

MH17 Shoot-Down Mystery Deepens. Is War with Russia on the Pentagon's Drawing Board?

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Region: [Russia and FSU](#)

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In-depth Report: [UKRAINE REPORT](#)

“Black Boxes Show Shrapnel Destroyed Malaysia Airlines Plane, Ukraine Says”

That headline in the [Wall Street Journal](#) of July 28 creates the immediate false impression that there is new information: shrapnel destroyed plane! Before the headline is over, the WSJ begins backtracking – “Ukraine Says” – a reference that yellow-flags a less than credible source. As the story continues, it reveals that there’s no actual news here, starting with the sub-head: “Older Flight Recorders on Plane Likely to Provide Limited Data” – so is there reliable data or not? Then the story reverses direction again, with this riddle-filled lede:

MOSCOW—Ukrainian authorities said Monday that data retrieved from the black boxes aboard Malaysia Airlines Flight 17 showed the plane was destroyed by “massive explosive decompression” caused by shrapnel from a missile.

Moscow? Nothing about the story relates to Moscow, except perhaps the location of the reporter. He does not say where the “Ukrainian authorities” are, and identifies only one: “Col. Andriy Lysenko, spokesman for Ukraine’s National Security and Defense Council.” The reporter says Lysenko “revealed” the evidence of a missile explosion, although there is little possibility Lysenko has any direct knowledge of the black box contents, since the black boxes have never been in the possession of Ukraine officials.

The reporter admits he has no news, since the black boxes are in the United Kingdom and the investigators have not confirmed Lysenko’s claim. In a sentence as slippery as it is empty, the reporter repeats the official American story: “The U.S. has blamed Russia for providing the Buk missile system to the rebels, a claim that Moscow denies.” This is a dog whistle to those who say pro-Russians shot down the plane, but the actual accusation here is only that Russia gave the rebels a Buk missile system, which proves nothing. The possibility of an air-to-air missile goes unmentioned.

The reporter also does not mention that the Ukraine government has the same or equivalent air-to-ground missile systems, provided by Russia when the countries had warmer relations. The reporter stops short of embracing the blame-Russia scenario, but offers no alternative. As a whole, his story illustrates what he fails to say: that almost two weeks after the shoot-down, there is less certainty than ever as to who was responsible.

Lacking anything like solid evidence, U.S. media just wing it and pray

The same day (July 28), [Time links](#) to the WSJ story as if it was fact. Under the headline – “Ukraine: MH17 Downed by ‘Massive Explosive Decompression’” – the report begins:

As U.N. human-rights chief suggests downing of the plane may be a “war crime” – Ukrainian authorities said Monday that black-box data from the downed Malaysia Airlines Flight 17 revealed shrapnel from a missile caused “[massive explosive decompression](#)” onboard, as the U.N. human-rights chief said the aircraft’s shooting down “[may amount to a war crime.](#)”

[repetition in original]

Unlike the Journal, Time makes an effort to explain what a “massive explosive decompression” is – “[Explosive decompression](#) happens when the air inside an aircraft depressurizes at an extremely fast rate, with results similar to a [bomb detonation.](#)” Whatever happened, the plane and its 298 passengers came down in hundreds of pieces, from large to tiny, over a crash site of a dozen square miles or more.

Shrapnel, certainly, from any source, could create a condition leading very quickly to massive explosive decompression. So could 30 mm anti-tank weapons fire from a Ukrainian Su-25 jet fighter. This is the explanation for the downing of MH17 offered by a [German pilot](#) who examined a photo of the MH17 cockpit on the ground and determined that there were bullet holes, entry and exit, suggesting that MH17 was caught in a crossfire. The pilot’s argument is rational and straightforward, and subject to verification by an examination of the evidence. Circumstantially, his argument provides a credible motive for the apparent urgency of Ukrainian forces to secure the crash site before outside forensic investigators can get there.

[German media](#) have reported variations of this story, focusing on the one or two Su-25s flying near MH17. The evidence for an Su-25 close to MH17 comes from a July 21 briefing by the [Russian military](#) that was widely reported at the time, from the [Wall Street Journal](#) to [Veterans Today](#). A week later Time, like the Journal, makes no mention of any Su-25 or of the potentially confirmatory satellite imagery still being withheld by the U.S.

