

The Prime Minister of Malaysia  
Tun Dr. Mahathir Bin Mohamad,

Prime Minister's Office  
Main Block, Perdana Putra Building  
Federal Government Administrative Centre  
62502 Putrajaya  
MALAYSIA

Ede, August 2019

Your Excellency,

The 'Stchting Vliegcramp MH17' was established in November 2014 and represents the interests of the bereaved families of the victims of flight MH17. Relatives of Malaysian victims are also members of the foundation.

We would like to draw your attention to the following facts:

- Malaysia has approved United Nations Security Council Resolution 2166.
- Malaysia participated in the investigation of the Dutch Safety Board into the cause of the crash of flight MH17 and supported the final report.
- Malaysia participates in the criminal investigation of the Joint Investigation Team.
- On 21 September 2017 the "Memorandum of Understanding between the Government of Australia, the Government of the Kingdom of Belgium, the Government of Malaysia, the Government of the Netherlands and the Government of Ukraine regarding political support for prosecuting the perpetrators of the downing of flight MH17 on 17 July 2014" was signed by the countries stated. The memorandum includes the following:  
*"The countries represented in the Joint Investigation Team will remain closely involved at both the operational and political level to ensure that justice is done. "*  
*"The signatories respectively confirm their enduring support for a prosecution and trial conducted in and by the Netherlands. The signatories will assist one another if any pressure is exerted directed towards undermining the prosecution or the signatories' cooperation."*
- To date, all countries participating in the JIT have endorsed the findings of the Joint Investigation team, including Malaysia.
- On 20 June 2019, on behalf of the five JIT countries, a letter was sent to the Security Council by their permanent representatives at the United Nations, including the following text:  
*"Australia, Belgium, Malaysia, the Netherlands and Ukraine have full confidence that the above mentioned legal proceedings will contribute to achieving justice in accordance with the highest international legal standards of professionalism and independence."*
- On 1 June we sent a letter to the ambassador of Malaysia in the Netherlands in which we stated: *"The board of the foundation would greatly appreciate it if your Prime Minister reconsiders his statements by unequivocally supporting the Joint Investigation Team's investigation."*
- On June 20, 2019, the ambassador of Malaysia in the Netherlands replied to our letter and stated, that *"Malaysia, as the rest of other JIT members, is equally committed to ensuring the process is transparent, credible and effective."*

Despite all the established agreements and rulings of representatives of Malaysia in the JIT and representatives of your government, we must unfortunately state that you, as prime minister, have continually questioned the integrity and independence of the JIT investigation. On 17 August, a conference was organised in Malaysia by several NGOs, including the Perdana Global Peace Foundation, in which you hold a position. Given the speakers and the post-conference publications, we cannot avoid

the impression that the conference had no other purpose than to discredit the investigation and findings of the JIT supported by your own justice apparatus and your own government.

By your statements you are trying to sow discord and you are certainly not serving the interests of the relatives (and in particular the Malaysian relatives). In addition, you are causing confusion about the actual position of the Malaysian government and its JIT representatives in the MH17 case.

We strongly reject this approach. We urge you to refrain from statements and/or activities that are contrary to the truth and that conflict with internationally made agreements, such as Resolution 2166 and memoranda of understanding on MH17 and earlier statements by your government.

Yours sincerely,

The Board of Stichting Vliegramp MH17