

REVIEW

Number	Section	Review party	Text to be corrected	Review party comment	Dutch Safety Board response
1	1.2	Ministry of Foreign Affairs	...personally informing relatives... by the police.	Add:...a person missing abroad, is a task for the authorities...	In this case the police task is not limited to a death or a person missing abroad, but also involves informing relatives about a death resulting from an accident or a person missing in the Netherlands.
2	1.5	Malaysia Airlines	The Dutch Safety Board assesses the findings...	The Board assesses its findings against a reference framework of regulations and guidelines on the one hand, and the Board's basic principles on the other. Malaysia Airlines objects to this. There is no legal basis for this reference framework. As far as Malaysia Airlines is aware the Board's basic principles have not been published before, nor have these been tested and reviewed. These can therefore not be part of the reference framework used in this case to assess findings. In fact they are what in the opinion of the Board should apply. As will follow from our other comments, Malaysia Airlines does not oppose these opinions of the Board. However, Malaysia Airlines opposes the fact that these are qualified as basic principles rather than opinions.	The Board adheres to its own basic principles in addition to a legal framework. The Board uses these basic principles to illustrate what it believes can be expected from parties in addition to legislation and regulations. This is also explained accordingly in the investigation report. Therefore, the parties' comments related to the Board's basic principles were not incorporated in the report.
3	1.5	Malaysia Airlines	The Board's basic principles	As mentioned in the previous comment, these are not basic principles but what the Board deems appropriate. Hence this text should reflect that and not suggest anything more, which the words "basic principles" do. Perhaps "The Board's approach" is more appropriate.	This comment relates to the Board's basic principles. For previously cited reasons (see the response to comment 2) the parties' comments regarding the Board's basic principles were not incorporated in the report.
4	1.5	Malaysia Airlines	Partly based on the above, the Board expects airlines to register...	As follows from the previous comments Malaysia Airlines believes that it would be appropriate to say: "Partly based on the above, the Board takes the view that airlines should register which..."	This comment relates to the Board's basic principles. For previously cited reasons (see the response to comment 2) the parties' comments regarding the Board's basic principles were not incorporated in the report.
5	1.5	Municipality of Haarlemmermeer and Kennemerland Safety Region	This means that, in addition...	Replace with: This means that, in addition to their names and initials, ideally the information should also include the nationality, gender and date of birth of those on board. In order to be able to provide fast and adequate information to relatives (within 48 hours), the authorities also require the gender and the date of birth.	This comment relates to the Board's basic principles. For previously cited reasons (see the response to comment 2) the parties' comments regarding the Board's basic principles were not incorporated in the report.
6	1.5	Malaysia Airlines	The Board is of the opinion that the information...	Malaysia Airlines points out the following: 1. This may be laudable, but what is the legal basis for this opinion? 2. It should be added that currently no legal obligation exists to log the nationality of passengers unless these are travelling to API countries. 3. As mentioned above, it has not been explained why the recording of nationality would have helped to speed up the process in this case.	This comment relates to the Board's basic principles. For previously cited reasons (see the response to comment 2) the parties' comments regarding the Board's basic principles were not incorporated in the report.
7	1.5	Malaysia Airlines	The Board believes it is important that relatives of victims...	As mentioned above, this is the view of the Board but not a legal requirement. To avoid any lack of clarity Malaysia Airlines therefore requests to amend this text as follows: "Although not legally required, the Board believes that it is important that relatives of victims..."	This comment relates to the Board's basic principles. For previously cited reasons (see the response to comment 2) the parties' comments regarding the Board's basic principles were not incorporated in the report.

Number	Section	Review party	Text to be corrected	Review party comment	Dutch Safety Board response
8	3.3.1	Malaysia Airlines	The information per passenger was limited, but...	This is not complete. Malaysia Airlines believes that the text should read: "The information per passenger was limited, but fully complied with all legal requirements, regulations and guidelines, including the ICAO guidelines."	The Board assessed the findings related to the content of the passenger list against the relevant provisions of the Chicago Convention (see the reference framework in Appendix D). Any expansion to include other regulations does not change anything with regard to the report's conclusion on this matter.
