

Miek Smilde



AN EMPTY SPACE TO STAY

Stichting Vliegramp MH17

*Now go lie down, my love, in the garden,
the empty spaces in the tall grass, I've
always wanted to be just that, an empty
space for someone, to stay.*

Rutger Kopland

AN EMPTY SPACE TO STAY

Miek Smilde

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Stories about MH17 – ten years later

COLOPHON

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FOREWORD

On 17 July 2014, at 03:18 PM, Malaysia Airlines flight MH17, en route to Kuala Lumpur, was shot down over Ukraine by a Russian BUK missile. All 298 passengers, representing seventeen different nationalities, perished in a gruesome manner. Many thousands of relatives in the Netherlands and beyond were confronted with the violent loss of entire families, fathers, mothers, children, grandchildren, grandparents, brothers and sisters, friends, and colleagues. Inadvertently, they also became embroiled in an incipient geopolitical conflict, which in 2022 ultimately culminated in Russia's invasion of Ukraine. While grappling with their own grief, relatives became entangled in various legal proceedings. The criminal investigation into what occurred on that July 17th and who could be held accountable lasted eight years. Ultimately, on 17 November 2022, the Dutch court sentenced three individuals to life imprisonment. There was significant international interest in the trial. The Netherlands received much support in the quest for truth, justice, and accountability. Russia continues to deny any involvement to this day, has not cooperated with investigations, and still promotes unreliable alternative theories.

The attack on flight MH17 and the 'event' that followed have completely turned the lives of many relatives upside down, often until this day. Our thoughts are with the victims and all the relatives, in the Netherlands and beyond. We are grateful for all the support that the relatives have received from the government and all the relevant authorities and aid workers. But we also think of the many hundreds of professionals who have been involved in the aftermath of MH17 and who have devoted themselves wholeheartedly to alleviate the grief of the relatives to some extent. People who, for example, were involved in Ukraine

in the repatriation of the victims and personal belongings, and people who have identified the victims. Employees of the police, the Public Prosecution Service, the judiciary, civil servants in ministries, and aid workers often did their difficult work in silence, behind the scenes of the news. In doing so, they gave the victims a face and supported the relatives as much as possible. MH17 has also had a significant impact on these professionals. We will not forget that.

On 17 July 2024, we collectively reflect on 10 years of MH17. In this booklet, several relatives and involved professionals share their personal experiences over the past decade. We are grateful to them for their contributions. We thank Miek Smilde, who interviewed all the participants and wrote this document based on those conversations and underlying literature. We also thank the designer, Richard Sluijs. We are deeply grateful to the Victim Support Fund for their financing. May this booklet contribute to ensuring that the story of MH17 continues to be told and remains in all our memories.

The Board of the MH17 Air Disaster Foundation,

Piet Ploeg
Anton Kotte
Leen van der Sar
Hans de Borst

17 juli 2024

He's late.

She can tell by the way he walks. Hurried, restless. Jack Samuel O'Brien, 25 years old, has just checked in and doesn't want to miss the flight. After seven weeks of traveling through Europe with a friend, he longs to return home. His parents, Meryn and Jon O'Brien, will pick him up at Sydney Airport. His younger sister Bronwyn will be thrilled to have her brother back. Back home. He'll have so much to tell. Jack quickens his pace, rounds a corner, and runs through the departure hall.

'If only he had fallen then,' Meryn says. 'If only he had broken his leg, if only he had been even later.'

Jack boards the flight.

1. WHAT IF?

How many times can you tell a story? Which words do you choose to describe the horror, anger, despair, and beneath it all, the unfathomable grief? Repetition sustains memory, people say. It's an old Jewish wisdom. As long as someone's name is spoken, they do not fall into oblivion. 'By remembering, we erect a barrier against the death of forgetting,' says Jacobine Geel during the National Commemoration on 10 November 2014, at the Amsterdam RAI. Just before that, the 298 names of the victims of the attack on Malaysia Airlines flight MH17 were pronounced aloud for the first time. A candle burns for each of them in the middle of a large hall where 1700 relatives sit alongside several hundred professionals involved, such as the family liaison officers who have been supporting relatives since the first weekend after the disaster. Members of the cabinet and the States General, as well as ambassadors from the countries mourning victims, the so-called grieving nations, sit in a large circle around the burning candles. Prime Minister Mark Rutte, King Willem-Alexander, Queen Máxima, Princess Beatrix, Princess Margriet and her husband, the Mayor of Amsterdam, and the Commissioner of the King later join the attendees. The Radio Philharmonic Orchestra performs the second movement of Beethoven's Seventh Symphony, *Allegretto*, a piece that was first performed in Vienna in December 1813 during a benefit concert for soldiers wounded in the Battle of Hanau. Beethoven conducted the work himself at that time.

'Every time I hear that piece, I burst into tears,' says Simon Mayne, nearly ten years after the disaster. 'I listen to a lot of classical music, but this part, written in A minor, emotionally drains me almost to the point of exhaustion.'

Simon loses his son Richard Franklin in the attack. On 8 September 2024, Richard would have turned thirty. He remains

forever twenty. His father Simon is present during the National Commemoration. 'The most mind-blowing event I've ever experienced,' he recalls. 'The silence in the room was palpable, the emotions were overwhelming. I found it so remarkable, breathtaking, so grand.'

Also in the audience is Sander van Luik. He mourns his brother Klaas Willem. In retrospect, he describes the gathering as 'beautiful' and 'dignified'. The appearance of a spotlight behind the people reading out the names of the victims makes a profound impression. It's as if the shadow of death is momentarily pushed aside. Reading out all the names takes over twenty minutes.

For Simon, the gathering is a moment where he sees his own grief absorbed in an ocean of tears. 'To experience that you are not alone has been crucial for me. It's easy to drown in your own mourning, it's easy to shut out the whole world and remain alone with your loss after an incomprehensible disaster like this, but by seeing others in their own profound sorrow, you realise that you are part of a family, a very unfortunate and broken family, but still, a family.'



'What if? What if the vacation had started a day later, if the plane had been delayed?'

These are poignant questions that Prime Minister Rutte poses at the beginning of his speech on 10 November. Questions to which there is no answer and that render one powerless. There is no 'what if'. There is only reality. Jack O'Brien doesn't break his leg while running to the plane and arrives on time. Richard Mayne, a true Leicester boy, as his father still calls him, never returns home to embrace his mother Liz, his brothers Thomas and William, and his sister Francesca. The family of

Paul Marckelbach, his mother Christiene (64), his sister Simone (41) and her husband Antoine van Veldhuizen (43), and their sons Quint, aged seven, and Pijke, aged three, never reach their holiday destination in Bali. Co-pilot Ahmad Hakimi Hanapi, 29 years old, doesn't get to see his son Abderrahman grow up. Klaas Willem van Luik no longer goes to work for Shell in Brunei where he has been living with his Malaysian wife Jenny for some time. And the talented and socially engaged musician Thamsanga (Thami) Uyterlinde (25) never visits his father, Shadrack Noto, again.

Shadrack Noto was born in Soweto, South Africa. In 1984, he fled to the Netherlands. His son carries his mother's surname, and his first name comes from Xhosa. Thamsanga means 'good luck'. 'A lucky boy'. The father finds it difficult to talk about his son, even ten years after his death. The pain of loss still stings every day. With the help of a general practitioner and a therapist, he tries to accept and live with the loss, but the pain doesn't diminish. 'You almost get used to it, to the pain every day. The sharpness of the pain softens somewhat over time, the edges become rounder. That's why it's just bearable. The goal is acceptance. But there's no way you can forget about this.'

In his brightly painted ground-floor apartment in Amsterdam-Zuid, Shadrack Noto tries to find the right words for his still searing grief. Fresh tulips stand on the table covered with an African tablecloth. He tries to live anew every day. But each day is one without Thami.

'We often saw each other on Thursdays,' the father recounts. 'Thursday was our day. We would go out for a drink or a meal together, often at the same restaurant. Because Thami was supposed to fly to his girlfriend on Thursday, 17 July, he came by on Wednesday evening this time. His girlfriend's mother had a business in Malaysia, and he was going to pick her up there to continue traveling together to Indonesia. I remember he

was really looking forward to it. He sat at this table, and we ate together. Thami already lived independently, but he wanted to leave his scooter with me, which was fine by me. When he was leaving, I wanted to give him an envelope with some money, as I often did when he visited or went on a trip. But this time he said, 'I don't need it.' We stood on the threshold, and I still gave him the envelope. 'Buy yourself a travel pouch with it,' I said, because he didn't have one. I went outside and waved him off. At the end of the street, he turned around and waved back.'

The next morning, Noto calls his son. Thami is already at the airport. The conversation lasts only a few minutes. 'He was always busy.'

At precisely 09:46 AM, Noto sends his son another text message.

Noto
Safe journey and a pleasant stay in Indonesia.
Keep us updated. Love you. 09:46

At 10:55, Thami sends an iMessage back.

Thami
Thx man! Love u too. 10:55

'When I'm feeling very down, I look at these messages,' says Noto, while clutching his phone in his hand. On the screen are two word clouds, one green and one blue. 'On that day and at that moment, we expressed words of love. That's precious. But it's also painful. Because everything after that stops.'

*

What if? It's a question without an answer. Just like that other question haunting the minds of so many. Why? It's the title of the poem that Paul Marckelbach reads during the National Commemoration.

'I was watching the Tour de France with my son Levi when my best friend called. His parents lived next to mine, they knew each other. "Wasn't your mother flying today? Something has happened." I still didn't know anything. Then things started to fall into motion.'

Mother, sister, brother-in-law, two nephews. A little sneaker from one of the boys still sits in a cupboard in the living room. It was found in a field, perhaps among the sunflowers, thousands of kilometres away. 'You want them to be remembered, not to fade away. But you also scream out in grief. We had booked a holiday in the Netherlands in August. We still went. I was sitting with a book in my lap, and suddenly I found the words. I've written before, but this was just emotion, very accessible. Maybe that's why it resonated.'

In the enormity,
now a reality
I'm cast away on an island
Alone with my thoughts
My sorrow and
my memories.

My heart is broken
I did not know
that such pain existed.
I shake my head
And tears, more tears,
keep rolling down my face.

I hug my memories close.
I look back, and feel again the warmth.
Of all that beauty that once was.
It makes me smile,
and that feels good.

And then if I try to glimpse
Some place, beyond
If I try to look.
into the future.
And ask myself
what I'd most like,
and with whom I'd like to have it
Well, then I feel defeated,
because what I want,
cannot ever exist - with them.

I still want so much
to share things
Experience them
Together
with my mother, sister,
the little ones, and Tony.
And that I must let go.

When will I see all of you again?
When will I be able to feel your presence?
Hold you close, cuddle and caress you?
It cannot be, that is no more.

I want so badly for it
to be different.
And again, I shake my head.

I feel so alone
And it is cold.

The wind blows.
On my island of one
Here where my feelings are
And where I am without you.

Why?

When Paul recites the poem, he breaks down at the last word. 'I was very tired afterward. Yet, in the evening, I still joined *RTL Late Night* in the studio at the Schiller Hotel. This sorrow is so all-encompassing, I felt a tremendous motivation to express it and to be there. Cuddle and caress, those words are so familiar. And then to have to miss that forever.'

2. THEY'RE IN THERE

Mark Rutte, who has been Prime Minister since 2010, has just arrived at his holiday destination in Southern Germany when he receives a message that something terrible has happened to a plane reportedly carrying many Dutch nationals. He must return immediately. At a small airport nearby, amidst a forested area, a government plane lands to pick up the Prime Minister. Stephan Schrover, from the Government Information Service, briefs Rutte en route. The initial reports suggest that a plane has crashed in Russia. Soon after, a correction follows. The plane didn't crash in Russia, but rather in Eastern Ukraine, an area already inaccessible to local Ukrainians due to ongoing armed conflict. As Rutte flies back and makes the first International calls, he ponders over the words he must choose. 'It's a radiant day that ends pitch black.' It sounds somewhat clichéd, he says ten years later. Yet, that sentence still encapsulates that initial feeling.

Rutte also reflects on the Olympic Winter Games held earlier that year in the Russian city of Sochi. On that occasion, he shook hands with Russian President Putin. The King and Queen even toasted with Putin at the Holland Heineken House on Sunday, 9 February. Just a few weeks later, Russia invaded Crimea and began encroaching on the borders of Luhansk and Donetsk, oblasts (similar to provinces) in Eastern Ukraine. So-called separatists from within began clashing with Ukrainian forces, aiming to secede as independent republics with strong ties to Russia, or even to fall under Russian governance. Since then, the West has frozen relations with Russia. In the European Council, where Rutte sits as the Prime Minister of the Netherlands, the Russia-Ukraine issue has already become a recurring topic of conversation.

'We understood right away that the plane had crashed in an

area that was, at the very least, complex,' Rutte recalls. 'But the realisation of how complex it would become only sunk in in the days that followed.'

Upon arriving at Schiphol Airport, Rutte repeats the sentence he had formulated earlier on the plane. 'It's a radiant day that ends pitch black.' He then hurries to The Hague, where the National Crisis Structure has been activated. For national crises like this, there is a standard protocol in place. An administrative crisis management committee is formed, consisting of senior officials from various departments, alongside a ministerial crisis management committee that convenes at the Ministry of Security and Justice. Together, these committees form the hub of the so-called national crisis organisation.

Meanwhile, news of the disaster permeates society. Peter van der Meer sets off from Friesland around 5 PM when he receives a push notification from the NOS. He's on his way to his girlfriend Floos, with whom he has just started a relationship a month ago. They plan to go to Zeeland that weekend. The push notification reports that a Malaysia Airlines aircraft, which took off from Schiphol shortly after noon bound for Kuala Lumpur, has crashed.

'I knew it right away.'

Peter drives slowly to the nearest petrol station. He calls his parents, his ex-wife's parents, his girlfriend Floos, and his friend Rob, who is a senior purser at KLM.

'I knew it right away. They're in there.'

Peter's daughters Sophie (12), Fleur (10), and Bente (7) boarded the plane earlier that day with their mother Ingrid. Ingrid's father had taken them to the airport. The day before, Peter had said goodbye to them. 'It was an emotional farewell. Ingrid and I had divorced a year earlier, and now the girls were going on a big trip alone with their mother for the first time. I took them to Ingrid's on Wednesday evening. Bente called me

on Thursday, and we had a very pleasant chat. "Have fun," I said. That was our last contact.'

Peter drives straight to Schiphol, where he arrives as one of the first relatives. He is directed to a café in the Dakota lounge, which is cordoned off with red and white ribbons. A man in a yellow vest offers him a bottle of water and asks him to sit down. 'I don't want to sit,' Peter replies.

An hour later, Floos arrives. In her memory, Peter screams desperately, 'If there's just one left!' Meanwhile, his phone is inundated with messages. 'There were other kids in Bali, friends of the girls, who called from there.' Slowly, the café fills up. Someone switches on the television. Peter's parents and brothers also arrive. 'Floos and my parents met there for the first time.'

The gathered group of people at Schiphol, confused, desperate, uncertain, and terrified, is escorted from Schiphol to a nearby hotel. Shadrack Noto only partially comprehends it all. 'On Thursday, I had a meal in our favourite restaurant, and when I came back, I saw the news about Malaysia Airlines. At first, I thought it was about flight 370 that had crashed earlier. Even after I turned on the tv, I didn't really understand what was going on. I called Schiphol. "You have to come" was all I heard. A neighbour came by. "We're going to the airport now" she said. Then everyone started calling. Thami's mother, who was in the us at the time, friends, family. It became increasingly clear that something had happened.'

Huib Gorter, vice president of Malaysia Airlines Europe, appears visibly shaken during a hastily organised press conference and confirms that MH17 has crashed over Eastern Ukraine. At the end of the press conference, a phone number appears on screen for relatives to call. Many who try to do so receive no answer. Around 08:00 PM, the Minister of Security and Justice issues a first press statement stating that there are fears for many

Dutch victims.

‘I actually never experienced that moment,’ Noto repeats. ‘My mouth was dry, I remember. Somewhere, deep down, there was still a glimmer of hope in me. Then the list of names was released. Thami was number 200. From that moment on, my life changed. Life before and life after MH17 are two separate universes.’

He doesn’t remember how he got home that evening. ‘People came by, but I actually don’t remember anything from that evening. In the weeks that followed, people kept coming, they cooked for me. That’s all I remember.’

Peter van der Meer and his family do not receive any further information on the evening of 17 July and go home, where they arrive around 10:00 PM. People are waiting outside his house; neighbours, friends, acquaintances. ‘That hasn’t really changed in the years that followed. I always very much wanted people to come by. I wanted people around me.’

The next morning at 08:00 AM, the airline confirms that Sophie, Fleur, and Bente were on the plane. Peter is left behind, a father without children.



Throughout that Friday, more and more names of passengers become known, and the first in memoriams appear. Rutte doesn’t know any victims personally, but he knows who Willem Witteveen is, a senator in the Dutch Senate for the Labour Party. Witteveen’s father, Johan, had been Minister of Finance in the 1960s for the VVD, and Rutte had met him regularly at party congresses and prominent gatherings. Rutte calls the elderly statesman. ‘His grandson was next to him, he said. In one fell swoop, they had lost their father and son, their mother and daughter-in-law, and their granddaughter and sister.’

