excluded that these specialists were available among the chaotic bunch of local separatists. The SA-11 BUK must have been delivered together with the specialists. This means that the responsibility for this criminal act allegedly must be assigned to the apex of the Russian 'power vertical': the Kremlin. Dutch Prime Minister Mark Rutte has said that he wants the perpetrators to be punished. He is right. The international community should search for the perpetrators and bring them to justice.
8. The Kremlin will do whatever is in its power to deny its responsibility, concealing any available evidence. It may therefore well be doubted whether the black boxes of the plane will be handed over to the investigation teams. The Kremlin and its separatist proxies even want to use the plane tragedy to reinforce their position by demanding a ceasefire as a condition for co-operation with the investigation teams. Free access to the place of the disaster is not negotiable. The Ukrainian government should not fall into a ceasefire trap which will consolidate Russia's position and create a semi-independent 'frozen conflict' state in Eastern Ukraine.
9. This crime is a wake-up call for Europe to more seriously commit itself to finding a solution for the present crisis and to more actively assist the government of Ukraine. Existing formats for negotiations have proved to be inadequate, because they unilaterally favor Russia. This is true of the group, consisting of Russia, Ukraine, Germany, and France. France and Germany, after having dropped Poland as a partner, are both too inclined to give in to Russian demands in order to safeguard their economic interests. Also the 'Contact Group', in which participate Russia, Ukraine, the OSCE, and - informally - the so called 'People's Republics' of Donetsk and Luhansk, together with the Ukrainian pro-Kremlin politician Viktor Medvedchuk, is inadequate, because in this group Ukraine stands alone in front of Russia and its allies (one should here take into account that Russia has a statutory veto right inside the OSCE, which means that the OSCE cannot act as a completely independent and impartial force).

10. It is up to the U.S. and the European Union to initiate not only symbolic sanctions, as was the case until now, but *real* sanctions which bite and have a serious impact on the Russian economy. In particular investments in the energy sector should be targeted. The French government should immediately cancel the delivery of the Mistral helicopter carriers. Germany should definitively cancel Rheinmetall's contract to build a military training facility in Russia.

Marcel H. Van Herpen is the author of

- *Putin's Wars – The Rise of Russia's New Imperialism* (Rowman & Littlefield, 2014)
<https://rowman.com/ISBN/9781442231375>
- *Putinism – The Slow Rise of a Radical Right Regime in Russia* (Palgrave Macmillan, 2013)
<http://www.amazon.co.uk/Putinism-Radical-Right-RegimeRussia/dp/1137282800>