9	3.3.1	Malaysia Airlines	The information on the passenger list of flight MH17...	As mentioned above, this is not complete. Malaysia Airlines believes that the text should read: "The information on the passenger list of flight MH17 per passenger fully complied with all legal requirements, regulations and guidelines, including the ICAO guidelines."	The Board assessed the findings related to the content of the passenger list against the relevant provisions of the Chicago Convention (see the reference framework in Appendix D). Any expansion to include other regulations does not change anything with regard to the report's conclusion on this matter.
10	3.3.1	Ministry of Security and Justice	Malaysia Airlines branch at Schiphol...	Malaysia Airline's failure to follow its own procedures is cited in the report, but is weighted differently than the points for improvement for the national authorities.	This comment relates to an opinion and not a factual inaccuracy and is therefore not incorporated in the report.
11	3.4	Malaysia Airlines	Malaysia Airlines... the aviation sector.	As follows from the above, Malaysia Airlines believes that this text is not complete and requests that it is amended to read: "Malaysia Airlines had a passenger list available which complied with all requirements, laws, regulations and guidelines that apply to the aviation sector"	The Board assessed the findings related to the content of the passenger list against the relevant provisions of the Chicago Convention (see the reference framework in Appendix D). Any expansion to include other regulations does not change anything with regard to the report's conclusion on this matter.
12	4.2	Municipality of Haarlemmermeer and Kennemerland Safety Region	During the acute phase, the mayor of the municipality...	Supplement with: if the victims are found in this municipality/safety region.	The report makes it adequately clear that this is the case if the source area is located in the municipality or safety region, or if the victims or relatives are present in the region or at Schiphol. Therefore the Board sees no reason to incorporate this comment.
13	4.2	Municipality of Haarlemmermeer and Kennemerland Safety Region	Additionally, the police...	Add: In the event of an aviation accident outside the operational area of the Schiphol Crisis Response Plan and in the Netherlands, the National Police is involved in several activities such as identifying, registering (for the investigation) and shielding relatives at a reception location. The policing tasks performed by the Royal Netherlands Marechaussee in the operational area of the Schiphol Crisis Response Plan are performed by the National Police outside the operational area (in the Netherlands). The National Police also employs its knowledge and expertise to benefit the crisis organisation.	The text has been added with the exception of the passage related to the task of the police outside Schiphol. This information is not actually relevant in the context of this investigation.
14	4.2	Ministry of Foreign Affairs	The NCC acts as the interdepartmental coordination centre...	Add: For national crises.	The National Crisis Centre (NCC) is also responsible for tasks if there is no national crisis, such as a supraregional crisis. During a crisis (or potential crisis), the NCC acts as the information hub for ministries and safety regions.
15	4.3	Ministry of Foreign Affairs		In contrast to what is claimed, there are action plans for all possible crises for which scenarios had been drawn up. There is no separate action plan for aviation accidents, as is also the case for other types of disasters. This is not necessary either since the action plan must be suitable for use in different crises. Additionally, exercises are conducted throughout the year.	In its report, the Board does not state that there were no action plans, but states that there was no elaborated scenario for an aviation accident abroad involving a large number of Dutch nationals.
16	4.4.1	Ministry of Defence	Various organisations in and around Schiphol...	According to the Royal Netherlands Marechaussee there was no scaling up at the national level.	At the national level, various organisations did actually scale up the internal crisis organisation including the Ministry of Security and Justice (NCC) and the Ministry of Foreign Affairs. The national crisis structure was also scaled up by convening the ICCb and the MCCb.
17	4.4.2	Municipality of Haarlemmermeer and Kennemerland Safety Region	Moreover, GRIP Rijk in this situation...	Perhaps not with regard to other responsibilities between the ministries, but indeed in terms of coordinating the accident. GRIP Rijk would have made this clearer.	The report has been clarified with regard to this aspect. GRIP Rijk could not have been declared effective for this process. Moreover, the report now states that there are other options for jointly aligning tasks and responsibilities.