‘Almost everyone knows someone,’ *NRC* headlines on 19 July 2014. It’s one of the reasons why the country immediately plunges into mourning after the crash.

‘Every day, twenty planes take off per hour from Schiphol,’ Rutte knows. ‘Indirectly, we always know someone who is traveling from our airport. Now it was the summer period, most passengers were simply on their way to a holiday destination. There were eighty children on board. Everyone could identify with the victims.’

The dismay of that first moment echoes for weeks. Dutch newspapers, radio and television stations, and social media report on almost nothing else. The disaster is also big news abroad. Rutte’s characterisation of the MH17 crash as occurring ‘in the context of an international conflict’ amplifies its significance. Because the Netherlands had previously lost civilians in major air disasters. On 27 March 1977, two Boeing 747s collided on the holiday island of Tenerife, resulting in 583 deaths, including 238 Dutch nationals. On 21 December 1992, 54 passengers and two flight attendants from Martinair lost their lives, and more than a hundred occupants were seriously injured during the landing at Faro airport. 103 people, including 71 Dutch nationals, died on 12 May 2010 in Tripoli, Libya, when a plane from Afriqiyah Airways crashed. But however heavy the losses were at the time, Dutch investigators could go to the crash site. Victims could be quickly recovered.

This is not the case with MH17. Access to the crash site is denied. Dutch authorities immediately realise that there will be no smooth cooperation with the Russians. From the moment he is back in the Netherlands, Rutte calls President Putin daily.

‘Vladimir, you have influence in that region. Our almost sacred goal is to retrieve the people as quickly as possible. Relatives want to know if the victims are indeed their loved ones. I explain that to him, but he denies it. “We are not in the

Donbas, Mark”, he says.’

Meanwhile, local responders from the State Emergency Service (SES) gather at the Torez station, a city 10 kilometres north of the village of Hrabove where MH17 crashed, collecting human remains of victims in refrigerated wagons. Rutte has only one goal: the train with the refrigerated wagons must start moving as quickly as possible to the city of Kharkiv, which is still firmly under Ukrainian control. From there, an airlift to the Netherlands can be set up. Saturday evening, 20 July, Rutte tries to build up further pressure. It frustrates him that Russia neither bends nor breaks.

‘I thought I had built some sort of relationship with Putin over time, so I call him again. I repeat our message: We want our people back.’

From the outset, repatriation of the victims is the primary goal envisioned by the national crisis organisation. Additionally, the Dutch government formulates two more objectives: the collection and return of personal belongings and the initiation of an investigation into the cause of the disaster and those responsible. The Dutch Safety Board (ovv) takes charge of the investigation into the cause. The Public Prosecution Service is responsible for the criminal investigation and forms a Joint Investigation Team (JIT) consisting of investigators from the Netherlands, Australia, Malaysia, Belgium, and Ukraine. The JIT will conduct an eight-year-long investigation into who was involved in the downing of flight MH17. The murder of 298 innocent people cries out for justice.

3. A SEA OF FLOWERS AND HUGS

He is asleep when the phone rings in the night of 17 to 18 July. Gerard Bouman, Chief Commissioner of the National Police, is on the line. ‘I have a special request, and you have half an hour to think about it.’

Pieter-Jaap Aalbersberg, at that time Chief Commissioner of the Amsterdam police force, rubs the sleep from his eyes and wakes up his wife. If he does this, she must support him. Less than half an hour later, he calls Bouman back.

‘I’ll do it.’

Aalbersberg doesn’t beat around the bush. ‘In my line of work, human lows are often bureaucratic highs,’ he says ten years after the disaster in his office, somewhere high up in the tower block where the Ministry of Justice and Security is located. Aalbersberg has been the National Coordinator for Counterterrorism and Security (NCTV) since 1 February 2019. It doesn’t actually surprise him that Bouman calls him in 2014. ‘I had the necessary international experience. When someone asks you to carry out such a task, you immediately feel the responsibility.’

Aalbersberg is tasked with leading the repatriation of the victims as the head of the mission. On 26 July, he heads to Kyiv. ‘Nobody really knew what was going on there. The information was scarce. The Dutch diplomatic service in Kyiv turned out to be heavily burdened. There was already a sea of flowers and teddy bears in front of the embassy. That made a huge impression but also meant enormous pressure.’

Aalbersberg’s main task is to maintain political-administrative dialogue with Ukraine and establish contact with the separatists in the crash area through the Organisation for Security and Co-operation in Europe (OSCE). He also needs to involve the grieving nations – the countries mourning the

victims, including Australia, Great Britain, and Malaysia – in the mission.

‘Organization,’ is what Aalbersberg resolves from the beginning. For the first staff meeting, he gathers employees from Defence, the Royal Marechaussee, and Foreign Affairs, about ten people in total. There’s an intelligence briefing at 06:00 in the morning, followed by a meeting with the Australian head of mission at 11:00 AM, and then discussions with ambassadors and other stakeholders throughout the day. The OSCE ambassador turns out to be a wise man who tries to stretch the boundaries of his mandate in the crash area to obtain cooperation from the separatists and permission to retrieve the victims’ bodies. A temporary ceasefire is a condition to enter the area further. ‘From the field, we kept receiving signals that bullets were still flying back and forth, while we kept thinking, or hoping, that we could go there.’

Daily meetings with the Vice President of Ukraine take place around 06:00 PM. Aalbersberg vividly remembers the huge hall with imposing paintings of heroic Cossacks hanging on the wall. ‘There was a whole battery of military personnel at the table, and in the middle, one man in civilian clothes.’ Difficulties arise, among other things, with interpreting. The Ukrainians were part of the Soviet Union for decades and predominantly spoke Russian. Now that they have been independent since 1991, they value their own language. There is even a law stating that only Ukrainian may be spoken officially. The Ukrainians therefore do not refer to it as Kharkov, but as Kharkiv. Kiev is Kyiv. The Dutch speak English, which is then translated into Ukrainian by an interpreter. But after a few days, it turns out that agreements made at the table are only partially understood in the field. ‘It turned out that some of those present at the table still spoke mainly Russian instead of Ukrainian. Within a few days, we flew in a few Dutch defence officers who spoke Russian to monitor

the agreements made in the military headquarters.’

Negotiations with the separatists take place in the evenings via the OSCE. ‘If everything went well, we would receive a message around 01:00 in the morning that we could proceed the next morning.

The next day, the pattern of briefings, meetings, discussions, and negotiations repeats itself. Aalbersberg often feels like a pawn in a much larger political game. ‘Who is pulling which strings, what is the image, who has which interests? And above all: What is really happening in that crash area with the victims and their belongings?’

Peter van der Meer sees on Dutch television how someone on the scene holds up a passport belonging to one of his daughters. The identity document is never found. It is one of the biggest concerns at that moment. Images of local responders mishandling human remains and belongings in the crash area spread worldwide. Stories about the looting of jewellery and the disappearance of valuables seep through the news like poison. Photographers in the field do not hesitate to photograph a man dressed as a soldier who seemingly holds up a stuffed toy impassively. It is only much later that it becomes known that the man later takes off his hat and crosses himself.

‘I had a lot of leeway as head of mission,’ Aalbersberg believes. ‘We had a good mandate in the operation, and the lines to the Hague politics were short.’ Communication mainly takes place through Dick Schoof, the NCTV at the time. Occasionally, Aalbersberg speaks directly with the Prime Minister.

‘I flew back and forth to the Netherlands regularly to provide explanations. Being able to switch quickly thanks to short lines is of great importance in such a crisis situation. As well as mutual trust. There was a lot of focus, and the goal was clear. Defence handled logistics. The defence commander in Kharkiv, Hans van de Ven, ensured in the second line the swift, careful,

and dignified retrieval of the bodies, in collaboration with the responders from the SES.’



Four days after the disaster, on Monday morning, 21 July 2014, Mark Rutte, along with Minister Opstelten of Security and Justice and Minister Plasterk of the Interior and Kingdom Relations, briefed the relevant standing parliamentary committees in a technical briefing. He referred to it as an ‘ink black day’ on which ‘backpackers, scientists, families, and even a member of the States General unsuspectingly faced their hopeless fate.’ He spoke of the strong interconnectedness in the Netherlands at that moment and acknowledged that everyone was ‘shocked, bewildered, and furious’.

‘So many questions still remain. From the moment the dreadful news of the crash reached us, crisis coordination within the cabinet has been activated to answer and act upon those questions as effectively and swiftly as possible. The absolute top priority is the repatriation of the remains. Additionally, immediate access to the crash site is necessary for independent investigations to uncover the full details of the incident. Those responsible must face justice for their actions. At the same time, it is of utmost importance to provide care and support for the families of the victims in the Netherlands.’

When reading the technical report ten years later, one sees a country in a state of confusion and alertness. Rutte and fellow ministers, including Foreign Minister Frans Timmermans, are in constant consultation with international colleagues to facilitate repatriation and access to the crash site. Rutte speaks

with the heads of government of Germany, the United Kingdom, the United States, France, Malaysia, Ukraine, Australia, Indonesia, and Russia, as well as with the Secretary-General of the United Nations. Timmermans tries to urge members of the UN Security Council in New York to adopt a strong UN Security Council resolution emphasising the importance of unhindered humanitarian assistance and independent international investigation. He succeeds. Over the weekend, Timmermans travelled with Dutch experts to meet with Ukrainian authorities and international organisations, including aid agencies, to discuss the recovery operation and the investigation into the cause and any culprits. He meets with the Ukrainian president, the prime minister, the deputy prime minister, and the foreign minister, as well as representatives of the European Union, the UN, the OSCE, and the International Red Cross. Ukrainian President Poroshenko, whom Rutte spoke with late Sunday night, and Prime Minister Yatsenyuk both promise full cooperation to facilitate the recovery of victims. The OSCE is meanwhile negotiating with the separatists.

During the technical briefing, Rutte explains that Dutch experts in identification travelled to the crash site on 19 July. He speaks of ‘a complex operation that takes time.’ Dutch relief workers from organisations including the Dutch Safety Board, the Public Prosecution Service, the National Forensic Investigation Team (LTFO), and the crisis workers of the Ministry of Foreign Affairs are present in Ukraine, but no one can access the crash site itself. Only SES relief workers are involved in searching, collecting, packaging, and transporting the bodies to a location for examination. OSCE representatives monitor the recovery of bodies.

Everything is focused on getting the train with human remains moving, Rutte reiterates. Unconfirmed reports mention a figure of 251 bodies.

‘We are striving to have the identification done in the Netherlands,’ Rutte says. ‘I discussed this with President Poroshenko late last night.’ But first, the train must start moving. And, Rutte warns, although investigating the cause of the crash is crucial, and the question of blame is on everyone’s lips, we must prevent ‘prematurely attributing blame leading to reduced access to the crash site and thereby reducing the chances of retrieving and repatriating the bodies and conducting independent investigations. I understand that many people want us to provide clarity as soon as possible and to pronounce on the question of blame, but I point out the dilemma we face in doing so. We must ensure that attributing blame never leads to a reduced chance of retrieving bodies and conducting independent investigations.’

‘It’s a heavy debate,’ Rutte recalls so many years later. The fear that riots could break out in the Netherlands looms.

Five days after this debate, Aalbersberg travels to Ukraine. He hears little about the fear of domestic riots. He is mainly busy ensuring that the repatriation team gains access to the crash zone. Although the situation is far from straightforward, Aalbersberg remains hopeful that the Netherlands will ultimately succeed in retrieving all the victims. ‘We were dealing with two parties, neither of whom wanted to be blamed for this terrible tragedy. Such a situation presents an opportunity for negotiation at the governance level. The small, in this conflict entirely non-threatening Netherlands could ultimately penetrate the local authorities of the Donetsk People’s Republic (DPR). The diplomatic framework, especially that of the OSCE, was crucial. I believe that the Netherlands commanded respect in the way we operated. I particularly noticed this in contact with Australians. Australia has a British culture, which is tougher, especially in politics and journalism. Everything there is political. Australia has been very important for the entire

operation, even afterward, but I believe that the Netherlands as a collective earned respect in the way we ultimately handled this.’



Peter van der Meer thinks about only one thing all those days.

‘I’ll get them.’

He seriously considered going to Ukraine himself, he says.

‘I wanted my girls back.’

4. THE TRAIN IS MOVING

It takes a long time before all relatives of the passengers of flight MH17 are officially notified of the loss of their loved ones.

Uncertainty exists, among other things, about the nationality of some passengers. It is not until Monday, 21 July, that the list is finally complete. That same day, the National Core Crisis Communication Team organises a closed information session for relatives for the first time at 02:00 PM at the NBC Congress Centre in Nieuwegein. The King and Queen, as well as the Prime Minister, are present.

Rutte remembers a 'seething room' where emotion is palpable everywhere. 'I saw angry people who didn't understand why we couldn't go to the crash site and why the train with the victims hadn't left yet. I was angry about that myself. The bodies of the victims had to come back so people could start mourning.'

There are attendees who suggest that American marines had already gained access to the area, given that so many Americans had died. 'I immediately denied that, because the crash site was 30 kilometres from the official Russian border, and according to some reports, Russia already considered the area as Russian territory. An invasion of American or European troops would create quite a remarkable situation. I understood why people reacted that way, but I didn't let myself be pressured by it. I didn't need to. The emotions were so palpable, I felt them myself.'

Sander van Luik is initially unaware that there is a meeting for relatives. His brother Klaas, living in Brunei, is not registered in the Netherlands and does not appear in any system as a victim. By a stroke of luck, Sander eventually learns about the meeting in Nieuwegein. 'Another brother was in the hospital, and a police officer who happened to be there saw the name Van Luik. He knew there was a Van Luik on the passenger list

of MH17. That's how we were eventually informed.'

Sander also remembers that people were angry on 21 July. He understands that. 'Angry because there was so little progress at that time and angry because the repatriation was not going well.' The meeting was certainly not chaotic. 'There was a lot of emotion and a lot of questions. But there weren't many answers.'

In hindsight, says Sander, as a member of the truth-finding working group, he tried to channel the anger, which for a long time was directed at the Dutch government. 'I tried to explain that we shouldn't be angry at the people we would need most throughout the entire MH17 process,' he says ten years after the disaster. 'Mark Rutte hadn't caused it. He was crucial in getting things done. I realised that from the beginning.'

That night, the Prime Minister is called out of bed. 'Someone said, "The train is moving." I was moved to tears.'



The Tuesday after the first meeting of the relatives, someone suggests during the ministerial meeting that Wednesday, 23 July, will be a national day of mourning. That day, the first caskets containing human remains will be transported to Eindhoven Airport. They will then be transported to Hilversum, where the identification process will take place at the Corporal van Oudheusden Barracks. The arrival of the caskets will be broadcast live on television.

At the suggestion of a national day of mourning, Rutte loses his temper.

'Immediately after the crash, I asked whether there was something like a national day of mourning in the Netherlands. There wasn't. In the following days, I asked again. The entire

country sympathised and wanted to do something. For five days straight, I inquired about the existence of a national day of mourning, always receiving a negative answer. Now, suddenly, a national day of mourning was announced. Immediately, various municipalities started calling to inquire about what exactly national mourning entailed. We didn't know either, because we had never had such a day before.' But when something like this happens, everyone looks to The Hague first: is there a play-book? No, there wasn't. Plus, everyone wanted to know exactly what time the two minutes of silence should be observed. Yes, that was obviously at the moment the first plane from Charkiv would land. 'I genuinely thought: be reasonable! Just watch the live broadcast, and you'll see it.'

Millions of people see it. Around 10:00 AM local time, Ukrainian soldiers, forensic experts, and representatives from the Netherlands, Malaysia, and Australia form an honour guard around the first caskets that will be brought back to the Netherlands by a Dutch C130 Hercules transport plane and an Australian cargo plane at Kharkiv airport. At 03:47 PM, the first aircraft lands in Eindhoven, followed by the second three minutes later. More than a thousand relatives have come to the airport and watch as the caskets are one by one lifted from the belly of the aircraft with military ceremony and placed into the waiting hearses. Black screens ensure that the relatives are not visible to the hundreds of journalists present. Even the two hundred dignitaries, including the king and queen and the prime minister, can hardly see anything.

'I only heard the lines ticking against the flagpole,' Rutte remembers well. 'The whole world was watching, and we didn't actually see anything. That was completely logical and at the same time somewhat alienating. There was no music, no one said anything. Complete silence and then only the ticking of that flag.'

Under the escort of Royal Military Police motorcyclists, a convoy of forty hearses departs from Eindhoven to Hilversum at 05:50 PM, where the identification process will take place. Along the highways and on the overpasses above the A2, crowds gather to pay their final respects to those who, as Rutte put it earlier, had faced their hopeless fate less than a week ago.

The mourning unites the otherwise strongly divided Netherlands. Rutte suspects that the location of the disaster, in the midst of an area where an international armed conflict is taking place, gives an extra strength to that feeling of connection. Although the Netherlands may have been spared war on its own territory for almost eighty years, according to the Prime Minister, that does not mean that the Dutch no longer understand how important freedom is.

