

# Document:MH17\_Tribunal\_The\_Trap\_Russia\_Avoided

The push by NATO countries for a UN tribunal to investigate and prosecute those responsible for the shooting down of Malaysian Airlines Flight MH17 last year over eastern Ukraine was an intentional provocation against Russia. There was no other purpose for this NATO initiative than to use it to demonize the Russian leadership, to increase the negative war propaganda being put out by the NATO alliance and ultimately to use it as justification for further aggression against the peoples of east Ukraine and Russia.

There must be no doubt in any reasonable person's mind that the only result of the creation of such a tribunal by the Security Council was to be an indictment against President Putin himself accusing him of some type of command responsibility. Once Putin was indicted as a war criminal, the anti-Russian propaganda in the west would have increase beyond even the intense levels it now has reached.

We saw what happened to President Milosevic of Yugoslavia when the Yugoslav tribunal indicted him with war crimes at a point during the NATO attack in 1999 when the French and Germans were looking for a political solution. The US driven indictment, arranged through their agent Louis Arbour, effectively killed a political solution since as Arbour stated, and I paraphrase, "you can't negotiate with a war criminal."

The same happened to Muammar Gaddafi. The International Criminal Court, again through its US marionettes in the prosecution, labelled him a war criminal and used it to justify their destruction of Libya. Both Milosevic and Gadhafi ended up dead at NATO's hands. But they are not alone. The list includes a number of African leaders who are in the way of western interests. All labelled as war criminals when in fact it is the west that committed the crimes. The accused's' only crime was to resist.

A further stumbling block is the legality of such tribunals. The UN Charter does not give the Security Council the right or jurisdiction to create these ad hoc tribunals and in fact this possibility was explicitly excluded when the International Court of Justice was created which has very limited jurisdiction and none over criminal matters. Of course tribunals have been created as a matter of fact despite this problem but an illegal precedent is still illegal no matter how many times it is repeated.

It is clear that the ad hoc tribunals for Yugoslavia and Rwanda were set up during a period when Russia was under the sway of President Yeltsin and others willing to act in US interests without caring about the implications for Russian and world interests. Russia, and China lost all control over the funding, staffing and running of these tribunals from the very beginning which, from this writers' personal experience, are controlled at all levels by western intelligence assets.

The indictments and evidence are concocted against selected accused for political and propaganda reasons which are three; to defame the leaders targeted, to justify the western aggression involved in these wars, and finally to cover up the real role of the west in these wars. The judges themselves are selected by the Americans after being interviewed to make certain their subservience is assured.

The other problem with the proposed MH17 tribunal was the claim that it was a matter under Chapter VII of the UN Charter, that is, a matter of international peace and security. The fact that the other ad hoc tribunals have been created under Chapter VII reveals their true political nature. But in the case of MH17, no such argument can be validly made since there has never been an example of a plane being brought down in any circumstances that has triggered the use of Chapter VII of the UN Charter. If there was to be a tribunal regarding MH17 then why was there not one regarding the shooting down of the Iranian civil airliner Flight 655 in 1988, an airliner that was deliberately shot down by the US Navy. Hundreds were murdered but the Americans never demanded a tribunal to bring their officers to account. In fact the commander and crew of the USS Vincennes were given medals for this massacre. If the Soviet Union had demanded such a tribunal at the time the US would certainly have vetoed the motion.

But there is another problem with the proposal that reveals its true political nature. A court can only try those accused of a crime determined to have taken place and can only try accused against whom there is evidence. In regard to MH17 there is the NATO propaganda on one side claiming Donbass militias were involved, aided and abetted by Russia, but without any evidence of this being produced, and, on the other hand, evidence supplied by eye witnesses, air traffic controllers, Ukrainian military pilots and Russian radar plots that indicate that it was more likely shot down by a Ukrainian government Sukhoi jet fighter. In any case, whatever the facts really are, the investigation is not complete and not complete because the NATO alliance refuses to release information that is necessary to make a determination as to who is responsible and what their motives were.

Since NATO is not willing to offer this information to investigators now or to make it public why would they do so if a tribunal was created? They would not. They would have used the tribunal as a forum to bash Russia, fabricate evidence and used it to justify even more western aggression.

The proposal was clearly a trap for Russia and so its veto of July 29th is welcome news. Russia will face criticism from the usual suspects in NATO and more ravings by Samantha Power that it is trying to stop "justice" or is afraid of the investigation, but better to treat these false accusations with a dismissive wave of the hand than to have taken the bait and be faced with the constant harassment, and injustice that would have surely followed if such a tribunal had been approved.