Number	Section	Review party	Text to be corrected	Review party comment	Dutch Safety Board response
18	4.5	Ministry of Foreign Affairs		The objective of the Ministry of Foreign Affairs' emergency number is to collect information and compile an inventory of possible Dutch victims and, if possible, refer callers to other organisations that can provide the requested assistance (Parliament Letter 24-7-2014: With regard to the consular aspects, immediately after the crash, the Crisis Telephone Team (CTT) of the Ministry of Foreign Affairs was activated and used the number 070-3487770 to establish the victims' details and to communicate with and inform the relatives as effectively as possible). In accordance with agreements made with the National Police, the CTT does not confirm that people are deceased over the telephone. The Crisis Telephone Team (CTT) communicates in a clear manner.	Following the crash, the Ministry of Foreign Affairs issued an ambiguous message about the emergency number. The message stated that the relatives could call the Ministry of Foreign Affairs' emergency number to obtain more information. However, it was not clear to the relatives that no information would be provided about their relatives. Moreover the purpose of the number was not clearly communicated.
19	4.5.1	Malaysia Airlines	Malaysia Airlines failed... in Kuala Lumpur.	Malaysia Airlines did share the information with the Royal Netherlands Marechaussee (Koninklijke Marechaussee) and assumed that it had filtered through to the NCC, the Ministry of Foreign Affairs and all other government entities that were involved via the Royal Netherlands Marechaussee.	What Malaysia Airlines thought about the distribution of information by the Royal Netherlands Marechaussee is an assumption and not a fact. Therefore this does not constitute any reason for adjusting the text.
20	4.5.1	Ministry of Security and Justice	Malaysia Airlines opened an international information number...	Was this a free information number (as stipulated in the rules)?	This comment concerns the international information number that was set up by Malaysia Airlines for the relatives of the victims. The Dutch Safety Board did not ascertain if it was a free number since the matter is not relevant for the purpose of answering the investigation question.
21	4.5.1	Ministry of Foreign Affairs		On 17 July 2014 and 18 July 2014 there was repeated contact with Malaysia Airlines about the passenger list. It is totally incorrect to state that Malaysia Airlines failed to share the information it had gathered about the relatives with the national authorities and that the NCC and the Ministry of Foreign Affairs were not interested in this information. On both days Malaysia Airlines in Amsterdam and Malaysia Airlines in Kuala Lumpur were regularly requested to provide the passenger list.	The authorities did request Malaysia Airlines to provide passenger information. The request did not concern information about the relatives (that was available via the registration forms collected at Schiphol). This is now explained more clearly in sections 4.5 and 4.6 of the report.
22	4.5.1	Ministry of Foreign Affairs		Furthermore, the Ministry of Foreign Affairs did use information obtained from travel organisations, emergency control centres and information from the ambassador in Malaysia. The report sometimes states that this happened (correct), but sometimes states that it did not happen (incorrect).	On Saturday, the Ministry of Foreign Affairs received information via Eurocross about the relatives who had called the Eurocross number. The information that travel organisations had supplied to Eurocross was not passed on to the Ministry. The information the Ministry received on Saturday was predominantly used for verification purposes. However, the information did not provide the Ministry with a lot of added value, given the time at which it was received. At that time, the Ministry had already supplied its own list containing passenger information to the National Police. The information was not entered into the Ministry's 'Kompas' registration system. At the Ministry's request, the ANVR asked its members to communicate details directly to the Ministry of Foreign Affairs (following previous contact with the Ministry on Friday 18 July). Eurocross also referred travel organisations to the Ministry. The Dutch Safety Board does not know how many travel organisations independently passed on information to the Ministry.
23	4.5.1	Ministry of Foreign Affairs		The Ministry of Foreign Affairs controlled the collection of passenger information. It was clear to all those involved that the relatives would be informed by the National Police based on the Ministry of Foreign Affairs' lists. The fact that not all people who were involved in the crash in the Netherlands and were interviewed know this, is not relevant.	The role of the Ministry was clear to the parties with which the Ministry of Foreign Affairs usually maintains contact. To other parties, such as Malaysia Airlines and the Royal Netherlands Marechaussee, the role of the Ministry of Foreign Affairs was less clear or not clear at all. Consequently, not all information was shared in a timely manner. For the safety region it was not clear what the relations between the central government and the region were and more specifically how it should handle information about the relatives.