'Perhaps I'm mostly hopeful, but I believe that the Dutch have a deep understanding of what war means and how hard our freedom has been fought for. Nowhere else is the support for Ukraine in the war with Russia as strong as it is here.'

All in all, hundreds of Dutch and Australian relief workers are involved in the repatriation. In the weeks following the disaster, dozens of them walk through the Ukrainian fields every day. Aalbersberg tries to stay in touch 'with the field' to hear what is going on. When he receives the message that Dutch relief workers are suspected of taking children from the local population to abuse them, he immediately takes action to refute the fake news. 'A disaster like this always brings the wildest stories with it. Open communication is important. Stay focused.'

It's not easy. The repatriation mission is suspended several times because it is too dangerous in the area. In September, a brief ceasefire is broken, and the mission has to withdraw. During a civil servant briefing with members of the House of Representatives, the NCTV outlines the danger of kidnappings

and violent incidents. Meanwhile, members of the SES gather personal belongings such as clothing, suitcases, passports, credit cards, jewellery, and teddy bears. Aalbersberg states on 13 October that the collection process is not without incidents. 'Shots were fired in the vicinity of the crash site around noon.'

Even months after the national day of mourning, human remains are found in the affected area. They are flown back to the Netherlands with the same ceremonial honour each time. Head of mission Aalbersberg attaches importance to the ritual. 'Respect is crucial. Not only for the victims and their relatives, but also for our employees. It is very important to incorporate space for the human aspect during the repatriation mission. Also, to prevent later traumas. In Donetsk, the air raid siren went off every night. That affects people.'



Between July 2014 and September 2015, ten repatriation flights took place. Paul Marckelbach was present nine times when the planes arrived at Eindhoven Airport. Friends accompanied him each time. 'After the hearses had gone, we would go eat or drink something. Talking about it helped me a lot, especially in the beginning. I didn't watch the news because I didn't want to see the images. But I did want to honour my family, and I still do. You want to keep them emotionally close to you. Every year on 17 July, we celebrate life in our garden with our friends. I'm always afraid of forgetting things, but I've never lost my sensory perception, I notice. Antoine's hand, Simone's embrace, and my mother's. When I see young children laughing, I can really enjoy that. But there are always memories of my nephews Quint and Pijke. Pijke had those beautiful curls. In the back of my mind, there's a tender spot that can be triggered at any moment and unexpectedly. Then I smell them again.'

Meryn and Jon O'Brien watch from Australia as the caskets arrive at Eindhoven Airport. 'I remember those images from the Netherlands so well, people standing along the highway, applauding, as the hearses with the caskets from Ukraine were driven to Hilversum. It brought tears to my eyes,' says Meryn. Jon nods. 'The solidarity. The compassion. It was a cry of humanity that starkly contrasted with the inhumanity of the act that caused the disaster. It was a declaration of our interconnectedness as human beings. We have seen the dark side of humanity. This was its bright side. And the same applied to the trial later on. What happened with MH17 is contrary to the dignity of human life, and the trial emphasised just how important the right to life is. It was an essential counterbalance to the crime committed against 298 people and their families.'

5. COMING HOME

In his mind, he keeps hundreds of stories. All those stories are about people. Mothers, fathers, grandparents, daughters and sons, brothers, sisters, cousins, and nieces. 'I promised that everyone could always confide in me. I stick to that. But I could write a book about it.'

Theo Vermeulen, born as one of the middle children in a family of fourteen, is a big man. He is twenty-one when he joins the police force in 1977. 'In terms of stature and age, I was destined for the Warmoesstraat.' The Warmoesstraat is a famous and, in those years, notorious police station in the Amsterdam city centre. Vermeulen works there for ten years. Then he steps out of uniform and becomes a detective. 'Narcotics, hostage situations, serious crime.' He experiences four plane crashes. He is involved in the identification of victims in the Bijlmer disaster. In the aftermath of the Tripoli disaster, he helps relatives while they wait for the repatriation of the victims. The work suits him.

'Within the Dutch police, there had already been a small network of family detectives who assist victims and relatives of serious crimes. During Tripoli, we gained experience in supporting relatives until the bodies were returned to the Netherlands and then handed over the support to victim support. MH17 was of a completely different magnitude. We were not well prepared for supporting so many relatives after such a large disaster.'

He remembers it vividly. After hearing the news of the attack, he, along with his colleague Sylvia van Braak-van Dijk, forms a core group as the national coordinator of family liaison officers and starts making calls to see who is available. How, during the weekend immediately after the disaster, the first family detectives knocked on the doors of relatives. How, as the police coordinator, he constantly had to coordinate with other

organisations to determine who does what and who is responsible for what. How the tension between the LFTO and the core team of family detectives escalated. 'We were inundated with information and became the central point of contact for many parties. We had no prior experience in this area, and it generally fell outside our scope of work. It meant learning every day and fighting for our position.'

More than a hundred family detectives are released to assist families and relatives. One of their first tasks is to gather information to enable identification. Peter van der Meer finds it 'reassuring' when the detectives show up at his door on Sunday. Until that moment, he has been more or less in a state of permanent shock. He is never left alone. His girlfriend and family, friends from his college year group, a close friend with whom he is a class parent at his daughters' school, neighbours, and acquaintances keep coming by. 'My house became a place of pilgrimage. People quickly got to know each other and formed a close-knit group. That's still the case. That's how it started back then.'

The family detectives bring DNA material, including that of his parents and former in-laws. The same happens with all those families affected by the attack. Hair, dental records, blood samples, anything that can help give names back to the often severely damaged bodies. Ultimately, 296 people are identified. There is still no trace of two passengers.

Thami Uytterlinde is the first victim to be identified. He still carries his passport in his pocket. His father asks if he can see his son one last time. 'It's better not to,' says the family detective. On 7 August 2014, Thami is buried at Santa Barbara, a cemetery on the outskirts of Amsterdam. His father goes there almost every Thursday. 'And every time I think: if we could trade places, I would do it without hesitation.'

Peter van der Meer watches the arrival of the victims on

television from his home in Baarn. On 23 July and in the days that follow. 'I wanted to witness the arrival of my daughters.' The wait for the final result is almost unbearable, the frustration grows with each passing day. In hindsight, the girls turned out to have 'come home' eight days after the crash. 'They arrived in Eindhoven on 24 and 25 July. On 13 August, I was told that Sophie had been identified. I was sort of relieved. My girl was back.'

Floos has bought four hearts to commemorate Ingrid and the daughters. After the news of the identification, they hoist the flag with a heart attached, hoping that the others will follow soon. Five days later, the family detectives are back at the door. Fleur, Bente, and also Ingrid have been found. 'My heart skipped a beat. There were four hearts on the flag. That was the best outcome.'

Peter is given the opportunity to see his daughters again, along with his mother, who has been a nurse and worked at a hospice. In the crematorium in Hilversum, the three caskets are placed next to each other behind a curtain. Unlike many other victims, the girls, although damaged, are still largely intact. Together with his mother, Peter opens the caskets. Bente is the first. 'According to my mother, she had fluttered down like a butterfly and was therefore still completely intact.' Then they look at Fleur, who is a bit swollen but still clearly recognisable by the birthmark on her leg. Finally, he sees Sophie. She still has her braces in, her hair is still braided.

'I found it very beautiful and am very glad I got to see them,' Peter reflects ten years later. 'My mother found it very difficult, but I was almost relieved. There was so much uncertainty for so many people. I looked into those caskets and just saw my daughters. They were back.'



Pastor Jules Dresmé is visiting his brother in Delft when he hears that a plane has been shot down. It quickly becomes apparent that fifteen of the victims are from Hilversum. Three families are wiped out in one blow. 'Fifteen deaths out of 90,000 residents is a lot. The whole city was in shock.' Dresmé, associated with the prominent and eye-catching Sint-Vitus Church, immediately contacts the mayor and opens the doors of the church on the Saturday after the attack. 'Everyone wanted to do something, the unrest was great. We wanted to provide space for mourning. And we did. The church was open for four weeks. Thousands of people signed the condolence register. There was a lot of love and attention.'

Dresmé visits bereaved families, in Hilversum and beyond. Together with the mayor, he organises a memorial service and a silent march a month after the disaster. Fifteen hundred people participated in the march, with over two thousand attending the service. 'I have never seen so many tears,' says Dresmé. 'An ocean of sorrow.'

Because Hilversum is also where the bodies are being identified, the mourning lingers around the city. 'The bells have tolled a lot here.' The pastor himself leads various farewell services. He is moved by the trust people place in him. 'Who am I in this context?' He refrains from delivering a devout story about eternal life. 'Nobody was waiting for that, and I didn't want it either. What we aimed for was to form a circle around the bereaved. Solidarity provides comfort. This loss was too great to bear alone.'

Not only Dutch relatives, but mourners in all other countries also receive support from family liaison officers or local authorities to guide them through the initial chaotic days, weeks, months. After Richard Mayne is identified, his father Simon travels to the Netherlands with one of his other sons to

collect the body. In the chapel stands a wooden casket. 'Realising that it's your son lying in there was terrible. The next day we flew back, accompanied by an English coroner with a lot of experience in the aftermath of disasters. She was also the coroner after the London bombings in 2005 and had a lot of experience with these kinds of situations. East Midlands Airport is near my home in Leicester. The city police had organised a guard of honour with a bugler. Richard was a true Leicester boy. The way we were welcomed reminded me a lot of the moment the bodies returned to Eindhoven. We were escorted all the way home, which was moving. The care from everyone.'

Asmaa Aljuned also remembers vividly picking up the body of her husband, co-pilot Ahmad Hakimi Hanapi, in the Netherlands. Coming from a cultural background where mourning rituals are strictly religiously orchestrated, she is amazed at the amount of time, attention, and care the Dutch funeral director devotes to each victim.

'I arrived at the chapel and found a man who was a bit panicked by my arrival. He hadn't expected me yet, he said apologetically, and asked if I could come back the next day. Of course! Even if I had to come here every day. The next day, they had prepared the mourning room. There were flowers, candles were burning. I couldn't believe what I saw. In my culture, a body must be buried within 24 hours. There are always a lot of people around, you hardly have space for yourself, it's all about performing rituals. Now I got the time to sit alone in a beautifully decorated room, just with my thoughts, my loss, my grief. I had never experienced anything like it before. It was awful, of course. I couldn't open the casket, I couldn't touch my husband. Yet I felt a great sense of peace because someone else understood how important it is to give space to this sorrow, to set up candles, to arrange flowers. And they did this not only for me but for hundreds of relatives. I found it very beautiful that we

could connect with each other in this way. I lost a life. But at the same time, so many lives touched mine.'



On 25 August 2014, Peter van der Meer buries his three daughters and their mother Ingrid. Exactly fourteen years earlier, he married her, on 25 August 2008. Now, fourteen years later, he closes the chapter of life with her and their daughters. 'The circle seemed complete.' The church is packed and overflowing with grief. The long benches at the front of the church are filled with children crying, dancing, singing. 'We sang a lot of songs.'

After the service, the caskets are placed on a flatbed cart by eighteen acquaintances – 'pillars of my friend group, brothers, neighbours, friends from my year club' – and the five-kilometre journey to the cemetery begins. The walk takes about an hour. Children from his daughters' classes dance and run around the cart. 'A friend of Bente later asked his parents if all funerals were this fun.'

A video was made of the funeral. Peter has only watched it once. He can hardly bring himself to watch the film that his daughters made with cousins when they stayed with their grandparents. 'It's the last recording of their voices.'

6. THE FIRST YEAR OF INVESTIGATION

On the desk of Fred Westerbeke, Commissioner of the Regional Police Unit Rotterdam, lay two hefty books. He hasn't read them because Westerbeke, who studied law after the police academy, doesn't speak Russian. He does know the title of the books: *'The Tragedy of MH17. Truth and Lie'*. They are written by Vadim Lukashevich, a Russian aviation expert who himself conducts years of research into the downing of MH17 and in December 2019 is heard as an expert witness by the JRT. On that occasion, he hands over the manuscript of his extensive study to the investigators. In an accompanying letter translated by Westerbeke, the Russian author thanks Westerbeke for his work.

'As coordinator of the Joint Investigation Team, you have become a model of true dedication and service to your duty. The importance of your work in establishing the truth in the MH17 case cannot be overstated. As a token of appreciation for your dedicated work, I would like to offer my book to you as a gift.'

Westerbeke is visibly moved as he rereads the letter. He also cherishes the thank-you card from a family who lost a daughter in the crash. It hangs in his home office. 'MH17 has been an important episode in my life that I have also let go,' says the former Chief Prosecutor who led the criminal investigation from 2014 to 2019. 'At the same time, MH17 doesn't entirely let go of anyone. In 2020, I received a royal decoration. It felt somewhat uncomfortable. I didn't do the work alone. Therefore, I dedicated the decoration to all colleagues from the police and judiciary, nationally and internationally, who contributed to this investigation.'

Westerbeke had just become the chief prosecutor of the

National Prosecution Service when, on that warm summer afternoon of 17 July, he bid farewell to a colleague in the backyard along with others. The phone rang, and the news came in. 'The colleagues from the international crimes team immediately stepped in,' Westerbeke recalls. 'They instantly said that there could be a lot behind this incident.'

The next morning, Westerbeke holds discussions with the National Police's National Unit about the steps to be taken. 'We had to move forward because otherwise, we would lose control,' he explains. 'Perhaps the UN wanted to initiate an investigation or some other party. If that were to happen, crucial information might no longer be available to us. We understood from day one that not only could an investigation be conducted into what had happened, but also that there should be criminal prosecution. The murder of 298 people, 196 of whom were Dutch nationals, was something we, as the Dutch Public Prosecution Service, could not ignore.'

Westerbeke immediately reaches out to Tjibbe Joustra of the Dutch Safety Board, who is tasked with investigating the circumstances of the Ukraine crash according to the rules of the Chicago Convention. Both investigations, the crash investigation and the criminal investigation, proceeds concurrently. 'Each with its own responsibility, role, and legal framework, and we had to prevent unnecessary duplication of efforts,' Westerbeke explains.

In the workplace, tensions arise regularly. Whose wreckage is being recovered in the crash area and needs to be transported to the Netherlands? What information is shared, what is made public? How should one respond to all the theories being spread on the internet?

'We had never conducted investigations on such a scale before,' says Westerbeke. 'But what we shared was the realisation that we were part of a national trauma and that as a nation, we

had to cope with it together. I spoke with many relatives and saw what all those investigations and uncertainties did to them. It was intense, really intense. The mix of profound grief, disbelief, and anger. There was initially a lot of scepticism. Relatives needed clarity, and we didn't provide enough of it, while there was a lot of news and speculation on the internet about what had happened. Sometimes remains were found, then Russian radar images were circulated suggesting that MH17 had been shot down by a fighter jet. Looking back, we communicated too little in that initial phase. We could have shared more about what we were doing without pre-emptively discussing the results. The latter is not possible in a criminal investigation.'

The emotions during the first year of the investigation were 'very intense,' says Westerbeke in retrospect. 'It really affects you, even on a personal level, because we did everything we could, but we didn't manage to convey that sufficiently.'

Meanwhile, in September 2014, the Dutch Safety Board publishes a report of preliminary findings, stating that the crash of MH17 is likely due to 'high-energy objects' penetrating the aircraft from outside the cockpit. However, the question of who can be held responsible for this remains like a dark cloud hanging over the criminal investigation.



'17 July 2014 was a Thursday. Warm. I was called to see if I was willing to act as the coordinating team leader for the MH17 investigation. That decision was made on Friday, 18 July. Thursday was still very unclear. The idea to initiate an investigation came from the police themselves, given the large number of Dutch victims. And then we would see where the chips would fall.'

Gerrit Thiry describes himself as a law enforcer at heart.

Raised in Amsterdam West, he was seventeen when he started as a police officer in 1975, becoming the youngest detective at the time in what was then still called the *Rijkspolitie* (State police). Driven by a strong sense of justice – and curiosity – he quickly opted for investigation. After the merger of the *Rijks- and Gemeentepolitie* (State and municipal police), he was asked to investigate political corruption in the Antilles. Subsequently, he and his family spent four and a half years in Pakistan, where he served as a liaison officer responsible for intelligence across a vast region: Iran, Central Asia, the United Arab Emirates, Sri Lanka, and India. 'Pakistan is a very different country from what we're used to. Bangkok or Colombia are more Western; Pakistan is not. That makes it attractive for someone who is curious.'

Thiry gains more international investigative experience. He investigates the murder of journalist Sander Thoenes in East Timor, is involved in creating security plans for the Olympic Games, and spends five years as a liaison officer in Spain. Upon returning to the Netherlands, he becomes a team leader in Amsterdam at the national police force, overseeing investigations into international organised crime. 'Until that call came in.'

He says 'yes' without knowing what the police investigation into the downing of MH17 will yield. In 2014, no one can foresee that the investigation will ultimately lead to the conviction of three men to life imprisonment. No one knows that the investigation will take eight years to complete.

It's a small team with which Thiry initiates the investigation, but soon hundreds of involved professionals from the police and defence head to the crash site. 'In total, about twelve hundred people have been involved in the investigation,' estimates Thiry. Australian and Ukrainian police officers, colleagues from forensic investigation responsible for victim identification, tactical detectives, defence personnel, and investigators from the Dutch

Safety Board. 'It became quite elaborate,' as Thiry puts it. The team working on the investigative inquiry consists of around 250 individuals.

