

DOWNING OF MALAYSIA AIRLINES FLIGHT MH17

Flight MH17 (Amsterdam–Kuala Lumpur) was shot down by a Russian Buk missile over occupied eastern Ukraine, killing all 298 people on board. A Dutch court, the ICAO Council and the European Court of Human Rights have each found Russia or persons under its control responsible. Included as an international aviation case although the crash site is in Ukraine.

UKRAINE EVIDENCE HUB
BEYOND UKRAINE
AS OF 15 OCT 2026

DEGREE OF PROOF

COURT FINDING

A court, the European Court of Human Rights or a judicial public inquiry has found that Russia or its agents were responsible.

WHO ESTABLISHED IT

District Court of The Hague (17 Nov 2022) convicted Girkin, Dubinskiy and Kharchenko of murder in absentia (life sentences), acquitted Pulatov, and found Russia had overall control of the 'DPR' at the time. ICAO Council (12 May 2025) held the Russian Federation responsible under the Chicago Convention. ECtHR Grand Chamber (9 July 2025, Ukraine and the Netherlands v. Russia) found violations of Articles 2, 3 and 13 over MH17.

LATEST

Dutch verdict final (prosecution did not appeal, Dec 2022). ICAO Council ordered reparations negotiations on 30 June 2025; Russia filed an appeal against that decision at the ICJ (Russian Federation v. Australia and Netherlands, announced 19 Sept 2025), pending. ECtHR reserved just satisfaction for MH17 for later decision.

LINK TO THE WAR AGAINST UKRAINE

Occurred during Russia's armed aggression in eastern Ukraine; the Buk system belonged to Russia's 53rd Anti-Aircraft Missile Brigade per the JIT findings relied upon by the courts.

SOURCES

A District Court of The Hague – MH17 operative paragraphs · 2022-11-17

https://www.courtmh17.com/en/news/2022/the-operative-paragraphs_english.html

B Netherlands Public Prosecution Service does not appeal MH17 judgment · 2022-12-01

<https://www.prosecutionservice.nl/latest/news/2022/12/1/netherlands-public-prosecution-service-does-not-appeal-the-judgement-in-criminal-case-mh17>

B Government of the Netherlands: Russia responsible for downing of Flight MH17 (ICAO Council decision) · 2025-05-12

<https://www.government.nl/topics/mh17-incident/achieving-justice/russia-responsible-for-downing-of-flight-mh17>

A Council of Europe: ECHR holds Russia accountable, including for downing of MH17 · 2025-07-09

<https://www.coe.int/en/web/kyiv/-/the-echr-holds-russia-accountable-for-widespread-abuses-of-human-rights-arising-from-the-conflict-in-ukraine-since-2014-including-the-downing-of-flight-mh17>

A ICJ: Russia files appeal against ICAO Council decision of 30 June 2025 · 2025-09-19

<https://www.icj-cij.org/node/205720>

WHAT WE ASK OF MEMBER STATES

- Treat sabotage on your territory as part of Russia's war against Ukraine and its supporters.
- Share evidence across borders; support Eurojust and joint investigation teams.
- Sanction the GRU units and recruiters behind the operations.