Number	Section	Review party	Text to be corrected	Review party comment	Dutch Safety Board response
24	4.5.1	Ministry of Security and Justice	Shortly after...usable in this situation.	The NCC obtained advice about the possibility of using this system from the Dutch Institute for Physical Safety (Instituut Fysieke Veiligheid). The advice was that the SIS (in its current form) could not be used because this tool is intended for the safety regions and is used in the event of a disaster in the Netherlands.	The victim information system SIS is developed to register victims of an accident or crisis in the Netherlands. The National Operational Coordination Centre (LOCC) sent the SIS procedure to the National Crisis Centre (NCC) and indicated that the system and organisation of the SIS also offered the possibility of customisation. The NCC would bring the use of the SIS up during the crisis consultation. It is unclear whether this happened and what the considerations were for not using the SIS. The Ministry of Foreign Affairs finally used its own crisis registration system, Kompas, to register information about victims and relatives.
25	4.6.1	Ministry of Security and Justice	Malaysia Airlines' headquarters in Kuala Lumpur...	At 16.00, Malaysia Airlines at Schiphol was informed and the emergency response plan was activated. It is extraordinary that the Dutch authorities were not informed by Malaysia Airlines but had to learn through social media that flight MH17 had crashed .	Malaysia Airlines' staff were not in the office when they heard the news that flight MH17 was missing. Given the time they arrived at the office, it is not realistic to expect that they had already been in contact with national or regional authorities before 17.00 (CET) - which is the moment when the first reports appeared in the media.
26	4.6.1	Malaysia Airlines	This created a tense...	In the aftermath of the incident, the Regional Senior Vice-President of Malaysia Airlines (RSVP) met with the NCTV (in person) once and called him on 22 July 2014. The NCTV never contacted the RSVP. When they spoke, the RSVP proposed to establish a form of cooperation. It soon became clear that the NCTV was not interested. There was no tense relationship.	Interviews with the officials directly involved from the organisations concerned are contradictory on the issue of whether there was a tense relationship between the national authorities - NCTV (NCC) and the Ministry of Foreign Affairs - on the one hand and Malaysia Airlines on the other hand. After considering all the different statements, the Dutch Safety Board draws the conclusion that there was indeed a tense atmosphere.
27	4.6.1	Ministry of Defence	Until that time, the NCC had not been aware that the...	The Operational Team included a liaison from the NCC. The extent to which the liaison shared information with the NCC is unknown, but the activities of the Royal Netherlands Marechaussee, with regard to the list of persons on board, are assumed to have been known due to the liaison's participation.	It is correct that the National Crisis Centre (NCC) delegated a liaison to represent it in the Operational Team. Available documents and interviews conducted did not reveal whether this person brought the activities of the Royal Netherlands Marechaussee, related to the search for victims' names and additional data, to the attention of the NCC. The NCC only became aware of the fact that the Royal Netherlands Marechaussee was compiling its own list of information about the victims on Friday evening - when the Royal Netherlands Marechaussee contacted the crisis centre.
28	4.6.1	Municipality of Haarlemmermeer and Kennemerland Safety Region	Until that time, the NCC had not been aware that the...	Replace with: Until that time, the NCC had not been aware that the Royal Netherlands Marechaussee was compiling a list of passenger information, despite the inclusion of the NCC liaison in the Operational Team.	The observation is correct. However, the report already makes it sufficiently clear that this information was not passed on.