Initially, no one believes that the investigative inquiry will indeed lead to prosecution, let alone a conviction. Over the years, Thiry regularly hears questioning remarks about his undertaking. In such instances, he recalls the investigation into the murder of Thoenes, which certainly adds depth to his resolve.

'For relatives, it is essential to know precisely what happened. By the way, there is no single group of relatives; there are significant differences in how people perceive the investigation and the criminal justice process. However, knowing exactly what happened and who is responsible is crucial for many people.'

One of the first actions is setting up a field office in Kyiv, from where Australians, Ukrainians, and Dutch investigators collaborate. Subsequently, every six months, a project plan is devised outlining the necessary resources, personnel, and time to continue the investigation. Throughout this period, the cooperation with the Public Prosecution Service, in Thiry's words, 'went smoothly.' Several fixed (case) prosecutors, some of whom regularly travel to Ukraine, assist in maintaining focus. He specifically mentions the name of Maartje Nieuwenhuis, now a liaison magistrate in Rome. 'I cannot recall ever having a fight with her, although it's not uncommon in practice. Within the existing hierarchy and authority relationships, clashes can occur. But I have never kept secrets from the Public Prosecution Service, and they have never kept any from me. That was occasionally complicated in that international context.'

Despite his extensive international experience, Thiry encounters significant cultural differences. For instance, the Australians are 'much more hierarchical' than the Dutch. 'That's striking. In the Netherlands, we address everyone by

their first name, anyone can walk in, and the door is essentially always open. In Australia, it's always 'sir.' If I called the Australian deputy team leader and he was in the car with his boss, he would hand the phone to his team leader. Here, every input is welcome; if someone has a good idea, they should speak up. In Australia, you don't contradict the boss.'

The Ukrainian colleagues face different challenges. They are mainly confronted with a continuation of the conflict in the East. Countless murders and bombings demand attention from the local police. 'Moreover, it turned out that the Ukrainians' information system was less centrally organised,' Thiry explains. 'As a result, the team leader there spent a lot of time trying to centralise the relevant information.'

What many people still don't realise is that the police cannot conduct investigations at the crime scene during the criminal investigation. Access to the area is denied to the police. Thiry had never experienced this in his eventful career. 'I have conducted investigations in Liberia and have also been to the Pol-e-Charkhi prison in Kabul, Afghanistan. I have never visited Eastern Ukraine.'

Investigators from the Dutch Safety Board do manage to gain access. They are the ones who ultimately succeed in collecting the wreckage and transporting it to the Netherlands. On 9 December 2014, the first convoys arrive. The wreckage is transported to the Gilze-Rijen airbase for further examination. In total, there are sixteen trucks carrying wreckage. Fragments of the weapon used to shoot down MH17 are also found.

Thiry is still surprised that the self-appointed authorities in Eastern Ukraine ever allowed the wreckage to be transported to the Netherlands. 'Forensically, they handed us the smoking gun,' he says. He hasn't always been thrilled about the involvement of the Safety Board. Thiry still believes that once it was established that it wasn't an accident but an attack, the Safety

Board should have taken a step back. 'The investigation into the type of weapon or the firing location should have remained the responsibility of the police. Witnesses heard by the Dutch Safety Board as part of an accident investigation may not be heard later in a criminal investigation. An expert who determined, based on the recorded sound in the cockpit, that the explosion occurred on the left front side, was not allowed to testify as part of the criminal investigation. I have always found that peculiar.'

The criticism exposes how complex the Netherlands is administratively and systemically. The Dutch Safety Board is independent and determines on its own when and where to start investigations. The police operate under the leadership of the Public Prosecution Service in the hope of finding out what happened and who can be held responsible. The National Forensic Investigation Team, a multidisciplinary collaboration between the National Police Corps, the Netherlands Forensic Institute, and various other experts, is tasked by the Ministry of Foreign Affairs with repatriating and identifying victims. This creates several challenges for the criminal investigation. Who is responsible for what, and who listens to whom?

'Steering the course on that was sometimes challenging for the Public Prosecution Service,' is all Thiry is willing to say about it. 'Conflicting interests between organisations, and people, always play a role, even in the case of a disaster like MH17. What helped was the decree 'from above' that repatriation and identification of the victims had the highest priority. Only then did the collection and retrieval of personal belongings follow, and thirdly, the criminal investigation. That provided clarity.'

Mark Rutte is the personification of 'the decree from above' to which Thiry refers. The Prime Minister takes personal responsibility for the MH17 disaster from the beginning. For him, it is paramount that the government never abandons its citizens after such a disaster.

'Patience is our strongest asset,' says Rutte. 'Always. Whether it's about repatriating bodies, retrieving belongings, or conducting criminal investigations, it's the government that has to organise this. Survivors can't do it themselves.' Hundreds and hundreds of Dutch civil servants, experts, politicians, police officers, psychologists, public prosecutors, and judges have been involved with MH17 for years. No one has ever considered this to be of secondary importance. And for all those involved, Pieter-Jaap Aalbersberg as head of the repatriation mission, Fred Westerbeke as coordinator of the investigation and prosecution team, MH17 is a subject that will never leave them. 'It also never leaves me, so I won't let go of MH17 either. And my successor won't either. We have three individuals convicted for life, but they are not yet in a (Dutch) prison. I've said the truth must come out. I still stand by that.'

The anger over the lack of cooperation from the Russian authorities to uncover the truth is still strong in Rutte after ten years. 'My anger towards Putin stems from the lack of decency, that if you make a big mistake during a war with another country, you don't understand how significant that is. Putin could have come up with something without immediately admitting that he was meddling in Luhansk and Donetsk. He could have found a way to admit that a human error had been made and that he would do his best to rectify it. That's what I would have appreciated.'

Rutte discusses his dissatisfaction with the Russian president directly, without interpreters, only once. In October 2014, he meets Putin during a European meeting in Milan. In German, which Putin speaks fluently, Rutte refers to the sinking of the nuclear submarine Kursk in August 2000. A consortium of two Dutch companies succeeded in salvaging the submarine in 2001. The bodies of 115 of the 118 crew members could then be recovered. The Russian Federation posthumously honours them

all with the Order of Courage. The commander of the Kursk even receives the title Hero of the Russian Federation posthumously.

‘I told Putin, “Vladimir, MH17 is just as sacred to us as the Kursk was to you back then. In 2000, there was zero chance that anyone was still alive in that submarine, and yet you wanted to bring it to the surface.” We were still searching in the area at that time, which is why I pulled him out of his seat to discuss this with him. The president understood that. Or at least, I felt like I was making some kind of emotional connection for the first time.’

7. HOLDING ON AND LETTING GO

In the week of 2 March 2015, 533 relatives visit the wreckage at Gilze Rijen airbase. The smell of oil and smoke is still perceptible in the hangar. On 21 March, 296 victims are identified.

The identification process doesn’t mean that relatives can properly mourn. Many relatives are confronted several times with new findings. Sander van Luik experienced that first year as ‘really very tough. Because it was uncharted territory. Most bodies didn’t come back just once, but in pieces and at unexpected times. We buried my brother for the first time during a funeral without a casket. Then followed a funeral with a small casket.’

The ritual of mourning repeats itself over and over again. Relatives continue to grope in the dark about the questions of what, who, and why. New reports constantly emerge in the media, and commentators jostle each other. Consequently, various relatives decide to stop following the news.

‘I didn’t watch the news in the months after the crash, but only read teletext because I didn’t want to see images,’ says Paul Marckelbach. ‘I was just arranging things; my focus was narrow. There’s no playbook for grief; everyone deals with loss in their own way. Nobody competes in their grief, but people think they do. In the beginning, I also thought: ‘Have you lost someone? I lost five!’ My loved ones were in the top ten, so to speak. Slowly, my perspective widened, and I understood that I had a choice: either I completely succumb to the grief and perish, or I move forward and celebrate life.’

Shadrack Noto couldn’t manage that. Since the day his son died, he hasn’t watched the news. ‘It was too much. The pain of losing a child is so intense. I searched every corner of my heart for how to deal with this, but it’s incomparable to anything else. I grew up in a society where children are the messengers of the

future. That messenger has been taken from me. My life ends with him.'

But the news keeps on coming. In October 2015, the Dutch Safety Board presents its final report. Standing before the reconstruction of the heavily damaged aircraft, chairman Tjibbe Joustra presents the findings. In the days following, relatives can visit the reconstruction. Many of them know exactly where their loved ones were on the plane.

Fred Westerbeke describes the presentation of the Dutch Safety Board's report in October 2015 as a significant turning point. From that moment on, many relatives gain more confidence that the Dutch authorities, in collaboration with the Australians, Belgians, British, Malaysians, and Ukrainians, are doing everything possible to uncover the truth. 'From that moment on, we could also provide more information about the process itself and explain better why it was taking so long.' Westerbeke praises the efforts of the family liaison officers, who play an important role in shoring up trust among the relatives.

Relatives confirm that perception. Shadrack Noto, born during the apartheid regime in South Africa, grew up experiencing mostly violent and racist police officers. Now, plainclothes detectives come by to assist him wherever possible. Paul Marckelbach echoes this sentiment. 'I never had much rapport with the police; they were just "cops" to me. But the interaction with the family liaison officers has been nothing but warm. They deserve a statue.'

Like many other relatives, Paul is immediately confronted with so many logistical concerns after the crash that there is simply no room for grieving. Two houses, his sister's and his mother's, need to be dismantled. 'With the help of friends, I cleared everything out. Two very large houses with a lot of stuff. It was my sister's, my mother's belongings. No one else could do it but me.'

Family liaison officers across the country are faced with heartbreaking situations. Death certificates need to be arranged, taxes paid, inheritances distributed. Parked cars at Schiphol need to be removed, break-ins at vacant homes need to be prevented. 'We immediately advised removing the most valuable items from the houses. Entire families had perished, those houses were empty. It was very bitter,' Theo Vermeulen still feels.

Although their assistance is needed and generally appreciated, there are relatives who feel that the liaison officers have too few answers to the many questions they have. The liaison officers themselves also encounter problems. It is customary that after the identification of victims, the police's work is handed over to Victim Support Netherlands or other entities, such as municipal authorities. With MH17, things are different, and the family liaison officers are given a broader mandate. 'That was confusing,' Vermeulen admits. 'Some municipalities turned out to be very active in arranging everything alongside Victim Support and the police. This has been disruptive in some cases. In hindsight, we should have been involved earlier in the entire process, so that we could have brought peace to the relatives earlier and maybe also completed our work more quickly later. Some liaison officers became so involved with the family that it became difficult for both parties to say goodbye.'

It's not without reason that so many family liaison officers were present at the National Commemoration. But precisely that is the pitfall, says Vermeulen. 'Every family liaison officer knows that they have to let go after the identification of a victim. With MH17, that didn't happen; the whole of the Netherlands was involved. That gave a different role. The NCTV insisted on our support, even with the viewing of the wreckage, for example. Actually, that work is for Victim Support Netherlands. We were positioned a bit as guardian angels, but saviours can also want to save too much. As coordinators, we tried to keep that under

control. At a moment when a family invited one of the liaison officers to be present at a private family gathering after a funeral, we intervened. You are and remain a family liaison officer, but you are not family.'

On 31 December 2015, the family liaison officers involved in MH17 are relieved of their duties. Farewells with the families are emotional in some cases. Some of the relatives want to move on with life, while another part finds it far too early. Even closing up is painful.

Letting go is also the task that Aalbersberg sets for himself. One year after the crash, he steps down from his role as head of mission and returns to being a full-time police chief of the Amsterdam force. In 2019, he becomes the new National Coordinator for Counterterrorism and Security. Ten years after the crash, Aalbersberg believes that little in his career has been as successful as the repatriation mission of MH17. 'This was about the core of police work,' he emphasises. 'Assisting and setting boundaries with two major goals in mind: supporting the relatives by bringing back and identifying their loved ones and meeting the sense of justice for them and the whole nation. This was not just a political task but also a moral one. We fulfilled that. I still consider it a miracle that nothing happened to our employees in the field in Ukraine. The fact that we collectively stood around the mourners during the repatriation still moves me. Not for nothing does the vest of the MH17 recovery hang framed in my room. It's bitter, but true. In my work, there is always great sadness. MH17 was a very great sadness. For me as a police officer, it was also a highlight.'

For Theo Vermeulen, the situation is somewhat similar. Even after the winding down of the family liaison officers' duties, he remains fully engaged in the aftermath of the disaster, alongside his colleague. 'I'm always 'Theo from MH17' to the families, I can't escape that,' he says. This entails, among other

things, his responsibility for collecting, categorising, and returning personal belongings, which places a significant burden on the police apparatus. All recovered items are cleaned before being catalogued in a digital database. Vermeulen admits that returning the victims' personal belongings is not actually part of the police's remit. 'We could have made a selection of personal belongings earlier and more swiftly based on the possibility of recognition. That would have saved us a month,' he acknowledges.

Vermeulen is also present when families are allowed to view the footage captured by dozens of surveillance cameras at Schiphol Airport. Using four workstations, detectives make combinations to identify people. How do they arrive (by train, by car), what suitcase do they have with them, in which shops do they buy something for the journey? In this way, they collect in short, separate fragments the last moving images of hundreds of people until they enter the jet bridge leading to MH17. 'The road to heaven,' as some relatives call it.

Vermeulen sits next to Meryn and Jon O'Brien as they watch the last images of their son Jack in 2019. The experience is as unbearable as it is intimate. 'I understand very well that there are families who did not want to see the images from Schiphol,' Meryn says via a video connection from her home in Sydney, Australia. 'But personally, it was a way for me to stay as close as possible to my son. Jack was traveling through Europe with a friend and had been away for seven weeks. That friend travelled back on a different flight, and afterward, we received all the photos of Jack. There's even a photo of him in front of the famous Basilica Cathedral in Moscow. In hindsight, we heard everything about the trip, everything Jack couldn't tell us himself anymore. It was terrible to see him, but I would have regretted it for the rest of my life if I hadn't seen those images. I felt a need to bear witness to his last steps on this earth.'

Eleven small film fragments of Jack have been preserved.
The last image shows him starting to run.

8. ANGER IS NOT THE ANSWER

‘As-salāmu alaikum and a very good evening, ladies and gentlemen, boys and girls. I’m the first officer, my name is Ahmad Hakimi, on behalf of captain Wan Amran and assisted by captain Eugene and first officer Firdhaus we would like to welcome you on board once again Malaysian Airline Boeing 777 on flight MH17. Weather and route are fine all the way and we will begin our descent shortly. On behalf of Malaysia and the rest of the crew once again we would like to thank you for flying with us. Thank you and have a nice day.’

With these words, Asmaa Aljuned concludes her speech on 17 July 2015, during the first commemoration for and by relatives in Nieuwegein. Asmaa is the widow of the co-pilot and bids farewell with the words her deceased husband would have spoken if the plane had safely arrived in Kuala Lumpur. Asmaa reminds everyone present that, although everyone shares the same experiences through the loss of so many loved ones, grief and sorrow can never be compared. ‘Everyone makes their own journey,’ she says. ‘My heart bleeds, once again, and my heart goes out to all of you. I pray for all of us to have the strength to cope with our loss by also holding onto the hope and the memory that will never be lost.’

‘At the moment I stood there during that first commemoration event, I wasn’t thinking about the audience, but only about myself,’ Asmaa recounts via a video link. ‘Now, nine years later, I think it wouldn’t have mattered what I said, actually. It was about the moment we shared. Love, sorrow, all those emotions belonged to all of us. After I spoke, people came up to me to connect because we had gone through the same thing. For me, that was one of the turning points. I realised I wasn’t alone, and

that we were all struggling with grief. It gave me a sense of belonging, to a community. That connection was, and is, of great significance.'

In the first years after her husband's loss, Asmaa couldn't cry. 'I couldn't afford to. My son was eight months old when he lost his father; I had to first build a life with and for him before allowing myself to grieve.' Her son is somewhat her salvation, says Asmaa. Although life as a single mother is tough, she shares with him mainly happy memories.

'There is so much to learn from a child when it comes to grief and sorrow. If my son can be happy with the thought of his father and the stories he hears about him, then I must do the same. I realise how much my husband meant in the life he was given. How important he was to so many people and how valuable his life was. After his death, I didn't want to forget that. I was left alone, of course, but at the same time, his death fuelled the connection I felt. My bond with his sister, his mother, and his entire family intensified. I wanted to be a part of that. Loss can be very destructive. But at the same time, a great loss can make you realise that you are a part of something bigger. Death isn't just about sorrow, but also about love. I wanted to honour my husband's life by continuing to live mine.'

'When people ask me how to deal with their grief, I never give advice,' Asmaa continues. 'Grieving is very individual, and I respect every form of grief. No one can compare their own loss to that of another, and sorrow is never quantifiable. But for myself, I say: embrace the grief. People often think of grief as dark and harsh, and it is, it's a dreadful feeling at times, but the more you run away from it, the more it will hurt. For me, grief is dark, but also light. It is heavy, but it is also love. It is sad, and yet also joyful. I wish everyone the time to grieve, to share the loss, and to experience how colourful grief can be.'

