

Annex 1

*Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, 23
September 1971, 974 UNTS 177 (entered into force 26 January 1973)*

No. 14118

MULTILATERAL

Convention for the suppression of unlawful acts against the safety of civil aviation (with Final Act of the International Conference on Air Law held under the auspices of the International Civil Aviation Organization at Montreal in September 1971). Concluded at Montreal on 23 September 1971

Authentic texts: English, French, Russian and Spanish.

Registered by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics on 18 July 1975.

MULTILATÉRAL

Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile (avec Acte final de la Conférence internationale de droit aérien tenue sous les auspices de l'Organisation de l'aviation civile internationale à Montréal en septembre 1971). Conclue à Montréal le 23 septembre 1971

Textes authentiques : anglais, français, russe et espagnol.

Enregistrée par les États-Unis d'Amérique, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et l'Union des Républiques socialistes soviétiques le 18 juillet 1975.

CONVENTION¹ FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF CIVIL AVIATION

The States Parties to the Convention

Considering that unlawful acts against the safety of civil aviation jeopardize the safety of persons and property, seriously affect the operation of air services, and undermine the confidence of the peoples of the world in the safety of civil aviation;

Considering that the occurrence of such acts is a matter of grave concern;

Considering that, for the purpose of deterring such acts, there is an urgent need to provide appropriate measures for punishment of offenders;

Have agreed as follows:

Article 1. 1. Any person commits an offence if he unlawfully and intentionally:

- (a) performs an act of violence against a person on board an aircraft in flight if that act is likely to endanger the safety of that aircraft; or
- (b) destroys an aircraft in service or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight; or

¹ Came into force on 26 January 1973 in respect of the following States, on behalf of which an instrument of ratification or accession had been deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland or the United States of America, i.e. 30 days following the date (27 December 1972) of deposit of the instruments of ratification of ten signatory States having participated in the Montreal Conference, in accordance with article 15(3):

<i>State</i>	<i>Date of deposit of instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)</i>	
Brazil*	24 July	1972 (L,M,W)
Canada	19 June	1972 (L)
	20 June	1972 (W)
	23 July	1972 (M)
Chad	12 July	1972 (L,W)
	17 August	1972 (M)
German Democratic Republic*	9 July	1972 (M)
Guyana	21 December	1972 a (W)
Hungary*	27 December	1972 (L,M,W)
Israel	30 June	1972 (L)
	6 July	1972 (W)
	10 July	1972 (M)
Malawi*	21 December	1972 a (W)
Mali	24 August	1972 a (W)
Mongolia*	5 September	1972 (W)
	14 September	1972 (L)
	20 October	1972 (M)
Niger	1 September	1972 (W)
Panama	24 April	1972 (W)
Republic of China	27 December	1972 (W)
South Africa*	30 May	1972 (W)
Spain	30 October	1972 (W)
Trinidad and Tobago	9 February	1972 (W)
United States of America	1 November	1972 (W)
	15 November	1972 (L)
	22 November	1972 (M)
Yugoslavia	2 October	1972 (L,M,W)

(Continued on p. 179)

- (c) places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or to cause damage to it which is likely to endanger its safety in flight; or
- (d) destroys or damages air navigation facilities or interferes with their operation, if any such act is likely to endanger the safety of aircraft in flight; or
- (e) communicates information which he knows to be false, thereby endangering the safety of an aircraft in flight.

2. Any person also commits an offence if he:

- (a) attempts to commit any of the offences mentioned in paragraph 1 of this Article; or
- (b) is an accomplice of a person who commits or attempts to commit any such offence.

(Footnote 1 continued from p. 178)

Subsequently, the Convention came into force for the States listed below 30 days after the date of deposit of their instrument of ratification or accession with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland or the United States of America, in accordance with article 15 (4):

State	Date of deposit of instrument of ratification or accession (a)	
	at London (L), Moscow (M) or Washington (W)	
Argentina	26 November	1973 (L,M,W)
(With effect from 25 December 1973)		
Australia	12 July	1973 (L,M,W)
(With effect from 11 August 1973)		
Austria	11 February	1973 (L,M,W)
(With effect from 13 March 1974)		
Bulgaria*	22 February	1973 (L)
(With effect from 24 March 1973)	28 March	1973 (W)
	20 March	1974 (M)
Byelorussian Soviet Socialist Republic*	31 January	1973 (M)
(With effect from 2 March 1973)		
Chile	28 February	1974 a (W)
(With effect from 30 March 1974)		
Costa Rica	21 September	1973 (W)
(With effect from 21 October 1973)		
Cyprus	27 July	1973 (L)
(With effect from 14 September 1973)	30 July	1973 (M)
	15 August	1973 (W)
Czechoslovakia*	10 August	1973 (L,M,W)
(With effect from 9 September 1973)		
Denmark	17 January	1973 (L,M,W)
(With effect from 16 February 1973. Decision reserved as regards the application of the Convention to the Faroe Islands and Greenland)		
Dominican Republic	28 November	1973 (W)
(With effect from 28 December 1973)		
Fiji	5 March	1973 (W)
(With effect from 4 April 1973)	18 April	1973 (L)
	28 April	1973 (M)
Finland	13 July	1973 a (L,M,W)
(With effect from 12 August 1973)		
Ghana	12 December	1973 a (W)
(With effect from 11 January 1974)		
Greece	15 January	1974 (W)
(With effect from 14 February 1974)		
Iceland	29 June	1973 (M)
(With effect from 29 July 1973)	29 June	1973 a (L,W)
Iran	10 July	1973 a (L,M,W)
(With effect from 9 August 1973)		
Iraq*	10 September	1974 a (M)
(With effect from 10 October 1974)		

(Continued on p. 180)

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Article 2. For the purposes of this Convention:

(a) an aircraft is considered to be in flight at any time from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation; in the case of a forced landing, the flight shall be deemed to continue until the competent authorities take over the responsibility for the aircraft and for persons and property on board;

(Footnote 1 continued from p. 179)

<i>State</i>	<i>Date of deposit of instrument of ratification or accession (a) at London (L), Moscow (M) or Washington (W)</i>	
Italy	19 February	1974 (L,M,W)
(With effect from 21 March 1974)		
Ivory Coast	9 January	1973 a (W)
(With effect from 8 February 1973)		
Japan	12 June	1974 a (L,W)
(With effect from 12 July 1974)		
Jordan	13 February	1973 (L)
(With effect from 15 March 1973)	19 February	1973 (M)
	25 April	1973 (W)
Libyan Arab Republic	19 February	1974 a (W)
(With effect from 21 March 1974)		
Mexico	12 September	1974 (L,M,W)
(With effect from 12 October 1974)		
Netherlands	27 August	1973 (L,M,W)
(With effect from 26 September 1973 for the Kingdom in Europe and Surinam, and with a declaration to the effect that the Convention shall apply to the Netherlands Antilles from 11 June 1974)		
New Zealand	12 February	1974 (L,M,W)
(With effect from 14 March 1974)		
Nicaragua	6 November	1973 (W)
(With effect from 6 December 1973)		
Nigeria	3 July	1973 a (W)
(With effect from 2 August 1973)	9 July	1973 a (L)
	20 July	1973 a (M)
Norway	1 August	1973 a (L,M,W)
(With effect from 31 August 1973)		
Pakistan	16 January	1974 a (M)
(With effect from 15 February 1974)	24 January	1974 a (L,W)
Paraguay	5 March	1974 (W)
(With effect from 4 April 1974)		
Philippines	26 March	1973 (W)
(With effect from 25 April 1973)		
Poland*	26 January	1975 (L,M)
(With effect from 27 February 1975)		
Portugal	15 January	1973 (L)
(With effect from 14 February 1973)		
Republic of Korea*	2 August	1973 a (W)
(With effect from 1 September 1973)		
Saudi Arabia*	14 June	1974 a (W)
(With effect from 14 July 1974)		
Sweden	10 July	1973 a (L,M,W)
(With effect from 9 August 1973)		
Ukrainian Soviet Socialist Republic*	26 February	1973 (M)
(With effect from 28 March 1973)		
Union of Soviet Socialist Republics*	19 February	1973 (L,M,W)
(With effect from 21 March 1973)		
United Kingdom of Great Britain and Northern Ireland*	25 October	1973 (L,M,W)
(With effect from 24 November 1973. In respect of the United Kingdom of Great Britain and Northern Ireland and Territories under the territorial sovereignty of the United Kingdom as well as the British Solomon Islands Protectorate)		
United Republic of Cameroon*	11 July	1973 a (W)
(With effect from 10 August 1973)		

* See p. 223 of this volume for the text of the reservations and declarations made upon ratification or accession.

(b) an aircraft is considered to be in service from the beginning of the preflight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight as defined in paragraph (a) of this Article.

Article 3. Each Contracting State undertakes to make the offences mentioned in Article 1 punishable by severe penalties.

Article 4. 1. This Convention shall not apply to aircraft used in military, customs or police services.

2. In the cases contemplated in subparagraphs (a), (b), (c) and (e) of paragraph 1 of Article 1, this Convention shall apply, irrespective of whether the aircraft is engaged in an international or domestic flight, only if:

(a) the place of take-off or landing, actual or intended, of the aircraft is situated outside the territory of the State of registration of that aircraft; or

(b) the offence is committed in the territory of a State other than the State of registration of the aircraft.

3. Notwithstanding paragraph 2 of this Article, in the cases contemplated in subparagraphs (a), (b), (c) and (e) of paragraph 1 of Article 1, this Convention shall also apply if the offender or the alleged offender is found in the territory of a State other than the State of registration of the aircraft.

4. With respect to the States mentioned in Article 9 and in the cases mentioned in subparagraphs (a), (b), (c) and (e) of paragraph 1 of Article 1, this Convention shall not apply if the places referred to in subparagraph (a) of paragraph 2 of this Article are situated within the territory of the same State where that State is one of those referred to in Article 9, unless the offence is committed or the offender or alleged offender is found in the territory of a State other than that State.

5. In the cases contemplated in subparagraph (d) of paragraph 1 of Article 1, this Convention shall apply only if the air navigation facilities are used in international air navigation.

6. The provisions of paragraphs 2, 3, 4 and 5 of this Article shall also apply in the cases contemplated in paragraph 2 of Article 1.

Article 5. 1. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction over the offences in the following cases:

(a) when the offence is committed in the territory of that State;

(b) when the offence is committed against or on board an aircraft registered in that State;

(c) when the aircraft on board which the offence is committed lands in its territory with the alleged offender still on board;

(d) when the offence is committed against or on board an aircraft leased without crew to a lessee who has his principal place of business or, if the lessee has no such place of business, his permanent residence, in that State.

2. Each Contracting State shall likewise take such measures as may be necessary to establish its jurisdiction over the offences mentioned in Article 1, paragraph 1 (a), (b) and (c), and in Article 1, paragraph 2, in so far as that paragraph relates to those offences, in the case where the alleged offender is present in its territory and it does not extradite him pursuant to Article 8 to any of the States mentioned in paragraph 1 of this Article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 6. 1. Upon being satisfied that the circumstances so warrant, any Contracting State in the territory of which the offender or the alleged offender is present, shall take him into custody or take other measures to ensure his presence. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary enquiry into the facts.

3. Any person in custody pursuant to paragraph 1 of this Article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the States mentioned in Article 5, paragraph 1, the State of nationality of the detained person and, if it considers it advisable, any other interested State of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 2 of this Article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 7. The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution. Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State.

Article 8. 1. The offences shall be deemed to be included as extraditable offences in any extradition treaty existing between Contracting States. Contracting States undertake to include the offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a Contracting State which makes extradition conditional on the existence of a treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, it may at its option consider this Convention as the legal basis for extradition in respect of the offences. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. Contracting States which do not make extradition conditional on the existence of a treaty shall recognize the offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Each of the offences shall be treated, for the purpose of extradition between Contracting States, as if it had been committed not only in the place in which it occurred but also in the territories of the States required to establish their jurisdiction in accordance with Article 5, paragraph 1 (b), (c) and (d).

Article 9. The Contracting States which establish joint air transport operating organizations or international operating agencies, which operate aircraft which are subject to joint or international registration shall, by appropriate means, designate for each aircraft the State among them which shall exercise the jurisdiction and have the attributes of the State of registration for the purpose of this Convention and shall give notice thereof to the International Civil Aviation Organization which shall communicate the notice to all States Parties to this Convention.

Article 10. 1. Contracting States shall, in accordance with international and national law, endeavour to take all practicable measure for the purpose of preventing the offences mentioned in Article 1.

2. When, due to the commission of one of the offences mentioned in Article 1, a flight has been delayed or interrupted, any Contracting State in whose territory the aircraft or passengers or crew are present shall facilitate the continuation of the journey of the passengers and crew as soon as practicable, and shall without delay return the aircraft and its cargo to the persons lawfully entitled to possession.

Article 11. 1. Contracting States shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences. The law of the State requested shall apply in all cases.

2. The provisions of paragraph 1 of this Article shall not affect obligations under any other treaty, bilateral or multilateral, which governs or will govern, in whole or in part, mutual assistance in criminal matters.

Article 12. Any Contracting State having reason to believe that one of the offences mentioned in Article 1 will be committed shall, in accordance with its national law, furnish any relevant information in its possession to those States which it believes would be the States mentioned in Article 5, paragraph 1.

Article 13. Each Contracting State shall in accordance with its national law report to the Council of the International Civil Aviation Organization as promptly as possible any relevant information in its possession concerning:

- (a) the circumstances of the offence;
- (b) the action taken pursuant to Article 10, paragraph 2;
- (c) the measures taken in relation to the offender or the alleged offender and, in particular, the results of any extradition proceedings or other legal proceedings.

Article 14. 1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time withdraw this reservation by notification to the Depositary Governments.

Article 15. 1. This Convention shall be open for signature at Montreal on 23 September 1971, by States participating in the International Conference on Air Law held at Montreal from 8 to 23 September 1971 (hereinafter referred to as the Montreal Conference). After 10 October 1971, the Convention shall be open to all States for signature in Moscow, London and Washington. Any State which does not sign this Convention before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Convention shall be subject to ratification by the signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, which are hereby designated the Depositary Governments.

3. This Convention shall enter into force thirty days following the date of the deposit of instruments of ratification by ten States signatory to this Convention which participated in the Montreal Conference.

4. For other States, this Convention shall enter into force on the date of entry into force of this Convention in accordance with paragraph 3 of this Article, or thirty days following the date of deposit of their instruments of ratification or accession, whichever is later.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, the date of entry into force of this Convention, and other notices.

6. As soon as this Convention comes into force, it shall be registered by the Depositary Governments pursuant to Article 102 of the Convention on International Civil Aviation (Chicago, 1944).¹

Article 16. 1. Any Contracting State may denounce this Convention by written notification to the Depositary Governments.

2. Denunciation shall take effect six months following the date on which notification is received by the Depositary Governments.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their Governments, have signed this Convention.

DONE at Montreal, this twenty-third day of September, one thousand nine hundred and seventy-one, in three originals, each being drawn up in four authentic texts in the English, French, Russian and Spanish languages.

¹ United Nations, *Treaty Series*, vol. 15, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21, and vol. 893, p. 117.

*List of signatures affixed on the original of the Convention deposited with the Government of the United States of America*¹

*Liste des signatures apposées sur l'original de la Convention déposée auprès du Gouvernement des Etats-Unis d'Amérique*¹

Argentine Republic, the:
[*République argentine*]² :

[R. TEMPORINI]³
[O. A. AINCHIL]

Australia, the Commonwealth of:
[*Australie, Commonwealth d'*]:

[J. PLIMSOLL]
12 October 1972⁴

Austria, the Republic of:
[*Autriche, République d'*]:

[A. HALUSA]
13 November 1972⁵

Barbados:
[*Barbade*]:

[O. H. JACKMAN]

Belgium, the Kingdom of:
[*Belgique, Royaume de*]:

[A. X. PIRSON]

Brazil, the Federative Republic of:
[*Brésil, République fédérative du*]:

[E. C. SANTOS]
Subject to reservation under Article 14, paragraphs 2 and 1⁶

¹ The signatures appearing without dates were affixed at Montreal on 23 September 1971 (Information supplied by the Government of the United States of America)—Les signatures non suivies de dates ont été apposées à Montréal le 23 septembre 1971 (Renseignement fourni par le Gouvernement des Etats-Unis d'Amérique).

² The French translation of the names of States appearing between brackets was supplied by the Secretariat of the United Nations—La traduction française des noms des Etats donnée entre crochets a été fournie par le Secrétariat de l'Organisation des Nations Unies.

³ Names of signatories appearing between brackets were not legible and have been supplied by the Government of the United States of America—Les noms des signataires donnés entre crochets étaient illisibles et ont été fournis par le Gouvernement des Etats-Unis d'Amérique.

⁴ 12 octobre 1972.

⁵ 13 novembre 1972.

⁶ Sous bénéfice de la réserve prévue aux paragraphes 2 et 1 de l'article 14.

Bulgaria, the People's Republic of:
[*Bulgarie, République populaire de*] :

[L. GELIAZKOV]

With a reservation under p. 2, article 14¹

Byelorussian Soviet Socialist Republic:
[*République socialiste soviétique de Biélorussie*] :

[V. I. LUKYANOVICH]

[*For the text of an identical declaration, see p. 213 of this volume — Pour le texte d'une déclaration identique, voir p. 213 du présent volume.*]

Cameroon, the Federal Republic of:
[*Cameroun, République fédérale du*] :

Canada:
[*Canada*] :

[ANDRÉ BISSONNETTE]

Ceylon:
[*Ceylan*] :

Chad, the Republic of:
[*Tchad, République du*] :

[A. AGANAYE]

Chile, the Republic of:
[*Chili, République du*] :

China, the Republic of:
[*Chine, République de*] :

[*Signed — Signé*]²

Colombia, the Republic of
[*Colombie, République de*] :

Congo, the People's Republic of the:
[*Congo, République populaire du*] :

[F. X. OLLASSA]

Costa Rica, the Republic of:
[*Costa Rica, République du*] :

[GEORGIANA DARLINGTON]

¹ Avec une réserve au paragraphe 2, article 14.

² Signed by S. M. Kao — Signé par S. M. Kao.

Czechoslovak Socialist Republic:
[*République socialiste tchécoslovaque*] :

[B. VACHATA]

With reservation under par. 2, Article 14¹

Denmark, the Kingdom of:
[*Danemark, Royaume du*] :

[E. BARTELS]

October 17th-72²

Egypt, Arab Republic of:
[*Egypte, République arabe d'*] :

Ethiopia, the Empire of:
[*Ethiopie, Empire d'*] :

[G. TUNI]

Finland, the Republic of:
[*Finlande, République de*] :

French Republic, the:
[*République française*] :

Gabonese Republic, the:
[*République gabonaise*] :

Germany, the Federal Republic of:
[*Allemagne, République fédérale d'*] :

[H. GROEPPER]

Hungarian People's Republic:
[*République populaire hongroise*] :

[SÁNDOR, ISTVÁN]

India, the Republic of:
[*Inde, République de l'*] :

[L. K. JHA]

December 11 1972³

Indonesia, the Republic of:
[*Indonésie, République d'*] :

Ireland:
[*Irlande*] :

¹ Sous la réserve prévue au paragraphe 2 de l'article 14.

² 17 octobre 1972.

³ 11 décembre 1972.

Israel, the State of:
[*Israël, Etat d'*] :

[Signed — Signé]¹
[Signed — Signé]²

Italian Republic, the
[*République italienne*] :

[V. MARABITO]

Jamaica:
[*Jamaïque*] :

[K. O. RATTRAY]
[G. B. MORRIS]

Japan:
[*Japon*] :

Kenya, the Republic of:
[*Kenya, République du*] :

Korea, the Republic of:
[*Corée, République de*] :

Lebanon, the Republic of:
[*Liban, République du*] :

Malagasy Republic, the:
[*République malgache*] :

Mexican States, the United:
[*Mexique, Etats-Unis du*] :

[J. J. DE OLLOQUI]
January 25th 1973³

Netherlands, the Kingdom of the:
[*Pays-Bas, Royaume des*] :

[W. RIPHAGEN]
[M. R. MOK]

New Zealand:
[*Nouvelle-Zélande*] :

[G. D. L. WHITE]
September 26th 1972⁴

¹ Signed by N. Ben-Yehuda—Signé par N. Ben-Yehuda.

² Signed by E. Ben-Yakir—Signé par E. Ben-Yakir.

³ 25 janvier 1973.

⁴ 26 septembre 1972.

Norway, the Kingdom of:
[*Norvège, Royaume de*] :

Philippines, the Republic of the:
[*Philippines, République des*] :

[P. AGCAOILI]
[L. T. CADAY]
[R. CARSI CRUZ]

Polish People's Republic:
[*République populaire de Pologne*] :

[S. DABROWA]

Portugal, the Republic of:
[*Portugal, République du*] :

Romania, Socialist Republic of:
[*Roumanie, République socialiste de*] :

[G. IONITA]

July 10, 1972¹

1. "The Socialist Republic of Romania states that [she] does not consider herself bound by the provisions of Article 14, point 1, of the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal on September 23, 1971, which stipulates that the differences concerning the interpretation or the putting into force of the present Convention, which have not been settled through negotiations, to be submitted to the International Court of Justice at the request of each of the parties involved.

"The position of the Socialist Republic of Romania is that such differences should be submitted to the International Court of Justice only with the consent of all the parties involved, for each single case."²

Senegal, the Republic of;
[*Sénégal, République du*] :

South Africa, the Republic of:
[*Afrique du Sud, République de l'*] :

[H. E. M. BOTHA]

¹ 10 juillet 1972.

² [TRANSDUCTION—TRANSLATION] 1. La République socialiste de Roumanie déclare qu'elle ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 de la Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile, signée à Montréal le 23 septembre 1971, qui stipule que tout différend concernant l'interprétation ou l'application de la Convention qui ne peut pas être réglé par voie de négociation est soumis à la Cour internationale de Justice à la requête de l'une quelconque des parties en cause.

La République socialiste de Roumanie estime que le différend ne devrait être soumis à la Cour internationale de Justice qu'avec le consentement de toutes les Parties en cause dans chaque cas.

Spain:
[*Espagne*] :

Sweden, the Kingdom of:
[*Suède, Royaume de*] :

Swiss Confederation, the:
[*Confédération suisse*] :

[W. GULDIMANN]

Tanzania, the United Republic of:
[*Tanzanie, République-Unie de*] :

Trinidad and Tobago:
[*Trinité-et-Tobago*] :

[ELLIS CLARKE]

9th February, 1972¹

Uganda, the Republic of:
[*Ouganda, République de l'*] :

Ukrainian Soviet Socialist Republic:
[*République socialiste soviétique d'Ukraine*] :

[*Signed — Signé*]²

[*For the text of an identical declaration, see p. 217 of this volume — Pour le texte d'une déclaration identique, voir p. 217 du présent volume.*]

Union of Soviet Socialist Republics:
[*Union des Républiques socialistes soviétiques*] :

[*Signed — Signé*]³

[*For the text of an identical declaration, see p. 218 of this volume — Pour le texte d'une déclaration identique, voir p. 218 du présent volume.*]

United Kingdom of Great Britain and Northern Ireland:
[*Royaume-Uni de Grande-Bretagne et d'Irlande du Nord*] :

[ARNOLD KEAN]

United States of America:
[*Etats-Unis d'Amérique*] :

[CHARLES NELSON BROWER]

[FRANKLIN KNIGHT WILLIS]

[ROBERT PATRICK BOYLE]

¹ 9 février 1972.

² Signed by I. Ilyushchenko—Signé par I. Ilyouchtchenko.

³ Signed by N. Osetrov—Signé par N. Ossetrov.

Venezuela, the Republic of:
[*Venezuela, République du*] :

Ad referendum
[J. MÉNDEZ]

Yugoslavia, the Socialist Federal Republic of:
[*Yougoslavie, République fédérative socialiste de*] :

[T. CURUVIJA]

Zambia, the Republic of:
[*Zambie, République de*] :

Luxembourg, the Grand Duchy of:
[*Luxembourg, Grand-Duché de*] :

[JEAN WAGNER]
Le 29 novembre 1971¹

Haiti, the Republic of:
[*Haïti, République d'*] :

[R. CHALMERS]
6 janvier 1972²

Panama, Republic of:
[*Panama, République du*] :

[J. ANTONIO DE LA OSSA]
18 Enero 1972³

Greece, the Kingdom of:
[*Grèce, Royaume de*] :

[B. VITSAXIS]
the 9th of February 1972⁴

Mongolian People's Republic:
[*République populaire mongole*] :

[M. DUGERSUREN]
18 Feb. 1972⁵

Niger, the Republic of:
[*Niger, République du*] :

[O. G. YOUSOUFOU]
6th March 1972⁶

¹ 29 November 1971.

² 6 January 1972.

³ 18 January 1972 — 18 janvier 1972.

⁴ Le 9 février 1972.

⁵ 18 février 1972.

⁶ 6 mars 1972.

Jordan, the Hashemite Kingdom of:
[*Jordanie, Royaume hachémite de*] :

[Z. MUFTI]
2 May, 1972¹

Guatemala, the Republic of:
[*Guatemala, République du*] :

[J. ASENSIO-WUNDERLICH]
May 9, 1972²

Dominican Republic:
[*République dominicaine*] :

[S. ORTIZ]
May 31, 1972³

Rwanda, the Republic of:
[*Rwanda, République du*] :

[FIDÈLE NKUNDABAGENZI]
June 26, 1972⁴

Turkey, the Republic of:
[*Turquie, République de*] :

[MELIH ESENBEL]
July 5, 1972⁵

Laos, the Kingdom of:
[*Laos, Royaume du*] :

[PHÉNG NORINDR]
Nov. 1st 1972⁶

Singapore, the Republic of:
[*Singapour, République de*] :

[E. S. MONTEIRO]
21 Nov. 1972

Cyprus, the Republic of:
[*Chypre, République de*] :

[ZENON ROSSIDES]
28 Nov. 1972

¹ 2 mai 1972.

² 9 mai 1972.

³ 31 mai 1972.

⁴ 26 juin 1972.

⁵ 5 juillet 1972.

⁶ 1^{er} novembre 1972.

Nicaragua, the Republic of:
[*Nicaragua, République du*] :

[Dr. GUILLERMO SEVILLA-SACASÁ]
Diciembre 22, 1972¹

Paraguay, the Republic of:
[*Paraguay, République du*] :

Ad referendum
[MIGUEL SOLANO LÓPEZ]
Enero 23 de 1973²

¹ 22 December 1972—22 décembre 1972.

