

Different airline crash, same results

Russia won't help investigators of aviation disasters over its territory

By Lucja Swiatkowski Cannon

Investigators seeking to get to the bottom of just who used what to shoot down Malaysia Airlines Flight 17 over eastern Ukraine are having a difficult time getting any cooperation from Russia. This shouldn't surprise anyone familiar with past incidents of far less consequence. In this case, the Russian refusal to cooperate is obviously part of a cover-up that allows Moscow to hide evidence while blaming Ukraine for the catastrophe. Given the way the old Soviet regime and Vladimir Putin's Russian Federation have blocked fair investigations of aviation disasters in the past, it is unlikely that this time will be different, regardless of Western and world opinion.

Such investigations are controlled by Russian security services and are conducted to further the ends of the regime, rather than to find out what actually happened. Sometimes the investigators proceed in a manner that will allow them to direct blame elsewhere when there is any question of Russian malevolence. In others, the goal is more boringly commonplace: to hide and provide officials the ability to deny the incompetence of Russian bureaucrats. Any air accident that takes place over Russian territory generates such a politically driven investigation that too often makes it impossible to determine what happened.

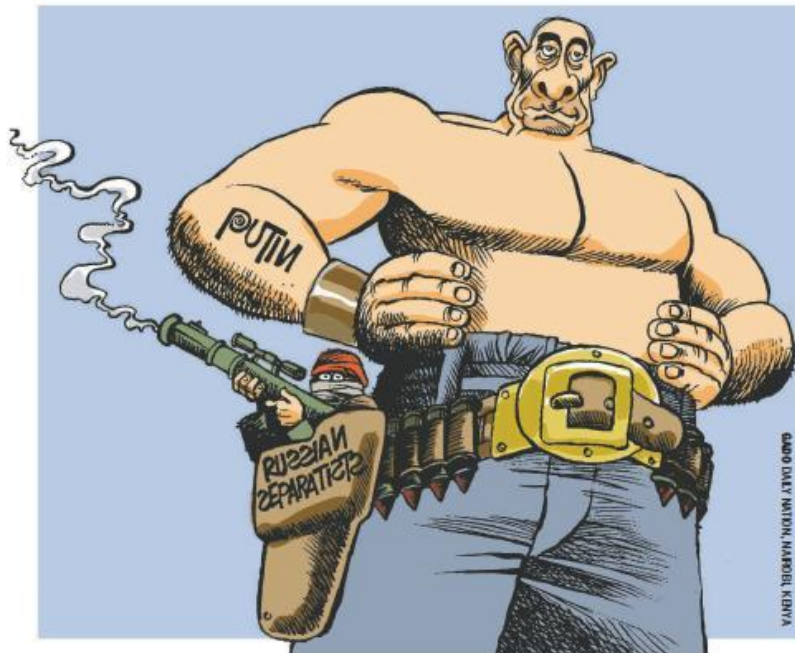
This accident investigative process can be demonstrated by the investigation of the crash of a Polish Air Force plane in April 2010 over Russian territory near Smolensk. The crash killed 96 passengers, including Polish President Lech Kaczynski, the chief of the Polish general staff and heads of all military services, the president of the National Bank of Poland and 18 members of that nation's parliament. Details of this investigation became public because of the prominence of those who perished, but similar if not worse investigations have hampered the search for truth in the aftermath of other aviation accidents in Russia.

The cause of the Smolensk crash was never satisfactorily resolved because Russian investigators still refuse to turn over to Poland the wreck of the plane, black boxes, personal computers and cellphones of passengers or to give full access to the

location of the crash or photographs of its aftermath. Even the hour of the crash remains uncertain. First it was announced as 10:56, later changed to 10:41, but witnesses swear that it was earlier than that. Russian ambulances came to the scene, were notified that all died and left immediately.

Mr. Putin turned over the crash investigation to MAK, the interstate aviation committee, set up for the republics of the former Soviet Union, to which the Poles are not a party, but Ukraine is. MAK is headed by the only female general of the former

pilot, Poland is precluded from appealing the verdict. Mr. Putin imposed Section 13 of the Chicago Convention on Investigation of Civilian Air Accidents as the legal basis of the Smolensk investigation, but when the Poles tried to appeal, the Russians pointed out that the convention on which they had claimed they were relying doesn't apply to military aircraft. The Polish plane was military as was its crew and the Smolensk airport. The case is closed but remains a source of deep sorrow in Poland and a warning to any visitor to Russia.



The Russian investigation of the Smolensk crash was compromised by secrecy, mendacity, lack of legal standards and Russian politics. Russian investigators supplied Poland with four different "true" copies of black-box recordings, but the plane's black box itself was never turned over. Bodies of crash victims came back misidentified and the body of Anna Walentynowicz, a heroine of the Polish Solidarity movement, remains missing to this day.

Similar problems are already plaguing attempts to investigate the Malaysia Airlines shootdown. Bodies and wreckage were apparently moved before the smoke cleared and Russian separatists blocked international access to the crash site. The plane's black boxes seem to have vanished for a time and were

only subsequently turned over after intense international pressure. Satellite photos clearly identified a missile attack as the cause. Russia is a likely supplier, and trucks bearing these weapons were crossing back into Russia the very night of the shootdown. Still, Russia denies any involvement in the incident.

There is no ambiguity here as there was in Smolensk. That is unlikely to deter Mr. Putin, who is already pressing to give MAK the key role in the investigation and mounting a propaganda campaign to blame Ukraine for the catastrophe. For all his efforts, however, he faces the same problem the lawyer who asks a jury to believe him rather than physical evidence and the lying eyes of actual witnesses to his client's crime: People aren't that stupid.

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