While Asmaa tries to reshape her life with, and especially

for, her still very young son, that of Simon Mayne falls apart after the death of his son Richard. Simon decides to quit his job as a trader in the city of London after the tragedy. His marriage to Liz, the mother of his four children, falls apart after thirty-five years. 'There were already cracks in my marriage, but after the crash of MH17, my ex-wife mainly wanted to leave.' A year later, their daughter Francesca is diagnosed with a severe form of schizophrenia. Since then, almost all of Simon's energy has been devoted to his daughter. 'Richard occasionally pops up in my mind, as if he wants to remind me that he is still there. All in all, it has been very tough years for our entire family.'

Francesca is sixteen years old when MH17 is shot down. She spends the last nine years in various psychiatric institutions. A total of seventeen psychiatrists discuss her fate. Simon is unsure whether the MH17 disaster caused her psychiatric condition. Her behaviour was already unpredictable before the crash, and her mother had just made an appointment with a doctor when MH17 was shot down. It's only nine months later that an actual consultation takes place. By that time, Francesca's psychotic behaviour has only worsened.

'Stress often affects someone's behaviour,' Simon now knows all too well. 'The loss of her brother, plus the fact that her mother is leaving the family home, undoubtedly had an impact on her mental state. But I'm convinced that she would have become ill anyway. The tragedy only sharpened the process.'

Simon and Liz have two other sons, brothers of Richard and Francesca. Thomas, the eldest, is now married and has two children. William graduates two years after the disaster, works briefly in London, but soon decides to become a history teacher. Actually, things are going very well with the boys, says Simon. 'That's so typical of young people. They have a life ahead of them and often turn out to be resilient. For a parent, it's different. My life is shattered, cut off really. And for a mother, it

might be even worse. Richard's mother still receives counselling, even ten years after the tragedy. On the surface, things are okay, but I can see that she's still very vulnerable underneath.'

Paul Marckelbach seeks the help of a trauma psychologist in the years following the disaster. 'I was searching for tools to understand how the human mind reacts to a fatal event like this. Earlier, I had attended workshops on grief counselling where I met other bereaved families, but in those first years, I was deep in my own grief and had little space. It wasn't until about seven or eight years later that I noticed I was starting to land. The psychologist taught me to take control of myself and steer the conversation if necessary.'

His son Levi's questions further guide Paul on his journey. 'Levi was still so young when it happened, and now he's a head taller than me. Over time, he started asking a lot of questions about my mother, my sister, his nephews. Levi doesn't have any family on my side anymore. Fortunately, my wife Joyce still has family, so Levi is still part of a larger network. He embraces that.'

Paul has rarely been angry. 'My family was killed out of aggression. I don't want to respond to aggression with aggression. Sometimes, I allow the anger for a second before letting it go immediately. Anger is not the answer to my question of why.'



In the booklet *'In mijn leven is iets kapot: De psychologische gevolgen van de MH17-ramp voor de nabestaanden'* (In my life something is broken: The psychological consequences of the MH17 disaster for the bereaved), published in 2019 on behalf of the Victim Support Fund, experts in the field of psychotrauma and victimology describe how the bereaved react in their own

unique ways to grief after the disaster. Some of the bereaved struggle to pick up the pieces of their lives and continue to wrestle with what psychologists call persistent complex bereavement disorder. Additionally, a large number of the bereaved experience depressive feelings or symptoms indicative of post-traumatic stress disorder. However, there is also a group that manages to move forward despite their profound sorrow. The experts emphasise time and time again that there is no one-size-fits-all response to grief. What helps one person may harm another. Some of the bereaved are willing to share their personal stories, even in the media, while others keep their stories to themselves.

Many bereaved recognise the role of time in the grieving process, although their perception of time varies greatly. 'Isn't it bizarre that it's been ten years already?' says Paul Marckelbach, for example. 'Sometimes, an hour feels like a very long time. And now, suddenly, it's ten years later.' Meryn O'Brien prefers not to think about the fact that it has already been ten years since Jack passed away. 'I still feel like our son should walk through that door with his backpack on, ready for the rest of his life.' Her husband Jon agrees. 'Many bereaved may have wondered over the past few years how their loved ones would have been if they hadn't died. I've wondered that too, how Jack would be at this moment. He would be thirty-five years old now. It remains unimaginable. I could wait forever if I knew he would come back. I know rationally that he won't come back. But the feeling of loss and longing remains.'

Time is both fixed and fluid when it comes to grieving. One person may find that time doesn't necessarily heal wounds but dulls them, while another may experience the opposite. This further underscores that grief is an extremely individual process for which there is no playbook. Even Meryn and Jon experience the loss of their son in their own unique ways. They derive

support from the psychological guidance they receive and the conversations they have with other bereaved. Particularly, the cruelty of the details of the MH17 disaster is something they can only truly share with other bereaved.

‘I remember meeting with other families after seeing the images at Schiphol Airport,’ Meryn recalls, ‘What we were able to share with each other there was confronting. We talked about the bodies of our children, our partners and other family members who had been brought back in pieces. Some families had to come to the mortuary more than once to pick up another small piece of their loved one. Such conversations about violated bodies are difficult for other people to understand. For us, relatives of MH17, it’s a topic we can openly discuss. But we have also received a lot of support from other people. Family and friends have been very close to us.’

Both Jon and Meryn received counselling for years, which, as Meryn puts it, ‘helped to not go crazy.’ The grief caused by the loss of their son due to an international conflict, this unimaginable disaster, brought so much chaos into the grieving process. ‘I had to learn to deal with that chaos,’ says Meryn.

‘We sought and found help at a grief counselling centre that taught us that grief is not linear and does not just pass,’ adds Jon. ‘This grief is, as Meryn says, chaotic, personal, and anything but structured. We come from an Australian culture where personal emotions are not very openly discussed. Death, loss, and grief are not easy topics for people to talk about. We learned that the intensity of grief is intertwined with the place a person occupied in your life. And who can be more central in your life than your own child? In that sense, our lives also ended on 17 July 2014. After that day, we got a different life that we try to shape as best we can. But the life we had is forever gone.’

‘Six or eight weeks after Jack was killed, I had my first session with a grief counsellor,’ continues Meryn. ‘He said

exactly what Jon is describing now: ‘The life, your life before 17 July 2014, is over. The life you live now is a different life. From now on, you will always walk around with a limp.’ I have never forgotten those words. I am alive, but there is always this wound.’

Jon and Meryn both say they dislike the word ‘closure.’ Their grief has no ending. ‘We will carry the loss of Jack with us for our entire lives. The intensity of the grief changes over time, but the grief itself is always there. I often explain it using the metaphor of foreground and background. Sometimes grief is front and centre, other times the loss is pushed more into the background. But all it takes is something to happen – a photo, a news report, anything related to MH17 – and the grief takes up all the space again. I expect this to remain the case for the rest of our lives.’

9. THE NATIONAL MONUMENT

‘Sorrow fades, but injustice does not.’

Sander van Luik couldn’t have put it better. Although he also found the process following his brother Klaas’ death emotionally taxing, the pain of loss doesn’t cut as deep after ten years. ‘But the fact that no one has been truly held accountable for this crime is unbearable,’ he asserts. ‘My sense of justice remains unfulfilled. That’s why we must continue to focus on MH17.’

His brother Klaas, who was five years older, shared this sense of justice, assures Sander. Growing up in an affluent middle-class family in Oostvoorne, Klaas opted for an international career at Shell after studying in Delft. He loved the good life, travelling, food, and drink. ‘Life is too short to drink bad wine,’ he believed. In Malaysia, where he was stationed at the time, he met Jenny, whom he later married. She was not present due to health reasons when Klaas visited the Netherlands for a family visit in the summer of 2014. Just before that, they had moved to Brunei, and the moving boxes were still in the hallway.

‘Shell has been good to Jenny since Klaas passed away,’ Sander recounts. ‘She was allowed to continue living in the house, which is actually unusual. Malaysia Airlines was also helpful. My wife was allowed to fly to Brunei three days after the disaster at the expense of the airline to support our sister-in-law. In that initial period, we received more support from the business sector than from governmental organisations.’

While impressed by the way the remains were brought back to the Netherlands, Sander also noticed a form of detachment. ‘I only went to Eindhoven the last time. You see how casket after casket is carried out of such an aircraft. At first, I was silent, then I started making jokes. Humour is a kind of outlet. Klaas had that black humour too.’

After the National Commemoration in November 2014,

Sander stepped back. ‘It was just too much. Like standing at 298 funerals at once. You can’t process that. So many children who never turned eighteen. I also found the later commemorations difficult. Constantly realising that this is so much bigger than just losing your brother.’

Sander became a member of the truth-finding working group. As a former employee of Defence, he attached importance to justice being served.

‘Shell responded promptly after the disaster, but from a business perspective, the political context surrounding the MH17 tragedy quickly waned,’ Sander judges. ‘The Dutch business community continued to strike deals with Russia after 2014, yielding significant profits. Heineken, Shell, Gasunie – none of these companies wanted to acknowledge what was glaringly evident in 2014: that Russia was no longer abiding by international norms. Ultimately, these companies had to accept substantial losses and write-offs. Why weren’t the boards of these companies held accountable retroactively? The risks they took were utterly irresponsible, even from a commercial standpoint. Rob Bauer, appointed Chairman of the NATO Military Committee in 2021, has made it clear that everyone must realise the world has become more unstable and that an increasing number of countries are not playing by the rules. MH17 was a significant moment in that process.’

The truth-finding working group wants Russia to be held politically and legally responsible for shooting down MH17. A national monument can contribute to that. Sander believes such a monument should radiate the importance of peace and justice and suggests a location in The Hague, close to the Russian embassy. Light artist Daan Roosegaarde has agreed to take on the design. He thinks of a quote from Rev. Martin Luther King Jr. as the theme. ‘The ultimate tragedy is not the brutality of bad people, but the silence of good people.’ Because it’s precisely

that silence, the acceptance, that bothers him and the other members of the working group.

‘It’s not just about the downing of MH17, but also about Russia’s response to it. It would have made a huge difference to our grief if Russia had reacted differently. I don’t rule out that MH17 was deliberately shot down, but even if it wasn’t, you still have responsibility to bear, even if you think it’s war and that there are different rules in war.’

The proposal to place the monument in The Hague doesn’t go through. The MH17 Disaster Foundation chooses, after a survey among the affiliated relatives, for a different location in Vijfhuizen, near Schiphol. Sander van Luik finds that location unfortunate. ‘It’s a beautiful monument, but people aren’t dead because they boarded at Schiphol, but because Russia wanted to wage war. That’s the narrative. No separatists, no internal armed conflict, as if it were an internal Ukrainian matter, there in the Donbas. Russian soldiers shot down that plane. Russia is guilty.’

The National Monument doesn’t emanate that guilt. The political charge is missing. They’ve opted for a timeless monument that acknowledges all the victims and encourages reflection. In a park-like oasis, 298 trees have been planted, one for each victim. The trees are arranged in a ribbon around a small amphitheatre. On the stage of this amphitheatre stands a mirrored memorial with all the names of the victims engraved on it. Sunflowers, grown from seeds originating from Ukraine, are sown in the field around the park. Friends of Peter van der Meer’s daughters help with the planting.

The National Monument is not the first memorial of the MH17 disaster. On 17 July 2016, the mayor of Hilversum unveils a memorial monument in the city where fifteen residents perished. The monument consists of a circle of fifteen bronze sunflowers connected by their leaves. The largest flowers sym-

bolise the adult Hilversum residents who died, while the smaller flowers symbolise the deceased children. The names of the fifteen victims are engraved on the bench in front of the monument. In later years, sunflowers are planted throughout Hilversum, grown from Ukrainian seeds just like in Vijfhuizen. Father Dresmé sees it as a symbol of unity.

‘Everything that connects touches the soul. This flower is an example of that. On all roundabouts, at the town hall, and here at the church, there are always sunflowers on 17 July. Grief seeks material expressions.’ Although the symbol is also painful for some relatives to see. ‘I know relatives who find the flower terrible because their child or loved one died amidst sunflowers. For the same reason, some relatives also do not want to go to Vijfhuizen. I understand that too. I also mentioned it at the official opening of the national monument where I was allowed to speak. In grief, there is no competition. Everyone mourns in their own way.’

Meryn and Jon, together with their daughter Bronwyn, are present when the National Monument in Vijfhuizen is officially opened on 17 July 2017. It is the first time they are in the Netherlands after the loss of their son. The meeting with other families they have already met online is comforting for the O’Briens. ‘That sense of solidarity has been very important, and still is. The fact that other people simply understand what you’re going through. The memorial monument is also of great value. We hear stories about volunteers helping maintain the park, caring for the trees, it’s so moving. Someone has planted Jack’s tree for us, how special is that. And not just once, but three times, because the tree didn’t take root twice. We don’t know the planters, but we’re grateful. We have friends who, during their visit to Europe, specifically went to the monument to reflect on Jack’s tree. An acquaintance of ours has hung her handkerchief on Jack’s tree, and two of Jack’s friends have hung

a football scarf and a club shirt with number 10 on the tree. There are trees with names we know, people whose families we have met, we lay flowers there, it's a meaningful place. People can just go there, 24 hours a day, to remember and commemorate and recall, that's so valuable. This has been a disaster that has touched the whole world. It's good that there is a public place where the whole world can go.'

The memorial garden in Vijfhuizen also holds an important place in Simon Mayne's heart. He visited the garden when the terrain was still barren and often returns to it. Family members who come to visit in the Netherlands also visit the arboretum.

'My son was cremated,' Simon says. 'His ashes are still in my bedroom on a table. Richard loved skiing and we considered scattering his ashes somewhere in the Alps from a mountain, but it never happened. Vijfhuizen is also a kind of cemetery, where you can go as a relative, and that's important.'

Simon's mother, at that moment ninety years old, wanted to visit the National Monument before her death. 'We flew to Schiphol, and from the moment the staff realised that this old woman was traveling to Vijfhuizen to see her grandson's tree, she was treated as if she were Queen Elizabeth II. Everyone opened doors for her, she was escorted by customs, it was heart-warming. On 8 September 2024, Richard would have turned thirty. He was only twenty years old. I am now sixty-three. Maybe I'll live another twenty years. The idea that, as long as I live, I can take a plane to Schiphol at any moment and go to the memorial garden in Vijfhuizen comforts me enormously. Even if the garden were to be less well-maintained and weeds were to grow, I would still like to go there. Whether it's every two years or every five years. As long as Richard's tree keeps growing.'



In 2018, relatives involved in the truth-finding working group placed 298 empty chairs outside the Russian embassy in The Hague as a silent reproach against Russia's stance of still refusing to disclose its involvement in the downing of MH17. One of the banners hung during the protest bears the message in Russian: 'Humanity above politics.'

In the following years, the working group repeats the ritual. 'And as far as I'm concerned, we'll keep doing it until Russia acknowledges guilt,' says Sander van Luik. 'There's an account still unsettled.'

10. THE CRIMINAL INVESTIGATION

After the repatriation mission concluded, the first memorial took place, and the Dutch Safety Board presented its investigative report, news about MH17 slowly faded from the front pages. However, this did not diminish the commitment of police officer Thiry and chief prosecutor Westerbeke. They felt personally invested in the investigation and remained hopeful that the criminal inquiry would ultimately lead to something. The question of who could be held accountable for the downing of MH17 needed to be answered.

A bilateral treaty was signed with Ukraine, granting the Netherlands jurisdiction to conduct the investigation and initiate any prosecutions. It had already been decided that there would be no UN tribunal. Despite repeated requests from Rutte to Putin, the Russian Federation blocked the establishment of a UN tribunal on 29 July 2015. If suspects were ever identified, they would have to appear before a different judicial body.

Few people believed it would ever happen. Thiry and Westerbeke initially encountered a lot of scepticism. 'It will never work,' Westerbeke often heard. Thiry's colleagues advised him to give up. The only way to deal with that was to focus on the investigation itself.

'We took steps every day that made me believe we could get quite far. We had made a promise to the relatives, and also to the Prime Minister, actually. I felt personally committed to that,' said Westerbeke. 'In essence, it's no different from what any prosecutor does. In every criminal case, they feel a personal commitment to uncovering the truth.'

The criminal investigation, conducted by the Joint Investigation Team (JIT), was divided into several sub-projects: aviation, forensic, weapon, phone taps, open sources, and the international context of the conflict. Technical and tactical

investigators worked together with information specialists and intelligence experts in all these sub-projects. 'Taking an integral look at how the pieces fit together,' as Thiry put it. 'I'm good at that too, switching between strategic, operational, and back again.'

Because the team couldn't access the crime scene, they relied heavily on open sources. This was new for Thiry. 'I came from organised crime, and there are few criminals who announce on X or Facebook that they've successfully smuggled in a container of coke and then went to celebrate in the Red Light District. But now, those messages were there.'

The word validation is mentioned. For Thiry, that is the key word in the MH17 investigation. All information, photos, films, text messages, apps, audio fragments, and statements are checked and double-checked. Photos showing a specific weather condition are submitted to the KNMI to verify that the sun was indeed shining on that day in that region. Videos are subjected to precise time determination based on factors like lighting. If a photo of the gas station where the Buk passed by shows gasoline prices, investigators verify whether the gasoline price was indeed that high on that day and date.