² 23 January 1973—23 janvier 1973.

*List of signatures affixed on the original of the Convention deposited with the Government of the United Kingdom of Great Britain and Northern Ireland*¹

*Liste des signatures apposées sur l'original de la Convention déposée auprès du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord*¹

Argentine Republic, the:
[*République argentine*]² :

ROBERTO TEMPORINI
O. A. AINCHIL

Australia, the Commonwealth of:
[*Australie, Commonwealth d'*] :

ALEXANDER DOWNER
12th October 1972³

Austria, the Republic of:
[*Autriche, République d'*] :

WILFRIED PLATZER
13th November 1972⁴

Barbados:
[*Barbade*] :

OLIVER JACKMAN

Belgium, the Kingdom of:
[*Belgique, Royaume de*] :

PIRSON

Brazil, the Federative Republic of:
[*Brésil, République fédérative du*] :

EDIVIO SANCTOS
Subject to reservation under Article 14, paragraphs 2 and 1⁵

¹ The signatures appearing without dates were affixed at Montreal on 23 September 1971 (Information supplied by the Government of the United Kingdom of Great Britain and Northern Ireland)—Les signatures non suivies de dates ont été apposées à Montréal le 23 septembre 1971 (Renseignement fourni par le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord).

² The French translation of the names of States appearing between brackets was supplied by the Secretariat of the United Nations—La traduction française des noms des Etats donnée entre crochets a été fournie par le Secrétariat de l'Organisation des Nations Unies.

³ 12 octobre 1972.

⁴ 13 novembre 1972.

⁵ Sous bénéfice de la réserve prévue aux paragraphes 1 et 2 de l'article 14.

Bulgaria, the People's Republic of:
[*Bulgarie, République populaire de*] :

Л. ЖЕЛЯКОВ¹

With a reservation under p. 2, article 14²

Byelorussian Soviet Socialist Republic:
[*République socialiste soviétique de Biélorussie*] :

В. ЛУКЬЯНОВИЧ³

«Белорусская Советская Социалистическая Республика не считает себя связанной положениями пункта 1 статьи 14 предусматривающими передачу споров о толковании или применении Конвенции в Арбитраж или Международный Суд по требованию одной из сторон.»⁴

Cameroon, the Federal Republic of:
[*Cameroun, République fédérale du*] :

Canada:
[*Canada*] :

ANDRÉ BISSONNETTE

Ceylon:
[*Ceylan*] :

Chad, the Republic of:
[*Tchad, République du*] :

ADOUM AGANAYE

Chile, the Republic of:
[*Chili, République du*] :

China, the Republic of:
[*Chine, République de*] :

[*Signed — Signé*]⁵

¹ L. Geliazkov.

² Sous la réserve prévue au paragraphe 2 de l'article 14.

³ V. Lukyanovich.

⁴ [TRANSLATION*—TRANSLATION**] The Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of paragraph 1 of Article 14 providing for the reference of disputes concerning the interpretation or application of the Convention to arbitration or to the International Court at the request of one of the parties.

* Translation supplied by the Government of the United Kingdom.

** Traduction fournie par le Gouvernement du Royaume-Uni.

[TRANSLATION—TRANSLATION] La République socialiste soviétique de Biélorussie ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 prévoyant la soumission des différends concernant l'interprétation ou l'application de la Convention à l'arbitrage ou à la Cour internationale à la requête de l'une quelconque des parties.

⁵ Signed by S. M. Kao—Signé par S. M. Kao.

Colombia, the Republic of:
[*Colombie, République de*] :

Congo, the People's Republic of the:
[*Congo, République populaire du*] :

F-X. OLLASSA

Costa Rica, the Republic of:
[*Costa Rica, République du*] :

GEORGIANA DARLINGTON

Czechoslovak Socialist Republic:
[*République socialiste tchécoslovaque*] :

BOH VACHATA

With a reservation under par. 2, Article 14¹

Denmark, the Kingdom of:
[*Danemark, Royaume du*] :

ERLING KRISTIANSEN

17.10.72

Egypt, Arab Republic of:
[*Égypte, République arabe d'*] :

K. RIFAAT

24/11/1972

Ethiopia, the Empire of:
[*Ethiopie, Empire d'*] :

G. TUNI

Finland, the Republic of:
[*Finlande, République de*] :

French Republic, the:
[*République française*] :

Gabonese Republic, the:
[*République gabonaise*] :

J. N'GOUA

24.11.71

Germany, the Federal Republic of:
[*Allemagne, République fédérale d'*] :

H. GROEPER

¹ Sous la réserve prévue au paragraphe 2 de l'article 14.

Hungarian People's Republic:
[*République populaire hongroise*] :

SÁNDOR ISTVÁN

India, the Republic of:
[*Inde, République de l'*] :

M. RASGOTRA

11 December 1972¹

Indonesia, the Republic of:
[*Indonésie, République d'*] :

Ireland:
[*Irlande*] :

Israel, the State of:
[*Israël, Etat d'*] :

[*Signed — Signé*]²

[*Signed — Signé*]³

Italian Republic, the:
[*République italienne*] :

UGO MORABITO

Jamaica:
[*Jamaïque*] :

K. O. RATTRAY

G. B. MORRIS

Japan:
[*Japon*] :

Kenya, the Republic of:
[*Kenya, République du*] :

Korea, the Republic of:
[*Corée, République de*] :

Lebanon, the Republic of:
[*Liban, République du*] :

Malagasy Republic, the:
[*République malgache*] :

¹ 11 décembre 1972.

² Signed by N. Ben-Yehuda — Signé par N. Ben-Yehuda.

³ Signed by E. Ben-Yakir — Signé par E. Ben-Yakir.

Mexican States, the United:
[*Mexique, Etats-Unis du*] :

V. SÁNCHEZ GAVITO
25 January 1973¹

Netherlands, the Kingdom of the:
[*Pays-Bas, Royaume des*] :

W. RIPHAGEN
M. R. MOK

New Zealand:
[*Nouvelle-Zélande*] :

M. NORRISH
26/9/72

Norway, the Kingdom of:
[*Norvège, Royaume de*] :

Philippines, the Republic of the:
[*Philippines, République des*] :

P. V. AGCAOILI
LEON T. CADAY
REMIGIO CARSI-CRUZ

Polish People's Republic:
[*République populaire de Pologne*] :

S. DABROWA

Portugal, the Republic of:
[*Portugal, République du*] :

JOAQUIM RENATO PINTO SOARES

Romania, Socialist Republic of:
[*Roumanie, République socialiste de*] :

V. PUNGAN
10/VII-1972²

Senegal, the Republic of:
[*Sénégal, République du*] :

Y. DIALLO

¹ 25 janvier 1973.

² 10 July 1972—10 juillet 1972.

South Africa, the Republic of:
[*Afrique du Sud, République de l'*] :

M. I. BOTHA

Spain:
[*Espagne*] :

SANTA CRUZ
15-2-72

Sweden, the Kingdom of:
[*Suède, Royaume de*] :

Swiss Confederation, the:
[*Confédération suisse*] :

W. GULDIMANN

Tanzania, the United Republic of:
[*Tanzanie, République-Unie de*] :

Trinidad and Tobago:
[*Trinité-et-Tobago*] :

Uganda, the Republic of:
[*Ouganda, République de l'*] :

Ukrainian Soviet Socialist Republic:
[*République socialiste soviétique d'Ukraine*] :

И. Ильющенко¹

«Правительство Украинской Советской Социалистической Республики не считает себя связанным положениями пункта 1 статьи 14, предусматривающего, что споры о толковании или применении Конвенции передаются в Арбитраж или в Международный Суд по требованию одной из Сторон в споре.»²

¹ I. Ilyushenko.

² [TRANSLATION*—TRADUCTION**] The Government of the Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of paragraph 1 of Article 14 providing for disputes concerning the interpretation or application of the Convention to be referred to arbitration or to the International Court at the request of one of the parties to the dispute.

* Translation supplied by the Government of the United Kingdom.

** Traduction fournie par le Gouvernement du Royaume-Uni.

[TRADUCTION—TRANSLATION] Le Gouvernement de la République socialiste soviétique d'Ukraine ne se considère pas lié par les dispositions du paragraphe 1 de l'article 14 prévoyant la soumission des différends concernant l'interprétation ou l'application de la Convention à l'arbitrage ou à la Cour internationale à la demande de l'une quelconque des parties au différend.

Union of Soviet Socialist Republics:
[*Union des Républiques socialistes soviétiques*] :

ОСЕТРОВ¹

«Правительство Союза Советских Социалистических Республик не считает себя связанным положениями пункта 1 статьи 14, предусматривающего, что споры о толковании или применении Конвенции передаются в Арбитраж или в Международный Суд по требованию одной из Сторон в споре.»²

United Kingdom of Great Britain and Northern Ireland:
[*Royaume-Uni de Grande-Bretagne et d'Irlande du Nord*] :

ARNOLD KEAN

United States of America:
[*Etats-Unis d'Amérique*] :

CHARLES NELSON BROWER
FRANKLIN KNIGHT WILLIS
ROBERT PATRICK BOYLE

Venezuela, the Republic of:
[*Venezuela, République du*] :

Ad referendum
J. MÉNDEZ MORENO

Yugoslavia, the Socialist Federal Republic of:
[*Yougoslavie, République fédérative socialiste de*] :

Dr. TODE CURUVIJA

Zambia, the Republic of:
[*Zambie, République de*] :

Luxembourg, the Grand Duchy of:
[*Luxembourg, Grand-Duché de*] :

A. J. CLASEN

24 November, 1971³

¹ Osetrov.

² [TRANSLATION*—TRADUCTION**] The Government of the Union of Soviet Socialist Republics does not consider itself bound by the provisions of paragraph 1 of Article 14 providing for disputes concerning the interpretation or application of the Convention to be referred to arbitration or to the International Court at the request of one of the parties to the dispute.

* Translation supplied by the Government of the United Kingdom.

** Traduction fournie par le Gouvernement du Royaume-Uni.

[TRADUCTION—TRANSLATION] Le Gouvernement de l'Union des Républiques socialistes soviétiques ne se considère pas lié par les dispositions du paragraphe 1 de l'article 14 prévoyant la soumission des différends concernant l'interprétation ou l'application de la Convention à l'arbitrage ou à la Cour internationale à la demande de l'une quelconque des parties au différend.

³ 24 novembre 1971.

Mongolian People's Republic:
[*République populaire mongole*] :

The Mongolian People's Republic does not consider itself bound by the provisions of paragraph 1 of Article 14¹

C. ДАМБАДАРЖААД²
1972.1.25

Jordan, the Hashemite Kingdom of:
[*Jordanie, Royaume hachémite de*] :

WALEED M. SADI
April 17, 1972³

Fiji:
[*Fidji*] :

J. R. RABUKAWAQA
21 August 1972⁴

Botswana, the Republic of:
[*Botswana, République du*] :

G. K. T. CHIEPE
12th October, 1972⁵

Yemen Arab Republic, the:
[*Yémen, République arabe du*] :

AL-SHAMY
23/10/72

Cyprus, the Republic of:
[*Chypre, République de*] :

C. A. ASHIOTIS
3, November, 1972⁶

Singapore, the Republic of:
[*Singapour, République de*] :

LEE YONG LENG
21 November, 1972⁷

Laos, the Kingdom of:
[*Laos, Royaume du*] :

I. SURYADHAY
2-1-73⁸

¹ La République populaire de Mongolie ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14.

² S. Dambadarzhaad.

³ 17 avril de 1972.

⁴ 21 août 1972.

⁵ 12 octobre 1972.

⁶ 3 novembre 1972.

⁷ 21 novembre 1972.

⁸ 2 January 1973 — 2 janvier 1973.

List of signatures affixed on the original of the Convention deposited with the Government of the Union of Soviet Socialist Republics¹

Liste des signatures apposées sur l'original de la Convention déposée auprès du Gouvernement de l'Union des Républiques socialistes soviétiques¹

[RUSSIAN TEXT — TEXTE RUSSE]

КОНВЕНЦИЯ О БОРЬБЕ С НЕЗАКОННЫМИ АКТАМИ, НАПРАВЛЕННЫМИ ПРОТИВ БЕЗОПАСНОСТИ ГРАЖДАНСКОЙ АВИАЦИИ, ОТ 23 СЕНТЯБРЯ 1971 Г. (ОТКРЫТА ДЛЯ ПОДПИСАНИЯ В МОСКВЕ 11 ОКТЯБРЯ 1971 Г.)

За Великое Герцогство Люксембург:
[*For the Grand Duchy of Luxembourg*]:
[*Pour le Grand-Duché de Luxembourg*]:

[A. E. MEISH]

7 декабря 1971 г.²

За Монгольскую Народную Республику:
[*For the Mongolian People's Republic*]:
[*Pour la République populaire mongole*]:

[Signed — Signé]³

2 февраля 1972 г.⁴

«Монгольская Народная Республика не считает себя связанной положениями пункта 1 статьи 14 Конвенции о борьбе с незаконными актами, направленными против безопасности гражданской авиации, которые предусматривают передачу любого спора, касающегося толкования или применения настоящей Конвенции, в арбитраж или в Международный суд по просьбе одной из Сторон»⁵

За Республику Бурунди:
[*For the Republic of Burundi*]:
[*Pour la République du Burundi*]:

[F. KISUKURUME]

6 марта 1972 г.⁶

¹ The translations of the names of States appearing between brackets were supplied by the Secretariat of the United Nations— Les traductions des noms des Etats données entre crochets ont été fournies par le Secrétariat de l'Organisation des Nations Unies.

² 7 December 1971—7 décembre 1971.

³ Signed by N. Luvsanchultem—Signé par N. Luvsanchultem.

⁴ 2 February 1972—2 février 1972.

⁵ "The Mongolian People's Republic does not consider itself bound by the provisions of paragraph 1 of article 14 of the Convention for the suppression of unlawful acts against the safety of civil aviation, which stipulates that any dispute concerning the interpretation or application of this Convention shall, at the request of one of the Parties, be submitted to arbitration or to the International Court of Justice."

[TRANSDUCTION — TRANSLATION] La République populaire de Mongolie ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 de la Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile qui prévoit que tout différend concernant l'interprétation ou l'application de la Convention est soumis, à la demande de l'une quelconque des Parties, à l'arbitrage ou à la Cour internationale de Justice.

⁶ 6 March 1972—6 mars 1972.

За Германскую Демократическую Республику:
[*For the German Democratic Republic*]:
[*Pour la République démocratique allemande*] :

[HORST BITTNER]

10 марта 1972 г.¹

За Иорданское Хашимитское Королевство:
[*For the Hashemite Kingdom of Jordan*]:
[*Pour le Royaume hachémite de Jordanie*] :

[H. ИБРАНИМ]

4 мая 1972 г.²

За Руандийскую Республику:
[*For the Rwandese Republic*]:
[*Pour la République rwandaise*] :

[T. НТАВИНА]

4 мая 1972 года²

За Социалистическую Республику Румынию:
[*For the Socialist Republic of Romania*]:
[*Pour la République socialiste de Roumanie*] :

[GH. BADRUS]

10 июля 1972 года³

За Новую Зеландию:
[*For New Zealand*]:
[*Pour la Nouvelle-Zélande*] :

[K. B. A. SCOTT]

26 сентября 1972 года⁴

За Австралийский Союз:
[*For Australia*]:
[*Pour l'Australie*] :

[L. J. LAWREY]

12 октября 1972 года⁵

¹ 10 March 1972—10 mars 1972.

² 4 May 1972—4 mai 1972.

³ 10 July 1972—10 juillet 1972.

⁴ 26 September 1972—26 septembre 1972.

⁵ 12 October 1972—12 octobre 1972.

За Королевство Данию:
[*For the Kingdom of Denmark*]:
[*Pour le Royaume du Danemark*] :

[ANKERT SVART]

17 октября 1972 года¹

За Республику Кипр:
[*For the Republic of Cyprus*]:
[*Pour la République de Chypre*] :

[D. HADJIMILTIS]

2 ноября 1972 года²

За Австрийскую Республику:
[*For the Republic of Austria*]:
[*Pour la République d'Autriche*] :

[HEINRICH HAYMERLE]

13 ноября 1972 года³

За Республику Сингапур:
[*For the Republic of Singapore*]:
[*Pour la République de Singapour*] :

21 ноября 1972 года⁴

За Королевство Лаос:
[*For the Kingdom of Laos*]:
[*Pour le Royaume du Laos*] :

[LA NORINDR]

27 ноября 1972 года⁵

За Республику Индию:
[*For the Republic of India*]:
[*Pour la République de l'Inde*] :

[K. S. SHELVANKAR]

11 декабря 1972 года⁶

За Мексиканские Соединенные Штаты:
[*For the United Mexican States*]:
[*Pour les Etats-Unis du Mexique*] :

25 января 1973 года⁷

¹ 17 October 1972—17 octobre 1972.

² 2 November 1972—2 novembre 1972.

³ 13 November 1972—13 novembre 1972.

⁴ 21 November 1972—21 novembre 1972.

⁵ 27 November 1972—27 novembre 1972.

⁶ 11 December 1972—11 décembre 1972.

⁷ 25 January 1973—25 janvier 1973.

DECLARATION MADE
UPON SIGNATURE

ROMANIA

“The Government of the Socialist Republic of Romania considers null and void the signing at Montreal of the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, done at Montreal on September 23, 1971, by the so called Chiang-Kai-Shek authorities in so far as the only Government having the right to assume obligations on behalf of China and to represent her in international relations is the Government of the People’s Republic of China.”

RESERVATIONS AND DECLARATIONS MADE UPON RATIFICATION OR ACCESSION (a)

BRAZIL

At London, Moscow and Washington:

[Confirming the declaration made upon signature. For the text, see pp. 203 and 212 of this volume.]

BULGARIA

At London and Washington:

DÉCLARATION FAITE
LORS DE LA SIGNATURE

ROUMANIE

[TRADUCTION — TRANSLATION]

Le Gouvernement de la République socialiste de Roumanie considère comme nulle et non avenue la signature, le 23 septembre 1971, à Montréal, de la Convention pour la répression d’actes illicites dirigés contre la sécurité de l’aviation civile par les autorités dites de Chiang-Kai-Shek car le seul Gouvernement autorisé à assumer des obligations au nom de la Chine et à la représenter dans les relations internationales est le Gouvernement de la République populaire de Chine.

RÉSERVES ET DÉCLARATIONS FAITES LORS DE LA RATIFICATION OU DE L’ADHÉSION (a)

BRÉSIL

A Londres, à Moscou et à Washington :

[Avec confirmation de la déclaration formulée lors de la signature. Pour le texte, voir p. 203 et 212 du présent volume.]

BULGARIE

A Londres et à Washington :

[BULGARIAN TEXT — TEXTE BULGARE]

«Народна република България не се счита обвързана с клаузата за задължително предаване споровете по тълкуването или приложението на Конвенцията на арбитраж или на Международния съд в Хага.»

[TRANSLATION¹ — TRADUCTION²]

The People’s Republic of Bulgaria does not consider itself bound with the clause of obligatory transfer of the

[TRADUCTION — TRANSLATION]

La République populaire de Bulgarie ne se considère pas liée par la clause de soumission obligatoire des différends

¹ Translation supplied by the Government of Bulgaria.

² Traduction fournie par le Gouvernement bulgare.

disputes on the interpretation or application of the Convention to arbitration or to the International Court at The Hague.

concernant l'interprétation ou l'application de la Convention à l'arbitrage ou à la Cour internationale à La Haye.

*BYELORUSSIAN SOVIET
SOCIALIST REPUBLIC*

*RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE DE BIÉLORUSSIE*

At Moscow:

[*Same declaration as that on p. 213 of this volume.*]

A Moscou :

[*Même déclaration que celle publiée à la p. 213 du présent volume.*]

CZECHOSLOVAKIA

TCHÉCOSLOVAQUIE

At London, Moscow and Washington:

A Londres, à Moscou et à Washington :

[CZECH TEXT — TEXTE TCHEQUE]

“Přijímajíce tuto Úmluvu, prohlašujeme v souladu s jejím článkem 14 odstavec 2, že Československá socialistická republika není vázána ustanovením článku 14 odstavec 1 Úmluvy.”

[TRANSLATION¹ — TRADUCTION²]

[TRADUCTION — TRANSLATION]

In accepting this Convention, we declare, in accordance with its Article 14, paragraph 2, that the Czechoslovak Socialist Republic is not bound by the provision of Article 14, paragraph 1, of the Convention.

En adhérant à la présente Convention, nous déclarons, conformément au paragraphe 2 de l'article 14, que la République socialiste tchécoslovaque n'est pas liée par la disposition du paragraphe 1 de l'article 14.

*GERMAN
DEMOCRATIC REPUBLIC*

*RÉPUBLIQUE
DÉMOCRATIQUE ALLEMANDE*

At Moscow:

A Moscou :

[GERMAN TEXT — TEXTE ALLEMAND]

“Nachdem die Konvention entsprechend den innerstaatlichen Bestimmungen der Deutschen Demokratischen Republik bestätigt worden ist, erkläre ich im Namen der Deutschen Demokratischen Republik, daß die Konvention erfüllt und eingehalten wird, mit dem Vorbehalt, daß Artikel 14 Absatz 1 der Konvention für die Deutsche Demokratische Republik nicht verbindlich ist.”

[TRANSLATION]

[TRADUCTION]

The German Democratic Republic does not consider itself bound by the

La République démocratique allemande ne se considère pas liée par les dis-

¹ Translation supplied by the Government of Czechoslovakia.

² Traduction fournie par le Gouvernement tchécoslovaque.

provisions of article 14, paragraph 1, of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971.

positions de l'article 14, paragraphe 1, de la Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile, signée à Montréal le 23 septembre 1971.

HUNGARY

HONGRIE

At London, Moscow and Washington: A Londres, à Moscou et à Washington :

[HUNGARIAN TEXT — TEXTE HONGROIS]

“A Magyar Népköztársaság Elnöki Tanácsa megerősíti a polgári repülés biztonsága elleni jogellenes cselekmények leküzdéséről szóló, Montreálban az 1971. évi szeptember hó 24. napján aláírt egyezményt, azzal a fenntartással, hogy az egyezmény 14. cikk 1. bekezdésében foglalt rendelkezést nem tekinti magára nézve kötelezőnek.”

[TRANSLATION¹ — TRADUCTION²]

[TRADUCTION — TRANSLATION]

The Presidential Council of the Hungarian People's Republic ratifies the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on September 24, 1971, and makes the reservation that it does not consider itself bound by the provision in paragraph 1 of Article 14 of the Convention.

Le Présidium de la République populaire de Hongrie ratifie la Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile, signée à Montréal le 24 septembre 1971, et formule une réserve en déclarant qu'il ne se considère pas lié par la disposition du paragraphe 1 de l'article 14 de la Convention.

IRAQ (a)

IRAK (a)

At Moscow:

A Moscou :

[ARABIC TEXT — TEXTE ARABE]

علما أن انضمام الجمهورية العراقية الى الاتفاقية المذكورة لا يعني بأي حال من الأحوال الاعتراف بإسرائيل أو الدخول معها في أية علاقات .

¹ Translation supplied by the Government of Hungary.

² Traduction fournie par le Gouvernement hongrois.

[TRADUCTION — TRANSLATION]

“Entry into the above Convention by the Republic of Iraq shall, however, in no way signify recognition of Israel or be conducive to entry into any relations with it.”

MALAWI(a)

At Washington:

L'adhésion à la présente Convention ne signifie pas que la République d'Irak reconnaît Israël ni qu'elle établira des relations avec lui.

MALAWI(a)

A Washington :

[TRADUCTION — TRANSLATION]

“It is the wish of the Government of the Republic of Malawi to declare, in accordance with the provisions of paragraph 2 of Article 14, that it does not consider itself bound by the provisions of paragraph 1 of Article 14 of the Convention.”

MONGOLIA

At London, Moscow and Washington:

La République du Malawi souhaite déclarer, conformément aux dispositions du paragraphe 2 de l'article 14, qu'elle ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 de la Convention.

MONGOLIE

A Londres, à Moscou et à Washington :

[MONGOLIAN TEXT — TEXTE MONGOL]

«Иргэний агаарын тээврийн аюулгүй байдлын эсрэг чиглэсэн хууль бус явдалтай тэмцэх тухай Конвенцийг тайлбарлах буюу хэрэгжүүлэх талаар гарсан аливаа маргааныг зохигчдын аль нэгний хүсэлтээр арбитраж буюу Олон Улсын Шүүхэд шилжүүлж байх тухай уг Конвенцийн 14 дүгээр зүйлийн 1-ийн заалт Бүгд Найрамдах Монгол Ард Улсад үүрэг хүлээлгэхгүй.»

[TRANSLATION¹ — TRADUCTION²]

The Mongolian People's Republic does not consider itself bound by the provisions of paragraph 1 of Article 14 of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, which stipulates that any dispute concerning the interpretation or application of this Convention shall, at the request of one of the Parties, be submitted to arbitration or to the International Court of Justice.

[TRADUCTION — TRANSLATION]

La République populaire de Mongolie ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 de la Convention pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile qui prévoit que tout différend concernant l'interprétation ou l'application de la Convention est soumis, à la demande de l'une quelconque des parties, à l'arbitrage ou à la Cour internationale de Justice.

¹ Translation supplied by the Government of Mongolia.

² Traduction fournie par le Gouvernement mongol.

At Moscow:

A Moscou :

[RUSSIAN TEXT — TEXTE RUSSE]

«Монгольская Народная Республика не считает себя связанной положениями пункта 1 статьи 14 Конвенции о борьбе с незаконными актами, направленными против безопасности гражданской авиации, которые предусматривают передачу любого спора, касающегося толкования или применения настоящей Конвенции, в арбитраж или в Международный суд по просьбе одной из Сторон.»

[TRANSLATION¹ — TRADUCTION²]

[TRADUCTION — TRANSLATION]

[See translation above.]

[Voir la traduction ci-dessus.]

POLAND

POLOGNE

At London:

A Londres :

[POLISH TEXT — TEXTE POLONAIS]

“... że Polska Rzeczpospolita Ludowa nie uważa się za zawiązaną postanowieniami artykułu 14 ustęp 1 tej Konwencji;”

[TRANSLATION³ — TRADUCTION⁴]

[TRADUCTION — TRANSLATION]

...that the People's Republic of Poland does not consider itself bound by the provisions of paragraph 1 of Article 14 of this Convention;

...la République populaire de Pologne ne se considère pas liée par les dispositions du paragraphe 1 de l'article 14 de la présente Convention;

REPUBLIC OF KOREA (a)

RÉPUBLIQUE DE CORÉE (a)

At Washington:

A Washington :

[TRADUCTION — TRANSLATION]

“The accession by the Government of the Republic of Korea to the present Convention does not in any way mean or imply the recognition of any territory or regime which has not been recognized by the Government of the Republic of Korea as a State or Government.”