29	4.6.1	Ministry of Defence	After several days, the Royal Netherlands Marechaussee discovered...	Incorrect. From the outset, there was contact between the Large-Scale and Special Operations Staff (SGBO) and the National Forensic Investigation Team (LTFO). In the meantime, information was supplied to the LTFO in consultation with the Operational Team and the Public Prosecution Service (OM). After three/four days, work agreements were made and the Royal Netherlands Marechaussee halted its efforts to supplement and verify victim information.	From the interviews conducted by the Board and from documents that were made available, it does not appear that this contact took place. Officials reported in interviews that they only found out the LTFO was also compiling a passenger list after some time. It was well known that the LTFO was active, but that was in connection with the forensic investigation on site in Ukraine. After two days, the LTFO contacted the Royal Netherlands Marechaussee to request the passenger list. Until then the LTFO had been working with the list that had been published on the internet during the night from Thursday to Friday. After the telephone call, the Royal Netherlands Marechaussee's official charged with this task found out that the LTFO was also working on this matter. Finally it was agreed via the NCTV that the LTFO would be responsible for the coordination. The information the Royal Netherlands Marechaussee had gathered was then passed on to the LTFO.

Number	Section	Review party	Text to be corrected	Review party comment	Dutch Safety Board response
30	4.6.2	Ministry of Security and Justice	The NCC could have brought this to the attention of the ICCb...	This information was brought to the ICCb's attention and discussed there, but parties around the table (including the police and the Ministry of Foreign Affairs) argued that the process repeatedly required more time. Time frames were consistently cited that were acceptable to participants of the ICCb. Moreover, at that time it was necessary to focus completely on bringing the victims back to the Netherlands. This was also of great importance to the relatives.	The Dutch Safety Board had the ICCb's reports at its disposal but could not find any information to back up this comment from the Ministry.
31	4.6.2	Ministry of Foreign Affairs		The Ministry did not lack a total overview of other parties that were somehow involved in collecting, sharing and verifying information. The link with the other parties was established in the ICCb. In these kinds of situations, the Ministry of Foreign Affairs works with the key parties.	The Board concludes from the facts that it did lack a total overview. For example, for a long time after the crash (several months), the Ministry of Foreign Affairs did not know that the Royal Netherlands Marechaussee had compiled a list of its own. The Ministry mainly had an overview of the parties with which it was accustomed to be working. From the ICCb reports it is not possible to deduce whether, in the first few days after the crash, there was a discussion about who was busy working on the passenger information and how the process was progressing.
32	4.7	Ministry of Foreign Affairs		It is unavoidable that the relatives set about obtaining information and calling lots of numbers as pro-actively as possible. It is the duty of all parties, including the authorities, to communicate in a clear manner about what can be expected of them. The Ministry of Foreign Affairs clearly communicated that the objective of the emergency number was: for citizens to provide information about potential victims. It is totally understandable that, despite this, there was considerable frustration among the relatives about the lack of any confirmation of death.	The Ministry of Foreign Affairs did not communicate clearly that the emergency number would not provide any information about the passengers. For example, on Twitter and via internet the Ministry stated that relatives could contact the Ministry of Foreign Affairs for more information. It did not specify what information could be provided or would be requested or communicated. The lack of clarity also arose from the press conference held by Malaysia Airlines on the evening of Thursday 17 July during which the telephone number was presented as the joint number that relatives could call to obtain information. Afterwards this was not corrected by the Ministry.
33	4.7.2	Ministry of Foreign Affairs		It is suggested that the coordination between Malaysia Airlines and the Ministry of Foreign Affairs was not optimal at the time of the provision of information. The relatives were informed in accordance with the guidelines that exist in the Netherlands for this purpose, namely via the National Police. In the Netherlands, this is a task for the authorities, unless effectively agreed otherwise. It is not Malaysia Airlines' task to inform the relatives.	Malaysia Airlines has obligations to communicate with the relatives and to offer them compensation. In accordance with ICAO documents, the airline is also the first party designated to inform victims' families and to supply passenger information to other authorities that play a role in providing assistance to victims and relatives. The airline must also provide a free telephone number for answering relatives' questions regarding the presence of their loved ones F2on the passenger list. The name of a person on board shall not be published before the family members of that person have been informed by the relevant authorities (EU Regulation 996). The passenger list may only be published if the family members of the persons on board have not objected. Malaysia Airlines and the Dutch authorities can be expected to consult with each other on this matter.