The investigators understand that all involved parties have an interest in steering the investigation in a certain direction, and that validation is the only way to uncover the truth. Especially after a tube from the Buk missile is found, the researchers exercise extreme care.

'We were also able to debunk the information provided by the Russian Federation', says Thiry. 'We received footage showing plants that don't even exist in that entire area, for instance. Or satellite images that were manipulated. There were suggestions that MH17 was shot down by a fighter jet, but we never found any wreckage from one.'

Significant value is ultimately placed on wiretap conversations

mentioning loud noises, smoke trails, a Buk. Conversations with witnesses are recorded and validated from four or five angles. To prevent tunnel vision, the team explores alternative scenarios. 'For example, we examined all weapon systems available in the region that could reach an altitude of ten kilometres, focusing on fragmentation, to rule out that it was a weapon other than the Buk.'

Westerbeke and the team convey the hope that personally motivates them to the relatives. On Wednesday, 28 September 2016, the investigation team organised a first presentation for the relatives to inform them of the results of the investigation up to that point. At that stage, the focus was mainly on what had happened. Such a presentation is unique in Dutch history, as the results of an investigation are generally only shared after the investigation has been concluded and brought to trial.

'I think we spoke for 45 minutes, after which there was a deafening silence,' Westerbeke recounts. 'There were a thousand people in the room. Then suddenly there was applause. I noticed then, and I feel it again now as I tell it, that there was still trust. I wasn't prepared for applause. It gave a tremendous sense of connection.'

For Thiry's team, it is an additional motivation to continue. 'Although it wasn't always easy.' Especially young police officers with less investigative experience than Thiry himself sometimes find it challenging to only validate evidence instead of going out to hear witnesses, tap phones, or follow suspects. 'For an investigation like this, you need a certain mentality,' Thiry knows. 'You can pull cocaine out of a container in the harbour, test it, weigh it... while in this investigation, most colleagues haven't even been to Ukraine. We had to keep re-evaluating who still wanted to push forward and which competencies were needed.'

For Westerbeke, keeping the JRT aligned is a challenge. Changing political regimes in Ukraine and Malaysia require

constant vigilance. 'It was a great exploration,' as Westerbeke calls it. 'I wouldn't have wanted to miss out on it.'

In May 2018, the Public Prosecution Service announces more information from the investigation, stating that the BUK Telar used to shoot down MH17 originated from the 53rd Anti-Aircraft Missile Brigade, a unit of the Russian armed forces from Kursk. The nuclear submarine that sinks in 2000, referred to by Prime Minister Rutte in his 2014 conversation with the Russian president, is named after this city.



After the question of what happened has been clearly answered, the JRT continues its search for *who* can be held responsible for the attack. In the first witness statements, some names are cautiously mentioned. Then, after years of investigation, the moment finally arrives when the Public Prosecution Service decides to press charges and the criminal case is built. On 19 June 2019, the relatives are informed that the Public Prosecution Service will summon Igor Vsevolodovich Girkin, Sergey Nikolayevich Dubinskiy, Oleg Yuldashevich Pulatov, and Leonid Volodymyrovych Kharchenko for causing the crash of flight MH17, resulting in the deaths of all occupants, punishable under Article 168 of the Criminal Code, and for the murder of the 298 occupants of flight MH17, punishable under Article 289 of the Criminal Code. For Westerbeke, this is the moment he can hand over his role in the investigation. He had been asked earlier to become police chief of the regional police unit Rotterdam, but he had declined to take that step at the time. Now that the trial is beginning, he dares to take the step and transfers his responsibilities to Digna van Boetzelaer. Maartje Nieuwenhuis, who had been closely involved in the investigation as a prosecutor, becomes a liaison magistrate in Rome. Wilbert Paulissen,

Gerrit Thiry's direct boss, becomes Chief Commissioner of the regional police unit East Brabant.

Thiry is the one left standing. He becomes the face of the ongoing investigation. 'At a certain point, everyone was looking to me, which I found rather strange. I felt an enormous responsibility on my shoulders.' Minister Grapperhaus of Justice and even the King have meetings with members of the investigation team to be informed. Thiry never meets the Prime Minister.

'At one point, Rutte did call the head of the National Criminal Investigation Service, my boss Wilbert Paulissen. "It's Mark." Wil had no idea who was on the line. "Mark? I don't know any Mark." Then the penny dropped, and Rutte congratulated him on the outcome. Oh well. That's not why we do it. The result we achieved is a credit to the Netherlands Inc. The Dutch Safety Board, the LTFO, the National Police, the Public Prosecution Service, the diplomatic service, Defence, everyone, plus our international partners. This is an investigation that you can only do right or wrong once. The whole world was watching.'

How he personally experiences it? 'It's like being in a funnel. Everything is focused on achieving results. I have talked to bereaved relatives myself, but not in the context of the investigation. That's okay too. Distance is very important, especially when there's so much emotional pressure. We were hired to conduct the investigation in a good, businesslike manner, but I'm not a psychologist. That doesn't mean you can't have empathy, but you have to be mindful of it.'



Prior to formulating the final demand against the four suspects – four life sentences – the Public Prosecution Service (OM) and police consult third parties to sharpen their understanding of what should be included in the indictment. Again, alternative

scenarios are discussed. When the Russians suggest that the Buk was fired from a completely different territory, the investigators verify this with existing evidence. No tap conversations, images, or witnesses support the Russian scenario, but conspiracies prove to be persistent. From the very beginning, the wildest stories have circulated. Someone manages to infiltrate the group of relatives, claiming to have contact with the US Secretary of State and, in Thiry's words, 'comes up with the craziest stories'. There is even a Dutch judge who at one point distributes a book written under a pseudonym by her brother, suggesting that the attack is a false flag operation and that the criminal investigation is a cover-up resulting from tunnel vision or corruption. The judge is reprimanded and eventually leaves the judiciary.

These are examples of the ongoing turmoil that continues to disrupt the investigation into MH17. Thiry personally will not forget the moment he apprehends freelance journalist Michel Spekkers at Schiphol. The journalist claims that there are still human remains in the crash area and has a small piece of bone with him, which turns out to be from a victim identified in 2014.

'Spekkers tweeted about his findings, and we agreed that he would hand over his belongings to us at Schiphol. We knew he was traveling with a friend and were waiting for him at the jet bridge. We saw them exchange suitcases. What possesses you to do that? I asked Spekkers about it later. "What possessed you to do something like that?" He couldn't give a conclusive answer.'

And then there's the incident during a meeting at the Vrije Universiteit. A rejected Ukrainian asylum seeker claims to have been an eyewitness to the attack, encouraged by none other than Member of Parliament Pieter Omtzigt, who extensively talked to the man. The Ukrainian alleges that he saw other planes in the air at the time MH17 crashed, a theory that the Russians often put forward. Afterwards, Omtzigt tweets that he 'acted

carelessly in his zeal to get questions answered on this issue at the meeting.' He regrets the incident.

Apparently, as Thiry observes, a disaster like MH17 gives some people the opportunity to profile themselves. He himself tries throughout the investigation to prevent becoming 'Tintin in Kyiv,' as he puts it.

'MH17 belongs to everyone. That makes it complicated for some relatives. Many relatives ask journalists not to show the same photos repeatedly to avoid being confronted with the tragedy over and over again. Others are willing to participate in commemorative documentaries or regularly provide comments. Some relatives become hardened in their grief, while others try to reshape their lives. For a few relatives, but also for some professionals, MH17 becomes part of their identity. That doesn't apply to me. I've never stayed in a position for so long, that's true. But I've also said: I'll finish the case and then retire. I can easily close the door behind me. I've experienced wonderful things throughout my career, but I've always told my sons: "It's all borrowed. Nothing is forever." There are people who want to permanently commit themselves to the MH17 investigation. As if it never ends. There are people who find it difficult to say goodbye. I also had to let go of people during the investigation, which some people still blame me for. But even MH17 will eventually come to an end.'

11. EVERYTHING MUST ALIGN

The involvement of Public Prosecutor Manon Ridderbeks in the MH17 investigation in 2014 is nothing more than coincidence, she says. 'I worked on Sint-Maarten for a few years and conducted several internationally oriented investigations at the National Public Prosecutor's Office, but I was not involved in combating so-called international crimes.'

Ridderbeks, along with her colleague Ria Lemstra, was assigned the portfolio of forensic investigation in June 2014, known colloquially as 'trace investigation'. After learning that the cluster of international crimes would be handling the criminal investigation into the disaster, they sent an email on Monday, 21 July, asking if they could possibly contribute. 'Our colleagues accepted that offer. With that, our involvement in the forensic investigation became a reality. If MH17 had been shot down a month earlier, we would not have had that portfolio yet, and therefore would never have sent that email.'

One of the first things Ridderbeks had to organise was the forensic examination of the victims' bodies. 'This meant that we had to establish a work process in which bodies could be identified as quickly as possible, but where, if necessary, forensic examination of the bodies took precedence over the identification investigation.' This caused conflicting interests with the LTFO. 'Relatives needed to get certainty about the identification of their loved ones as quickly as possible. At the same time, it was also important that they would get certainty about the cause of this disaster. The rumour mill started up very quickly. I immediately realised that we could only do the body investigation properly once. It was crucial that bodies potentially containing forensic traces were first forensically examined and only then identified.'

Before the first bodies arrived in the Netherlands, Ridder-

beks read everything that had been written about the disaster and the victims up to that point. 'All those hundreds of names, all those stories, I cried my eyes out. Like the rest of the Netherlands, I wanted to be very sad and angry about what had happened, because I understood that there would be no room for that later. I didn't want all those emotions to hit me later. I was able to switch gears and turn the emotions into a drive to find out what had happened for the relatives.'

While Ridderbeks and Lemstra were involved in the identification process and forensic investigation, other colleagues led the tactical investigation and the JRT. When one of those colleagues indicated at the beginning of 2016 that he had another job, Ridderbeks was asked to take over his tasks in the tactical investigation. At first, she wasn't entirely keen on it, but she was too curious to say 'no'. However, she immediately made a reservation. 'I said that I didn't want to be in court with this case. I said yes to the investigation, not to any potential prosecution. Others would have to do that.'

Together with Chief Prosecutor Westerbeke, Ridderbeks regularly interacted with the bereaved throughout the investigation. These encounters fuel her sense of purpose. 'The feeling that what you're doing matters.' In the initial years, the bereaved are starved for information. While the police and the Public Prosecution Service typically refrain from sharing information with victims or bereaved during the investigation phase, that's not an option in this case. The investigative team faces complex choices. 'We really had to find a way to share information with the bereaved without compromising the investigation.' The prosecutors hold discussions with the board of the MH17 Disaster Foundation and members of the truth-finding working group, organise multiple information sessions, and send out newsletters. 'We mainly talked about how the investigation was progressing and operated in "transmit mode" for years.

Normally, you listen to the story of a victim or bereaved, also to understand the impact of the crime. There was hardly any room for that in these meetings. It wasn't until late 2019, in the lead-up to the first day of the trial, that we were able to have personal conversations with the help of many colleagues from across the country, focusing on the sorrow and loss of the bereaved.'

During a period in the investigation, Ridderbeks travelled to Ukraine every six weeks. She is briefed on possible intimidations, considers the possibility of surveillance, and receives security instructions. 'We knew that Russia had an interest in our investigative findings and in compromising the investigation and those involved. More than in any other investigation, there was therefore attention to information security, but also to our safety. I felt like I entered a completely different world. A few years later, a Russian ex-spy was poisoned in England. That made me pause for thought. I also had conversations about it. Looking back, those were almost absurd conversations.'

The investigation also impacts her family, although initially, the children seemed to prefer to push the trauma of MH17 away. 'On 17 July 2014, after the news about MH17, my then seven-year-old son flew to Spain with friends in the evening. He asked worriedly if he also had to fly over Ukraine, but when he found out that wasn't the case, he seemed to forget about the disaster quickly. My daughter was initially very upset about what she saw on television, but when she left for summer camp on 19 July, she quickly forgot about the images as well. The MH17 investigation I was involved in largely passed them by. Until I told them at the beginning of 2016 that I was given a different task within the investigation and would also regularly travel to Ukraine from that moment on. My daughter is a very brave child who never cries. But at that moment, she left the room stamping her feet and with tears in her eyes. "Why do you want a job that requires you to go to a country at war? Do you

want to die?” I showed my children on a map that the distance between Kyiv and the Donetsk and Luhansk oblasts is almost as large as the distance between the Netherlands and Southern France. That somewhat reassured them. But they never liked my trips to Ukraine.’

She never told her children that she eventually also travelled to eastern Ukraine. She also couldn’t share anything about her work with her husband for years. ‘He jokingly asked once when there would be another press conference, because then he would know what I was busy with all day. Even colleagues from the Public Prosecutor’s Office who were not involved in the investigation had no idea what we were doing. It made the bond with my colleagues within the investigation even stronger. What we experienced, we could only share with each other.’

Ridderbeks had to travel to eastern Ukraine because two Buk missiles were detonated on a military training ground there in the summer of 2016. The goal is to test how the metal particles from the warhead embed themselves in the aluminium plates placed next to the missile; the material from which aircraft are also made. The pierced metal is later compared in the Netherlands with the craters and perforations on the wreckage of MH17. They appear to match closely.

Throughout this time, Russia obstructs the investigation in every possible way and spreads a lot of disinformation. ‘Very remarkable,’ says Ridderbeks. ‘Russia constantly changed its position and organised press conferences where different scenarios were presented each time. I still can’t really comprehend that. That a country can spread lies so openly and that a large part of its population believes it.’

The deceptions forced the JIT to investigate alternative scenarios as well. Every possible explanation for the disaster had to be ruled out. ‘We had to be two hundred percent sure what had happened to MH17, so to speak. Relatives were confronted

with so much disinformation and lies. They had to be able to trust our findings. That’s why we communicated relatively much. Over time, I increasingly noticed how much value people attached to our words. And how important it was that all those words were accurate. Everything we said had to hold up in the courtroom.’

On 2 October 2019, the Dutch Public Prosecution Service issued the summons against the four suspects. When the trial began in March 2020, Ridderbeks did not appear as the case prosecutor in court. ‘I wanted to remain anonymous, and that wouldn’t be possible with all the media attention on the trial. A real media circus erupted on that first day of the trial, and I didn’t want to deal with that. It may sound strange, but I actually realised then how much the outside world was still dealing with MH17. When you are so intensively involved in an investigation, you apparently miss these kinds of things.’

She also didn’t fancy driving back and forth to Schiphol all the time and didn’t want to commit to the case for an unknown duration. ‘If there was no defence, the trial could have been concluded within a few weeks, but it could also take five years. I was afraid I wouldn’t have the patience for that. Behind the scenes, I remained involved in the investigation and the legal proceedings, but I was truly convinced at that moment that I would not be personally present in court.’



On 9 March 2020, the first day of hearings at the Hague District Court in the judicial complex at Schiphol takes place. After the presiding judge explains how the trial will proceed, prosecutor Dedy Woei-A-Tsoi reads out the names of the 298 victims. Jon and Meryn O’Brien are present. They experience it almost as a sacred moment. ‘We were in a room next to the courtroom with

other relatives, and the silence that prevailed during those seventeen or eighteen minutes was overwhelming. It gave a tremendous feeling of solidarity. You turn around and immediately start talking to people about who we lost and how we are doing. Very intense.'

No one suspects at that moment that the world will shut down a few days later. On Thursday, 12 March, Prime Minister Rutte holds a press conference announcing strict measures to contain the spread of the coronavirus. People must work from home, events are cancelled, museums and concert halls close. Even courts close their doors, albeit temporarily.

Although the COVID-19 crisis lasts for almost two years, and measures are repeatedly imposed to contain the spread of the virus, the trial against the four suspects continues. Through live connections, interested parties, including many relatives, can follow the presentations of the Public Prosecution Service. 'Because we had spent a whole day in the courtroom at Schiphol in The Hague, it somehow felt almost familiar,' says Meryn O'Brien, who follows much of it online. 'We knew what the room looked like, who the judges were. That gave a lot of confidence.'

A group of twenty to thirty bereaved individuals strives to be present live as much as possible during the coronavirus period, while the prosecutors day after day explain what they have found, where they have done so, how they proceeded, how they verified the facts, which witnesses they have heard, and why they are seeking life imprisonment. One of those prosecutors is Manon Ridderbeks, who has previously made it clear that she does not want to be in court. But prosecutor Woei-A-Tsoi indicates that she wants to return to her former employer, and the Public Prosecution Service really needs three prosecutors to explain the investigation, prepare and attend witness and expert

hearings, counter defences based on the dossier, and make requisitions. Ridderbeks is asked to take on that role. She feels responsible but hesitates. Then Thijs Berger, one of the other case prosecutors, unexpectedly goes into quarantine in June 2020. Ridderbeks seems the appropriate person to present the forensic investigation in his place in court. 'But it turned out to be a false alarm, and Berger could come after all. I felt a slight disappointment. At that moment, I realised that I did want to be in court after all.' She feels supported by bereaved individuals who, despite the corona measures, are often present. 'Some next of kin said they now also had to be there for us because we had been there for them all those years. That touched me.'