L'adhésion du Gouvernement de la République de Corée à la présente Convention ne signifie ni n'implique en aucune façon la reconnaissance de tout territoire ou régime qui n'a pas été reconnu par le Gouvernement de la République de Corée en tant qu'Etat ou Gouvernement.

¹ Translation supplied by the Government of Mongolia.

² Traduction fournie par le Gouvernement mongol.

³ Translation supplied by the Government of Poland.

⁴ Traduction fournie par le Gouvernement polonais.

SAUDI ARABIA (a)

ARABIE SAOUDITE (a)

At Washington:

A Washington :

[ARABIC TEXT — TEXTE ARABE]

- ١- ان انضمام المملكة العربية السعودية لهذه الاتفاقية لا يعني ولا يتضمن ولا يفسر بأنه اعتراف بإسرائيل بصفة عامة أو في نطاق هذه الاتفاقية .
- ٢- ان المملكة العربية السعودية تحتفظ على الفقرة (١) في المادة الرابعة عشره في هذه الاتفاقية ، والخاصة بالتحكم وذلك طبقا للفقرة (٢) من نفس المادة ، والتي تجبر التحفظ ايضا .

[TRANSLATION¹ — TRADUCTION²]

[TRADUCTION — TRANSLATION]

1. That the accession of the Kingdom of Saudi Arabia to the said Convention does not mean or imply, and shall not be interpreted as, recognition of Israel generally or in the context of this Convention;

2. That the Kingdom of Saudi Arabia has a reservation with regard to Article 14, Paragraph 1, of this Convention concerning arbitration, in accordance with the second paragraph of the same article, which also permits having reservations.

SOUTH AFRICA

At Washington:

“...subject to a reservation in respect of Article 14 paragraph 1 of the Convention, as provided for in paragraph 2 of the said Article.”

1. L'adhésion du Royaume d'Arabie saoudite à ladite Convention ne signifie ni n'implique la reconnaissance d'Israël et ne pourra être interprétée comme signifiant ou impliquant une telle reconnaissance, ni de façon générale ni dans le cadre de la présente Convention;

2. Le Royaume d'Arabie saoudite formule une réserve à propos du paragraphe 1 de l'article 14 de la présente Convention relatif à l'arbitrage, conformément au deuxième paragraphe de ce même article qui permet également de formuler des réserves.

AFRIQUE DU SUD

A Washington :

[TRADUCTION — TRANSLATION]

...avec réserve à l'égard de l'article 14, paragraphe 1, de la Convention, conformément au paragraphe 2 dudit article.

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

**UKRAINIAN SOVIET
SOCIALIST REPUBLIC**

At Moscow:

[Same declaration as that on p. 217 of this volume.]

**UNION OF SOVIET
SOCIALIST REPUBLICS**

At London, Moscow and Washington:

[Same declaration as that on p. 218 of this volume.]

**UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELAND**

At London:

In a statement dated 8 October 1971 and communicated to all States recognised by the United Kingdom, Her Majesty's Government recalled their view that if a régime is not recognised as the Government of a State, neither signature nor the deposit of any instrument by it, nor notification of any of those acts will bring about recognition of that régime by any other State.

**UNITED REPUBLIC
OF CAMEROON (a)**

At Washington:

"In accordance with the provisions of the Convention of September 23, 1971 for the Suppression of Unlawful Acts directed against the Security of Civil Aviation, the Government of the United Republic of Cameroon declares that in view of the fact that it does not have any relations with South Africa and Portugal, it has no obligation towards these two countries with regard to the implementation of the stipulations of the Convention."

**RÉPUBLIQUE SOCIALISTE
SOVIÉTIQUE D'UKRAINE**

A Moscou :

[Même déclaration que celle publiée à la p. 217 du présent volume.]

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES**

A Londres, à Moscou et à Washington :

[Même déclaration que celle publiée à la p. 218 du présent volume.]

**ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE DU
NORD**

A Londres :

[TRADUCTION — TRANSLATION]

Dans une déclaration en date du 8 octobre 1971 communiquée à tous les Etats reconnus par le Royaume-Uni, le Gouvernement de Sa Majesté a rappelé que, dans le cas où un régime n'est pas reconnu en tant que gouvernement d'un Etat, ni la signature, ni le dépôt d'un instrument, ni la notification de l'un de ces actes n'impliquent la reconnaissance de ce régime par un autre Etat.

**RÉPUBLIQUE-UNIE
DU CAMEROUN (a)**

A Washington :

[TRADUCTION — TRANSLATION]

Conformément aux dispositions de la Convention signée le 23 septembre 1971 pour la répression d'actes illicites dirigés contre la sécurité de l'aviation civile, le Gouvernement de la République-Unie du Cameroun déclare qu'en raison du fait qu'il n'entretient aucune relation avec l'Afrique du Sud et le Portugal il n'est tenu à aucune obligation envers ces deux pays en ce qui concerne l'application des stipulations de la Convention.

FINAL ACT OF THE INTERNATIONAL CONFERENCE ON AIR LAW HELD UNDER THE AUSPICES OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION AT MONTREAL IN SEPTEMBER 1971

The Plenipotentiaries at the International Conference on Air Law held under the auspices of the International Civil Aviation Organization met at Montreal from 8 to 23 September 1971 for the purpose of considering a draft convention on acts of unlawful interference against civil aviation other than acts of unlawful seizure of aircraft prepared by the Legal Committee of the International Civil Aviation Organization. The Governments of the following 60 States were represented at the Conference:

Argentina Republic, the	Jamaica
Australia, the Commonwealth of	Japan
Austria, the Republic of	Kenya, the Republic of
Barbados	Korea, the Republic of
Belgium, the Kingdom of	Lebanon, the Republic of
Brazil, the Federative Republic of	Malagasy Republic, the
Bulgaria, the People's Republic of	Mexican States, the United
Byelorussian Soviet Socialist	Netherlands, the Kingdom of the
Republic	New Zealand
Cameroon, the Federal Republic of	Norway, the Kingdom of
Canada	Philippines, the Republic of the
Ceylon	Polish People's Republic
Chad, the Republic of	Portugal, the Republic of
Chile, the Republic of	Romania, Socialist Republic of
China, the Republic of	Senegal, the Republic of
Colombia, the Republic of	South Africa, the Republic of
Congo, the People's Republic of the	Spain
Costa Rica, the Republic of	Sweden, the Kingdom of
Czechoslovak Socialist Republic	Swiss Confederation, the
Denmark, the Kingdom of	Tanzania, the United Republic of
Egypt, Arab Republic of	Trinidad and Tobago
Ethiopia, the Empire of	Uganda, the Republic of
Finland, the Republic of	Ukrainian Soviet Socialist Republic
French Republic, the	Union of Soviet Socialist Republics
Gabonese Republic, the	United Kingdom of Great Britain
Germany, the Federal Republic of	and Northern Ireland
Hungarian People's Republic	United States of America
India, the Republic of	Venezuela, the Republic of
Indonesia, the Republic of	Yugoslavia, the Socialist Federal
Ireland	Republic of
Israel, the State of	Zambia, the Republic of
Italian Republic, the	

The Government of the Kingdom of Greece was represented by an Observer.

The United Nations was represented by an Observer.

The following international organizations were also represented by Observers:

- International Air Transport Association
- International Chamber of Commerce

- International Criminal Police Organization
- International Federation of Air Line Pilots Associations
- International Law Association
- International Transport Workers' Federation

The Conference elected as President Mr. W. Guldemann (Swiss Confederation) and further elected as Vice-Presidents Messrs. P. A. Bissonnette (Canada), B. Vachata (Czechoslovak Socialist Republic), V. C. Gunatilaka (Ceylon) and E. C. Sanctos (the Federative Republic of Brazil).

The Secretary General of the Conference was Mr. Assad Kotaite, Secretary General of the International Civil Aviation Organization. Mr. P. K. Roy, Director of the Legal Bureau of the International Civil Aviation Organization acted as Secretary General in the absence of Mr. Assad Kotaite. He was assisted by Messrs. G. F. FitzGerald, Principal Legal Officer of the Organization, G. Bonilla, M. Milde and L. Aillaud, Legal Officers of the Organization, as Secretaries of the Conference and by other officials of the Organization.

The Conference established a Commission of the Whole and the following Committees:

Credentials Committee

Chairman:	Mr. M.H. Mugizi	(United Republic of Tanzania)
Members:	Mr. L.R. Edwards	(Australia)
	Mr. V.I. Lukyanovich	(Byelorussian Soviet Socialist Republic)
	Mr. J.A. de Yturriaga	(Spain)
	Mr. J. Méndez	(Venezuela)

Drafting Committee

Chairman:	Mr. G. Guillaume	(France)
Members:	Mr. J. Warnant	(Belgium)
	Mr. D. Kostov	(Bulgaria)
	Mr. P. Valdés	(Chile)
	Mr. M.A. Viennois	(France)
	Mr. N. Museux	(France)
	Mr. J.W. Roh	(Korea, Republic of)
	Mr. C. Gómez Jara	(Spain)
	Mr. J.A. de Yturriaga	(Spain)
	Mr. R.S. Nyaga	(Uganda)
	Mr. Y. Kolossov	(Union of Soviet Socialist Republics)
	Miss G.M.E. White	(United Kingdom)
Mr. F.K. Willis	(United States of America)	
Mr. R. Boylan	(United States of America)	
Mr. M. Sánchez	(Venezuela)	

Committee on Final Clauses

Chairman:	Mr. F.X. Ollassa	(People's Republic of the Congo)
Members:	Mr. A.R.M. Watson	(Australia)
	Mr. L.R. Edwards	(Australia)
	Mr. R. Charry	(Colombia)

Mr. G. Guillaume	(France)
Mr. S. Oshima	(Japan)
Mr. K. Shidara	(Japan)
Mr. T. Wasilewski	(Polish People's Republic)
Mr. M. Nowossilzev	(Union of Soviet Socialist Republics)
Mr. K.J. Chamberlain	(United Kingdom)
Mr. C. Brower	(United States of America)

The Commission of the Whole established the following Working Groups:

Working Group on Article I

Chairman:	Mr. W. Riphagen	(Kingdom of the Netherlands)
Members:	Mr. R. Temporini	(Argentina)
	Mr. O.A. Ainchil	(Argentina)
	Mr. L.S. Clark	(Canada)
	Mr. P. Sorokan	(Canada)
	Mr. F.X. Olassa	(People's Republic of the Congo)
	Mr. P.J.V. Lindholm	(Finland)
	Mr. V.M. Metsalampi	(Finland)
	Mr. M.A. Viennois	(France)
	Mr. K.O. Rattray	(Jamaica)
	Mr. G.B. Morris	(Jamaica)
	Mr. H. Yamaguchi	(Japan)
	Mr. S. Tobetto	(Japan)
	Mr. K. Shidara	(Japan)
	Mr. J. Akl	(Lebanon)
	Mr. M.R. Mok	(Kingdom of the Netherlands)
	Mr. J.P. Honig	(Kingdom of the Netherlands)
	Mr. A.P. Mateescu	(Romania)
	Mr. C. Gómez Jara	(Spain)
	Mr. G. Goloubov	(Union of Soviet Socialist Republics)
Mr. Y. Kolossov	(Union of Soviet Socialist Republics)	
Mr. M. Nowossilzev	(Union of Soviet Socialist Republics)	
Mr. A.W.G. Kean	(United Kingdom)	
Mr. K.J. Chamberlain	(United Kingdom)	
Miss G.M.E. White	(United Kingdom)	
Mr. R. Boylan	(United States of America)	
Mr. R.P. Boyle	(United States of America)	
Mr. F.K. Willis	(United States of America)	

Working Group on the expression "In Service"

Chairman:	Mr. A.W.G. Kean	(United Kingdom)
Members:	Mr. M. Agésilas	(France)
	Mr. C. Gómez Jara	(Spain)
	Mr. J.A. de Yturriaga	(Spain)

Mr. Y. Kolossov	(Union of Soviet Socialist Republics)
Mr. V. Galtchouk	(Union of Soviet Socialist Republics)
Mr. R.P. Boyle	(United States of America)
Mr. J. Landry	(United States of America)

Following its deliberations, the Conference adopted the text of a Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. The said Convention has been opened for signature by the States participating in the Conference at Montreal this day, and after 10 October 1971 shall be open for signature to all States in London, Moscow and Washington, until it comes into force.

IN WITNESS WHEREOF the Delegates have signed this Final Act.

DONE at Montreal on the twenty-third day of September of the year One Thousand Nine Hundred and Seventy-One in four authentic texts in the English, French, Russian and Spanish languages in a single copy which shall be deposited with the International Civil Aviation Organization and a certified copy of which shall be delivered by the said Organization to each of the Governments represented at the Conference.

Argentine Republic, the
[*République argentine*]

Australia, the Commonwealth of
[*Australie, Commonwealth d'*]

Austria, the Republic of
[*Autriche, République d'*]

Barbados
[*Barbade*]

Belgium, the Kingdom of
[*Belgique, Royaume de*]

Brazil, the Federative Republic of
[*Brésil, République fédérative du*]

Bulgaria, the People's Republic of
[*Bulgarie, République populaire de*]

Byelorussian Soviet Socialist Republic
[*République socialiste soviétique de Biélorussie*]

Cameroon, the Federal Republic of
[*Cameroun, République fédérale du*]

Canada
[*Canada*]

Ceylon
[*Ceylan*]

Chad, the Republic of
[*Tchad, République du*]

Chile, the Republic of
[*Chili, République du*]

China, the Republic of
[*Chine, République de*]

Colombia, the Republic of
[*Colombie, République de*]

Congo, the People's Republic of the
[*Congo, République populaire du*]

Costa Rica, the Republic of
[*Costa Rica, République du*]

Czechoslovak Socialist Republic
[*République socialiste tchécoslovaque*]

Denmark, the Kingdom of
[*Danemark, Royaume du*]

Egypt, Arab Republic of
[*Egypte, République arabe d'*]

Ethiopia, the Empire of
[*Ethiopie, Empire d'*]

Finland, the Republic of
[*Finlande, République de*]

French Republic, the
[*République française*]

Gabonese Republic, the
[*République gabonaise*]

Germany, the Federal Republic of
[*Allemagne, République d'*]

Hungarian People's Republic
[*République populaire hongroise*]

India, the Republic of
[*Inde, République de l'*]

Indonesia, the Republic of
[*Indonésie, République d'*]

Ireland
[*Irlande*]

Israel, the State of
[*Israël, Etat d'*]

Italian Republic, the
[*République italienne*]

Jamaica
[*Jamaïque*]

Japan
[*Japon*]

Kenya, the Republic of
[*Kenya, République du*]

Korea, the Republic of
[*Corée, République de*]

Lebanon, the Republic of
[*Liban, République du*]

Malagasy Republic, the
[*République malgache*]

Mexican States, the United
[*Mexique, Etats-Unis du*]

Netherlands, the Kingdom of the
[*Pays-Bas, Royaume des*]

New Zealand
[*Nouvelle-Zélande*]

Norway, the Kingdom of
[*Norvège, Royaume de*]

Philippines, the Republic of the
[*Philippines, République des*]

Polish People's Republic
[*République populaire de Pologne*]

Portugal, the Republic of
[*Portugal, République du*]

Romania, Socialist Republic of
[*Roumanie, République socialiste de*]

Senegal, the Republic of
[*Sénégal, République du*]

South Africa, the Republic of
[*Afrique du Sud, République de l'*]

Spain
[*Espagne*]

Sweden, the Kingdom of
[*Suède, Royaume de*]

Swiss Confederation, the
[*Confédération suisse*]

Tanzania, the United Republic of
[*Tanzanie, République-Unie de*]

Trinidad and Tobago
[*Trinité-et-Tobago*]

Uganda, the Republic of
[*Ouganda, République de l'*]

Ukrainian Soviet Socialist Republic
[*République socialiste soviétique d'Ukraine*]

Union of Soviet Socialist Republics
[*Union des Républiques socialistes soviétiques*]

United Kingdom of Great Britain and Northern Ireland
[*Royaume-Uni de Grande-Bretagne et d'Irlande du Nord*]

United States of America
[*Etats-Unis d'Amérique*]

Venezuela, the Republic of
[*Venezuela, République du*]

Yugoslavia, the Socialist Federal Republic of
[*Yougoslavie, République fédérative socialiste de*]

Zambia, the Republic of
[*Zambie, République de*]

Annex 2

Transcript of Brigadier General Hajizadeh video statement imbedded in “Head of IRGC Aerospace Division accepts responsibility for plane crash”, *Iran Press News Agency* (11 July 2020)



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10670484	Farsi - English		

In the Name of Allah, the Compassionate, the Merciful

I heard the news about the tragic accident of the downing of the Ukraine passenger airlines flight while I was in the west of the country after launching missile attacks against American bases, and when I made sure that this accident had happened, I wished I was dead and I would not witness it! For a lifetime, we put our lives on the line for the people, and today we put our honor on the line for God Almighty, and face the cameras to explain under such difficult circumstances. I would like to say, from the very beginning that, God willing, the investigations and assessments of this accident will be done by higher organizations and the Judicial system’s team, and all the information will be collected. I want to say from the beginning of my speech that we will take full responsibility, without any objections, and will obey any decisions that the authorities will make. I wanted to make that clear first! But to explain the accident, I need to say that as you are aware, for more than a week, there had been unprecedented conditions in the region and the chances of engagement were much higher than what we experienced even through the early days of the victory of the revolution. The possibilities of engagement were very high; both the Americans and the Iranian Armed Forces were on the highest level of readiness! Additionally, the Americans had threatened to hit 52 targets in Iran! For this reason, all offensive and defensive units were on high alert and fully ready. Naturally, Tehran’s defensive systems were also in the same state of readiness. As our investigations showed and as our friends explained, since sundown on the night of the accident, everyone was on standby for war; the highest level of standby was communicated by the integrated defensive network to the systems. Under these circumstances, additional defense systems had been added around Tehran, including the defense system that caused the incident, which was deployed around Bidganeh, west of Tehran. And the 3-3 readiness status, which is the highest level of standby is reconfirmed to the network in multiple stages. All defensive systems were in the highest level of standby. Defensive systems including the one that was engaged were alerted, in multiple stages, by the integrated network that cruise missiles have been launched targeting the country! And in a couple of stages, it was reconfirmed that according to the reports, these cruise missiles are en route. Get ready! You see, the systems are on the highest level of alert, which means you only need to push the button! And they have been informed that the cruise missiles are launched and are on the way. This also goes for the defensive system that got

engaged and launched the missile. There was an interview with the operator of the missile system in question, that, God willing, will be played in the TV program that is supposed to be released to the media. The operator himself states that we have asked multiple times for the country's airspace to be free of flights, meaning to be clear. It is common in the 3-3 status for these requests to be made but some folks, because of some considerations, might not follow these heads-up. That is, the war situation goes on while the airplanes keep flying! Around the time this incident occurred, the defense system identified what it had detected as a cruise missile 19 kilometers away. I now elaborate on the map. This is where the defense system was deployed, this is Tehran region. This is the defense system that was deployed here at midnight; it was on standby! This is Imam Khomeini Airport. And the airplane takes off here and this is where it is headed... Meaning, this is the strike zone. Considering the intel they have given the operator on the war situation and cruise missiles being on their way, the poor guy identifies the plane as a cruise missile. Well, he was required to call it in and get confirmation! I mean, this is what the operator's fault was but, in that time, his communications system was apparently having a problem; either this was caused by the jamming systems or the network was busy, he couldn't communicate. He had 10 seconds to decide! And well, he could engage or not to engage. Unfortunately, in that situation he makes this bad decision and engages; the missile is launched and the plane is hit on this point, and this is the return track and the point where it hits the ground. I need to explain a few things here. Before the armed forces announcement, our friends at the Civil Aviation Organization were firmly defensive and were stating that this is not a rocket incident and it is under investigation. Firstly, I want to say that, they were acting based on their own information. They knew nothing about this incident. Allow me to explain something; on Wednesday morning, when I was informed, I immediately let the authorities know about this! They told me they had hit a target. But the co-occurrence made me suspicious. I was on the west side of the country. I went to Tehran straight away and called the authorities on the way. I told them this is the situation and there is a strong possibility that we had hit a plane of our own. Well, once I arrived in Tehran, I realized General Staff of the Armed Forces has formed a team to investigate the incident as it is common to do so. Plus, they had put the team members and the people involved in quarantine. It means we did not have permission to talk to anybody about it. We had done our reporting but the investigation needed to be carried out. Now, if it took a few days for the information to be released to the public, it was not because anyone wanted to cover anything up but it was because of the General Staff's standard procedures. Well, they did the investigation and around Friday morning, all the information was collected, and it was determined what actually happened! After all, some people were at fault! Things happened and after finding out about these, the General Staff released the information to the public. You see, I reiterate that within the first

hour that I was informed, I let the authorities know. Because they needed to investigate and assess the incident, the General Staff took over the case from that point onwards. And they, indeed, took quick actions and conducted the investigation within 48 hours. Now, our friends at the Civil Aviation Organization, who were firmly denying the impact of the missile, were only acting on the information they had. I would like to say that they have done nothing wrong and they are not at fault! Whatever mistakes have been made were on our part. They did nothing wrong! The plane was on its approved course and did nothing wrong, neither did the Civil Aviation Organization and Iran Airports Company. They all did everything right! If there has been a mistake it was made by one of our people and since he is under our command, we take responsibility and we should be held accountable. Our friends announced it after the investigation was done but the Civil Aviation Organization staff are not the army and are not well-versed in these things. Based on their experience, if a rocket hits the plane, it would be destroyed in the air. They thought not only the plane was not destroyed but it made a turn in attempt to land. You see, since the plane was hit on a low altitude, it was hit by a short-range missile. The missile used parallel navigation; it had a small warhead and navigated parallel to the airplane. As such, the plane had some time to keep flying and was not destroyed in the air. It was destroyed after hitting the ground. So, no one from the Civil Aviation Organization was aware of the accident. I want to defend those good folks, and this is really what happened. Neither the Armed Forces nor the Guard Corps had the intention to cover this up. Regardless, it was the procedure that was followed, and we are sorry about this incident, and we are still mourning as the families of these martyrs are, and we share their grief. We too have lost our loved ones and we are sorry! After all, this is the cost of America's mischiefs and actions in the region. So much that we were completely prepared for a full-fledged war. I personally, in the west of the country, was anticipating at every second that... Because there were so many planes flying in the region. That is, fighter aircrafts and some bombers that they had deployed in the region. There was a strong possibility of missile launches and fighter aircrafts entering the country. We prepared ourselves for a full-fledged war. Well now unfortunately, because of the hasty decision of one person, a great disaster has happened!

Annex 3

Transcript of “Prime Minister Trudeau: Intelligence suggests plane was shot down,” CPAC
(9 January 2020)

**TRANSCRIPTION/TRANSCRIPTION
NEWS CONFERENCE/CONFÉRENCE DE PRESSE
Transcription prepared by Media Q Inc. exclusively for DFATD
Transcription préparée par Media Q Inc. exclusivement pour MAECD**

DATE/DATE: January 9, 2020 2:40 p.m. (EST)
LOCATION/ENDROIT: NPT, OTTAWA, ON
PRINCIPAL(S)/PRINCIPAUX: The Right Honourable Justin Trudeau, Prime Minister
SUBJECT/SUJET: Prime Minister Justin Trudeau holds a news conference to provide an update to Canadians about the plane crash in Iran.

The Rt Hon. Justin Trudeau: Hello everyone. Bonjour à tous.

Merci d'être des nôtres. Comme beaucoup de gens à travers le pays, je continue de découvrir les histoires de ceux et celles qui ont perdu la vie dans l'écrasement d'avion survenu hier en Iran. Je pense aux victimes et à leurs familles. Je pense aux communautés qui pleurent leur perte. Ce qui s'est produit hier est une tragédie qui a non seulement choqué le Canada, mais le monde. Donc, avant d'aller plus loin, je tiens d'abord à offrir à nouveau mes condoléances les plus sincères aux familles et aux proches qui sont dans le deuil. Je suis et nous sommes tous de tout cœur avec vous.

What happened yesterday was a tragedy, a tragedy that shocked not only Canada, but the world. Before we go any further, I want to extend once again my most sincere condolences to the families of the victims and their loved ones. I, and we are, all standing with you.

Since last addressing Canadians, there have been ongoing discussions – since I last addressed Canadians, there have been ongoing discussions with foreign ministers, senior intelligence and military officials, including the fourth meeting of our Incident Response Group. There have been important developments regarding the potential causes of this deadly crash, developments of which Canadians should be made aware.

The news will undoubtedly come as a further shock to the families who are already grieving in the face of this unspeakable tragedy. We have intelligence from multiple sources, including our allies and our own intelligence. The evidence indicates that the plane was shot down by an Iranian surface to air missile. This may well have been unintentional. This new information reinforces the need for a thorough investigation into this matter. Canada is working with its allies to ensure that a thorough and credible investigation is conducted to determine the causes of this fatal crash. As I said yesterday, Canadians have questions and they deserve answers.

Permettez-moi de répéter ce que je viens d'annoncer en français.

Nous avons des renseignements provenant de différentes sources, notamment de nos services de renseignements et ceux de nos alliés. Ces renseignements indiquent que l'avion aurait été abattu par un missile surface-air iranien. C'est possible que ça ait été fait involontairement. Cette nouvelle vient confirmer la nécessité de mener une enquête approfondie dans cette affaire. Comme je l'ai dit hier, les Canadiens ont des questions et ils méritent des réponses. Le Canada travaille avec ses alliés pour faire en sorte qu'une enquête approfondie soit menée afin de déterminer les causes de cet écrasement tragique.

Last night, **Foreign Minister François-Philippe Champagne** spoke with Iranian Foreign Minister Zarif. **Minister Champagne** made it clear that Canadian officials must immediately be granted access to Iran in order to provide consular services, identify the victims and participate in a thorough investigation. He also condemned Iranian strikes that targeted military bases in Iraq where coalition forces, including Canadians, are currently stationed. Minister Zarif committed to continuing this dialogue with Canada as we seek answers.