Unlike the Journal, Time adds the gratuitous reference to “a war crime,” without meaningful context. Shooting down an airliner is pretty much, by definition, a war crime or a crime against humanity. Merely labeling it as such, as Time does, only repeats the obvious, with no indication of who might have committed the crime. Time allows for this thought only obliquely in a context that implicitly endorses the official story:

U.N. High Commissioner for Human Rights [Navi Pillay](#) said that “this violation of international law, given the prevailing circumstances, may amount to a war crime. It is imperative that a prompt, thorough, effective, independent and impartial investigation be conducted into this event.”

Time omits broad dimensions of Ukrainian crisis

While Time quotes accurately from and links to the UN human rights [press release](#) with this comment from Pillay, Time gives no hint that the subject of the release is a [65-page report](#) from the Human Rights Commissioner’s office detailing the state of human rights in Ukraine as disastrous, with violations on all sides, but especially by “armed groups” who are among the separatists, but not identified as such:

A total breakdown of law and order and a reign of fear and terror have been inflicted by armed groups on the population of eastern Ukraine, according to a

new report issued today....

The report documents how these armed groups continue to abduct, detain, torture and execute people kept as hostages in order to intimidate and “to exercise their power over the population in raw and brutal ways.” Well organized and well equipped militarily, these armed groups have intensified their challenge to the Government of Ukraine, the report says. In response, there has been an acceleration of Government security operations during July in the areas still under the control of the armed groups, with heavy fighting located in and around population centres, resulting in loss of life, property and infrastructure and causing thousands to flee....

“Both sides must take great care to prevent more civilians from being killed or injured,” [Pillay] added. “Already increasing numbers of people are being killed with serious damage to civilian infrastructure, which – depending on circumstances – could amount to violations of international humanitarian law. The fighting must stop.”

According to the human rights report, more than 100,000 people have fled their homes in eastern Ukraine (86%) and Crimea (24%). These people are now internally displaced persons (IDPs) who are the responsibility of the Ukraine government that can ill afford to take care of them. That government started [coming apart](#) July 24, when the prime minister resigned, saying in part: “because laws have not been passed, we now have no means with which to pay soldiers, doctors, police, we have no fuel for armored vehicles, and no way of freeing ourselves from dependence on Russian gas.”

The human rights report does not address estimates of as many as another 500,000 people from eastern Ukraine [seeking shelter](#) in Russia since April. [Russia reported](#) July 29 that it has given refugee status to 233,114 Ukrainians, including 34,503 children. Ukraine’s [total population](#) of more than 45 million has been declining for about two decades. (The [BBC reports](#), without attribution: “The conflict has displaced more than 200,000 people, many of whom have fled east to neighbouring Russia.”)

As with Gaza, UN concern is with impunity for human rights crimes

The UN report is the fourth on human rights conditions in eastern Ukraine since mid-March, when the high commissioner deployed a 39-member Human Rights Monitoring Mission there. The mission had documented at least 1,129 killings, 3,442 woundings, and 812 abductions over a four month period ending July 15. The report points out that the armed groups in the Donetsk and Luhansk regions are able to commit human rights crimes with impunity, leading to “a collapse of the rule of law.” The report also includes allegations that the armed groups have forced detainees to dig trenches or fight on the front lines; and that there are cases of apparently illegal detention by the Ukrainian armed forces as well.

Elsewhere in Ukraine the UN mission found that most Ukrainians were relatively free, but saw worrisome trends:

... the level of hate speech has escalated dramatically, especially on social media, but also in demonstrations and protests and even in Parliament.... the level of ‘anti-Russia’ rhetoric has increased along with the physical targeting of Russian-owned banks and businesses on the grounds that they are ‘financing terrorism.’

Harassment, intimidation, manipulation, abductions, detentions and enforced disappearances of journalists have continued to occur in the east, and at least five journalists have been killed since the fighting began in April.

Since the end of period of the report, fist fights have erupted in Parliament at least twice. After two political parties dropped out of the ruling coalition, the prime minister resigned. Nevertheless, he remains in office pending a parliamentary vote to accept his resignation. That would presumably lead to the election of a new parliament in the fall.