Sander van Luik attends 'five or six hearings.' Although the relatives had already been informed about the findings of the Public Prosecution Service earlier, he insists that clear explanations be given again during the hearings. 'The involvement of the prosecutors and also the victim advocates gave the feeling that they really spoke for us and on behalf of us as relatives. We knew them, and they knew us.'

Shadrack Noto also attends many hearings during the COVID-19 period. Sometimes he feels a sense of alienation, as if he is watching a bizarre play, with the judges on stage and himself in the audience. At the same time, he feels a sense of gratitude. 'I could never have brought such a case on my own. Now people were doing their best for me and my son. The relatives who were often there all mourned in different ways, but because we shared a loss, we didn't have to explain anything and could just be there. That gave a feeling of solidarity. That's why I wanted to be there. It was very difficult but also very important. In order to heal, you have to remember.'

For prosecutor Ridderbeks, the importance of prosecution in this case 'does not lie in the few individuals we could hold accountable, but in the fact that we had a platform to openly

present all the investigation results, after which an independent judge would publicly decide on the facts presented by us. Making an irrevocable verdict in the MH17 case has been meaningful for many people. It marked the end of an eight-year period of uncertainty.'

12. THE FACE OF THE OTHER

In the book *Als een ramp ons raakt* (When a disaster touches us), psychiatrist and trauma expert Berthold Gersons analyses why the MH17 disaster, unlike others, leads to collective mourning. It's not just the bereaved, but we, as Dutch citizens, are stunned, angry, and stand together in 2014. Gersons, a former member of the Advisory Board of the MH17 Disaster Foundation, extensively describes how the National Commemoration and subsequent commemorations are shaped. Like Rutte, the psychiatrist places MH17 in the context of the global stage where small Netherlands is suddenly confronted with human vulnerability. He quotes Gabriel van den Brink, who wrote in 2015 that 'the disaster cruelly shattered the idea of a certain invulnerability that many Dutch people cherish.' That's why it can become so significant, Gersons supposes. That's why we all take the MH17 disaster to heart.

The continuous attention to MH17 from the government ensures that promises are kept, Gersons further writes. The damage is compensated, compensation is paid, a trial takes place, and the monument is erected. But why has so much more attention and money been devoted to this disaster than to the victims of other disasters, the trauma expert wonders. Does a hierarchy exist with other disasters? How much collective remembrance still feels like recognition of the suffering, and when does mass grief overshadow the sorrow of the bereaved themselves? Because, as Gersons writes, 'all that attention does not alleviate the grief over the loss of parents, children, siblings, grandparents, and sometimes it seemed that precisely that grief was being suppressed.'

Prime Minister Rutte admits that with MH17, it remains primarily about personal grief. He knows that within groups of bereaved, there are significant differences in how they deal with

that grief. He himself believes that the expressions of collective mourning say something about the Netherlands, which he continues to call 'a loving country.'

'I found it beautiful that so many people laid teddy bears and flowers, for example, at the Dutch embassy in Kyiv, or stood along the highway when the victims were transported from Eindhoven to Hilversum. I think it gave a lot of comfort to many bereaved in the realisation that they were not alone. The Netherlands is a loving country. We have the highest number of volunteers. We all do it with a bit of grumbling, but if someone says, 'Hey, come help,' then it happens. That became visible on 17 July 2014, and in all the years thereafter. I believe in that solidarity. And then it's the role of the state to take care of all those things that the individual cannot fight for alone, but which are crucial.'

It's the reason Rutte has the book *MH17, Investigation, Facts, Stories* by the Dutch Safety Board prominently displayed on his desk during his press conferences throughout the coronavirus pandemic. It's a signal that he hasn't forgotten MH17, even as a new crisis arises.

'I find it very special that I get to do this. That I can play a role at a moment of such great tragedy from my position. I have always regarded it as a great honour and realised that this is a delicate subject that I had to handle carefully. I have never had trouble focusing on MH17, not even on an emotional level.'

Lawyer Arlette Schijns resonates with what Rutte says. She, too, has considered it a great honour to accompany the bereaved in the legal process from her position as a lawyer. But she has also encountered herself during the many years she has been involved with MH17. Since the establishment of the so-called MH17 Legal Assistance Team (RBT), Schijns has been part of the Dutch team of personal injury lawyers assisting nearly six hundred bereaved. A lawsuit against Malaysia Airlines is rela-

tively quickly concluded. In the criminal trial, the RBT claims compensation of around 50,000 euros per victim for over three hundred bereaved. The court awards the compensation, the Dutch state advances the amount, and pays out approximately 16.5 million euros.

Not all bereaved are eligible for compensation. Brothers and sisters, for example. Others are sickened by receiving money for their loss. The term 'blood money' is mentioned. As if they are getting a loved one back in coins. The reactions make Schijns doubt. 'As a professional, I always thought that awarding compensation after a crime, accident, or disaster is a way to address the suffering of victims or bereaved. A form of recognition. But brothers and sisters do not receive that recognition because the law on non-material damages does not apply to them.' It prompts the personal injury lawyers to make a call during the trial for the legislature to explicitly address this issue during the evaluation of the law in 2024 and reconsider the position of brothers and sisters. 'Actually, such a trial is not the forum to make such a call,' Schijns admits. 'But in this case, it was a fitting platform. And surprisingly, the court supported our call.'

The state's willingness to pay the compensation as an advance is seen by Schijns as a powerful signal that the government stands alongside the bereaved. But she increasingly wonders, do individual bereaved families perceive it that way? What conditions must the law provide to be meaningful? What can the law actually mean in the face of so much grief?

Schijns is overcome by fundamental doubt. Does all the work she puts into MH17 truly have meaning? 'As part of the RBT, we supported around six hundred bereaved families. The enormity of the grief, even emotionally, is very burdensome. You're confronted with so much sorrow that I often wondered if we could ever do it justice. I didn't want to stop, but I was deeply affected by it.'

The COVID-19 pandemic exacerbates that feeling. While she fights for their interests, Schijns cannot meet all her clients in person. It's nearly impossible to gauge how people are doing during a break in proceedings. 'I found myself questioning what such a trial costs someone compared to what they gain from it. Some clients have become physically ill during the process. It was really tough for many. Yet, most felt that this crime should not go unpunished. The need for an authoritative figure to pass judgment on what happened, the need for justice, was particularly strong in this case.'

One of the main tasks of the lawyers representing the bereaved is preparing them for the victim impact statements. Over a hundred bereaved family members decide to exercise this right. Implementing the victim impact statements requires logistical planning. The RBT organises multiple meetings to explain what the victim impact statement involves, what it means for the trial, and what it can mean for those exercising this right. 'We invited Anne Faber's parents as experts by experience; she was the twenty-five-year-old student murdered in 2017. They could explain better than anyone what the victim impact statement meant for them. Based on that, the MH17 bereaved families could better assess whether they wanted to make a statement,' Schijns explains. Additionally, it was essential to clarify what the court would and would not accept in terms of the victim impact statement. 'Could photos be shown? Could films or music be played? We put these questions to the presiding judge. Afterward, the court provided a framework that provided guidance. Next of kin were allowed to bring items and show photos if it served their statement. Everyone was given twenty minutes.'

The guidelines were helpful. People were less afraid of being cut off if overwhelmed by emotions. A few even dared to bring the urn of a deceased loved one. The court set aside three weeks

to listen to all these stories full of sorrow and longing for a time before the loss.

Peter van der Meer is one of the first bereaved family members to address the court. 'We worked on it for at least six months,' he says. 'That whole summer was dedicated to writing. I mainly wanted to convey the message of how deep the grief runs. How my life has been destroyed. I will never be a grandfather. We no longer celebrate birthdays or Sinterklaas. We commemorate the girls' birthdays by hanging up a garland made from their clothes. That garland is also hung up on 17 July. But the emptiness and grief over the loss of my daughters only grow. The silence becomes even quieter.'

He expresses that emptiness to the court as well. 'Every day hurts more. We try our best, but it's actually unbearable.' Peter fears what the future holds, he tells the court. He's afraid of the memories that will never be made. 'When the truth comes out, maybe I can move forward a bit, so my life becomes more bearable. But I won't get my daughters back. The void they left grows larger, the wound doesn't heal, the wound remains open and I don't think it will ever close.'

Jon and Meryn O'Brien record their statement on video, which is shown in court on 13 September. Meryn tells how on 17 July 2014, her son Jack's football bag was already packed because he wanted to rejoin his team as soon as he returned from Europe. Jon describes how he misses Jack, the way he walked through the garden in the mornings, started his car, or watched a series wearing earphones. Their daughter Bronwyn has her statement read out by her victim support advocate. It's painful for her parents to hear those words spoken live, but they praise the empathetic tone struck by their advocate. Gratitude is the word that Meryn and Jon repeat over and over again. 'The fact that a hundred people were able to exercise their victim impact statement right was sad, intense, and amazing all at

once. However different everyone is and however diverse the ways of grieving are, we all share a profound sense of emptiness and loss, and a strong sense of injustice towards those who didn't take responsibility for this terrible act. We are grateful for the opportunity to address the court directly. We wanted to bear witness. Witness to everything connected with Jack.'

Simon Mayne sits next to his ex-wife Liz as she tells what the loss of Richard meant to her and her family. 'It was essential for her to be able to do something like this. Almost a catharsis. To be able to stand before an independent judge and talk about your loss. I've heard and seen many statements, and each time, I felt once again that I wasn't alone in my grief.'

Paul Marckelbach takes the floor on 23 September 2021, seven years after his family was murdered. He mentions how he has come to cherish the people who have stood by him more and more over the years, 'a positive aspect to this bizarre loss, believe it or not.' He describes how his wife Joyce stayed with him, 'on the shores of grief,' and what his loss did to her. How they even lost each other for a while because Paul, after the disaster, stayed 'on an inhospitable, cold, and desolate island,' overwhelmed and paralysed.

Shadrack Noto is afraid he won't find the right words to express his grief and asks his cousin to read part of his statement. It's the repeatedly shown images on television and in the newspapers that keep stirring up his grief, Noto tells the court. Russia's failure to take responsibility for this heinous act prevents him from healing from the post-traumatic stress disorder he suffers from. 'MH17 keeps coming back to haunt me.'

The stories make a profound impression on prosecutor Ridderbeks. 'I actually thought I knew most of the stories, but hearing bereaved family members tell live about the still current, raw grief and immense loss was very confronting. Their stories affected me more than I had anticipated. We had discussed

with all the lawyers and the court beforehand how we would deal with any emotions that might arise. There had to be room for that, everyone agreed. Emotions were allowed to be present instead of being awkwardly hidden. We were all professionally involved and stood at a distance from the grief, but that didn't mean it couldn't touch us.'

Victim advocate Schijns, together with her colleagues from the RBT and partly due to the compelling bereaved family statements, achieves a professional success. The court acknowledges that the lives of siblings have also changed significantly after the disaster, for example, because they have taken over the care of their brother or sister's children. Therefore, the court supports the call to explicitly involve the position of siblings who do not live with the victim in the envisaged evaluation of the Affection Damages Act. On 13 February 2024, the Dutch House of Representatives unanimously adopts a motion to include siblings in the fixed group of relatives eligible for compensation for affection damages in the short term.

More important to her than this professional success is the regained insight that this lawsuit does indeed matter. 'Fundamentally, the law is society's only response to injustice. Bereaved have needs for justice, such as participation, having a voice, being able to contribute to the elements of restoration, and the affirmation that what happened was wrong. This criminal trial has been able to meet those needs like no other.' Additionally, Schijns has seen better than before the function of law on a human level, especially, or perhaps precisely, in cases where the grief is overwhelmingly vast.

'During those weeks when bereaved were given the floor, I witnessed what a crucial core of this process was. The French-Jewish philosopher Levinas extended his hand to me in that regard. He writes that one can only truly become free in the face of the other. Recognition is daring to look into the eyes of

another. The chairman of this court understood this so well. During the right to speak, people sat directly in front of the judges. There was eye contact back and forth, and it was visible to the bereaved that their story did not leave the court unmoved. After each statement, the chairman addressed the bereaved personally. There was emotional reflection, there was human contact. I have seen and felt how essential these brief moments have been for the bereaved. Alongside grand concepts like justice and truth-finding, a criminal trial also revolves around that recognition: I see you. I see what this act has done to you and how it has intervened in your life. That is the essence of the right to speak, and it requires judges who do not suppress emotion but allow it. The chairman of the court has done that like no other.'

Since then, Schijns regularly gives lectures to professionals about the meaning of the right to speak. She encounters not only empathy but also scepticism. Emotions are said to be detrimental to judgment and may lead to arbitrariness. Schijns tries to break through that resistance. 'Emotions in legal proceedings are not at odds with sound judgment. Emotions should not be suppressed but regulated. However, this requires judges to have insight into their own emotional experiences. This time and these kinds of cases demand emotionally lucid judges who can regulate the effect of emotions on their judgment. Ultimately, this leads to better decision-making. The court has also realised this. At the final hearing, the chair remarked that the right to speak statements had made an indelible impression on the court, and that the judges would take those statements into consideration in their deliberations.'

She herself has become a wiser advocate through MH17, she hopes. 'I started as a lawyer to legally assist people in the most vulnerable period of their lives, to offer comfort, to make things better. During the MH17 process, I questioned whether the law

could mean anything for victims and bereaved of crimes due to the enormity of the grief. But through the statements of the next of kin and the judicial verdict, I have personally experienced that the law does have power. Not only in grand terms like justice and truth-finding, but also in the interpersonal contact between the one who judges the case and the seeker of justice. 'The small good,' as Levinas calls it: a glance, an encouraging word. There lies recognition. In the face of the other.'

13. THE STRENGTH OF THE RULE OF LAW

Ridderbeks remains involved in the criminal case until the end. It is she who, at the end of 2021, pronounces the demand against the four suspects: four life sentences. She particularly remembers trying to speak as slowly as possible. 'I have asked for life imprisonment before, always wholeheartedly, but now hundreds, perhaps thousands of relatives were watching, and the tone in which I formulated the demand was very critical.' More relevant than the demand, Ridderbeks finds the response of the Public Prosecution Service to the plea of Pulatov's lawyers. 'In this case, so many things have been said and written that were inconsistent with the evidence in the file that some people and media started to doubt again what exactly happened on 17 July 2014. Our reply had to put an end to that doubt.'

Unlike in 'ordinary' criminal cases, the relatives are not given the opportunity to view the extensive file. To fulfil its duty to provide information, the Public Prosecution Service launches a publication on the internet on 18 May 2022, in which 'it is possible to read, hear, and see which evidence is included in the criminal file, among other things.' The aim of the publication is to inform those who have not attended all hearings about the findings presented during the hearings and to provide an overview of the main conclusions.

Ridderbeks feels tension when the website goes live. 'We added a disclaimer stating that it was the perspective of the prosecution and that the suspects were innocent until proven guilty by the court. Moreover, the site only contained information that had already been discussed publicly in court. But nevertheless, Pulatov's defence (the only suspect represented by lawyers) had already argued during the plea about the way in which the prosecution had been appearing in public all this time and had therefore pleaded for inadmissibility. This publication

added to that. We knew that this could again be a building block for the previously pleaded inadmissibility defence and that the court might have something to say about it.'

On 17 November 2022, the court delivers its verdict. In addition to relatives, a number of involved professionals are present in the courtroom, including Gerrit Thiry, leader of the police team that conducted the investigation, and Fred Westerbeke, the chief prosecutor who led the JIT for a long time.

The court is harsh in its judgment of how the Public Prosecution Service has acted in public from the beginning of the trial. Giving press conferences to inform relatives is tolerable given the enormity of the disaster, but giving interviews while the trial is still ongoing is deemed blameworthy by the court. Prematurely putting online information from the case file is not appropriate, the court says explicitly. There are conditions related to conducting a careful procedure. The court finds that the prosecution has ignored these conditions, which serves no criminal purpose. Ridderbeks listens with bated breath.

'I immediately thought that the court would not take an hour and a half to read out a judgment that would lead to inadmissibility, but the slap on the wrist it delivered felt quite intense. At that moment, I only thought: we have to get through this, soon it will be about the facts, and only that is relevant.'

Important is the moment when the court pronounces on Russia's involvement. Unlike the International Court of Justice will later do in a case brought by Ukraine against Russia, the Dutch judge determines:

'...that the Russian Federation has provided financing to the DPR, supplied and trained personnel, and delivered weapons and goods. Additionally, since mid-May 2014, the Russian Federation has had a decisive influence on filling high positions within the DPR and has been involved in coordinating

military actions and has also undertaken military actions on Ukrainian territory. These factors, which are more extensively described in the judgment, lead the court to the conclusion that from mid-May 2014, there was a situation in which the Russian Federation exercised so-called overall control over the DPR. Therefore, the court is of the opinion that from mid-May 2014, and also on 17 July 2014, an international armed conflict took place on the territory of Ukraine between Ukraine and the DPR, with the DPR under the control of the Russian Federation.'