I spoke with Ukrainian President Volodymyr Zelensky earlier today and conveyed my condolences to the many Ukrainians who perished in this tragedy. He assured me that Ukraine is taking all necessary measures to ensure a thorough investigation and we will work closely with Ukraine and our partners throughout this process.

I also called Prime Minister Mark Rutte of the Netherlands. He shared with me his experience in handling the aftermath and investigation into Malaysian Airlines Flight 17.

Je me suis également entretenu avec le président Macron encore une fois aujourd'hui. Le président Macron nous offre son assistance alors que nous traversons ces moments extraordinairement difficiles. Je suis aussi en contact avec plusieurs autres dirigeants internationaux et les discussions se poursuivent. Nous allons continuer de travailler de près avec nos partenaires dans les jours et les semaines qui suivront.

In light of this new information, it is now more important than ever that we know exactly how such a tragedy could have happened. The families of the victims and all Canadians want answers. I want answers. That means closure, transparency, accountability and justice, and this government will not rest until we get that.

Thank you for being here this morning. I'll now take your questions.

Moderator: So first question, Hélène Buzzetti and then we'll go to Glen MacGregor, CTV.

Question: Oui, alors, excusez-moi, bonjour M. Trudeau. Vous avez dit que vous avez demandé la participation à l'enquête. J'aimerais savoir quelle est la réponse de l'Iran? Accepte-t-il notre participation?

Le très hon. Justin Trudeau: L'Iran est en train de travailler avec les enquêteurs ukrainiens à ce moment-ci, mais on continue de demander d'avoir, on continue de demander que les Canadiens soient impliqués dans cette, dans cette enquête et nous continuons d'avoir ces conversations.

Question: J'en comprends que c'est pas encore confirmé.

Le très hon. Justin Trudeau: Effectivement.

Question: Concernant, considérant le contexte dans lequel ça s'est produit, dans quelle mesure considérez-vous que les États-Unis ont une part de responsabilité considérant qu'ils ont créé la situation dans laquelle cet incident est arrivé?

Le très hon. Justin Trudeau: Je pense qu'il y a beaucoup de questions auxquelles les gens vont réfléchir. On va chercher des réponses. Pour l'instant, ça souligne tout simplement l'importance d'avoir une enquête complète, crédible pour qu'on ait les faits que lesquels on va pouvoir ensuite pencher nos réflexions et notre analyse.

Question: English Prime Minister?

The Rt Hon. Justin Trudeau: I think it underscores how important it is that we have a thorough, credible investigation to allow us to then draw conclusions and reflections once we have assessed and established the facts of what happened.

Question: Prime Minister, could you describe in some more detail the kind of information you have that indicates that this was a surface to air strike cause as you know, it's an extremely serious allegation and Canadians are going to want to see proof that this is what happened.

The Rt Hon. Justin Trudeau: The intelligence and evidence suggests that it is likely that it was a surface to air strike, but I will not go into the details of that intelligence at this time.

Question: Given that the Iranians have denied this and there's reports they're bulldozing the crash site that claimed the flight and voice and data recorders have been damaged, do you trust them that they haven't actually already compromised the investigation at this point? Do you think it's a possibility that, that we won't get a real answer?

The Rt Hon. Justin Trudeau: We have highlighted that it is extremely important that there be a thorough and credible investigation on site of the crash with international partners. The Iranians have indicated that they understand that, but the conclusions we have been able to draw on the, or the preliminary conclusions we've been able to draw based on intelligence and evidence today are clear enough for me to share them with Canadians right now.

Moderator: So next up, Catherine Levesque, Presse Canadienne.

Question: La Presse Canadienne. Bonjour M. Trudeau. Pouvez-vous nous dire à ce moment-ci si l'Iran a accepté de partager les boîtes noires avec le Canada ou la France et quelles sont les prochaines étapes là-dessus?

Le très hon. Justin Trudeau: Pour l'instant, Iran a indiqué qu'ils allaient garder les boîtes noires chez eux, mais ils ont indiqué au président Zelensky de l'Ukraine que les enquêteurs ukrainiens au moins allaient avoir accès à ces boîtes noires.

Question: (Off microphone)

The Rt Hon. Justin Trudeau: The, the Iranian authorities have indicated that they wish to keep the black boxes in Iran, but have indicated to President Zelensky of Ukraine that Ukrainian investigators would have access to those black boxes.

Question: Et comment pouvez-vous faire confiance à l'Iran actuellement qui dément les informations que vous venez de nous partager?

Le très hon. Justin Trudeau: Nous reconnaissons que c'est une situation sur lesquelles il va falloir qu'on ait plus de clarté, plus de réponse. C'est pour ça que nous appelons pour une enquête complète et crédible faite avec des partenaires internationaux pour pouvoir établir les faits de ce qui s'est passé pour, pour les Canadiens, pour les familles, pour les gens d'à travers le monde.

Moderator: David Cochrane, CBC.

Question: Hi Prime Minister. I just want to circle back to an earlier question. If the intelligence is accurate, then it seems this is the end result of a sequence of events that was sparked by the drone strike ordered by the US President. So given the information you have, how much responsibility does the United States bear for this tragedy?

The Rt Hon. Justin Trudeau: The evidence suggests that this is the likely cause, but we need to have a full and complete and credible investigation to establish exactly what happened. That is what we are calling for and that is what we are expecting will happen.

Question: If Iran does not cooperate, and there are some reports of at least minimal cooperation or questionable cooperation to this point, what pressure can you bring to bear? Would you argue for sanctions, would, economic repercussions, what can Canada do to pressure Iran to give you the investigation you want?

The Rt Hon. Justin Trudeau: I think those are conversations and steps we will contemplate as things move forward if it doesn't appear that there is a credible, complete investigation, but right now, we continue to work with partners and, and direct Iran with our requests that we have a credible and complete investigation.

Moderator: Going to go to Marie Vastel next, and then afterwards David Akin.

Question: Oh, okay. Je pensais pas avoir une question. Allô. Ah oui, pour revenir à l'Iran, comment est-ce que vous comptez – si votre conclusion est que c'était un tir de missile, quel est votre réaction? Comment est-ce que vous comptez répliquer à l'Iran?

Le très hon. Justin Trudeau: D'abord, c'est des conclusions basées sur une, une analyse préliminaire de, de l'intelligence que nous avons et des renseignements que nous avons recueillis, mais ça souligne l'importance d'avoir une enquête complète, approfondie et crédible sur exactement ce qui s'est passé, et c'est pour ça qu'on passe à cette étape-là avant de tirer des conclu-, des conséquences ou des conclusions davantage.

Question: Je comprends, mais est-ce que ça menace pas vos relations diplomatiques en ce qui a trait à avoir accès aux dépouilles des victimes, avoir accès au site? Est-ce que ça ne menace pas notre présence en Iraq si effectivement c'est ça qui s'est passé puis on est en train de se faire descendre des avions et de se faire tirer

dessus sur des bases? Est-ce que la directive à nos militaires en Iraq et dans la région reste la même? Je veux dire, j'imagine qu'il y a quelque chose qui va se passer?

Le très hon. Justin Trudeau: Effectivement. C'est extrêmement préoccupant comme situation. C'est pour ça que nous voulons en savoir plus. Nous allons travailler avec les autorités internationales, avec les enquêteurs, et avec l'Iran pour avoir plus de réponses sur ce qui s'est passé exactement. Nous reconnaissons que ça a peut-être été une situation involontaire, mais c'est davantage plus important donc de pouvoir clarifier exactement ce qui s'est passé.

Moderator: David Akin, and then we'll go down to Christian Noël.

Question: Good afternoon Prime Minister. I just want to come back to the, the qualifiers you've been using, may well have been unintentional. You just a minute ago said it may have been accidental. That implies that it may not have been unintentional. Can you be as definitive as you can be, knowing what you know, knowing what you can't share with us, about the intentionality of this apparent missile strike?

The Rt Hon. Justin Trudeau: I think that is one of the reasons why it is so important to have a full and credible investigation before we get into definitive conclusions. As you say, we need to ensure that we have all the facts gathered. The intelligence and evidence right now suggests very clearly a possible and probable cause for the crash, but it is all the more necessary therefore to gather all the evidence to have a complete picture of what happened.

Question: And let's follow through then that the evidence does in fact show that it was an accidental, unintentional surface to air missile, what range of options would the govern-, would the Government of Canada respond in some way to that? And if so, what range of responses might your government consider?

The Rt Hon. Justin Trudeau: I think anything in the range of responses would need to start from a clear understanding and a credible confirmation of what actually happened and that is why a proper and full investigation is going to be so important.

Moderator: Christian Noël and then we'll go next to Michelle.

Question: Bonjour M. Trudeau. Christian Noël, Radio-Canada. Ce que vous savez présentement, est-ce que ça vous convainc hors de tout doute que c'était un missile et que c'était involontaire?

L'hon. Justin Trudeau: Pour se convaincre hors de tout doute, ça prend une enquête approfondie, crédible et complète. C'est exactement ce que nous, nous sommes, ce pourquoi nous sommes en train d'appeler pour une investigation, une enquête complète. C'est ce qu'on demandait hier, c'est ce qu'on continue à demander aujourd'hui. C'est des conversations que nous continuons d'avoir. Mais je veux partager avec les Canadiens et avec les familles, avec tout le monde que ce qu'on a accumulé comme intelligence, comme renseignements indique que c'est une, une possibilité très claire que ça aurait été un, une frappe avec un missile surface air iranien.

Question: Et justement pour les familles des victimes qui demandent des réponses et une enquête qui ne semble pas être faite de façon, avec une bonne coopération de la part de l'Iran, comment pouvez-vous assurer les Canadiens que vous allez vraiment tout faire pour avoir une réponse et avoir une enquête comme vous dites, qui est complète, qui est éclairée, qui est transparente alors que vous avez pas de levier pour la demander?

Le très hon. Justin Trudeau: On comprend bien que des enquêtes de ce type prennent du temps. Quand on a regardé d'autres tragédies aériennes, on reconnaît que ces enquêtes complètes prennent un certain montant de temps. On est au deuxième jour. On est déjà en train de partager des conclusions préliminaires pour donner plus de réponses et plus de clarté aux citoyens et aux familles qui, qui sont dans le désespoir et qui, qui souffrent énormément et nous allons continuer d'exiger, de s'attendre à avoir plus d'information et une enquête plus approfondie.

Moderator: Michelle Carbert, Globe and Mail, then we'll go to Ray.

Question: HI Prime Minister. When you spoke with President Zelensky today, had he been briefed by any of his, any allies on this intelligence that you've been receiving in the recent hours or did you have to share this intelligence with him for the first time?

The Rt Hon. Justin Trudeau: I shared with him some of the reasons we are so intent on having a full and complete investigation. We know that is extremely important to establish clarity around the facts of what happened and he assured me that Canada, as a good friend of Ukraine, will be closely involved with them in the investigation into this tragedy.

Question: Okay, so I'll rephrase the question. Did President Zelensky know about this intelligence suggesting that the missile possibly had been used to hit the plane?

The Rt Hon. Justin Trudeau: I believe there have been media reports about it through much of the day, but I don't know for sure whether he was briefed by intelligence officials or not.

Moderator: Just going to go to the back of the room.

Question: (Hors microphone) juste pour être clair, est-ce que, je crois comprendre que vous n'écartez pas la possibilité qu'il s'agisse d'un geste délibéré. C'est exact?

Le très hon. Justin Trudeau: C'est trop, on est trop de façon préliminaire pour tirer des conclusions claires et pour écarter d'autres possibilités. C'est certain que nous devons avoir une enquête plus approfondie, une enquête crédible qui va pouvoir établir sans aucun doute les causes de cet, cet incident tragique.

Question: (Hors microphone) parler à son homologue. Est-ce que vous avez tenté, vous, d'établir des communications avec des hauts dirigeants iraniens?

Le très hon. Justin Trudeau: Je suis ouvert à parler à quiconque pourrait nous aider à avoir des réponses dans cette tragédie énorme pour, pour le Canada.

Moderator: Reuters?

Question: Given the tensions in the area were the cause of a drone strike by the United States, do you think that the United States is at least partially responsible for this tragedy?

The Rt Hon. Justin Trudeau: I think it is too soon to be drawing conclusions or assigning blame or responsibility in whatever proportions. Right now, our focus is on supporting the families that are grieving right across the country and providing what answers we can in a preliminary way, but recognizing that there is going to need to be a full and credible investigation into what exactly happened before we draw any conclusions.

Question: Earlier today, President Trump characterized, well said he had concerns that a missile might have brought down the plane and he said it was a, it's a very rough neighbourhood. I was wondering what you thought of that characterization (off microphone)?

The Rt Hon. Justin Trudeau: I'll let Mr. Trump's words stand for themselves.

Moderator: Going to go back to Ryan, National Post.

Question: Prime Minister, we don't have a diplomatic relationship with Iran. The country is already heavily sanctioned by the international community. Are you worried in terms of trying to get good behaviour like access to the site and participation in the investigation, that Canada doesn't have any levers here, that we don't have any leverage to force Iran into better behaviour?

The Rt Hon. Justin Trudeau: We have consular officials who are en route to Ankara, Turkey at this moment and Iranian authorities have, have indicated that they would be open to issuing visas so that consular assistance can be given on the ground.

Question: En français s'il vous plaît?

Le très hon. Justin Trudeau: Il y a des, des personnes dans notre corps consulaires qui sont en route pour la Turquie, à quel point l'Iran a indiqué que ils étaient ouverts à donner des visas pour que ces gens puissent être là sur le terrain pour donner de l'assistance aux familles.

Question: And when **Minister Champagne** talked with the Iranian Foreign Minister, did, was he open to allowing Canadians to be part of the investigation because their air transport authority says that we have been invited to be part of the investigation.

The Rt Hon. Justin Trudeau: There has been openness to Canadian involvement in the investigation from the beginning expressed by the Iranians, but **Minister Champagne** will

be holding a press conference in a few hours where he can answer those questions in more detail.

Moderator: Going to go to Maura Forrest.

Question: Prime Minister, just on that same question, can you be a little more specific how confident are you that Canadian officials will be involved in this investigation?

The Rt Hon. Justin Trudeau: Canadian expertise, when it comes to air, air tragedies, expertise when it comes to a crash investigation is world class. We have much to contribute and we have lost much in the loss of so many Canadian lives, so many families across this country grieving. We will be involved. We'll offer all the expertise that we have to offer. We have already been engaged with the Ukrainians, who are part of the investigation team and Iran has indicated an openness to Canada being engaged as well. To what degree and in what way remains to be worked out, but there is an openness there.

Question: And I just wonder what you think Canadian families of the victims must be feeling now, knowing that there is a good possibility that their loved ones have been caught up in this dispute between the US and Iran?

The Rt Hon. Justin Trudeau: As I said, it is unimaginable what these families are going through right now in terms of grieving just for having lost loved ones. I know from conversations that have been had with government officials, with Members of Parliament, with my Deputy Prime Minister who's been engaged with families in Edmonton, that families are asking for answers and that's why we are sharing what we know as we can with, with Canadians right now, but there are many more answers to be given. There, there's much more to be found out through a complete and thorough investigation that we are certainly pushing for. But we know these families will continue to be going through extremely difficult moments over the coming hours, days, weeks, months, and indeed years, and Canada will be there with them.

Moderator: Lee Berthiaume.

Question: Yes sir, just wondering do you regret not pushing harder to restart diplomatic relations with Iran, as you had promised in the 2015 election?

The Rt Hon. Justin Trudeau: I think there were many reasons why Canada has significant issues with Iran and has for a number of years, but in this situation, it is clear that we are coming together in the wake of a terrible tragedy, the fallen Canadians, that is the many fallen Iranian citizens as well. We can't forget that the majority of victims on that airline were Iranian citizens. And this is something that binds us together in our grief and I think the desire for answers for families who lost loved ones is fairly universal. We will be working together in the best ways that we can around this tragedy.

Question: And you mentioned that you had spoken to Prime Minister Rutte. Can you talk about what advice he gave you, given their experience?

The Rt Hon. Justin Trudeau: He talked a lot about how it is first of all, important to keep the families who are grieving apprised of information, even at preliminary stages, which is certainly something that we are, we are doing today. He also talked about the need for direct and real relationships with all different elements involved in the crash. He talked about the fact that he had multiple conversations with Russian authorities, including Vladimir Putin in the days following the Malaysian Airlines downing.

So we, we certainly have taken, taken those and other elements seriously. Their path through an international investigation that continues, even five years later, was one that he shared with me and he of course offered the deep friendship that the Dutch have with Canada to, to serve, to share expertise and information and support as we embark upon what is going to be a difficult process of establishing the truth and the facts of what happened.

Moderator: Bruce Campion-Smith.

Question: Good afternoon Prime Minister. Just wondering if the government considers this an act of war?

The Rt Hon. Justin Trudeau: I think it is too early to draw definitive conclusions like that one. That is why we need a complete and credible investigation.

Question: Can you just walk us through when you became aware of the most recent, you know, allegations involving the aircraft? And also, going forward, what Canada's response, like, are you going to speak to the leadership of Iran yourself to convey Canada's views on this? And should there be an international commission for an investigation?

The Rt Hon. Justin Trudeau: We got confirmation over the course of last night and this morning on this particular set of conclusions that I've shared today, but obviously there is much more work to be done, much more data to be analysed and that's why the credible investigation is so important. I think there is a call and there are in-, incidents of tragic crashes like these ones. Multiple parties who are mandated to be involved from manufacturers of the airplane and with France being, the engines of the airplane being manufactured in France, that gives a, a certain authority for the French to be involved as part of the international investigation process.

Family, countries that have victims on the plane also have standing in an investigation and Canada, of course, is the country outside of Iran that has lost the most citizens. The country of operation and ownership of the aircraft is also responsible and has a responsibility in the investigation and that involves Ukraine. There are many different international elements in a, an investigation of this type, and that is what we will be drawing on as we move forward.

Moderator: Okay, (off microphone) two last quick questions. So one from Rosemary Barton and then we'll go to John Ivison.

Question: Prime Minister, obviously you suspected, you feared the worst when you were asked whether you could rule out that this had happened. It may

have been confirmed overnight, but you obviously had your own concerns. Can you just talk a little bit about what your reaction was when it was confirmed? Were you outraged? Just explain to me what went through your head, knowing that innocent lives were taken?

The Rt Hon. Justin Trudeau: My first thought is for the families, the families that we have been getting to know over these past 24 hours through news articles and, and reports back from various conversations I've had with MPs, with government officials. They are already going through a terrible, terrible grieving process. And to further have an understanding that this may have been caused by a surface to air missile strike is, is compounding in that my thoughts instantly went to how much harder this must make it for those families who are experiencing just a terrible amount of grief right now.

Question: En français.

Le très hon. Justin Trudeau: Mes premières réflexions sont toujours pour les familles qui souffrent déjà de façon terrible la perte de leurs chers, mais de savoir en plus que il y a peut-être eu cet élément d'attaque derrière cette tragédie doit être encore plus difficile et nous allons être là pour eux de tout cœur.

Question: Prime Minister, if it turns out to be a missile strike, Canada's options would seem to be pretty limited. Is the Magnitsky Act a tool that could be used against individuals who are deemed to be responsible?

The Rt Hon. Justin Trudeau: I think it is too early to draw conclusions on what tools could eventually be used, depending on the final assessment or final conclusions of a complete investigation. Our focus right now is on giving immediate support to the families, working with them to, to ensure that the remains of their loved ones are brought home to Canada, if that is their wishes and indeed, move forward on a full and complete investigation so that we can then look at next steps in the healing, accountability, justice process. These are things that will come in due course, but right now, we are standing firmly and entirely with the families.

Moderator: Thank you very much.

Le très hon. Justin Trudeau: Merci tout le monde.

Question: Prime Minister, what questions do you want answered out of that investigation?

Moderator: Sorry guys.

-30-

Due to the nature of closed captioning, grammatical and editorial errors may be found within the text. Étant donné la nature du sous-titrage, il peut y avoir des erreurs grammaticales et de rédaction dans le texte.

Annex 4

Announcement of the General Staff of the Armed Forces about Ukrainian Passenger Plane
Crash, *Islamic Republic News Agency* (11 January 2020)



• <https://irna.ir/xjwQQq>

• کد خبر ۲۱ دی ۱۳۹۸ - ۰۷:۰۷

83628809

• سیاست / دفاعی و امنیتی

اطلاعیه ستادکل نیروهای مسلح درباره سقوط هواپیمای مسافربری اوکراین

۲۱ دی ۱۳۹۸، ۷:۰۷

تهران- ایرنا- ستادکل نیروهای مسلح در خصوص سقوط هواپیمای مسافربری خطوط هوایی اوکراین اطلاعیه ای صادر کرد.

در اطلاعیه ستادکل نیروهای مسلح در خصوص سقوط هواپیمای مسافربری خطوط هوایی اوکراین آمده است:

ملت شریف و انقلابی ایران اسلامی؛

در پی وقوع حادثه دلخراش سقوط یک فروند هواپیمای مسافربری بوئینگ ۷۳۷ خطوط هوایی کشور اوکراین در نخستین ساعات صبح چهارشنبه ۹۸/۱۰/۱۸ و در بحبوحه تهاجم موشکی به پایگاه آمریکای جنایتکار و احتمال تاثیر اقدامات نظامی در این حادثه، ستاد کل نیروهای مسلح بلافاصله به منظور بررسی این احتمال اقدام به تشکیل هیأت بازرسی متشکل از کارشناسان فنی و عملیاتی، مستقل از سازمان هواپیمایی کشوری نمود که نتایج بررسی شبانه‌روزی و دقیق این هیأت به استحضار ملت شریف ایران می‌رسد:

۱- در پی تهدیدهای رئیس جمهوری و فرماندهان نظامی آمریکای جنایتکار مبنی بر هدف قرار دادن تعداد زیادی از اهداف در خاک

جمهوری اسلامی ایران در صورت انجام عملیات متقابل و نظر به افزایش بی سابقه تحرکات هوایی در منطقه، نیروهای مسلح جمهوری اسلامی ایران به منظور پاسخگویی به تهدیدات احتمالی در بالاترین سطح آماده‌باش قرار گرفتند.

۲- در ساعات پس از انجام عملیات موشکی، پرواز های جنگی نیروهای تروریست آمریکایی در پیرامون کشور افزایش یافته و برخی اخبار نیز از مشاهده ی اهداف هوایی به سمت مراکز راهبردی در کشور به واحدهای دفاعی واصل و اهداف متعددی در برخی صفحات رادار مشاهده شد که موجب حساسیت بیشتر در مجموعه‌های پدافند هوایی گردید.

۳- در چنین شرایط حساس و بحرانی، پرواز شماره ۷۵۲ خطوط هوایی اوکراین از فرودگاه **امام خمینی** (ره) حرکت نموده و هنگام چرخش، کاملاً در حالت نزدیک شونده به یک مرکز حساس نظامی سپاه و در ارتفاع و شکل پروازی یک هدف متخاصم قرار می‌گیرد که در این شرایط بر اثر بروز خطای انسانی و به صورت غیر عمد، هواپیمای مذکور مورد اصابت قرار گرفته که متأسفانه موجب به شهادت رسیدن جمعی از هموطنان عزیز و جان باختن تعدادی از اتباع خارجی می‌گردد.

۴- ستاد کل نیروهای مسلح ضمن عرض تسلیت و اظهار همدردی با خانواده‌های داغدار هموطن و جان‌باختگان اتباع سایر کشورها و عذرخواهی به خاطر خطای انسانی پیش آمده، اطمینان کامل می دهد با پیگیری انجام اصلاحات اساسی در فرآیندهای عملیاتی در سطح نیروهای مسلح، امکان تکرار این گونه خطاها را غیر ممکن ساخته و بلافاصله مقصر آن را به سازمان قضایی نیروهای مسلح معرفی نماید تا با خطا های صورت گرفته برخورد قانونی صورت گیرد.

۵- همچنین ابلاغ گردید تا در اسرع وقت مسؤولان مربوطه در سپاه با حضور در رسانه ملی توضیحات مشروحی را به مردم

شريف اراءه نمايند.

سياست / دفاعى و امنيتى

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The Islamic Republic News Agency

- <https://irna.ir/xjwQQq>
- 11 January 2020 - 07:07

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- Politics / Defence and Security

Announcement of the General Staff of the Armed Forces about Ukrainian Passenger Plane Crash

11 January 2020, 7:07

Tehran, IRNA – The General Staff of the Armed Forces released an announcement on the crash of the Ukraine Airlines passenger airplane.

The announcement of the General Staff of the Armed Forces states:

The noble and revolutionary nation of Iran;

Following the tragic incident of the crash of a Boeing 737 passenger airplane belonging to the Ukrainian airline in the early hours of Wednesday morning, 09 January 2020, and simultaneous with the rocket attack on the military of the criminal America, and the possibility of the effects of military actions on this incident, the General Staff of the Iranian Armed Forces immediately set up an investigative committee comprised of technical and operation experts independent from the State Civil Aviation Organization. The results of the round-the-clock and precise investigations of this committee are offered to the noble Iranian nation as follows:

1. In response to the threats made by the President and military commanders of the criminal America about attacking a large number of targets on the soil of the Islamic Republic of Iran if a counter-operation is conducted, and considering the unprecedented aerial activities in the region, the Armed Forces of the Islamic Republic of Iran were put on highest alert level.
2. Hours after Iran's missile strike, the warplanes belonging to the terrorist American forces increased flights in the airspace surrounding the country with reports coming in to defence units about some flying targets which were moving towards strategic centres in the country. Also, numerous cases were observed on radar screens which demanded further alertness on the part of the airforce defence units.
3. In such a sensitive and critical situation, flight 752 of Ukraine Airlines, which had taken off from Imam Khomeini International Airport, moved very close to a sensitive military centre belonging to the Islamic Revolution Guard Corps (IRGC) forces when completing a loop. The altitude and the direction of the flight's movement were like an enemy target. In such a situation, the aircraft was targeted unintentionally due to human error, which unfortunately caused the martyrdom of a number of our dear compatriots with a number of foreigners.

4. The General Staff of the Armed Forces hereby extends its condolences to the bereaved families of the Iranian victims of the incident as well as those foreign nationals aboard the flight, and offers its apology for the human error which caused the crash. It also gives complete assurance that by conducting fundamental reforms in the process of operations on the grand scheme, the repetition of such errors will be impossible, and those who are guilty about the event will be referred to the Judicial Organization of the Armed Forces, so that legal action will be taken with respect to the errors made.

5. It has also been announced that the related officials in the Islamic Revolution Guard Corps (IRGC) appear on the national media and provide a detailed elaboration to the noble people.