Prime Minister [Arseniy Yatsenyuk](#) voiced deep anger at the parliament for failing to pass laws that would address the country's need for liberalization. He accused members of betraying the goals and ideals of the Maidan that led to the overthrow of the elected government in March. President Petro Poroshenko welcomed the break-up of the ruling coalition, hoping it would lead to a purge of "Moscow agents" in parliament. The Poroshenko government routinely refers to separatists in the east as "terrorists," reflecting the UN's concern over hate speech.

Increased polarization may lead to deadly ethnic cleansing

Since July 15, the end of the UN reporting period, the Ukrainian armed forces have apparently made significant advances and may have the advantage over the "armed groups." Reporting on this war is scant and unreliable. Claims of ethnic cleansing of pro-Russian Ukrainians are unverifiable. The fighting has been fierce and widespread enough in the region to prevent MH17 crash site investigators from reaching the crash site for days on end.

None of these developments bode well for the UN's offer of a somewhat hopeful outlook, that its report:

... also discusses new legislation being introduced as part of the Government's reform. It notes the recent signing of the trade agreement with the European Union that completes the Association process and the publication of the much anticipated new proposed amendments to the Constitution that provide for a degree of regional autonomy and the increased use of local languages. These latter two issues were at the centre of demands being made by the residents of eastern Ukraine and their not being addressed led to the current conflict....

The report notes that the Government "needs to address the wider systemic problems facing the country with respect to good governance, rule of law and human rights. This requires deep and badly needed reforms, especially as Ukraine seeks to fulfill its EU aspirations and establish a democratic and pluralistic society."

The Time report mentioned earlier omits virtually all of this context (Time mentions the continuing fighting as if it was a deliberate tactic to "block outside authorities" from investigating the site). Time ends its short report with the last paragraph of Human Rights Commissioner's press release out of context, as if it related only to MH17:

"I would like to stress to all those involved in the conflict, including foreign fighters, that every effort will be made to ensure that anyone committing serious violations of international law including war crimes will be brought to justice, no matter who they are," the High Commissioner added. "I urge all

sides to bring to an end the rule of the gun and restore respect for the rule of law and human rights.”

Forensic investigators may finally get to crash site

As the Russian agency [RT News](#) put it July 29:

“Ukraine’s President Petro Poroshenko said Kiev is finally ready for a cease-fire at the MH17 crash site after Russia’s numerous calls. Kiev continued its military offensive even after the UNSC [Security Council] urged a halt to fighting in the area last week.”

According to RT, reporting on a Ukrainian press service, Petroshenko promised, in a phone call with the prime ministers of Australia and the Netherland, that he would declare a unilateral ceasefire for a crash site zone with a 20 km radius (about 24 square miles). RT reported no date for the cease-fire to begin, but that Petroshenko said on the phone that Kiev “is making every effort possible to accelerate the international experts’ access of to the crash site.”

On July 30, the Organisation for Security and Cooperation in Europe (OSCE) announced that [its observers](#) had begun working at [border crossings](#) between Ukraine and Russia. The same day, forensic investigators again failed to reach the crash site because fighting continued in the area. According to the Canadian [CTV News](#):

Even the rebels — who initially oversaw the collection of more than 200 of the 298 bodies in a disorganized, widely criticized effort — have stopped their work, saying attacks from the Ukrainian military have forced them to focus on defending themselves....

Recent offensives by the Ukrainian army have enabled it to take back swaths of territory from the rebels. But the fighting has edged ever closer to the crash zone.

The Ukrainian government is accusing the rebels of planting landmines around the crash site. The Ukrainians and the Russians continue to accuse each other of shelling each other’s territory

Whatever the U.S. is doing isn’t having noticeable effect

As for the United States, if there’s nothing useful the U.S. can do, then it’s succeeding admirably. Summing up what seems to be the official American attitude, U.S. Ambassador to Ukraine, [Geoffrey R. Pyatt](#), recently said, “Putin can end this with one phone call.”

That assumes the crisis is all Putin’s fault. That assumes Putin has operational control over enough of the Ukraine rebels to make a difference. That assumes that both Ukraine and the U.S. would take “Yes” for an answer.

Based on the record to date, all those assumptions are false. Ukraine and the U.S. won’t even implement a cease-fire to collect the dead. The Ukraine rebels do not seem to be a coherent entity, or answerable to anyone. And Putin is hardly responsible for 20 years of the U.S. and Europe holding a NATO dagger to Russia’s throat.

