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Date: 21 September 2016
Re: Official Notice

Our ref:
DIS2016012313

Herewith I am informing, pursuant to Section 38 of the Intelligence and Security Services Act 2002, of data that is possibly of importance for the criminal investigation into the crashing of flight MH17.

In addition to my official notice of 24 June 2015 MIVD has, on the basis of reliable sources and analyses of all locations relating to the 9K37M1 Buk-M1 (SA-11A GADFLY) that were listed in the official notice of 24 June 2015, examined whether 9A310M1 radar and launch vehicles on these locations could have been involved in the downing of flight MH17.

In addition, MIVD looked into the other ground based air defence systems present in the region in July 2014 and that were, as far as operational deployability, specifications, performance and location goes, capable of hitting flight MH17.

In July 2014 the Ukrainian armed forces had operational S-300PS Volkhov-M6 systems (referred to as SA-10B GRUMBLE by NATO) at their disposal.

In July 2014 operational S-300PM2 Favorit [*systems*] (referred to as SA-20B GARGOYLE by NATO) of the Russian armed forces were present the border region with Ukraine.

The Table below lists the 9K37M1 Buk-M1 systems (referred to as SA-11A GADFLY by NATO) mentioned in my official notice of 24 June 2015, including their operational status, deployability and distance to the point of impact with flight MH17.

9K37M1 Buk-M1 Air Defence Systems present in the region				
System	Country	Location	Operational	Distance
9K37M1 Buk-M1	Ukraine	48°36'36"N 039°14'00"E	No	67 kms (range 42kms)
9K37M1 Buk-M1	Ukraine	48°05'58"N 037°45'13"E	No	65kms (range 42kms)
9K37M1 Buk-M1	Ukraine	47°06'25"N 037°28'28"E	No	135 kms (range 42kms)
9K37M1 Buk-M1	Ukraine	45°13'11"N 033°22'42"E	June and July 2014	515kms (range 42kms)
9K37M1 Buk-M1	Ukraine	49°00'34"N 037°18'52"E	June and July 2014	137kms (range 42kms)
9K37M1 Buk-M1	Ukraine	48°42'23"N 037°38'01"E	June and July 2014	98kms (range 42kms)
9K37M1 Buk-M1	Ukraine	48°13'14"N 036°01'20"E	June and July 2014	191kms (range 42kms)
9K37M1 Buk-M1	Ukraine	47°58'12"N 036°34'26"E	June and July 2014	154kms (range 42kms)
9K37M1 Buk-M1	Russia	48°44'14"N 040°01'36"E	11 through 19 July 2014	122kms (range 42kms)
9K37M1 Buk-M1	Russia	48°38'54"N 039°50'18"E	From 18 July 2014	106kms (range 42kms)

9K37M1 Buk-M1	Russia	48°17'51"N 040°04'42"E	From 20 July 2014	108kms (range 42kms)
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From the Table it becomes apparent that flight MH17 was flying beyond the range of all identified and operational Ukrainian and Russian locations where 9K37M1 Buk M1 systems were deployed.

In view of the locations of the systems identified and the speed with which these can be moved, as well as the nature, development and conflict and border zone of the fight against the separatists on 17 July 2014 it is unlikely that a 9A310M1 launch vehicle originating from the Ukrainian armed forces could have been moved in time for flight MH17 to come within its range and be hit.

All operational Ukrainian S-300PS Volkhov-M6 identified were at least 250 kms away from the point where MH17 was hit. The S-300PS Volkhov-M6 system has a maximum range of 75kms. On this basis MIVD draws the conclusion that an S-300PS Volkhov-M6 system was not used for the downing of flight MH17.

The only operational system identified with a range wide enough to shoot down flight MH17 concerned two Russian S-300PM2 Favorit systems near the Russian town of Rostov na Donu. MIVD does have (partner) information that would indicate the use of the 36N85 (referred to as TOMB STONE by NATO) fire control radar for the guidance of and/or launch of a surface-to-air missile from the 48N6 series (referred to as GARGOYLE by NATO) on 17 July 2014. These locations are in the immediate vicinity of large population centres and the launch of a missile would most likely have led to messages on *social media* or other public media. MIVD is not aware of such publications.

On this basis MIVD draws the conclusion that from these two Russian ground based air defence systems near Rostov na Dona no missile launch took place on 17 July 2014.

By order of the
THE MINISTER OF DEFENCE

The Director of the Military Intelligence and Security Service

O. Eichelsheim
Major general