Politics / defence and security

279 views

Annex 5

Transcript of “General Hossein Salami speaking about the downing of Flight PS752 to Iranian Parliament” YouTube (12 Jan 2020)

**General Hossein Salami speaking about the downing of Flight PS752
(address to Iranian Parliament on 12 Jan 2020)**

YouTube [12 Sept 2021] : <https://youtu.be/DaC5nhc9cUQ>

[Transcribed at playback speed of 1.25x]

General Hossein Salami [Salami] [0:02]: In the name of God, the compassionate, the merciful. First of all, I express my congratulations and condolences to all honourable representatives of the Iranian nation, for martyrdom of our incomparable general, the unrepeatable commander in the history of Islam and Iran, General Qasem Suleimani. I thank the esteemed Speaker of the Parliament, who spared the time for me to explain the important, historic and fateful events of the past week. A week that contained unique joys and at the same time, bitterness and sadness.

Pause [1:40]

Salami [1:42]: What I am about to say, as God is my witness, comes from my heart. It is my beliefs, observations, findings and experiences about these events. I'm coming back from one of the most amazing and unparalleled victories that the Iranian nation has achieved in its history. Where the USA was directly and[openly] defeated by the Great Iran. Although unfortunately, the cloud of the tragic plane crash [it] has not yet [been possible to] appreciate the great dimensions of this incredible and stunning victory that amazed the whole world. We can talk about it more accurately, in the future. However, after the assassination of our dear commander and his companions, we were completely put in the mental state of an unknown war with the USA.

Pause [3:52]

Salami [3:55]: After this martyrdom, it was presumed that the authority, grace and esteem of the great and brave Iranian nation has been jeopardized.

Pause [4:18]

Salami [4:22]: We were confronted, for a while, with a feeling of "low tide" in our national authority. We needed to go back to "high tide."

Pause [4:42]

Salami [4:45]: The pressure of public opinion to take revenge was quite heavy. Just like all of you, and more than you, we were affected by this incident. We had lost one of our best brothers. A legend. A great source of support. But when we saw people, we came across a different feeling. USA had martyred our commander and warned us that if we react, with or without casualties, they will hit 52 targets in Iran. This is what the USA president said.

Pause [6:08]

Salami [6:10]: Bear in mind, on the one side, we were under pressure to act quickly and take revenge; we had to do the countermeasure, as close as possible to the incident. This

incident was surprising for us. USA had come forward to say the last word to the Iranian nation; to break the Iranian nation for good. They had come to tie our hands. They had come to show that our conflict with them is a one-way street. They hit and we don't answer. And strategically speaking, this would have had led to a gradual escalation of one-sided offence. This is the logic of big [powers]. If they find no resistance, they expand the lines of pressure. This is the nature of power, it is our experience; it is a historical fact.

Pause [7:39]

Salami [7:43]: Think about it. We had to respond quickly. At the same time, the enemy said they would react heavily. In this situation we had to react strongly. We had no option but to respond powerfully. Because any other response would embolden the enemy and let them continue this behaviour in a wide scale, until reaching a full-scale war. We had to acquire a number of advantages: first intelligence advantage: we had to determine where to hit? How much? How intense? Then we had to acquire technologic advantage, so our aircrafts don't get harmed and arrive at their targets properly. The amount of it had to be in proportion with what USA did. They had martyred Qasem Suleimani; so we had to make it happen before the funeral of our martyr.

Pause [9:24]

Salami [9:25]: My dear brothers, these are all principal elements of power. When these advantages exist, a nation has identity, life, honour, prestige, authority entity, respect. It is not abject. A lively nation is an honourable one. We had to create a wave of new exuberance in our society; so our international rank of our government would rise again. We cannot live beneath what our government deserves in the world. We are great. Until that day, we considered ourselves a regional power. Our calculations had to be very accurate.

Pause [10:40]

Salami [10:43]: Overcoming USA, technically and technologically. Because this battle was technologic, tactical and also strategic. Meaning we had to win technologically, they couldn't let them hit our missiles. If our missiles didn't reach the target, if they were inaccurate, if they didn't destroy, do you know what would have happened?

Pause [11:27]

Salami [11:31]: We had to acquire the intel of target points, not target area. Our war with the USA in technologic battlefield is over points not areas.

Pause [11:46]

Salami [11:50]: Afterwards, we had to act in a way that would collapse the enemy's assumption of our reaction. We couldn't stop the enemy in the psychological battlefield anymore. We had to stop them on the ground, by shaping up hard facts; and this seemed the hardest thing to do. I swear, the commanders and dear fellows who had a part in devising this matter, perhaps didn't sleep for several days, even for an hour, maybe even for one hour. And if they did sleep an hour, it was a sleep with great disturbance, but not anxiety. We want to prevent a great war by fighting a war. This is our only way.

Pause [13:01]

Salami [13:06]: We had to surprise and fool the enemy, and we had to prepare for the countermeasure. We played our war until the last hand. It wasn't the kind of battlefield where we think we will hit, and its over. You put yourselves in our shoes. Say we hit the American base, they said they will hit 52 targets. They will react. What will you do? What will he do then? Will these comes and goes to lead to expansion of the domain of war? Or to control of escalation? How should you control the escalation? When are you walking into an unknown war. For the first time, we were about to engage directly. And bear in mind, our logic for conflict was not only revenge. This is the bravest decision in the history of Iran.

Pause [14:27]

Salami [14:30]: This is the wisest decision in the history of Iran. This is the most divine decision of Iran, based upon logic, contingency, trusting in God and strength.

Pause [14:55]

Salami [14:58]: And we prepared, may be, everything from Friday until Wednesday night. Imagine, we had to spread and mobilize the systems, under the scrutiny of the strongest intelligence power of the world. And we planned for several stages of war, presuming the full-scale war. And these plans are still completely ready. Nothing is finished in our opinion. We relied on god and this great operation was done.

Pause [16:04]

Salami [16:05] At the night of the operation...because we said we will get revenge. When I announce it as a military commander, its definite. That night, all flights, air-defence, electronic war, identification systems, everything was up there in the sky. Americans were full ready.

Pause [16:47]

Salami [16:49]: Selecting the target was very important. We first chose Al-Taji base, but since it was close to Baqdad and some Iraqis were inside, we changed the target. Accidently, the enemy evacuated many of its points and moved them to the base that we chose afterwards. Eyn-ol-Assad which was 160 km of Baqdad.

Pause [17:29]

Salami [17:36]: And this time, we did not choose the target based on human casualties. Our aim was not to kill enemy soldiers. It wasn't important. But Eyn-ol-Assad contained strategic equipment of the enemy, Black Hawks, Apaches, drones such as MQ9 and Predator, a command and control center, numerous hangers and sheds for maintenance of equipment. These were our targets but we had to hit them target by target. Our operation was based on "effect." What balanced the situation was the operation itself. The fact that Iran, in a situation where the USA was threatened to react heavily, still acts bravely.

Pause [18:56]

Salami [19:00]: This is the sense of power; this is equality, breaking a global prestige, smashing it, scrunching it. The physical destruction meant only that we have enough advantage to hit any target we want, and it actually happened. You saw this in Commander Hajizadeh's explanations; a comparison of before and after. We pointed at many targets; and let me tell you, Cruise missiles are accurate, this is not surprising to anyone. But when you hit a spot with ballistic missiles, this means the ultimate technology. We have gained this advantage. We had technological advantage because the Americans could not hit any of our missiles. Except for two missiles that naturally failed in the Iranian territory before reaching Iraq, all of our missiles entered unharmed and hit the targets.

Pause [21:00]

Salami [21:02]: it is natural for US president to announce afterwards that no equipment or persons were damages. Everyone needs an escape route for withdrawal and exit. But these facts cannot be concealed. Afterwards, we entered an electronic war, which as you know is the modern war of today. When we began, all aircrafts of USA disappeared and landed in their bases. This is another advantage. Because USA has two advantages in the world, one is aerial and the other electronic. And they both broke down, not in a wide scale, but in a limited scale.

Pause [22:18]

Salami [22:20]: Tactically, we were successful because we hit all targets accurately; and the combination of these two, technologic and tactical advantage, lead to our strategic advantage, and we declared that if you react, our next reaction would be even harsher.

Pause [22:50]

Salami [22:52]: We were in a new position now. First, the Americans threatened us a lot. And we were fully ready for further reactions. Until Wednesday evening, when USA president shortly announced his obvious withdrawal; and when he turned his back to the cameras and walked away, I felt that USA is over and done with. Until then, our air-space commander was fully engaged in the war on the spot. We all were.

Pause [22:48]

Salami [23:51]: We couldn't sit quiet. We had to prepare all of our capabilities in the sea, and we constantly had to prepare them for a new action. On the land, we were even ready for ground work. Everything was arranged.

Pause [24:17]

Salami [24:21]: Well, as I said, all American helicopters, planes and drones were flying, from the Persian Gulf to Northern Iraq. We were all ready to respond to the threat made against at least 52 targets. We were in war conditions, fully. I swear, no one slept that night. No one. Until the [plane] thing happened.

Pause [25:13]

Salami [25:17]: I sincerely tell you, although we had gained a great victory, even before finding out that our missile has hit the plane, the plane crash itself made us bitter.

Pause [25:46]:

Salami [25:51]: This is what went down: we were at the highest level of alert. Because the counter-threat we faced was by air and missile. And our air defence was the heart of our reaction. From that point on, they had to manage the war. We had also mobilized new systems in the area to protect the interests of this nation; not let the enemy's fire pour down on our people's heads or over their interests. We couldn't let the enemy violate this country. Everyone was ready and amidst all the uproar, various news came in, occasionally. For example, our systems were informed of several Cruises being launched. These sons of ours by the air defence system, were all prepared themselves to destroy the enemy missiles or enemy planes.

Pause [27:24]

Salami [27:29]: And since Cruise missiles are faster than big unmanned aircrafts,; they don't have pilots but they move with the same coordinates of an ordinary plane. Planes move in low altitudes when they take off, so do the Cruise missiles.

Pause: [27:56]

Salami [28:00]: Well, this brother of ours, since he was at the highest level of readiness, and informed of the news of Cruises, his connection with "SOC" was interrupted for moments, so he couldn't hear the news about non-existence of missiles. Based on his belief, the moment the plane was flying, through the radar screen he was certain that this was a threat and serious. The position of the plane in relation to this system was such that he considered the target approaching. Usually when airplanes get aligned with systems and radars, their radar cross section becomes smaller. If they are perpendicular to the radar route they are more prone to radar waves, they are shown bigger, meaning [that] they are more distinguishable.

Pause [29:21]

Salami [29:22]: This atmosphere is a war atmosphere. This individual received this information and he, based on this calculation that this to be exactly a Cruise missile, decided to shot and he himself believed that he had taken down a Cruise. Our brothers became suspicious of the simultaneity of shooting the missile and the plane crash. And let me tell you, as God is my witness, we hypothesized this theory ourselves; that perhaps our missile hit the plane; based only because of the simultaneity; only because of simultaneity. And if were weren't the origin of this theory, no one could notice.

Pause [30:41]

Salami [30:44]: We didn't touch anything, we didn't move the plane wreckage or mess up the scene, we didn't move the air defence system or radar graphs.

Pause [31:01]

Salami [31:04]: At that time Commander Hajizadeh was still on the front, waiting for enemy's reaction; so if the enemy shot us, he can launch more missiles. I was managing the whole area, from the Persian Gulf to the front line, so if anything were to happen, the land, sea and air will become active.

Pause [31:26]

Salami [31:30]: And then, I received the news that we are suspicious about this thing (plane crash). I told our brothers to further investigate, because a serious suspicion existed. It is the common assumption that when a plane takes off, at the beginning, since it is full of fuel, the wings, the tanks, everything, if a defence missile hits it, it explodes and catches fire. But the images showed that only part of this plane, its motor and wing, is on fire; and it is slowly crashing. No one thought a missile has hit this plane. Our brothers who shot this missile, do not analyze by eye examination but by radar screen, an electronic examination in fact. So when the missile hit the target he imagines it's a Cruise. When we carried out further investigations and the probability of this theory got stronger.

Pause [32:58]

Salami [33:01]: In reality we weren't really sure until Wednesday evening, but we felt that this theory will be true. That is why the Armed Forces Headquarters formed a team of experts. We put our own experts at their disposal and they began to investigate the case from all aspects, from eye witnesses to system operators to fieldwork at the crash site for investigating the wreckage. We did not even take parts of the wreckage to test them in laboratories, to see whether there are any explosive materials present, or shrapnel's similar to our system. These would have taken weeks. As you know, around the world, when planes crash, it takes weeks and sometimes months or years or forever to announce the results.

Pause [34:18]

Salami [34:21]: We hadn't even read the black box. I mean if we wanted to investigate everything, it could have taken weeks.

Pause [34:34]

Salami [34:37]: But we made sure over a couple of days and we did not close the crash site for complete investigation, and we helped to prove the matter ourselves.

Pause [34:54]

Salami [34:57]: Because anyways, it was a great accident. Until this expert team reached the conclusion that due to mistakes, unfortunately the plane crashed, and we started to prepare the declaration to our dear people. In the meantime, our commander who was at war and us, who were engaged in this matter, we did not and still do not consider the whole turmoil over. We were and are at war with USA. We are the soldiers of this nation, the devotees of this

people. As God is my witness, I'd rather be inside that plane and crash with them and burn, but not witness this sad tragedy.

Pause [36:20]

Salami [36:22]: We are only used to being devotees for this nation. The IRGC suffered martyrdom, altogether, you all know, God is witness, I am ready to exchange the lives of my children with this. I swear to God, there is no other wish in my mind and my brother's minds, except to be mutilated, sacrificed one day, for our nation's wishes, comfort, progress, security. You see, our commander, I have always been his close friend. He has no other wish than what I just told you. We are used to be sacrificed for this nation, and you know that unless you love someone as much as your own family, you would not be ready to be sacrificed for them. I swear, these people were our family, our children, our mothers and fathers and brothers.

Pause [37:22]

Salami [37:36]: I have never been so ashamed in my whole life, never. Never. We may have made mistakes, which we did. A number of our fellow compatriots suffered martyrdom because of our mistake, but it was unintentional, and we apologize and we are sorry, but we will remedy. We won't let even one of our people to get hurt. We are here, firm, strong, like a pillar, we get shot we won't sit down, we won't get on our knees. Rest assured, until we are here, even if all powers get together, we will not let the least harm to you and our people.

[Reps shout: "Well done!" "God is great," "Khamenei is our leader" "death to leader's enemies"]

Salami [38:53]: I swear to God, within the past week, ten days maybe, we haven't watched TV for ten minutes even, to know what is going on, who is communicating the news. I swear to God, while we were managing this accident, we were thinking of how to act if something like this happened again. Do not worry at all. We have found the formulae for everything. We are proud. We made a mistake, that's right. For this mistake, first of all, may God forgives us, and then the Iranian nation and the families of these dear ones. And due to this accident, we are more determined to remedy; but know this fact: the soldiers of this motherland are standing up to USA today. They have brought honour to this nation and they broke down a superpower. Some may imagine that I want to merge this subsequent accident (plane crash) into that great epic (hitting US bases). I am reluctant to say what happened.

Pause [40:34]

Salami [40:37]: The story of USA's boasts against Iran is over. Iran is standing up, standing tall. Today, all world sees the power of Iran. See how these reactionary regimes, these US allies, feel today? How does Israel feel? How Europeans look at you? The world! This was a criterion of judgement. Whenever you see a superpower not reacting in a limited conflict, be confident that your power is extraordinary. If it didn't lead to widespread war, it means you are powerful.

Pause [41:27]

Salami [41:34]: Regarding our Civil Aviation, due to separation of investigations, they were not well aware of our works; and they looked at the incident with their own checks and measures. I swear, they were being honest. This system is the best system. Go look around the world, which system, what army, comes forward and tries to prove the truth and not conceal...the world is making theories and says...well they always do...

Pause [42:19]

Salami [42:23]: We did not do this because we were afraid of someone...because our fear...There exists no fear when we...but we are still in the midst of war. Again, I am not saying these things to say, God forbid, that what we did was justifiable...no, it really was a mistake in one spot. But this mistake happened, and when we made sure, we communicated it.

Pause [42:46]

Salami [42:51]: However, we are ready to accept any decision, whatever it may be. We surrender to the will of our honourable and great nation of Iran.

Pause [43:08]

Salami [43:11]: Thank you for being patient. Let me say again, we are sadder than anyone else, because we have responsibility. We never thought someday we may hurt our people. We offer our condolences to our dear nation, to our dear and great leader, to dear representatives, and specially to mourning families of these dear ones. Regarding the families, as I said, we consider them our own. They are honourable, beloved, respected. Since yesterday, when I received their names and addresses, we mobilized all IRGC units in Tehran and other provinces; we ordered our commanders together with respectable local figures to go meet these dear families, comfort them, apologize to them. We will try, God willing, to hold funerals for them in the martyr's city, with the dignity worthy of martyrs; and as we respect and honour the families of their martyrs, God willing, we will also respect and glorify and serve these victims, who are symbols of our beliefs.

[Speaker of Parliament, Ali Larijani] 45:07: Thank you very much Mr. Salami for your explaining the route you took to confront the USA. My dear friends, I think Mr. Salami's explanations were very accurate, that in those circumstances, how an operation should be carried out, with such sensitivity, with minimum reactions affecting our country. His explanations were very accurate. We appreciate that you put in the time for this, and in such circumstances where the funeral (of Suleimani) should have been carried out, with such grandeur all around the country and in the meantime, you had to plan the operation, think of subsequent layers of war; truly they did a difficult and arduous task. We thank you, and we appreciate that you, with such humility, accepted that a mistake has been made and apologized to the people. I thank you and we demand that you come up with a plan to avoid such incidents being repeated, so we don't come across such tragedies in the future of our nation. I thank you, and good luck to you, God willing.

Compiled by: Mohamed/JLH, 26 May 2023

Annex 6

Islamic Republic of Iran, Government Information Center, “The Victims of the Ukrainian Airplane Incident are Considered Martyrs” (14 January 2020)



جان باختگان سانحه هواپیمای اوکراینی در حکم شهید محسوب می‌شوند

سه شنبه ۲۴ دی ۱۳۹۸ - ۱۹:۴۴

بنیاد شهید و امور ایثارگران با صدور اطلاعیه‌ای اعلام کرد: جان باختگان ایرانی سانحه هواپیمای اوکراینی در حکم «شهید» محسوب می‌شوند.

به گزارش پایگاه اطلاع رسانی دولت به نقل از ایثار، در اطلاعیه بنیاد شهید و امور ایثارگران آمده است: بنیاد شهید و امور ایثارگران ضمن ابراز تسلیت به تمامی بازماندگان سانحه هواپیمای اوکراینی، آمادگی خود را برای ایفای وظایف قانونی در قبال جان باختگان ایرانی این حادثه از جمله تدفین در قطعه شهدا اعلام نموده و به اطلاع می‌رساند جان باختگان ایرانی این سانحه هوایی در حکم «شهید» محسوب می‌شوند.

کد خبر: ۳۳۳۳۰۸

(paddolat/)

The Victims of the Ukrainian Airplane Incident are Considered Martyrs

Tuesday, January 14, 2020 – 7:44 p.m.

Foundation of Martyrs and Veterans Affairs announced that the Iranian victims of the Ukrainian airplane incident are considered “martyrs”.

According to **the Government Information Center** quoting from Isaar, Martyrs and Veterans Affairs stated that: Martyrs and Veterans Affairs offers its condolences to the family members of the victims of the Ukrainian airplane incident, and expresses its readiness to take on its legal obligations towards the Iranian victims of this incident, including taking care of the funeral arrangements at the martyrs’ burial site. It also announces that the Iranian victims of this aviation incident are considered “martyrs”.

News Code: 333308

(paddolat/)

Annex 7

“Tehran’s Military Prosecutor Describes New Aspects of Ukrainian Aircraft Crash”, *Islamic Republic News Agency* (7 January 2021)




۱۸ دی ۱۳۹۹، ۹:۲۶

کد خبر: 84177070

جامعه / حقوقی و قضایی

T T

۳ نفر ★★☆☆

حنا شفیعی 

دادستان نظامی تهران ابعاد جدیدی از سقوط هواپیمای اوکراینی را تشریح کرد

تهران- ایرنا- دادستان نظامی تهران در سالگرد واقعه تلخ سقوط هواپیمای اوکراینی و جانباختن تعدادی از هموطنان و اتباع سایر کشورها به ابعاد جدیدی از رسیدگی به این پرونده پرداخت.

به گزارش روز پنجشنبه ایرنا از سازمان قضایی نیروهای مسلح، غلامعباس ترکی ضمن عرض تسلیت به خانواده های شهدای سانحه و ملت شریف ایران و دیگر کشورهایی که عزیزی را در این سانحه غمبار از دست داده اند، افزود: ایران اسلامی در این سانحه فرزندان عزیزی را از دست داد که داغدار آنها هستیم و پاسخگویی شفاف در مورد نتایج تحقیقات را وظیفه خود می دانیم.

وی ادامه داد: بعد از سانحه تلخ و ناگوار سقوط هواپیمای اوکراینی با بررسی‌های اولیه ستاد کل نیروهای مسلح و بخش های دیگر، اعلام شد این سانحه بر اثر شلیک سامانه پدافندی خودی اتفاق افتاده است.

ترکی اظهارداشت: بعد از اطلاعیه ستاد کل نیروهای مسلح و سه روز پس از سانحه، با دستور رئیس قوه قضاییه پرونده به دادرسی نظامی تهران ارسال شد و در همان تاریخ، بنا به ضرورت و اهمیت، متهمان احضار و اتهامات تفهیم شد و با نظر بازپرس پرونده چند نفر هم بازداشت شدند.

اتمام بررسی های ۷ گروه کارشناسی

دادستان نظامی استان تهران از اتمام بررسی‌های هفت گروه کارشناسی نظامی و سازمان هواپیمایی کشوری درباره فرضیه‌های مختلف در خصوص علل وقوع سانحه خبر داد و گفت: بخشی از این احتمالات ناظر بر عملکرد هواپیما، خلبان و کروی پروازی بود و بخشی دیگر به مسائلی مانند خرابکاری، فریب دشمن، تأثیر سایر الکترونیک و جنگ الکترونیک بر هواپیما و سامانه های پدافندی همچنین عملیات لیزری و انفجار در داخل هواپیما اختصاص داشت.

ترکی افزود: هفت گروه کارشناسی در حوزه سامانه تور ام یک، مراقبت پرواز، پدافند هوایی، جنگال و سایر الکترونیک، مواد منفجره و محترقه و مسائل امنیتی به تحقیق در ابعاد مختلف پرداختند و بخشی از بررسی‌های فنی نیز در سازمان هواپیمایی کشوری حول محور عملکرد هواپیما و کروی پروازی، مراکز کنترل هوایی، شناسایی اشکالات و ضعف های احتمالی و پیشگیری از سوانح انجام شد.

شبیه سازی سانحه با حضور ۴۰ متخصص

وی اضافه کرد: همچنین این سانحه با حضور ۴۰ متخصص با انجام دو پرواز و رعایت همه مختصات پرواز سانحه دیده، شبیه سازی شد که در نوع خود در بررسی سوانح هوایی منحصر به فرد بود و اطلاعات جعبه های سیاه نیز در آزمایشگاه BEA پاریس با حضور بازپرس پرونده و نمایندگان تمامی کشورهای ذی ربط به طور شفاف با رعایت استانداردهای بین‌المللی پیاده‌سازی شد.

دادستان نظامی تهران به تشریح نتایج تحقیقات این پرونده پرداخت و گفت: تحقیق گسترده از مطلعان و متهمان در سطوح گوناگون لشکری و کشوری، معاینات محلی و میدانی از همه مراکز مرتبط، نظرات کارشناسان و متخصصان نظامی و سازمان هواپیمایی کشوری، اطلاعات حاصل از پیاده سازی محتوای جعبه های سیاه و نتایج عملیات شبیه سازی، همگی بر نقش خطای انسانی در بروز این سانحه دلالت دارد.

استدلال های قضایی درباره خطای انسانی

این مقام قضایی درباره استدلال های مطرح قضایی درباره خطای انسانی گفت: مطابق دستورالعمل ها، سامانه پدافندی به دلیل آنکه از نظر دستور آتش، در شرایط آتش محدود قرار داشت، به هیچ وجه بدون دستور شبکه پدافندی و پست فرماندهی مربوط، مجاز به شلیک نبوده و با توجه به محدودیت های سامانه در تشخیص نوع اهداف و دوست از دشمن، شناسایی اهداف متخاصم و دستور شلیک تنها برعهده شبکه پدافندی بوده است.

وی اشتباه در تعیین سمت شمال را خطای انسانی فاحش دیگر فرمانده سامانه برشمرد و افزود: بر اساس گزارش کارشناسان، بررسی های سازمان هواپیمایی کشور و نتایج حاصل از عملیات شبیه سازی، سامانه پدافندی بعد از آخرین جابجایی تاکتیکی، موقعیت شمال سامانه را به علت فراموشی تنظیم نمی کند و به همین دلیل اهداف را در صفحه رادار با تغییر فاحش موقعیت مشاهده می کرده است.

ترکی اظهارداشت: کاربران سامانه در واقع هواپیمای اوکراینی را به عنوان جسم پرنده در خارج از مسیر باند پروازی می دیدند و چون رادار آن قادر به تشخیص هواپیما از سایر اجسام پرنده نبوده، وضعیت برای آنها اینگونه تداعی می شود که هدف متخاصمی به سمت تهران در حال حرکت است و هنگامی هم که درصد کسب تکلیف از شبکه پدافندی برمی آیند، به دلیل عدم برقراری ارتباط و مبادله پیام، فرمانده با اعتقاد به کمی زمان مقابله با خطر، شخصاً تصمیم به شلیک می گیرد.

خطای عامل انسانی که موجب وقوع سانحه شده خیلی مشهود و روشن است

دادستان نظامی تهران تفکیک خطای انسانی از خطای سیستمی را در وقوع این سانحه ضروری برشمرد و گفت: خطای عامل انسانی که موجب وقوع سانحه شده خیلی مشهود و روشن است ولی با ضعف و اشکالی در خود سامانه، دستورالعمل ها و ساختارهای شبکه پدافندی کشور و هواپیمایی کشوری مواجه نشدیم و معتقدیم به رغم سخت بودن تصمیم گیری به دلیل فضای حاکم در شب حادثه، اگر کاربر و فرمانده سامانه دقت لازم را به خرج می دادند این حادثه اتفاق نمی افتاد.

