ICAO Council vote on Flight MH17 case

Montréal, 12 May 2025 – The Council of the International Civil Aviation Organization (ICAO) today voted that the Russian Federation failed to uphold its obligations under international air law in the 2014 downing of Malaysia Airlines Flight MH17.

This represents the first time in ICAO's history that its Council has made a determination on the merits of a dispute between Member States under the Organization's dispute settlement mechanism.

The Council agreed that the claims brought by Australia and the Netherlands as a result of the shooting down of Flight MH17 on 17 July 2014, were well founded in fact and in law. The case centered on allegations that the conduct of the Russian Federation in the downing of the aircraft by a surface-to-air missile over eastern Ukraine constitutes a breach of Article 3 bis of the Convention on International Civil Aviation, which requires that States "refrain from resorting to the use of weapons against civil aircraft in flight."

The proceedings involved written submissions and oral hearings spanning multiple Council sessions.

A formal decision document setting out the reasons of fact and law leading to the Council's conclusions will be issued at a future meeting.

About ICAO

The International Civil Aviation Organization (ICAO) and its 193 member states develop and implement global aviation strategies, technical standards, and capacity building activities to enhance the safety, sustainability, and inclusivity of air services worldwide. ICAO's mission is to expand access to air transport while progressing towards zero aviation fatalities and net-zero carbon emissions. This year, the Organization is celebrating its 80th anniversary.

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