And besides, “one phone call”? Who is Putin supposed to call? The answer to that question

might reveal the essence of American policy, assuming there is one. Suppose Putin calls Obama, does anyone think Obama has more control over Kiev than the Russians have over the Ukraine rebels? Or suppose Putin calls Poroshenko, does anyone think he is free to make peace, over objections by hardline Ukrainians or Americans?

Whomever Putin might call, what does Pyatt expect him to say? Would Pyatt or his imaginary surrogate accept anything other than something like Putin saying, "OK, you're right, I'm wrong, I give up, dasvidaniya."

Pyatt's "one phone call" comment is just a polite lie. That's his job. He made another, more trenchant remark that was, unintentionally probably, an example of his doing exactly what he was complaining about: missing the chance to "take this crisis as an opportunity to put things back on a diplomatic track - instead what we have seen from the Kremlin is the pouring of gasoline on the fire."

Until the United States shows some sign of being willing to back off from 20 years of creeping aggression along Russia's western border, the likelihood of the confrontation resolving itself peacefully seems slim to nil.

When Putin has his back to the wall, what does the U.S. expect?

Without the Russians as a mitigating factor, the United States in the past few years might well have found itself launching a war against Syria, or a war against Iran, or both. That's a weird thought, but it's real enough. What is American foreign policy about, if anything? Is there a U.S. faction that's mad at Russia now for interfering with another American war or two in the Middle East? Does the United States have any principle at stake, or even any Machiavellian goal in mind as it dithers around the world seeming to make pretty much everything worse?

Veteran [Intelligence Professionals](#) for Sanity, a group of retired U.S. intelligence officers organized in 2003 in response to the abuse of intelligence to go to war on Iraq, see much the same manipulation and dishonesty happening now. On July 29, nine of these intelligence officers signed a [lengthy letter](#) to President Obama, responding directly to the administration's mishandling of the MH17 shoot-down and explaining in detail why they are "troubled by the amateurish manner in which fuzzy and flimsy evidence has been served up - some of it via 'social media.'"

The crux of the intelligence officers' critique is simple: either provide credible evidence for blaming the Russians, or stop spreading lies that only make the confrontation more dangerous:

... your administration still has issued no coordinated intelligence assessment summarizing what evidence exists to determine who was responsible - much less to convincingly support repeated claims that the plane was downed by a Russian-supplied missile in the hands of Ukrainian separatists.

Your administration has not provided any satellite imagery showing that the separatists had such weaponry, and there are several other "dogs that have not barked." Washington's credibility, and your own, will continue to erode, should you be unwilling - or unable - to present more tangible evidence behind administration claims....

If the intelligence on the shoot-down is as weak as it appears judging from the

fuzzy scraps that have been released, we strongly suggest you call off the propaganda war and await the findings of those charged with investigating the shoot-down. If, on the other hand, your administration has more concrete, probative intelligence, we strongly suggest that you consider approving it for release, even if there may be some risk of damage to “sources and methods.” Too often this consideration is used to prevent information from entering the public domain where, as in this case, it belongs.

We reiterate our recommendations of May 4, **that you remove the seeds of this confrontation by publicly disavowing any wish to incorporate Ukraine into NATO** and that you make it clear that you are prepared to meet personally with Russian President Putin without delay to discuss ways to defuse the crisis and recognize the legitimate interests of the various parties. [emphasis added]

The president did not respond to the May 4 letter from these intelligence professionals, who requested the courtesy of a reply to this one. Somewhere in the middle of this one is a single sentence that gives perspective to all the other details, small or large:

In our view, the strategic danger here dwarfs all other considerations.

Being intelligence professionals, they don’t spell out a strategic danger that is obvious to anyone who can conceive of a logical, worst-case scenario. Without addressing strategic danger, the president’s nominee for Ambassador to Russia, [John Tefft](#), told a Senate hearing July 29 that the United States would “never accept” Russia’s annexation of Crimea. Apparently for this 40-year foreign service officer and hardliner, Crimea dwarfs the strategic danger. Forever?

At the Nation on July 30, the question is framed more directly: “Why is Washington Risking War With Russia”?

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