به گفته دادستان نظامی تهران فرضیه هایی که درباره حمله سایبری، هک سامانه پدافندی، اختلال در سامانه های هواپیما و شبکه پدافندی مطرح شد، با دلایل متقن به اثبات نرسید.

این مقام قضایی با رد برخی اظهارنظرها درباره صلاحیت مراجع قضایی کشورمان در رسیدگی به پرونده این سانحه خاطر نشان کرد: مهمترین اصل در صلاحیت های رسیدگی در حقوق بین الملل، اصل صلاحیت سرزمینی است و در قوانین جمهوری اسلامی ایران و قوانین بین المللی از جمله ماده یک کنوانسیون شیکاگو هم به این موضوع تأکید شده که دادگاه محل وقوع سانحه هوایی صالح به رسیدگی است.

وی اضافه کرد: ضمن آنکه موضوع مربوط به نظم عمومی ایران بوده و ۱۵۲ نفر از شهدا و جانبازان و نیز متهمان این حادثه ایرانی هستند و برابر قوانین داخلی و قواعد مسلم بین المللی، دادگاه های ایران صلاحیت انحصاری دارند بنابراین رفتارهای برخی مراجع خارجی مبنای حقوقی ندارد و سیاسی است.

دادستان نظامی تهران درباره پرداخت غرامات به خانواده جانبازان این سانحه هوایی گفت: با توجه به اینکه پرواز بین المللی بوده و اتباع سایر کشورها هم در هواپیما حضور داشتند، سازمان قضایی نیروهای مسلح مطابق با مقررات بین المللی به این تصمیم رسید که خسارات و غرامات به صورت یکسان بر اساس کنوانسیون هایی که ایران عضو آن هست همچنین عرف بین المللی پرداخت شود.

وی افزود: با پیگیری های مستمر سازمان قضایی نیروهای مسلح و مساعدت دولت و نیروهای مسلح، مبلغ ۱۵۰ هزار دلار بابت غرامت و خسارت هر جان باخته تأمین شد و غرامات جانبازان و خساراتی که به اموال آنها وارد شده در قالب سازوکار و چهارچوب حقوقی مشخص، پرداخت می شود و بعد از یک سال از وقوع این سانحه غمناک می توانیم اعلام کنیم که آماده پرداخت غرامات و خسارات هستیم و تفاوتی هم بین اتباع ایرانی و غیرایرانی وجود ندارد.

ترکی ادامه داد: علاوه بر آن، تا کنون خانواده گرانقدر بیش از ۱۳۰ شهید سانحه تحت پوشش بنیاد شهید قرار گرفته اند و مراحل اداری مربوط در حال انجام است.

وی تأکید کرد: البته دریافت غرامت و خسارت همچنین قرار گرفتن تحت پوشش بنیاد شهید، تأثیری بر رسیدگی کیفری نخواهد داشت.

این مقام قضایی با بیان اینکه در تحقیقات این پرونده هیچ خط قرمزی برای کشف حقیقت و اجرای قانون و عدالت وجود نداشت، گفت: تأکید مقام معظم رهبری بر رسیدگی دقیق بود همچنین رئیس قوه قضاییه و دادستان کل کشور نیز بر این موضوع تصریح کردند؛ دادسرا و دادگاه های نظامی مستقل از نیروهای مسلح هستند و وظیفه ذاتی دادسرای نظامی رسیدگی عادلانه، دقیق، موشکافانه و شفاف بود و معتقدیم که با همکاری بخش های مختلف توانستیم ظرف یک سال تحقیقات خودمان را به سرانجام روشنی برسانیم.

وی اظهارداشت: در این سانحه به صورت خاص شاهد همکاری بسیار نزدیک ستادکل نیروهای مسلح و دستگاه های مختلف در حوزه کارشناسی بودیم و اگر این همکاری ها نبود قادر نبودیم این سانحه پیچیده و دارای ابعاد مختلف را در این مدت زمان محدود در مرحله دادسرا به نتیجه برسانیم که از همه آنها تشکر می کنم.

یک متهم بازداشت است

دادستان نظامی تهران درباره برخورد با مقصران وقوع این سانحه گفت: در فرایند تحقیق، افرادی به عنوان مقصر از جهت بی احتیاطی و بی مبالائی و عدم رعایت نظامات و مقررات، متهم شناخته شدند و اکنون تنها یک متهم در بازداشت است و سایرین با تودیع وثیقه و سایر قراردادهای مناسب آزاد شده اند؛ جزییات بیشتر بعد از صدور کیفرخواست و معرفی مقصران به دادگاه اعلام خواهد شد.

ترکی در همین ارتباط با اشاره به تفاوت های موجود بین خطای کیفی و اداری گفت: یک خطا می تواند هم جنبه مجرمانه به لحاظ کیفی داشته باشد و هم به لحاظ یک تخلف در مراجع اداری و کمیسیون های انضباطی مورد رسیدگی قرار بگیرد.

وی افزود: در این پرونده ستاد کل نیروهای مسلح نیز به طور جدی وارد عمل شد و افرادی را که از نظر گروه بررسی سانحه این ستاد، مرتکب تخلفاتی مانند بی مبالاتی و عدم اجرای صحیح دستورالعمل ها و مقررات شده بودند، در سطوح مختلف از مسئولیت خود عزل یا با تنزیل درجه مواجه کرد.

ترکی از نهایه شدن گزارش گروه های کارشناسی این پرونده خبر داد و افزود: گزارش سازمان هواپیمایی کشوری برای کشورهای ذی ربط ارسال شده است.

به گفته این مقام قضایی، همکاری های فنی و قضایی دوجانبه ایران و اوکراین در چهارچوب موافقتنامه همکاری های قضایی بین دو کشور با حسن نیت و شفافیت ادامه دارد.

دادستان نظامی تهران اظهارداشت: تحقیقات داسرا به اتمام رسیده و بزودی پرونده با صدور کیفرخواست به دادگاه نظامی تهران ارسال می شود و مرحله رسیدگی در دادگاه، مستقل از داسرا صورت خواهد گرفت.

به گزارش ایرنا، یک فروند هواپیمای بوئینگ ۷۳۷ متعلق به شرکت هواپیمایی بین المللی اوکراین با شماره پرواز ۷۵۲ با ۱۶۷ مسافر و ۹ خدمه پرواز، ساعت ۶ و ۱۲ دقیقه صبح چهارشنبه ۱۸ دی ماه ۹۸ از فرودگاه امام (ره) به مقصد کی یف پرواز کرد که ۶ دقیقه بعد به دلیل شلیک غیرعمد پدافند هوایی حوالی صباشهر از توابع استان تهران سقوط کرده و سرنشینان آن جان باختند.

غلامحسین اسماعیلی سخنگوی قوه قضاییه ۱۶ دی در نشست خبری گفت: تحقیقات پرونده جانباختگان هواپیمایی اوکراینی تکمیل شده و تا پایان دی ماه این پرونده درد دادگاه رسیدگی می شود .




Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
005-230607-005	Farsi (Persian)	K. Byers	15/06/2023

[emblem]
The Islamic Republic News Agency (IRNA)

[QR Code]

- <https://irna.ir/xjCwbq>
- 7 January 2021 – 9:26 a.m.
- News code 84177070
- Society / Legal and Judicial

7 January 2021 – 9:26 a.m.
News code 84177070
Society / Legal and Judicial
3 Reviews 
[photo] Hananeh Shafei

Tehran’s Military Prosecutor Describes New Aspects of Ukrainian Aircraft Crash

Tehran - IRNA – Tehran’s Military Prosecutor has addressed new aspects of the case during the anniversary of the tragic crash of the Ukrainian airplane and the death of a number of Iranian and foreign nationals.

According to the IRNA’s report on the Judicial Organization of the Armed Forces on Thursday, Gholamabbas Torki, while offering his condolences to the families of the victims and the noble people of Iran and other countries who have lost their loved ones in this tragic incident, stated: “Islamic Iran has lost its beloved children, for whom we are bereaved. We consider it our duty to answer clearly about the results of the investigations.”

He added: “After the tragic crash of the Ukrainian airplane, based on the initial investigations of the General Staff of the Armed Forces and other departments, it was announced that the crash was caused by the missiles fired from a friendly defence system.”

Torki said: “After the announcement of the General Staff of the Armed Forces and by the third day after the accident, the case was sent to Tehran’s Military Court by the order of the head of the Judicial System. On the same day, due to the necessity and importance [of the situation], the accused were summoned and their charges were read to them. Several people were arrested as per the case investigator’s suggestion.”

Concluding the examinations of seven expert groups

Tehran's Military Prosecutor announced the conclusion of investigations carried out by seven groups of military experts and the Civil Aviation Organization regarding various hypotheses about the causes of the crash, stating: "Some of these possibilities relate to the performance of the aircraft, the pilot, and the flight crew. Other possibilities relate to issues such as sabotage, the enemy's deception, the impact of electronic warfare and cyberwar on the aircraft and defence systems, as well as laser operations and explosions inside the aircraft."

Torki added: "Seven groups of experts from the fields of TOR-M1 missile systems, flight surveillance, air defence, electronic warfare and cyberwar, explosives and flammable material, and security issues examined various aspects of the incident. Some of the technical examinations performed by the Civil Aviation Organization were carried out with a focus on the performance of the aircraft, the flight crew, air control centres, identification of possible problems and weaknesses, and prevention of accidents."

Crash simulation in the presence of 40 specialists

He added: "Moreover, this incident was simulated in front of 40 experts by conducting two flights and observing all the details of the crashed aircraft, which is unique compared to the other investigations carried out on aerial incidents. The data stored in the black box was also extracted, in a transparent manner and in compliance with international standards, in a BEA laboratory in Paris in front of the case investigator and representatives of all the countries involved."

Tehran's Military Prosecutor elaborated on the results of the investigations: "Extensive investigation on the individuals involved and defendants at various levels of the military and government, local and field examinations of all related centres, the opinions of military experts and the Civil Aviation Organization, data extracted from the black box, and the results of simulation operations all suggest the role of human error in the occurrence of this incident."

Judicial reasonings on human errors

Torki said the following about the judicial reasonings on human errors: "According to the instructions, because the defence system was set to limited fire mode, it was not at all allowed to fire without the order from the defence system network and its command post. And given the system's limitations in distinguishing the type of targets, differentiating friends from foes and identifying hostile targets, the orders to fire were to be given only by the defence system network."

He considered the mistake in north finding to be a blatant human error made by the other commander of the [defence] system and added: "According to the experts' reports, the investigations conducted by the Civil Aviation Organization and the results of the simulation operation, the north finding was not reset after the system's last tactical relocation. Hence, the targets displayed significant shift from their position on the radar."

Torki stated: "In fact, the [defence] system's users were seeing the Ukrainian aircraft as a flying object outside of the runway, and since the system's radar was unable to differentiate the aircraft from other flying objects, they thought it was a hostile object approaching Tehran. And when they attempted to check this with the defence network, they could not get their message through due to the disconnection. He thought that there was little time to react and made the decision to fire."

The human error that caused the incident is obvious and evident

Tehran's Military Prosecutor considered it necessary to separate human error from system error and said: "The human error that caused the accident is obvious and evident, but we did not encounter defects or problems in the system, and there were no issues concerning the instructions from, and structures of, the country's defence network and civil aviation. And we believe despite the difficulty of making a decision due to the conditions on the night of the accident, if the user and the commander of the system were careful and precise enough, this incident would not have happened."

According to Tehran's military prosecutor, there was no concrete evidence to prove the hypotheses that were made about cyberwar, the defence systems being hacked, and disruptions in the aircraft's systems and defence networks.

Torki rejected the comments about the jurisdiction of our country's judicial authorities for dealing with this case and reiterated: "When it comes to jurisdictions in international law, the most important principle is the principle of territorial jurisdiction. And it is stated in the laws of the Islamic Republic of Iran and international law, including Article 1 of the Chicago Convention, that an aviation accident is within the jurisdiction of the court where the accident occurred."

He added: "Moreover, this issue is related to Iran's public order, and 152 of the incident's martyrs, victims and defendants are Iranians. According to domestic laws and international rules, Iranian courts have exclusive jurisdiction over this case. So, the behaviour of some foreign authorities has no legal basis and is influenced by politics."

With regard to compensating the families of the victims of this aviation accident, Tehran's Military Prosecutor said: "Considering that it was an international flight and there were citizens of other countries on board, the Judiciary Organization of the Armed Forces, in accordance with international regulations, decided that damages and compensations should be paid equally and according to the conventions that Iran is also a member of."

He added: "Thanks to the continuous efforts of the Judiciary Organization of the Armed Forces and the assistance of the government and the armed forces, \$150,000 was paid as compensation to each victim for the losses and damages incurred. And compensation for the victims and damages to their property will be calculated and paid within the framework of a specific legal mechanism. And after one year since this tragic accident occurred, we can announce that we are ready to pay the compensation for losses and damages, and there is no distinction made between Iranian and non-Iranian citizens."

Torki went on by saying: "In addition to that, so far, the families of more than 130 martyrs of this disaster have been assisted by the Foundation of Martyrs and Veterans Affairs, and related administrative procedures are being undertaken."

He emphasized: "Of course, receiving compensation and being assisted by the Foundation of Martyrs and Veterans Affairs will not affect the criminal proceedings."

Torki stated that there are no limits for finding the truth, enforcing the law and serving justice, adding: "The supreme leader has emphasized the importance of precise investigations. Also,

the head of the Judicial System and the country's Attorney General reiterated that the military courts are independent of the armed forces, and it is the military court's inherent obligation to conduct fair, precise, scrupulous and transparent investigations. I believe that thanks to the collaboration among different departments and offices, we were able to bring our investigations to a transparent conclusion within one year."

He added: "Throughout the investigations that were carried out concerning this incident, we witnessed particularly close cooperation between the General Staff of the Armed Forces and various agencies. If it was not for their cooperation, we would not have been able to conclude this complex and multifaceted incident in court within this limited time. I thank everyone for their hard work."

One defendant is under arrest

With regard to dealing with the culprits of this incident, Tehran's Military Prosecutor said: "During the investigation, some people were found guilty of carelessness, recklessness, and non-compliance of the rules and regulations. And as of now, there is only one defendant in custody and the others have been released on bail; more details will be shared after issuing the indictment and having the culprits appear in court."

On the same note, while referring to the differences between criminal and administrative errors, Torki said: "An error can be both a criminal offence and an administrative violation, both of which can be addressed in disciplinary committees."

He added: "In this case, the General Staff of the Armed Forces also rose to the occasion. They discharged or demoted whoever committed violations such as carelessness and failure to properly implement instructions."

Torki announced the finalization of the report from expert groups who were investigating the case and added: "The report of the Civil Aviation Organization has been sent to the countries involved."

According to Torki, technical and judicial cooperation between Iran and Ukraine continues with good will and transparency within the framework of the judicial agreements between the two countries.

Tehran's Military Prosecutor stated: "The court investigations have been completed, and the case will soon be sent to the Military Court of Tehran by issuing an indictment. The trial will take place independently of the prosecutor's office."

According to the IRNA, a Boeing 737 belonging to Ukraine International Airlines, flight number 752, with 167 passengers and nine flight crew members on board left Imam Khomeini International Airport for Kiev at 6:12 a.m. on January 8, 2020, and was shot down six minutes later due to inadvertent air defence firing near Sabashahr, Tehran. All the passengers died in the crash.

Gholamhossein Esmaeili, the spokesman of the Judiciary, said in a press conference on 5 January [2021]: “The investigations into the case of the victims of the Ukrainian aircraft have been completed, and the case will be heard by the court by the end of the month.”

Annex 8

“Issuing indictment for 10 people in the case of the Ukrainian plane”, *Iranian Students’ News Agency* (6 April 2021)

دادستان سابق نظامی استان تهران خبر داد

صدور کیفرخواست برای ۱۰ نفر در پرونده هواپیمای اوکراینی



دادستان سابق نظامی استان تهران خبر داد: برای ۱۰ نفر از مسئولانی که در حادثه سقوط هواپیمای اوکراینی دخیل بودند کیفرخواست صادر شده است.

به گزارش ایسنا، غلامعباس ترکی در آیین معارفه دادستان جدید نظامی استان تهران گفت: برای من افتخار بود که حدود ۲۵ سال در خدمت دوستان بودم و تمامی همکاران من در تمام این سال‌ها تلاش‌های بسیاری انجام دادند. ارائه گزارش عملکرد هم در سازمان قضایی نیروهای مسلح به واسطه محرمانگی ملاحظاتی دارد و به طور قطع اقداماتی که توسط بنده انجام شد توسط آقای سراج به بهترین نحو ممکن انجام می‌شود. ما برای موفقیت آقای سراج و تمام مجموعه نیروهای مسلح تلاش می‌کنیم تا فعالیت‌ها به خوبی انجام شود

دادستان سابق نظامی استان تهران خاطرنشان کرد: اعتماد مسئولان به بنده مهمترین سرمایه‌ام بود و از همین جهت از اعتماد مسئولان نیروهای مسلح و همچنین از رئیس دستگاه قضا، دادستان کل کشور و تمامی معاونین و مجموعه سازمان قضایی نیروهای مسلح تشکر می‌کنم.

وی با اشاره به نیروهای مسلح گفت: فلسفه تشکیل سازمان قضایی نیروهای مسلح حفظ و صیانت از نیروهای مسلح است من تاکید می‌کنم که نیروهای مسلح ما سالم‌ترین و پاک‌ترین هستند و جرایم آنها بسیار اندک است و عمده تخلفات آنها تخطی از فعالیت نظامی و جرایم غیر عمدی است.

ترکی درباره سلامت نیروهای مسلح گفت: سازوکارهای دقیق هم در جذب نیروهای مومن و هم بازرسی، حفاظت، عقیدتی سیاسی و اشراف کاملی که سازمان نیروهای مسلح دارد به همراه رسیدگی‌های قضایی این سلامت را تضمین کردند

دادستان سابق نظامی استان تهران اظهار کرد: قانونگرایی و حرکت در چارچوب ادله مهمترین اقدام ما بود همچنین رعایت اصول حرفه‌ای به ویژه حفظ اسرار نیروهای مسلح در کنار حمایت قانونی از اقتدار نیروهای مسلح برای مقابله با اراد و ابوابش در سرلوحه برنامه‌های ما بوده است همچنین اهتمام به کشف جرایم بصورت فعال، همکاری میان بخش‌های نیروهای مسلح و امنیتی جزو برنامه‌های ما بوده است هرکجا جرایم عمدی بوده است ما سختگیرانه وارد عمل شدیم.

ترکی درباره برنامه‌های تحولی گفت: بکارگیری نیروهای جوان و انقلابی در دادرسی نظامی از جمله مهمترین برنامه‌های ما بود همچنین آموزش تخصصی قضات، افزایش نظارت بر ضابطان، ورود زود هنگام در حوزه حقوق عامه از جمله اقداماتی بودند که در دادرسی نظامی دنبال شد.

دادستان سابق نظامی استان تهران ادامه داد: هرکجا اتفاقی در تهران رخ داد دادستان‌های ما در کنار نیروهای پلیس حاضر شدند پایش پرونده‌های مهم و ملی برنامه‌ای بود که ما آن را دنبال کردیم.

وی در پایان در ارتباط با سقوط هواپیمای اوکراینی گفت: برای ۱۰ نفر از مسئولانی که در زمینه حادثه سقوط هواپیمای اوکراین دخیل بودند کیفرخواست صادر شد که در دادگاه نتیجه گیری‌های لازم گرفته می‌شود.

انتهای پیام

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لینک کوتاه

isna.ir/xdHY54

**The former military prosecutor of Tehran announced:
Issuing indictment for 10 people in the case of the Ukrainian plane**

According to ISNA, Gholamabbas Turki during the inauguration ceremony of the new military prosecutor of Tehran province said: "I was honored that for about 25 years I have been in the service of friends and all my colleagues during all these years made many efforts." The submission of the performance report in the Judiciary of the Armed Forces is also due to the confidentiality, and certainly the actions taken by me will be carried on in the best possible way by Mr. Siraj. We are working for the success of Mr. Siraj and the entire armed forces, so that the activities are carried out well.

The former military prosecutor of Tehran province noted: "the trust of the officials in me was my most important asset, and for this reason, I thank the trust of the officials of the armed forces, as well as the head of the judiciary, the attorney general and all the deputies and the judiciary of the armed forces."

Referring to the armed forces, he said: "the philosophy of forming the judicial organization of the armed forces is to protect the armed forces. I emphasize that our armed forces are the soundest and purist and their crimes are very few and their main violations are violations of military activity and unintentional crimes."

Regarding the condition of the armed forces, Turki said: "precise mechanisms in recruiting faithful forces and inspections, protection, political ideology and perfect nobility that accompany the organization of the armed forces guarantee its well being."

The former military prosecutor of Tehran province stated: the rule of law and operating within the framework of reason was my most important action, also, observing professional principles, in particular protecting the secrets of the armed forces, along with the legal protection of the authority of the armed forces to deal with thugs has been at the top of my plans. Also efforts to detect crimes actively, cooperation between the armed forces and security departments have been part of our plans wherever there have been intentional crimes we have taken strict action."

Turki said about the transformational programs: "employing young and revolutionary forces in the military court was one of our most important programs, as well as the specialized training of the judges, increased supervision of bailiffs, early transition into the field of public law were among the measures that were followed in the military court." The former prosecutor of Tehran province said: "whenever something happened in Tehran, our prosecutors showed up alongside the police forces, and the monitoring of important and national cases was a program we followed."

In the end, regarding the crash of the Ukrainian plane, he said: "an indictment was issued for 10 officials who were involved in the crash of the Ukrainian plane, and the necessary conclusions will be drawn in court."

End of message

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News source: Iranian Students' News Agency (ISNA) <https://www.isna.ir/news/1400011707677/>

Annex 9

“Issuing the Verdict for the Ukrainian Aircraft Case After 20 Court Hearings / First-row Defendant Sentenced to 13 Years in Prison”, *Mizan Online* (16 April 2023)

صدور رای پرونده هواپیمای اوکراینی پس از برگزاری ۲۰ جلسه دادگاه/ متهم ردیف اول به ۱۳ سال حبس محکوم شد

رای پرونده سانحه سقوط هواپیمای اوکراینی پس از حدود سه سال بررسی‌های همه‌جانبه و برگزاری ۲۰ جلسه دادگاه صادر شد.

تاریخ: ۲۷ فروردین ۱۴۰۲ - ۱۹:۲۴

کد خبر:

۴۷۰۷۸۹۲

خبرگزاری میزان_ طبق اعلام مرکز رسانه قوه قضائیه، پس از واقعه تلخ سقوط پرواز شماره پی اس ۷۵۲ به مقصد کشور اوکراین در حوالی تهران و در تاریخ ۱۸ دی ماه ۱۳۹۸ و در گذشت ۱۷۶ نفر از سرنشینان این هواپیما، رسیدگی قضائی همه جانبه به این پرونده بر اساس اصول صلاحیت سرزمینی، صلاحیت ذاتی و صلاحیت محلی و شخصی توسط سازمان قضائی نیروهای مسلح ایران آغاز گردید.

بررسی این پرونده، یکی از مهم‌ترین، حساس‌ترین و پیچیده ترین فرآیندهای قضایی چند سال اخیر کشور بوده است.

از ابتدای وقوع حادثه، دادسرای نظامی بررسی‌های دقیق و همه جانبه را در چندین مرحله آغاز و در نهایت، این پرونده با صدور قرار جلب دادرسی برای ۱۰ نفر و صدور کیفرخواست به شعبه دوم دادگاه نظامی یک تهران ارجاع گردید.

بعد از تشکیل ۲ جلسه از دادگاه، اولیای دم و وکلای آنها نسبت به برخی محتویات پرونده و کیفرخواست صادر شده، ایراداتی را مطرح کردند که رئیس دادگاه در جهت حفظ حقوق اولیای دم، پرونده را با قرار رفع نقص به دادسرا اعاده نمود.

سپس این پرونده مهم به گروه کارشناسان جدید ارجاع شد و آنها نیز بعد از بررسی‌های دقیق نظر نهایی خود را اعلام کردند و دور جدید جلسات دادگاه مجدداً آغاز گردید که در قالب ۱۸ جلسه (زمان تقریبی هر جلسه به طور متوسط ۵ ساعت بوده است) به طول انجامید.

سرانجام پس از برگزاری مجموعاً ۲۰ جلسه دادگاه که در آن در مجموع ۱۱۷ شاکی شکایت خود را ثبت نموده، ۵۵ نفر از شاکیان در جلسات دادگاه صحبت و قرائت لایحه داشتند و ۲۰ وکیل نیز به وکالت از شاکیان شکایت و ادله مربوطه را بیان نمودند، شعبه دوم دادگاه نظامی یک تهران با توجه به تحقیقات مفصل انجام شده در دادسرا و دادگاه، اظهارات و گزارش‌های ضابطان نظامی و دادگستری، گزارش‌های پزشکی قانونی، نظریات علمی و تخصصی هیات‌های کارشناسی، تحقیقات بین المللی، اظهارات مطلعین و کارشناسان و شاکیان و دفاعیات متهمان اقدام به صدور رای کرد.

در دادنامه صادر شده متهم ردیف اول به عنوان فرمانده سامانه ی دفاعی تور ام یک، به تصور اینکه ویژگی‌های هدف شبیه به موشک کروز بوده، برخلاف دستور پست فرماندهی

و بدون اخذ مجوز و مغایر با دستورالعمل‌های مربوط اقدام به شلیک دو فروند موشک به سمت هواپیمای اوکراینی پرواز پی اس ۷۵۲ کرده است.

در شرح اتهامات متهم ردیف اول آمده است: براساس دستور عملیاتی مربوطه، سامانه در حالت آتش محدود بوده و شلیک موشک بدون کسب اجازه از سوی پست فرماندهی، مجاز نبوده است و براساس اظهارات مسئول میز پست فرماندهی، طی پیام هشدار به تمام مواضع پدافندی اعلام شده بوده که هیچکس حق ندارد بدون هماهنگی فرماندهی اقدامی بکند.

همچنین وضعیت آماده‌باش ۳ اعلام شده لزوماً به معنی وضعیت قرمز در منطقه نبوده، تا آتش به اختیار بودن یا مجاز بودن شلیک در آن شرایط قابل پذیرش باشد.

بنا بر اعلام ستاد کل نیروهای مسلح، فرمانده سامانه در صورت قطع لحظه‌ای ارتباط نیز برابر دستورالعمل قطع ارتباط می‌بایستی در وضعیت انتظار و آتش قطع، قرار می‌گرفته است.