Girkin, Dubinskiy, and Kharchenko are sentenced to life imprisonment. Only Pulatov is acquitted. The latter somewhat surprises Thiry, 'but well, so be it. More importantly, the court expressly states that we have done more than strictly necessary to complete the evidence. This has ultimately resulted in an ironclad case file. The court has fully followed our dossier. That is something we can all be proud of. There were so many people who thought this investigation would never amount to anything. But thanks to dedication, expertise, and perseverance, we have achieved a compelling result even against the odds. MH17 has given the Netherlands international standing. We really went all out.'

Westerbeke immediately seeks out the relatives after the verdict. 'I didn't want to miss the verdict, I had to be there, also to process this moment together. I never doubted the outcome, there was a strong case. MH17 has been an important episode in my life. It was only after that verdict that I could truly close that chapter for myself.'



Paul Marckelbach, along with his son Levi and partner Joyce, sits in the courtroom at Schiphol on 17 November 2022. He had

casually followed the process in the years leading up to it, but now wants to witness the final verdict live. He recalls that it was quite formal, 'but I could follow it. The court had formulated it well.' When the judge pronounces the sentences, emotions run high.

'Everyone has their own truth, especially when it comes to MH17. But this is the moment when an independent institution that has deliberated over everything that has been presented establishes the facts. That is incredibly important.'

Jon and Meryn O'Brien share that experience. They sit in an adjacent courtroom at Schiphol when the court announces its verdict. 'We wanted to accompany Jack in every step of the process, until the end. We were there for Jack.' Not that they expect much from the verdict. 'We knew the defendants would not be present and that they could only be convicted in absentia at best. What we hoped for was a judgment on the truth. It was important for us to be there at that moment of truth.'

For many relatives, the judge's explicit mention of Russia's involvement in the conflict in Eastern Ukraine in the verdict is crucial. 'The Public Prosecution Service also played an important role in emphasising how hypocritical and sickening the Russians' attitude has been throughout the process,' says Jon. 'The denials, the refusal to cooperate, the distortion of facts, and the avoidance of responsibility for the death of 298 innocent people, the lies and deceit, all deliberate, have caused the relatives incredible pain. For the relatives, it was very important that an independent judge pronounced that Russia was involved.'

Meryn and Jon are still impressed by the way the Dutch, as well as the Australian authorities, have supported the bereaved throughout all those years. In their eyes, no effort has been spared. 'Ten out of ten,' Meryn judges. 'In the aftermath of MH17, the Netherlands and Australia have shown their best side. The commitment, professionalism, and perseverance have

made a great impression. Yes, the process took a long time. Eight years. We didn't mind it taking so long. We thought, do it carefully. Get the truth out there. Three Russian military personnel and one Ukrainian stood trial in a Dutch court case. Everything was transparent, public, open for everyone to follow. Even the defence of one of the defendants was paid for by the country that had lost 196 of its citizens to that heinous act. That is incredible! The importance and power of the rule of law and independent judiciary could not have been better demonstrated.'

Simon Mayne describes the entire process as 'impressive'. He also emphasises the importance of a fair trial. 'No one can ever claim that the Dutch government did not do everything possible to organise this and uphold the truth. This was a responsible and democratic country at work. That aspect was important to me; that a fair trial took place. To some extent, the ultimate verdict didn't actually matter to me. We all know what happened. There is no doubt about Russian involvement. I can live with the fact that the convicted men will probably never end up behind bars in the Netherlands. Even if all four had been acquitted, it would have been good enough for me. What mattered to me was a fair, public trial.'

The moment the Dutch judge delivers the verdict is still vivid in Prime Minister Rutte's mind. He was returning from South Korea with his spokesperson that day. During a layover at Mumbai airport, Rutte calls the chairman of the MH17 Disaster Foundation. 'An emotional moment.'

The verdict doesn't mean closure. Not for Rutte, at least. 'The last stone has been turned. We know what happened. 296 victims have been identified and brought home. We have a comprehensive report from the Dutch Safety Board, we have an irrevocable verdict. But I want to see those three perpetrators behind bars. We also want Moscow to start cooperating at some

point. The JIT is dormant now, but if new facts or circumstances come to light, the Public Prosecution Service can immediately get back to work. Whether it takes ten, twenty, or thirty years, as long as it takes and whatever it takes, this is sacred to me. It's truly sacrosanct; this is what a government is meant for. MH17 is in my DNA, and that gene is passed on. And I don't need to explain to anyone within the government how important that is.'

Prime Minister Rutte remains 'astonished' that no one has ever taken responsibility for what happened ten years ago. 'That 298 people were shot out of the sky, whether by mistake or not, is incomprehensible. If you are responsible for that, you must do everything to help. That is a matter of decency. So many people are in distress, it just can't be.'

For this reason, it is extra important for Rutte that first the Joint Investigation Team and later the court establish that Russia shares responsibility for the downing of MH17. 'Until the filing of the indictment, we never formally pointed the finger at Russia because we mainly wanted Russia to cooperate. That was different in 2020. I went to India then, but I could limit that visit to one day to be present at the Council of Ministers on Friday. At that moment, I announced – and this happened in parallel in Australia – that we were formally filing a state complaint against Russia with the European Court of Human Rights for its role in the attack on MH17.'

The Grand Chamber of the ECHR has since indicated that the complaint, in which relatives have also joined, is admissible, even though Russia is no longer a member of the Council of Europe and the seat of the Russian judge on the court no longer exists. The court believes that a state withdrawing from an international organisation should not evade its responsibility for human rights violations. When a judgment will follow is still unclear, although Sander van Luik hopes it won't take too long.

‘That the Dutch court explicitly addressed Russia’s role in the 2022 verdict offers some solace,’ reflects Sander. ‘Indeed, the criminal justice process has been pivotal, notably for the court’s willingness to confront Russia’s involvement. It’s a significant step forward. As for the Netherlands, I don’t anticipate further action. I believe they’ve done all they can. However, my hopes now rest with the ECHR. This case concerns egregious human rights violations, and while Russia may disregard the European Court of Human Rights’ ruling, a conviction on record holds weight. Just as we’re now reckoning with our history of slavery, I trust that one day the Russian people will acknowledge their role in the MH17 tragedy. I remain hopeful. After all, one certainty remains: Putin will eventually die.’

Police officer Thiry hopes that new witnesses will come forward and new suspects can be summoned. ‘It is not excluded that even in Russia at some point there will be a change of regime that will bring forth new witnesses with new evidence, minutes, or emails based on which the investigation can be revitalised. If you look at international crimes, there is always a possibility that after years there will still be prosecution. Charles Taylor, Milosevic, the top Nazis from World War II... sooner or later they all get their turn.’

14. 10 YEARS LATER

Almost ten years after MH17 was shot down, Prime Minister Rutte visits the city of Kharkiv. There, he meets with President Zelensky of Ukraine. The country has been at war with Russia since 24 February 2022, and is trying in various ways to convince European leaders that European support is indispensable in the fight. Rutte sees how damaged the city is, ‘more than Kyiv or Odessa where we were before.’ He takes the opportunity to connect with local emergency services workers who were involved in the recovery of bodies and belongings at the time. ‘I wanted to thank them for all their work, and I am grateful that I was able to do so. They were still very emotional when remembering those intensely challenging days of July 2014.’

Meryn and Jon O’Brien are not sure yet if they will come to the Netherlands again for the commemoration on 17 July 2024. They have been to the Netherlands four times before, but the journey is long and taxing. They know that on the occasion of the commemoration, images of the disaster will once again dominate the media. Documentaries are being made, reports are written, interviews are conducted. This book is being published. There are relatives who want to escape the commemoration. The photos and stories, the music and the words will reopen wounds and put grief back in the foreground. Others attach importance to sharing their sorrow. Meryn and Jon still find some comfort in the involvement of so many people, which is why they choose to tell their story again.

‘The MH17 tragedy has naturally impacted us as bereaved families the most, but its shockwaves extend far beyond. While we may stand at the centre, knowing that others also recognise the magnitude of this event, its intensity, is somewhat comforting. Many people try not to burden us further and sometimes apologise when news about the incident resurfaces, fearing they

might reopen our wounds. But they don't realise that the pain is always there. For us, it's more of a solace knowing that people care. The fact that a broader audience still empathises and wants to commemorate what happened serves as validation of the enormity of our grief. Our gratitude is immense. The members of the Joint Investigation Team, the family liaison officers, the prosecutors, the judges, our lawyers, the support workers, the ovv researchers, and the police, the Foundation, everyone involved in everything related to MH17 has helped us tremendously. It's easy to become isolated after such an incomprehensible and intense loss. If we had lived in another part of the world where violence and death are commonplace, we would never have had this support network to lean on. Yet, we've received all this support. And for our daughter Bronwyn, whose brother was so brutally taken from us in what we can only describe as a war crime, the support of others is equally vital.'

Asmaa Aljuned also speaks of gratitude. 'I feel gratitude that justice has been served, even if no one goes to prison. Just the fact that dozens, hundreds of people have worked on this case, for me, for my husband, for all those victims and relatives, is comforting. It gives me strength and energy to move forward.'

Meanwhile, time passes. 'Time that, although elusive, also heals,' says Simon Mayne. In the first three years after the disaster, he was desperate, almost suicidal. 'I'm not anymore. The first years, I had an emotional breakdown almost every week. Now it only happens occasionally that I sink into deep sadness. I've never been angry. Yes, I would be very happy if Putin were to die tomorrow, but when he appears on the news, I don't feel like shouting at the tv. Let something terrible happen to him quietly.'

Meanwhile, Simon is fully occupied with caring for his daughter. He firmly believes that healing awaits somewhere and is deeply involved in exploring how nutrition affects the human

brain. There's hope in his voice as he declares, 'I'm going to cure her.' He doesn't feel the need for large commemorative gatherings. 'It's been ten years now, and that might be a reason for a ceremony with the King and Queen. I don't expect these kinds of events to be organized in ten years' time. More and more, MH17 will become a small, personal remembrance for those who want to be there. And that's okay. That's why I appreciate having the memorial garden. I can always go there.'

Prime Minister Rutte is convinced that the MH17 tragedy will never be forgotten, neither in the Netherlands nor elsewhere. 'Many people may not remember where they were in February 2023 when Turkey and Syria were hit by an earthquake that claimed over 50,000 lives. But many still remember where they were when they heard the news about MH17. Mention MH17, and everyone knows what you mean. This tragedy has once again shown that in an uncertain, unstable world, no one can manage alone. If I'm honest, I also saw Europe for a long time as merely a market and a currency, an economic entity crucial for us as a trading nation. But since 17 July 2014, I've come to realise that we are also a community of values. Only with the help of our friends could we do what we did. Obama in the United States, Hollande in France, Merkel in Germany, Cameron in the United Kingdom, everyone was involved. Imagine if the Netherlands were not a member of the EU or NATO, but only relied on itself; then, we might have received a note from these leaders saying "sorry for your loss", but that would have been it. Now, we could count on our friends. It was their plane too. The fact that the UN Security Council adopted resolution 2166 on 21 July, condemning the downing of MH17 and ordering an independent investigation, that we could establish a court and continue to pressure Russia, that we could form the JIT together with the Australians and Malaysians, it has once again proven that the Netherlands is

not an island but embedded in a larger whole.'

For Peter van der Meer, that greater whole mainly consists of his daughters' friends who still come to visit. On 17 July 2024, they and a large group of neighbours, friends, and family will be standing at the cemetery where Sophie, Fleur, and Bente are buried around 03:18 PM – the time of the impact. 'Those friends are persistent,' Peter now knows. 'Sometimes they just come by spontaneously, which I appreciate. I see them growing up. That gives me comfort. It's beautiful to hear what they're doing, that they're studying, that they're enjoying life. Of course, it's also confronting because I no longer experience it myself. No giggling girls, no student parties, no grandchildren. I'll forever be the father without children. I will carry that grief to my grave.'

Shadrack Noto recognises that grief as a father. Friends of his son Thami form lasting relationships and have children. 'I'm so happy for them, but for me, that future is shattered.' He doubts whether he will ever experience joy again. He also dreads the flood of news reports and commemorative documentaries that will appear around 17 July. Yet he decides to contribute to this commemorative book. 'I owe that to my son. As a last act of love.'

Paul Marckelbach is clearing out his attic in the spring of 2024 to make room for his son Levi, who has been living with him since August 2023 while attending university. Upstairs, there are still items belonging to his sister. 'Ten years ago, I had to clear out two very large houses and go through all the belongings of my mother and my sister. Now I have to do it again. There's a box of letters that my brother-in-law Antoine wrote to my sister, there are photos. You don't just say goodbye to those. I know it has to be done, but emotionally, I just can't.' Meanwhile, Levi is growing sunflowers. They should be in full bloom on 17 July.

Asmaa Aljuned hopes she can attend the commemoration this year, 'also to feel sheltered among the other families.' Now

that she lives in Cairo, it's also easier for her to come to the Netherlands. 'I know my husband is buried in Malaysia, his body is there. But in the Netherlands, I can experience my own, personal grief more deeply, which makes me feel closer to him. MH17 will always hold meaning for me in terms of the life that was taken and the life that could have been. Yes, I have moved on with my life, I have continued, but if I'm honest, I don't really understand the concept of 'moving on' very well. Moving on doesn't mean I've forgotten anything. Every part of me also breathes my loss. Have I become a different person because of the loss of my husband? Of course. And yet I am the same. People often tell me that I'm so strong, but I had no alternative in those first years. I don't think I cried for the first four, five years. I lived like some kind of robot, just keep going, keep going, until I could talk to my son about it. Only then could I connect with my feelings.'

Abderrahman turns ten in 2024. Asmaa continues to tell him stories about his father. She also encourages his bond with her in-laws, which is sometimes difficult because her son hardly speaks Malay anymore. Still, she wants him to visit the family regularly so he understands how important he is to them.

And now there's this new father. 'My son looks up to my new husband, also because he missed exactly that in his early years. A father. And yes, I'm very happy to see that he gets along so well with his stepfather, and at the same time, it hurts. Because I would have loved to see him grow up with his own father.'

EPILOGUE

When Piet Ploeg, chairman of the MH17 Disaster Foundation, approached me in January 2024 about writing a book for the tenth anniversary commemoration of the disaster, I hesitated. It marked the fourth time I had been asked to delve into the tragedy or interview those affected to record their stories. In late July 2014, an article in *Vrij Nederland* explored the desire for retribution following the unimaginable act of terror. A year later, the book *MH17, Investigation, Facts, Stories* was released, featuring insights from Dutch Safety Board investigators detailing their crash investigation experience. This book, along with the final Dutch Safety Board report, was presented to the families of the victims in October 2015.

Another year later, I penned the booklet *There is no play-book for grief* at the request of Victim Support Netherlands. In it, eight family members and eight professionals involved shared their experiences from the two years following the crash. I remained on the sidelines during the subsequent criminal investigation, mindful of the added strain that the extensive media coverage of MH17 placed on many family members. The words of defence commander Hans van de Ven, rightfully acknowledging in the Victim Support booklet that all professionals involved were mere bystanders to the grief of others, lingered in my mind. I questioned what true contribution I could make by accepting Ploeg's request. While the political, diplomatic, and legal aspects of uncovering the truth were clear, could I do justice to the stories of so many by only speaking to a few? Did repeatedly exposing family members to stories and images that reignited their profound grief serve any purpose?

Despite these doubts, I ultimately accepted the assignment. My father had instilled in me the importance of being anchored in history. Every victim of flight MH17 deserved to be remembered and to have their memory anchored in the collective consciousness. With this booklet, I aimed to contribute to that cause.

ACKNOWLEDGEMENTS

This book is based on conversations with eight bereaved family members and eight professionals closely involved in the MH17 tragedy. The MH17 Air Disaster Foundation approached the interviewees and asked if they were willing to participate in this book. The conversations took place in the first few months of 2024. I conducted interviews with Malaysian, British, and Australian family members via online video calls. Some respondents were given the opportunity to review the text for publication at their request. Additionally, I extensively reviewed newspaper and magazine articles, blogs, and social media posts related to the topic. I re-watched various documentaries and television segments and studied articles and books on grief processing. I also revisited numerous official reports and parliamentary documents focusing on the MH17 disaster. Where relevant, I incorporated the titles used into the narrative.

I am grateful to the professionals involved and the MH17 Air Disaster Foundation for their trust in me. I extend my thanks to the bereaved family members who allowed me to describe their profound grief. I hope that I have honoured their openness.

Amsterdam, 1 May 2024

Miek Smilde

*Commemoration raises a barrier
against the death of forgetting.
Who is mentioned by name
does not fall into oblivion.*

AN EMPTY PLACE TO STAY

Ten years after Malaysia Airlines flight MH17 was downed in eastern Ukraine, eight bereaved families tell how they have had to learn to live with the incomprehensible loss of their loved ones. A wife, four fathers and a mother, a son and two brothers recount their grief, despair and longing for justice. Eight professionals involved, including Prime Minister Mark Rutte, reflect on the efforts of the Dutch government which, together with international partners, wanted to support the bereaved families as best as possible and get to the bottom of the matter. The victims of flight MH17 deserve to be permanently mentioned and to know themselves secure in the memory of so many. This memorial book hopes to contribute to that.



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