

МИНИСТЕРСТВО ТРАНСПОРТА
РОССИЙСКОЙ ФЕДЕРАЦИИ
ФЕДЕРАЛЬНОЕ АГЕНТСТВО
ВОЗДУШНОГО ТРАНСПОРТА



MINISTRY OF TRANSPORT
OF THE RUSSIAN FEDERATION
FEDERAL
AIR TRANSPORT AGENCY

Our ref

Наш №

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Date

Дата

22.09.2015

Mr. T.H.J. Joustra
Chairman, Dutch Safety Board
PO Box 95404 25 09 CK The Hague

Dear Sir,

I am writing to you regarding the situation related to the investigation into Malaysian Airlines Boeing 777 crash (MH17).

On August 11, 2015 we were informed that there had been reportedly discovered several fragments of BUK type ground-to-air missile among the wreckage removed from the crash site. According to the official statement of DSB, there was no intention to investigate the above mentioned fragments of the ground-to-air missile in the course of the Annex 13 investigation as this was the competence of the Joint Investigation Team (JIT) established to handle the criminal investigation.

We disagree with such approach to the crash investigation.

The standards 5.4 and 5.10 of ICAO Annex 13 provide the State handling the investigation with the necessary and sufficient authority to coordinate its activities with the judicial authorities and use important evidences. Further, item 1.3.1 of ICAO Doc 9756 (Part IV) reads that any accident investigation shall not be considered complete until its final report is provided with all related facts discovered in the course of investigation and its analysis.

We have already expressed our opinion that DSB's conclusion that the aircraft was hit by BUK type ground-to-air missile had been exclusively based on the reportedly discovered foreign objects which looked like "bowtie" in shape. Simultaneously there was no unambiguous and objective information as to where exactly these objects had been discovered (either in the bodies of victims or in the aircraft structure, or anywhere else).

At our third meeting in August 2015, the Russian experts presented their calculations and experimental data indicating that these high energy objects most likely had no relation to 9M38M1 missile. Besides, the probability that 9M38M1 missile hit the aircraft was not substantiated by the required researches such as identification of metal grade of which high energy objects were produced and analysis of the proximity fuse logic.

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The investigation was narrowly focusing on the sole aim to substantiate with all possible efforts the version that the aircraft was hit by BUK type ground-to-air missile.

As a result, the conclusions of the missile launch area looked both absurd and were not substantiated by the performance data of this type of air defense missiles.

Based on the foregoing, I consider it is important to draw your attention to the fact that the draft final report presented to us for review on July 2, 2015 did not contain any information on the discovered fragments of a ground-to-air missile. In this connection, it is absolutely necessary to initiate actions to determine the area where the missile fragments were found, identify the type of the missile by the specific features known to the missile designer and manufacturer as well as trace down the relocation of the missile between the military detachments after its release from the manufacturer's factory.

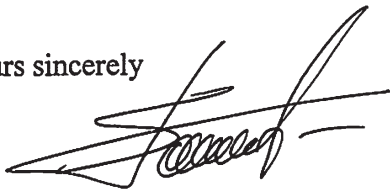
We have to conclude that the DSB investigation team has not used in full the opportunity to analyze the conditions for battle damages of the aircraft based on the data specially declassified for this purpose.

At the previous meetings in February, May and August 2015 as well as in our comments to the draft final report, the Russian side repeatedly drew attention to the fact that rather than consequentially analyzing such objective data as the nature of skin damage and the specifics of high energy objects, DSB was sorting out the conditions of the aircraft damage that would more or less match the performance of a ground-to-air missile from the BUK type missile family. Meanwhile, supporting the principle of transparency in the international investigation, JSC Almaz-Antei Concern has provided necessary data on 9M38 and 9M38M1 missiles. Based on the above, I would like to kindly ask you to repeatedly consider the invitation of JSC Almaz-Antei Concern to visit the Russian Federation in order to examine the respective technical materials and data.

Moreover we are open to discuss and agree on the joint methodology and program for researching the damage and high energy objects in order to find a solution to the disputed issues in the shortest time possible.

I would appreciate the opportunity to resolve the above mentioned problems as soon as possible.

Yours sincerely



Oleg Storchevoy

Deputy Director,
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Accredited Representative of the Russian Federation to
International Investigation Team on MH17 Crash