جابجایی مداوم سامانه در طول شب، بدون انجام هماهنگی لازم با پست فرماندهی، عدم اشراف کافی به مفاد دستورالعمل‌های پدافندی مربوطه، عدم تنظیم ناوبری یا شمال‌یابی سامانه بعد از جابجایی و خاموشی سامانه، اعلام آمادگی عملیاتی سامانه بدون تامین لایه‌های ارتباطی پایدار، ضعف و عدم تلاش موثر برای برقراری ارتباط با پست فرماندهی به منظور شناسایی هدف کشف شده قبل از شلیک اول و دوم، توجیه نمودن کارکنان عملیاتی سامانه به محیط پیرامونی و کریدورهای هوایی، از دیگر اشتباهاتی است که درخصوص متهم ردیف اول این پرونده ذکر شده است.

دادگاه با توجه به اینکه رفتار متهم ناشی از جهل به موضوع و تصور اشتباه از هدف کشف شده بوده و با اعتقاد به متخاصم و نزدیک‌شونده بودن هدف، به سوی آن شلیک نموده و قصد سرنگونی هواپیمای مسافربری را نداشته، اتهامات انتسابی به متهم ردیف اول را وارد دانسته و بزهکاری وی را احراز کرده است.

براساس رای صادره از سوی دادگاه، متهم ردیف اول پرونده به اتهام مباشرت در قتل شبه عمد سرنشینان هواپیمای اوکراینی مستند به مواد قانونی به تحمل سه سال حبس تعزیری محکوم شده است.

این متهم همچنین به دلیل لغو دستور ابلاغی و با توجه به گستردگی آثار و تبعات این اقدام به حداکثر مجازات (۱۰ سال حبس تعزیری) نیز محکوم گردیده است.

بر این اساس مجموع حکم حبس صادر شده در مورد متهم ردیف اول (فرمانده سامانه دفاعی تور ام یک) ۱۳ سال حبس تعزیری می‌باشد که اشد مجازات (۱۰ سال حبس) با احتساب ایام بازداشت قبلی قابل اجرا خواهد بود.

متهم ردیف اول علاوه بر حبس به پرداخت دیه در حق اولیای دمی که مطالبه دیه داشته اند نیز محکوم و دادگاه برای این متهم مجازات تکمیلی نیز در نظر گرفته است.

همچنین دادگاه بنا بر اتهامات مندرج در دادنامه و اشتباهات و قصور رقم خورده از سوی سایر متهمین این پرونده، متهمان ردیف دوم و سوم (پرسنل سامانه دفاعی تور ام یک) را به یک سال حبس

متهم ردیف چهارم (مسئول میز سامانه‌های دفاعی تور ام یک) را به سه سال حبس

متهم ردیف پنجم (مسئول پست فرماندهی سامانه دفاعی تور ام یک) را به سه سال حبس

متهم ردیف ششم پرونده (فرمانده وقت پایگاه پنجم پدافند هوایی تهران) را به دو سال حبس

متهم ردیف هفتم پرونده (افسر شیفت مرکز کنترل عملیات منطقه‌ای تهران) را به دو سال حبس

متهم ردیف هشتم (فرمانده وقت مرکز کنترل عملیات منطقه‌ای تهران) را به تحمل یک سال و نیم حبس

متهم ردیف نهم (فرمانده وقت منطقه پدافند هوایی تهران) را به تحمل یک سال حبس

و متهم ردیف دهم (فرمانده وقت پدافند هوایی نیروی هوا و فضای سپاه) را به تحمل یک سال حبس محکوم کرده است.

دادگاه در خصوص متهمان ردیف دوم الی دهم علاوه بر مجازات‌های تعیینی، مجازات تکمیلی و تکمیلی نیز در نظر گرفته است.

قابل ذکر است با توجه به درخواست برخی از شاکیان از دادگاه، دادسرای نظامی مکلف شده است تا تحقیقات در مورد این پرونده را ادامه دهد و نسبت به تعقیب مقصر یا مقصرین احتمالی دیگر، اقدام قانونی را معمول نماید.

رای صادر شده در این پرونده بدوی است و طرفین می‌توانند به این رای اعتراض کنند و ظرف ۲۰ روز از تاریخ ابلاغ رای فرصت برای اعتراض به آن وجود دارد.

خاطر نشان می‌شود برای هر جانب‌باخته این حادثه مبلغ ۱۵۰ هزار دلار یا معادل یورویی آن نیز به عنوان پرداخت‌های دل جویانه فارغ از رسیدگی‌های قضایی در نظر گرفته شده است که به خانواده این افراد تعلق می‌گیرد.

انتهای پیام/



Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
005-230607-006	Farsi (Persian)	K. Byers	15/06/2023

Issuing the Verdict for the Ukrainian Aircraft Case After 20 Court Hearings / First-row Defendant Sentenced to 13 Years in Prison

The verdict for the case concerning the Ukrainian aircraft crash was issued after almost three years of thorough examinations and 20 court hearings.

News code: 4707892

Date: 16 April 2023 – 07:24 p.m.

Mizan News Agency _ According to the Judiciary Media Centre, after the tragic crash of Flight PS752 to Ukraine that happened near Tehran on 8 January 2020 and the death of its 176 passengers, a comprehensive judicial investigation of the case was initiated by the Judicial Organization of the Armed Forces; this was based on the principles of territorial jurisdiction, inherent jurisdiction, and local and personal jurisdiction.

The review of this case has been one of the most important, sensitive and complex judicial processes in the country in recent years.

Since the incident occurred, the Military Court has initiated several stages of detailed and comprehensive investigations, and finally, this case has been referred to the second branch of the Military Court of Tehran by issuing indictment and arrest warrants for ten people.

After two court sessions, the avengers of blood and their lawyers raised objections regarding some of the contents of the case and the issued indictment. To observe the rights of the avengers of blood, the presiding judge referred the case to the prosecutor’s office and ordered for the defects to be corrected.

This important case was then referred to a new group of experts, who, after careful examination, stated their final opinion. Then, a new round of court hearings started and lasted for 18 sessions (on average, each session lasted for 5 hours).

Finally, after holding a total of 20 court sessions, in which a total of 117 plaintiffs filed their complaints, 55 plaintiffs spoke and read the bill in court sessions, and 20 lawyers represented the plaintiffs and presented the related evidence. The second branch of the Military Court of Tehran issued a verdict based on detailed investigations carried out in the court, statements and reports of military and judicial officers, forensic medicine reports, scientific and expert opinions of expert panels, international research, statements of informed individuals and experts, [statements of] plaintiffs, and the defendants’ defence statements.

In the indictment, the first-row defendant, as commander of the TOR-M1 defence system, who thought the characteristics of the target were similar to that of a cruise missile, fired two missiles at the Ukrainian Flight PS752 despite the order of the command post, without obtaining authorization, and contrary to the related instructions.

In the description of the accusations of the first-row defendant, it is stated: “According to the related operational order, the [defence] system was set to limited fire mode, and firing the missile(s) without obtaining authorization from the command post was not permissible. And based on the statements made by the command post officer, a warning message was sent out to

all defence system sites, according to which, no one had the right to take action without coordinating with the command post.”

Moreover, the declared C3 readiness status did not mean that there was a red alert in the region; if a red alert were in place, fire at will might have been acceptable.

According to the announcement of the General Staff of the Armed Forces, the commander of the [defence] system should have waited and should have put the system in the cease-fire mode, even in the case of a momentary disconnection in his communications.

The following are among the other mistakes that have been mentioned in the case of the first-row defendant: continuous relocation of the [defence] system during the night without the necessary coordination with the command post, lack of sufficient knowledge of the related defence instructions, lack of navigation adjustment or north finding in the system after the system’s relocation and shutdown, declaring the operational readiness of the system without providing stable communication layers, lack of effective efforts to communicate with the command post to identify the detected target before firing the first and second missiles, and not briefing the operational personnel of the surrounding environment and air corridors.

Considering that the defendant’s actions were the result of his ignorance of what was going on and his misconception about the detected target, and taking into account that the defendant fired at the target not knowing that it was a passenger flight and thinking that it was an approaching hostile object, the court laid the charges against the first-row defendant and confirmed his misdemeanour.

Based on the court’s ruling and the legal evidence, the first-row defendant was sentenced to three years in prison for involvement in the manslaughter of the Ukrainian aircraft passengers.

For overriding a given order, and also considering the effects and consequences of this action, the defendant was also sentenced to the maximum punishment (ten years’ imprisonment).

As so, the total imprisonment sentence for the first-row defendant (commander of the TOR-M1 defence system) is 13 years in prison; the maximum punishment (ten years’ imprisonment) will be executed by including the previous detention period.

The first-row defendant, in addition to imprisonment, has also been ordered to pay blood money to the avengers of blood who are demanding it. The court has also considered supplementary punishment for this defendant.

Additionally, according to the charges stated in the indictment and the other defendants’ mistakes, the second- and third-row defendants (the personnel of the TOR-M1 defence system) were sentenced by the court to one year in prison.

The fourth-row defendant (the TOR-M1 defence system’s desk operator) was sentenced to three years in prison.

The fifth-row defendant (the TOR-M1 defence system’s command post supervisor) was sentenced to three years in prison.

The sixth-row defendant (the then commander of Tehran’s fifth air defence system) was sentenced to two years in prison.

The seventh-row defendant (the shift supervisor of the control centre for Tehran’s regional operations) was sentenced to two years in prison.

The eighth-row defendant (the then commander of the control centre for Tehran’s regional operations) was sentenced to one year and a half in prison.

The ninth-row defendant (the then commander of Tehran’s air defence system) was sentenced to one year in prison.

The tenth-row defendant (the then commander of the air defence system of [Islamic Revolutionary] Guard Corps Aerospace Force) was sentenced to one year in prison.

In addition to the specified sentences, the court has also considered additional and extended punishments for defendants on the second to the tenth row.

It should be noted that due to the request made by some of the plaintiffs, the Military Court has been obliged to continue the investigation into this case and to take legal action with regard to tracking the culprit or other possible culprits.

The decision made concerning this case is preliminary and parties can object to it within 20 days from the date the decision was announced.

It is noted that for each victim of this incident, aside from the judicial proceedings, the amount of \$150,000 or its equivalent in euros has been considered, which will be awarded to their families.

End of message/

Annex 10

List of Notes Verbales Exchanged between the Parties and Other Correspondence

No.	Date	Document	Reference No.	Page No.
2020				
<i>Note Verbale between Ukraine and Iran regarding their bilateral negotiations related to the downing of Flight PS752 (Note 1)</i>				
1	11 January 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-60	137
<i>Letter from the Applicants to the Minister of Foreign Affairs of the Islamic Republic of Iran regarding accountability (Note 2)</i>				
2	15 February 2020	Letter from the Deputy Foreign Minister for Political Affairs and Acting Minister for Foreign Affairs for the Islamic Republic of Afghanistan, the Minister of Foreign Affairs of Canada, the Minister of Foreign Affairs of Ukraine, the Minister of State, Foreign and Commonwealth Office and Department for International Development of the United Kingdom of Great Britain and Northern Ireland and the Minister of Foreign Affairs of Sweden to His Excellency Mohammad Javad Zarif, Minister of Foreign Affairs of the Islamic Republic of Iran (English)		139
<i>Notes Verbales between Ukraine and Iran regarding their bilateral negotiations related to the downing of Flight PS752 (Notes 3-6)</i>				
3	31 March 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-791	142
4	2 June 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-1218	143
5	12 June 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/22-194/510-1323	145
6	8 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of	641/377/482701	148

Foreign Affairs of Ukraine (Persian and Ukrainian)

6.1	8 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/377/482701	152
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Notes Verbales between Ukraine and Iran regarding the organization of negotiations on 29-30 July 2020 (Notes 7-9)

7	19 July 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (Ukrainian)	6166/22-012-746	154
7.1	19 July 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	6166/22-012-746	155
8	22 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/377/496354	157
8.1	22 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/377/496354	160
9	22 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Persian and Ukrainian)	497373	161
9.1	22 July 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	497373	165

Notes Verbales between Ukraine and Iran recalling the conclusions reached during the 29-30 July 2020 negotiations (Notes 10-11)

10	27 September 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (Ukrainian)	72/22-194/510-2077	167
10.1	27 September 2020	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/22-194/510-2077	179
11	18 October 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/377/582930	189
11.1	18 October 2020	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/377/582930	191

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Notes Verbales between Ukraine and Iran regarding their bilateral negotiations related to the downing of Flight PS752 (Notes 12-15)

12	4 January 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/375/652768	193
12.1	4 January 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/375/652768	197
13	12 January 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Persian and Ukrainian)	1501/286/661005	198
13.1	12 January 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	1501/286/661005	213
14	13 February 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/377/692050	221
14.1	13 February 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/377/692050	223
15	26 February 2021	Note Verbale from the Ministry of Foreign Affairs of Ukraine to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-12444	224

Note Verbale from Iran to Ukraine regarding Iran's Cabinet of Ministers Decree No. H58341T/118136 (Note 16)

16	11 May 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	773778	225
16.1	11 May 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	773778	226

Note Verbale between Ukraine and Iran regarding their bilateral negotiations related to the downing of Flight PS752 (Note 17)

17	11 May 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	773599	227
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17.1	11 May 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	773599	228
<i>Note Verbale from Iran to Sweden regarding Iran's Cabinet of Ministers Decree No. H58341T/118136 (Note 18)</i>				
18	12 May 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	774543	229
<i>Notice of Claim from the Applicants to Iran (Note 19)</i>				
19	2 June 2021	Notice of Claim – From the Ministry of Foreign Affairs of Ukraine, Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)		230
<i>Note Verbale from Iran to Canada regarding Iran's Cabinet of Ministers Decree No. H58341T/118136 (Note 20)</i>				
20	26 June 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to Global Affairs Canada (Italian and Persian)	641/822258	236
20.1	26 June 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to Global Affairs Canada (English)	641/822258	238
<i>Note Verbale from the Applicants to Iran on negotiations (Note 21)</i>				
21	27 September 2021	Note Verbale from the Ministry of Foreign Affairs of Ukraine on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-74337	239
<i>Note Verbale from Canada to Iran related to Iran's Cabinet of Ministers Decree No. H58341T/118136 (Note 22)</i>				
22	29 September 2021	Note Verbale from the Department of Foreign Affairs, Trade and Development of Canada to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	ESB-126	243

Note Verbale from the Applicants to Iran on negotiations (Note 23)

23	12 November 2021	Note Verbale from the Ministry of Foreign Affairs of Ukraine on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-194/510-89906	246
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Note Verbale from Iran to Ukraine related to the first domestic court hearing (Note 24)

24	16 November 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	722/969376	248
24.1	16 November 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	722/969376	251

Note Verbale from Iran to Ukraine responding negatively to the Applicants' Notes Verbales regarding negotiations (Note 25)

25	17 November 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/969901	252
25.1	17 November 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/969901	258

Note Verbale from the Applicants to Iran on negotiations (Note 26)

26	20 December 2021	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (Ukrainian and English)	72/23-604-102444 72/23-604-102445	260
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Notes Verbales from Iran refusing to negotiate with the Applicants (Notes 27-30)

27	26 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (<i>to be provided at a later date</i>)	641/1014526	268
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28	27 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development Canada (Persian)	641/1015434	269
28.1	27 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development Canada (English)	641/1015434	271
29	27 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Persian)	641/1015428	272
29.1	27 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (English)	641/1015428	273
30	27 December 2021	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Kingdom of Sweden (English)	641/1015437	274

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Note Verbale from the Applicants to Iran regarding the futility of further attempts to negotiate (Note 31)

31	11 January 2022	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/23-620-1872	276
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Letter from the Applicants to the United Nations regarding the futility of further attempts to negotiate (Note 32)

32	11 January 2022	Letter from the representatives of Canada, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (English)	A/76/653	278
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Notes Verbales from Iran reiterating its refusal to negotiate with the Applicant's as a group (Notes 33-36)

33	24 January 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1050129	280
34	24 January 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the United	641/1050142	281

		Kingdom of Great Britain and Northern Ireland (English and Persian)		
35	24 January 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1050177	283
36	24 January 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development Canada (Persian)	641/1050122	286
36.1	24 January 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development Canada (English)	641/1050122	287
<i>Letter from Iran to the United Nations Secretary-General in response to the Applicants' declaration of futility (Note 37)</i>				
37	31 January 2022	Letter from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (English)	A/76/672	289
<i>Note Verbale from Iran to Canada related to Iran's Cabinet of Ministers Decree No. H58341T/118136 (Note 38)</i>				
38	15 March 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development Canada (Persian)	641/1112787	292
38.1	15 March 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development Canada (English)	641/1112787	298
<i>Note Verbale from Iran to Canada noting that all necessary measures to fulfill Iran's international obligations have been taken (Note 39)</i>				
39	27 April 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (Persian)	643/1156668	303
39.1	27 April 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (English)	643/1156668	305
<i>Note Verbale from the Applicants to Iran reiterating the existence of a dispute (Note 40)</i>				
40	24 May 2022	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of	72/22-620-34525	307

Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)

Notes Verbales from Iran responding to the Applicants' 24 May 2022 correspondence (Notes 41-44)

41	21 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (Persian)	641/1330498	309
41.1	21 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (English)	641/1330498	311
42	21 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Ukraine (Ukrainian)	641/1330946	313
42.1	21 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Ukraine (English)	641/1330946	315
43	21 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the United Kingdom of Great Britain and Northern Ireland (English and Persian)	641/1330912	317
44	22 September 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1330922	321

Notes Verbales from Iran regarding a court hearing on 15 December 2022 (Notes 45-47)

45	13 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1429221	323
46	13 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (Persian)	641/1429225	325
46.1	13 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (English)	641/1429225	328
47	13 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden (English)	641/1429224	330

Notes Verbales from Iran regarding a court hearing on 19 December 2022 (Notes 48-50)

48	17 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden (English)	641/1433308	331
49	17 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (Persian)	641/1433311	332
49.1	17 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (English)	641/1433311	335
50	17 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1433309	337

Note Verbale from the Applicants responding to Iran's correspondence of 21 September 2022 (Note 51)

51	22 December 2022	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/05-620-106209	339
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Note Verbale from the Applicants requesting arbitration under Article 14 of the Montreal Convention (Note 52)

52	22 December 2022	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/05-620-106210	350
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Notes Verbales from Iran regarding a court hearing on 11 January 2023 (Notes 53-55)

53	28 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (Persian)	641/1445927	354
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53.1	28 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade, and Development of Canada (English)	641/1445927	355
54	28 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1445923	356
55	28 December 2022	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1445929	358

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Notes Verbales from Iran regarding a court hearing on 22 January 2023 (Notes 56-58)

56	21 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1471993	360
56.1	21 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1471993	361
57	21 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1471990	362
58	21 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden (<i>to be provided at a later date</i>)	641/1471988	363

Notes Verbales from Iran regarding a court hearing on 25 January 2023 (Notes 59-61)

59	23 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1474974	364
59.1	23 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1474974	365
60	23 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1474976	366

61	23 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1474972	368
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Notes Verbales from Iran regarding a court hearing on 29 January 2023 (Notes 62-65)

62	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1481092	369
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62.1	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1481092	370
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63	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1481088	371
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64	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1481090	373
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65	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1481091	374
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65.1	28 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (English)	641/1481091	375
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Notes Verbales from Iran responding to the Applicants' Note Verbale #72/05-620-106209 dated 22 December 2022 (Notes 66-70)

66	29 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic to the Ukrainian Embassy in Tehran (Persian)	641/1482024	376
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66.1	29 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ukrainian Embassy in Tehran (English)	641/1482024	378
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67	29 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden (English)	641/1482024	380
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68	29 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the	641/1482024	382
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		United Kingdom of Great Britain and Northern Ireland (Persian)		
68.1	29 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (English)	641/1482024	384
69	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1482867	386
69.1	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1482867	387
70	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1482869	388
<i>Notes Verbales from Iran regarding a court hearing on 1 February 2023 (Notes 71-74)</i>				
71	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1482732	390
72	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1482730	391
72.1	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1482730	392
73	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1482727	393
74	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1482744	394
74.1	30 January 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (English)	641/1482744	395

Notes Verbales from Iran regarding a court hearing on 5 February 2023 (Notes 75-77)

75	1 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 20 February 2023)	641/1487548	396
75.1	1 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 20 February 2023)	641/1487548	397
76	1 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1487551	399
77	1 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1487552	401

Notes Verbales from Iran regarding a court hearing on 8 February 2023 (Notes 78-81)

78	6 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 20 February 2023)	641/1490083	402
78.1	6 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 20 February 2023)	641/1490083	403
79	6 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1490081	405
80	6 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1490076	407
81	6 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1490080	408

Notes Verbales from Iran regarding a court hearing on 12 February 2023 (Notes 82-85)

82	8 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1494452	409
83	8 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 20 February 2023)	641/1494466	410
83.1	8 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 20 February 2023)	641/1494466	411
84	8 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1494455	413
85	8 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1494443	414
<i>Notes Verbales from Iran regarding a court hearing on 19 February 2023 (Notes 86-89)</i>				
86	14 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 20 February 2023)	641/1499140	415
86.1	14 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 20 February 2023)	641/1499140	417
87	14 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1499136	420
88	14 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1499138	422
89	14 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1499137	423

Notes Verbales from Iran regarding a court hearing on 22 February 2023 (Notes 90-93)

90	20 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 27 February 2023)	641/1507118	424
90.1	20 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 27 February 2023)	641/1507118	426
91	20 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1507119	429
92	20 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1507122	430
93	20 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1507120	431

Notes Verbales from Iran regarding a court hearing on 26 February 2023 (Notes 94-97)

94	22 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian) (Actually received on 27 February 2023)	641/1510706	432
94.1	22 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English) (Actually received on 27 February 2023)	641/1510706	433
95	22 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian)	641/1510709	435
96	22 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (<i>to be provided at a later date</i>)	641/1510712	437
97	22 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the	641/1510711	438

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Ireland (Persian)

Notes Verbales from Iran regarding a court hearing on 1 March 2023 (Notes 98-101)

98	26 February 2023	Note Verbale from the Ministry of Foreign Affairs of Islamic Republic of Iran to the Ministry of Foreign Affairs, Trade and Development Canada (Persian) (Actually received on 6 March 2023)	641/1514428	439
98.1	26 February 2023	Note Verbale from the Ministry of Foreign Affairs of Islamic Republic of Iran to the Ministry of Foreign Affairs, Trade and Development Canada (English) (Actually received on 6 March 2023)	641/1514428	440
99	26 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian and Persian) (Actually received on 4 March 2023)	641/1514460	441
100	26 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland (Persian)	641/1514425	443
101	27 February 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1514427	444

Note Verbale from the Applicants reminding Iran of their request for arbitration dated 22 December 2022 (Note 102)

102	17 April 2023	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/22-620-42925	445
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Notes Verbales from Iran responding to the Applicants' correspondence of 17 April 2023, and reiterating its refusal to negotiate with the group (Notes 103-104)

103	19 April 2023	Note Verbale from the Ministry of Foreign Affairs, Islamic Republic of Iran to the Ukrainian Embassy in Tehran (Persian)	641/156864	447
103.1	19 April 2023	Note Verbale from the Ministry of Foreign Affairs, Islamic Republic of Iran to the Ukrainian Embassy in Tehran (English)	641/156864	448

104	19 April 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (Persian)	641/1568467	450
104.1	19 April 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Department of Foreign Affairs, Trade and Development of Canada (English)	641/1568467	451

Note Verbale from the Applicants regarding the lack of legitimacy of the Iranian criminal proceedings (Note 105)

105	20 April 2023	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/22-620-44438	453
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Notes Verbales from Iran reiterating its refusal to negotiate with the Applicants as a group (Notes 106-107)

106	27 April 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1575607	455
107	27 April 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to His Majesty's Ambassador of the United Kingdom to Tehran (Persian)	640/1575624	456
107.1	27 April 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to His Majesty's Ambassador of the United Kingdom to Tehran (English)	640/1575624	457

Notes Verbales from Iran regarding negotiations (Notes 108-111)

108	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to His Majesty's Ambassador of the United Kingdom to Tehran (Persian)	641/1617362	459
108.1	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to His Majesty's Ambassador of the United Kingdom to Tehran (English)	641/1617362	460

109	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Embassy of Sweden in Tehran (English)	641/1617359	461
110	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Persian)	641/1617354	462
110.1	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of the Islamic Republic of Iran to the Ministry of Foreign Affairs of Ukraine (Ukrainian)	641/1617354	463
111	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of Islamic Republic of Iran to the Ministry of Foreign Affairs, Trade and Development Canada (Persian)	641/1617360	465
111.1	30 May 2023	Note Verbale from the Ministry of Foreign Affairs of Islamic Republic of Iran to the Ministry of Foreign Affairs, Trade and Development Canada (English)	641/1617360	466

Note Verbale from the Applicants responding to Iran’s Note Verbale of 30 May 2023 (Note 112)

112	21 June 2023	Note Verbale from the Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs of the Islamic Republic of Iran (English)	72/22-620-72387	467
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NOTES VERBALES

2020



MINISTRY OF FOREIGN AFFAIRS OF UKRAINE

№ 72/23-194/510-60

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to communicate the following.

On 8 January 2020, the Boeing 737-800 aircraft, operated by Ukraine International Airlines with flight number PS 752 and carrying a total of 176 individuals, crashed shortly after taking off from Tehran's Imam Khomeini International Airport. This tragic event caused the death of all those on board the aircraft and tremendous grief to their next of kin.

Considering international nature of the tragedy, its significant resonance in the world, it's our common duty to the victims and their families, to find out all of the circumstances and to establish objective causes of the accident by ensuring an impartial and objective investigation.

Ukraine expresses its appreciation to the Islamic Republic of Iran for the prompt start of the technical investigation into the causes of the crash of the flight PS 752 in accordance with the Annex 13 to the Convention on International Civil Aviation (Chicago Convention), carried out by the Iranian authorities, and for inviting states of registry, operator, design and manufacture as well as other grieving states to participate in respective investigation.

In recent messages, the leadership of the Islamic Republic of Iran admitted its guilt for the downing of the flight PS 752, by targeting it with anti-aircraft missiles.

Based on these facts, Ukraine considers that the Islamic Republic of Iran, through the role of its military in the downing of the flight PS 752 on 08 January 2020, has breached several obligations under international law owed to Ukraine, inter alia, in the exercise of its right to protect individuals on board the flight PS 752.

This breach of international law constitutes an internationally wrongful act for which the Islamic Republic of Iran bears responsibility, which gives rise to legal consequences for the Islamic Republic of Iran to:

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a) accept fully its responsibility for this internationally wrongful act;

b) provide Ukraine with appropriate assurances and guarantees of non-repetition of such internationally wrongful act;

c) finish the technical inquiry launched under the Annex 13 of the Chicago Convention for the elaboration of proposals on preventing such tragic accidents;

d) conduct full, open and impartial criminal investigation in line with its international legal obligations in order to bring those responsible for the downing of the flight PS 752 to justice and cooperate with Ukraine in this regard;

e) provide Ukraine with full reparation for the damages caused by this internationally wrongful act;

f) return remnants of bodies of the deceased passengers and crew of the flight PS 752.

Ukraine requests the Islamic Republic of Iran to enter into negotiations in relation to the aforementioned breach of international law by the Islamic Republic of Iran and the legal consequences that flow from it, inter alia, for the purpose of concluding the agreement on settling damage claims etc.

Ukraine expects a prompt response from the Islamic Republic of Iran to this request.

The Ministry of Foreign Affairs of Ukraine avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Kyiv, January 11, 2020



His Excellency Mohammad Javad Zarif
Minister of Foreign Affairs of the Islamic Republic of Iran

15 February 2020

Your Excellency,

Thank you for meeting with the International Coordination and Response Group today.

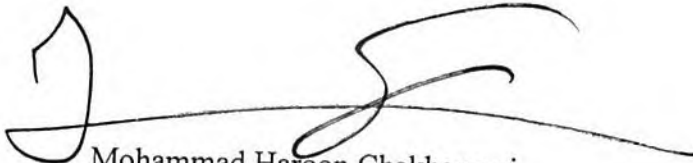
In recognizing its role in the downing of Ukraine International Airlines flight PS752, in promptly initiating a technical investigation, and in enabling the repatriation of the victims' remains, the Islamic Republic of Iran took important steps towards justice for the victims and their families.

We now also expect Iran to continue to take necessary active steps toward the resolution of the many crucial questions of fact and of law raised by the internationally wrongful act of the downing. In particular, the victims' families, our governments, and the international community expect Iran to:

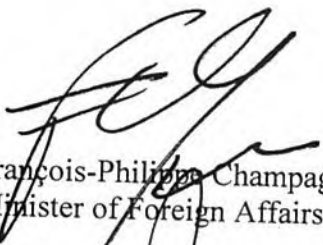
1. Pursue a transparent, independent, and thorough safety investigation into the downing, pursuant to the standards and recommended practices set out in Annex 13 to the *Convention on International Civil Aviation*.
2. Arrange for the read-out and analysis of Flight PS752's flight recorders to be conducted under the control of the Iranian air safety authorities without delay, as prescribed in Annex 13, section 5.7, by making use of the facilities offered by France and/or Ukraine, which we believe to be suitable and available.
3. Separately, pursue a transparent and thorough criminal investigation into the Iranian military command's behaviour which led to weapons of war being directed at a civilian aircraft.
4. Make reparations, including in the form of timely and equitable compensation to the families of the victims and in line with international precedents, following Iran's admission of responsibility for the downing of Flight PS752.

Such action in support of accountability and justice would contribute to restoring the trust of the international community in Iran. Delay in taking these steps will only undermine that trust and will deepen the anguish of the victims' family members, who must now make sense of a world without their loved ones.

The International Coordination and Response Group for the Victims of Flight PS752



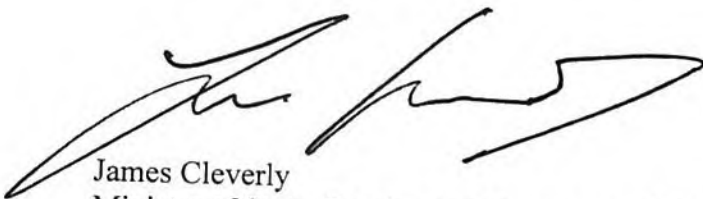
Mohammad Haroon Chakhansuri
Deputy Foreign Minister for Political Affairs and Acting Minister for Foreign Affairs for the Islamic Republic of Afghanistan



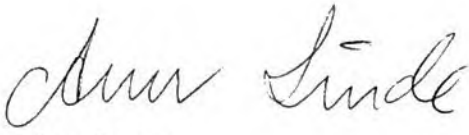
François-Philippe Champagne
Minister of Foreign Affairs of Canada



Vadym Prystaiko
Minister of Foreign Affairs of Ukraine



James Cleverly
Minister of State, Foreign and Commonwealth Office and Department for International Development of the United Kingdom of Great Britain and Northern Ireland

A handwritten signature in black ink, reading "Ann Linde". The script is fluid and cursive, with the first letters of "Ann" and "Linde" being capitalized and prominent.

Ann Linde
Minister for Foreign Affairs of Sweden

**MINISTRY OF FOREIGN AFFAIRS OF UKRAINE**

№ 72/23-194/510-791

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and in addition to Note Verbal of the Ministry of Foreign Affairs of Ukraine of 11 January 2020 No. 72/23-194/510-60, regarding the downing of the civilian aircraft Boeing 737-800 with flight number PS752 (hereinafter referred as PS752) on 8 January 2020 shortly after take-off from Tehran Imam Khomeini International Airport, has the honour to communicate the following.

The Ukrainian Side would like to reiterate its request to the Iranian Side set out in the aforementioned Note Verbal, in particular, to finish the technical inquiry including the read-out of PS752's flight recorders (black boxes). According to the Annex 13 of the Convention on International Civil Aviation 1944, the Iranian Side must arrange, without any reservations, for the read-out of flight recorders without delay.

In this regard, the Ukrainian Side notes that during the Civil Aviation Organization Council Meeting on 11 March 2020 in Montreal the Iranian Side publicly confirmed its willingness to transport PS752's flight recorders to Ukraine for examination. Moreover, appropriate Executive Technical Cooperation Program on Cooperation and Assistance in the Field of the Flight Recorders Readout Activities between the National Bureau of Air Accident Investigation of Ukraine and the Aircraft Accident Investigation Board of the Islamic Republic of Iran has already been concluded.

Under abovementioned circumstances, the Ukrainian Side reiterates its request to the Iranian Side and insists on prompt transferring of PS752's flight recorders (black boxes) to Ukraine for data decoding in order to complete the technical inquiry in accordance with international law requirements. The Ukrainian Side emphasises that the examination of PS752's flight recorders (black boxes) is of crucial importance not only for conducting of further criminal investigation, but also for ensuring proper and equitable compensation for material and non-material damages suffered by victims' next of kin.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration

Kyiv, 31 March 2020

**Ministry of Foreign Affairs of
the Islamic Republic of Iran
Tehran**



**MINISTRY OF FOREIGN AFFAIRS OF UKRAINE**

№ 72/23 - 194/510 - 1218

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and in addition to Notes Verbal of the Ministry of Foreign Affairs of Ukraine of 11 January 2020 No. 72/23-194/510-60 and of 31 March 2020 No. 72/23-194/510-791 regarding the downing of the civilian aircraft Boeing 737-800 with flight number PS752 (hereinafter referred as PS752) on 8 January 2020 shortly after take-off from Tehran Imam Khomeini International Airport, has the honour to communicate the following.

The Ukrainian Side would like to reiterate its request to the Iranian Side contained in the aforementioned Notes Verbal, namely to:

- a) accept fully its responsibility for the internationally wrongful act of PS 752's downing;
- b) provide Ukraine with appropriate assurances and guarantees of non-repetition of such internationally wrongful act;
- c) finish the technical inquiry launched under the Annex 13 of the Convention on International Civil Aviation (Chicago Convention) for the elaboration of proposals on preventing such tragic accidents;
- d) conduct a full, open and impartial criminal investigation in line with its international legal obligations including the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal Convention) in order to bring those responsible for the downing of PS 752 to justice and cooperate with Ukraine in this regard;
- e) provide full reparation for the damages caused by this internationally wrongful act, including in the form of adequate compensation.

Ukraine emphasizes that the Islamic Republic of Iran, having instantly admitted in the media its guilt for the downing of PS752 by targeting it with anti-aircraft missile, committed the internationally wrongful act.

The Ukrainian Side underlines the necessity of concluding a prompt, transparent and thorough safety investigation into the downing of PS 752, pursuant to the ICAO guidelines set out in Annex

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13 to the Chicago Convention and in accordance with international best practices.

The Iranian Side must, therefore, engage in transparent and impartial way to arrange, without any reservations or delay, the read-out of PS752's flight recorders (black boxes) as prescribed by Annex 13 of the Chicago Convention.

To facilitate these issues the Executive Technical Cooperation Program on Cooperation and Assistance in the Field of the Flight Recorders Readout Activities was concluded between the National Bureau of Air Accident Investigation of Ukraine and the Aircraft Accident Investigation Board of the Islamic Republic of Iran.

The Ukrainian Side also calls upon the Iranian Side to pursue a transparent and thorough criminal investigation according to Montreal Convention into the Iranian military command's behaviour which led to weapons of war being directed at a civilian aircraft.

Those responsible for this incident should be brought to justice and, therefore, the Ukrainian Side requests that the Iranian Side cooperates fully, in good faith and by all means, including mutual legal assistance, with all affected states to establish truth and ensure accountability.

Under the Article 13 of Montreal Convention the Iranian Side is responsible to report to the ICAO Council as promptly as possible any relevant information in its possession concerning the circumstances of the offence, as well as the measures taken in relation to the offender or the alleged offender and, in particular, the results of respective proceedings.

The Ukrainian Side also urges the Iranian Side to fulfil its obligation to make reparations, including in the form of timely and equitable compensation for material and non-material damages suffered by victims' next of kin, affected countries, and Ukraine International Airlines in line with international precedents.

The Ukrainian Side rejects any attempts from the Iranian Side to somehow protract and condition the fulfillment of respective obligations that derive from general norms and principles of international law, *inter alia*, encompassed in Chicago Convention and Montreal Convention, and respectively to avoid its international responsibility.

The Ukrainian Side repeatedly requests the Iranian Side to provide immediate official response to Ukraine's demands and enter into negotiations in relation to the said breach of international law by the Islamic Republic of Iran and the legal consequences that flow from it.

The Ministry of Foreign Affairs of Ukraine avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration. 66.

Kyiv, 02 June 2020





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№ 72/22-194/510-1323

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran in addition to its Note Verbal Nr. 72/23-194/510-60 dated 11 January 2020 regarding the downing of the Boeing 737-800 aircraft with flight number PS 752 (hereinafter – PS 752), has the honour to communicate the following.

The Ukrainian Side would like to reiterate its request to the Iranian Side contained in the aforementioned Note Verbal, namely in conjunction with the international legal obligations of the Islamic Republic of Iran to conduct a full, open and impartial criminal investigation in order to bring those responsible for the downing of PS 752 to justice and cooperate with Ukraine in this regard.

The Ukrainian Side is of the view that the acts of the Iranian military, which led to weapons of war being directed at a civilian aircraft and subsequently its destruction, constitute the offense under the Article 1 para. 1 (b) of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of September 21, 1971 (1971 Montreal Convention).

Thus, the Iranian Side is under obligation to pursue a transparent and thorough criminal investigation into this incident so that those responsible for it are brought to justice, and to cooperate fully and in good faith by all means, including mutual legal assistance, with all affected states to establish truth and ensure accountability.

Acting in line with Article 5 of the 1971 Montreal Convention, Ukraine as the state of registry of the aircraft, against which the offense was committed has established its jurisdiction. The competent authorities of Ukraine conduct a pre-trial investigation in the criminal proceedings No.4202000000000008 under the following provisions of the Criminal Code of Ukraine:

- Article 115 para. 2 subparas. 1 and 5 – wilful murder;
- Article 194 para.2 – wilful destruction or endangerment of property;

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- Article 276 para.3 – violation of rules related to safety of traffic and operation of railway, water or air transport.

According to the Article 11 of the 1971 Montreal Convention, the Contracting States shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences specified by the Convention.

In view of the above, the Ukrainian Side submitted through January to March 2020 a number of requests seeking mutual legal assistance (MLA requests) of the Judiciary of the Islamic Republic of Iran in this criminal investigation under the 1971 Montreal Convention and the Agreement between Ukraine and the Islamic Republic of Iran on legal relations and legal assistance in civil and criminal matters of May 11, 2004.

Four MLA requests No.19/1-31466-20 dated 10.01.2020 (2), 15.01.2020, 18.03.2020 were transmitted to the Iranian Side through the Embassy of Ukraine to the Islamic Republic of Iran, concerning: the conduct of investigative actions and the provision of documents related to the inspection of the technical condition of the aircraft during its stay and departure from the airport in Tehran, the formation of an international investigation team; the provision of items that have the value of material evidence in criminal proceedings: parts of the aircraft and flight recorders; the provision of copies of procedural documents confirming the guilt of persons prosecuted by the competent authorities of the Islamic Republic of Iran in connection with the investigation of the plane downing; the provision of information on the circumstances of the missile hit by TOR-M1, and the establishment of information on passengers.

Yet, the Iranian Side failed to give appropriate effect to respective MLA requests and demonstrate greatest measure of assistance either by formally approaching their processing and providing vague responses with references to information and facts from open sources in its letters No. 9000/23970/20 dated 12.02.2020, No. 980061 dated 11.02.2020 and 17.02.2020, No.9000/1721/20 dated 29.04.2020, or completely refrained from responding to the questions contained in aforementioned requests.

The letter of the Office of the Prosecutor General of Ukraine addressed to the Judiciary of the Islamic Republic of Iran on the said matter is attached hereto.

The Ukrainian Side regards the actions of the Iranian Side as an unwillingness to comply in good faith with its obligations under the applicable international agreements and kindly requests

it to provide without delay adequate responses to Ukraine's MLA requests.

In addition, the Ukrainian Side would also like to remind the Iranian Side that under the Article 13 of 1971 Montreal Convention the latter is responsible to report to the ICAO Council as promptly as possible any relevant information in its possession concerning the circumstances of the offence, as well as the measures taken in relation to the offender or the alleged offender and, in particular, the results of respective proceedings.

The Ministry of Foreign Affairs of Ukraine avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Encl. as stated, on 14 pages.



Kyiv, 12 June 2020



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۳۷۷/۴۸۲۷۰۱
تاریخ : ۱۳۹۹/۰۴/۱۸
پیوسته : ندارد

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران، بازگشت به یادداشت هایوزارت امور خارجه اوکراین به شماره ۱۲۱۸-۵۱۰-۱۹۴ / ۲۳ / ۷۲ مورخ ۱۳ خرداد ۱۳۹۹ و شماره ۱۳۲۳-۵۱۰-۱۹۴ / ۲۳ / ۷۲ مورخ ۲۳ خرداد ۱۳۹۹ و با تاکید بر مفاد و دیدگاههای اعلامی جمهوری اسلامی ایران در یادداشت های این وزارت به شماره ۴۲۶۴۹۶ / ۳۷۷ / ۶۴۱ مورخ ۲۱ اردیبهشت ۱۳۹۹ و شماره ۴۳۹۵۶۰ / ۳۷۷ / ۶۴۱ مورخ ۶ خرداد ۱۳۹۹ احتراماً اشعار می دارد:

جمهوری اسلامی ایران همواره ضمن پافشاری بر حفظ و ارتقای روابط دوستانه بین دو کشور در همه ابعاد و موضوعات، بر ضرورت اهتمام طرفین در مدیریت و هدایت موضوع سانحه هواپیمای پی اس ۷۵۲ تصریح داشته است. براین اساس جمهوری اسلامی ایران پیش نویس یادداشت تفاهمی را برای توافق دو جانبه راجع به رهیافتی جامع به منظور پیگیری کلیه جوانب ارسال نمود؛ اما متأسفانه با گذشت بیش از ۴ ماه از ارسال پیش نویس مذکور، پاسخی از طرف اوکراین دریافت نشده است.

همچنین جمهوری اسلامی ایران از مساحبه های متعدد مقامات اوکراینی و دیدگاههای غیرسازنده مطرح شده، ابراز ناخشنودی نموده و بر این باور است که چنین رویکردی، کمکی به پیشبرد مسائل نخواهد کرد. ضمناً تاکید می شود که مطابق با قوانین ملی و مقررات بین المللی، جمهوری اسلامی ایران صلاحیتهای لازم برای پیگیری ابعاد کیفری و انجام تحقیقات این حادثه را داشته و مراجع ذیربط ایرانی در حال انجام وظایف قانونی خود می باشند.

جمهوری اسلامی ایران مجدداً ضمن ابراز تأسف از وقوع این حادثه و جان باختن مسافری و خدمه هواپیمای یادشده، تصریح می کند حادثه مزبور ناشی از خطای غیر عمد و انسانی بوده و براین اساس بررسی های لازم را در جهت پرداخت شراسته، با هماهنگی های مقتضی، انجام می دهد. در عین حال، همانطور که مدیرکل حقوقی بین المللی این وزارت در ملاقات مورخ ۴ تیرماه ۱۳۹۹ با سفیر محترم تاکید نمود، استناد وزارت امور

خارجہ اوکراین به برخی اسناد بین المللی غیرمرتبط هیچ کمکی به روند پیگیری موضوع نمی کند و ممکن است موجب بروز تردیدهایی نسبت به حسن نیت طرف اوکراینی شود.

همچنین این وزارت مایل است توجه وزارت امور خارجہ اوکراین را به یادداشت های ایران به شماره ۴۰۳۸۴۵ / ۲۸۶ / ۳۴۷ مورخ ۱۳۹۹ / ۱۲ / ۰۱ در پاسخ به یادداشت شماره ۴۵۰-۱۲-۰۱۲-۶۱۶۶/۲۲ اوکراین، شماره ۴۲۶۴۹۶ / ۳۷۷ / ۶۴۱ مورخ ۲۱/۰۲/۱۳۹۹ در پاسخ به یادداشت شماره ۵۲۵-۱۲-۰۱۲-۶۱۶۶/۲۲ مورخ ۱۳۹۹ / ۲ / ۱۶ / شماره ۴۳۹۵۶۰ / ۳۷۷ / ۶۴۱ مورخ ۰۳/۱۳/۱۳۹۹ و شماره ۴۴۰۶۲۵ / ۵۲۳ / ۷۲۲ مورخ ۰۷ / ۰۳ / ۱۳۹۹ در پاسخ به یادداشت شماره ۵۴۸-۱۲-۰۱۲-۶۱۶۶/۲۲ مورخ ۲۴/۰۲/۱۳۹۹ اوکراین و شماره ۴۴۹۳۱۷ / ۵۲۳ / ۷۲۲ مورخ ۱۸/۰۳/۱۳۹۹ در پاسخ به یادداشت های ۵۹۰-۱۲-۰۱۲-۶۱۶۶/۲۲، ۵۹۱-۱۲-۰۱۲-۶۱۶۶/۲۲، ۵۹۲-۱۲-۰۱۲-۶۱۶۶/۲۲ و ۵۹۳-۱۲-۰۱۲-۶۱۶۶/۲۲ مورخ ۰۷/۰۳/۱۳۹۹ اوکراین جلب نماید. ضمناً طی یادداشت شماره ۲۶۴۶۲۹ / ۲۸۶ / ۱۵۰۱ مورخ ۰۱ / ۱۲ / ۱۳۹۸ نامه دادستان کل جمهوری اسلامی ایران در پاسخ به نامه های دریافتی از دادستانی کل اوکراین ارسال و تاکنون به ۴ درخواست معاضدت قضایی طرف اوکراینی پاسخ های لازم داده شده است.

سایر موارد مطرح شده در یادداشت های دریافتی از جانب طرف اوکراینی توسط نهادهای ذیربط تحت بررسی و رسیدگی قرار دارد و ارائه پاسخ های مقتضی منوط به انجام این روند است.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران

Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/377/482701

Дата: 08 липня 2020 р.

Додатки: відсутні

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та у відповідь на ноти Міністерства закордонних справ України №72/23-194/510-1218 від 02 червня 2020 р. №72/23-194/510-1323 від 12 червня 2020 р., беручи до уваги позицію Ісламської Республіки Іран, про яку повідомлялося у нотах МЗС ІРІ №641/377/426496 від 10 травня 2020 р. та №641/377/439560 від 26 травня 2020 р., має честь повідомити таке.

Ісламська Республіка Іран постійно наголошувала на намірах збереження та розвитку дружніх двосторонніх відносин в усіх сферах на основі взаємоповаги, у тому числі при врегулюванні питань, пов'язаних з інцидентом навколо українського літака рейсу PS752. У цьому зв'язку, Іран надіслав проект меморандуму задля двостороннього узгодження процесу всебічного розслідування. Нажаль, після чотирьох місяців з дати надсилання зазначеного меморандуму, від української сторони не отримано відповіді.

Ісламська Республіка Іран висловлюючи незадоволення тим, що під час численних інтерв'ю українських високопосадовців робляться неконструктивні заяви, вважає, що такі підходи не сприятимуть прогресу у вирішенні питань. Також, наголошуємо на тому, що на основі національного законодавства та міжнародних норм, Іран уповноважений здійснювати кримінальне розслідування та проводити всебічне вивчення обставин катастрофи, а компетентні органи Ірану наразі виконують свої законні обов'язки.

Ісламська Республіка Іран у черговий раз висловлюючи жаль через згаданий інцидент та загибель пасажирів і екіпажу літака, наголошує на тому, що аварія трапилася через ненавмисну людську помилку, і на цій підставі будуть вжиті необхідні заходи задля виплати компенсації. Водночас, про це заявив директор Департаменту міжнародно-правових питань МЗС ІРІ Б.Сабері Ансарі під час зустрічі з Послом України 24 червня 2020 р. Посилання Міністерства закордонних справ України на деякі міжнародні документи, що не мають відношення до справи, жодним чином не сприятиме процесу вирішення питань та може викликати сумніви щодо добрих намірів Української сторони.

Також, це Міністерство бажає привернути увагу Міністерства закордонних справ України на іранські ноти №347/376/403845 від 14.04.2020 р. надіслану у відповідь на українську ноту 6166/22-012-450 (*нота ПУ щодо заяви депутата

Меджлісу ІРІ Х.Ноурузі із проханням повідомити про стан кримінальних справ), №641/377/426496 від 10.05.2020 р., надіслану у відповідь на ноту №6166/22-012-525 від 05.05.2020 р. (*нота ПУ щодо прискорення відповіді на ноту МЗС України від 31.03.2020 №72/23-194/510-791), №641/377/439560 від 26.05.2020 р. та №733/523/440625 від 27.05.2020 р., надіслані у відповідь на українську ноту №6166/22-012-548 від 13.05.2020 р. (*нота ПУ щодо прискорення відповіді на ноту МЗС України від 31.03.2020 №72/23-194/510-791), та №722/522/449317 від 7.06.2020 р., надіслану у відповідь на українські ноти №6166/22-012-590 (*нота про передачу клопотання ОГУ на 18 арк.), №6166/22-012-591 (*нота про передачу клопотання ОГУ на 28 арк.), №6166/22-012-592 (*нота про передачу клопотання ОГУ на 4 арк.), №6166/22-012-593 (*нота про передачу клопотання ОГУ на 20 арк.) від 27.05.2020 р. Такожнотою №1501/386/364629 від 20.02.2020 було надіслано лист Генеральної прокуратури Ірану у відповідь на запит Генеральної прокуратури України. На сьогодні надані відповіді на 4 запити Української сторони щодо правової допомоги.

Інші питання, які порушуються в нотах Української сторони, перебувають на розгляді компетентних органів, і надання відповідей відбуватиметься по мірі завершення цього процесу.

Користуючись нагодою, поновлюємо свою вельми високу повагу

Посольство України – Тегеран

* - Примітка ПУ в ІРІ

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 641/377/482701

Date: 08 July 2020

Enclosure: none

In the name of God

NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and, in response to the notes of the Ministry of Foreign Affairs of Ukraine no. 72/23-194/510-1218 dated 02 June 2020 no. 72/23-194/510-1323 dated 12 June 2020, taking into account the position of the Islamic Republic of Iran, which was reported in the notes of the Ministry of Foreign Affairs of IRI no. 641/377/426496 dated 10 May 2020 and No. 641/377/439560 dated May 26, 2020, has the honour to inform the following.

The Islamic Republic of Iran has constantly emphasized its intention to maintain the development of friendly bilateral relations in all spheres based on mutual respect, including in the settlement of issues related to the accident regarding the Ukrainian Flight PS752. In this regard, Iran sent a draft memorandum for bilateral coordination of the comprehensive investigation process. Unfortunately, after four months from the date of sending the said memorandum, no response was received from the Ukrainian side.

The Islamic Republic of Iran expressing dissatisfaction with the fact that during non-constructive statements are made in numerous interviews of Ukrainian high-ranking officials, believes that such approaches will not contribute to progress in resolving issues. Also, we emphasize that on the basis of national legislation and international rules, Iran is authorized to conduct a the criminal investigation and carry out the comprehensive study of the circumstances of the crash, and the competent authorities of Iran are currently fulfilling their legal duties.

The Islamic Republic of Iran once again expresses its regret over the mentioned accident and the death of the passengers and crew of the plane, emphasizes that the accident happened due to unintentional human error, and on this basis, necessary measures will be taken to pay compensation. At the same time, this was stated by the Director of the Department of International and Legal Affairs of the Ministry of Foreign Affairs of the IRI, B. Saberi Ansari, during a meeting with the Ambassador of Ukraine on June 24, 2020. The reference of the Ministry of Foreign Affairs of Ukraine to some international documents that are not relevant to the case will not contribute to the process in any way resolution of issues and may raise doubts about the good intentions of the Ukrainian side.

Also, this Ministry wishes to draw the attention of the Ministry of Foreign Affairs of Ukraine to the Iranian notes No. 347/376/403845 dated 04/14/2020 sent in response to the Ukrainian note 6166/22-012-450 (**Embassy of Ukraine's note regarding the statement of the member of the Mejlis IRI Kh. Nouruza with a request to report on the state of criminal cases*), No. 641/377/426496 dated 10.05.2020, sent in response to note No. 6166/22-012-525 dated 05.05.2020 (**Embassy of Ukraine's note regarding speeding up the response to the note of the Ministry of Foreign Affairs of Ukraine dated 31.03.2020 No. 72/23-194/510-791*), No. 641/377/439560 dated 26.05.2020 and No. 733/523/440625 dated 27.05.2020, sent in response to Ukrainian note No.6166/22-012-548 dated 05/13/2020 (**Embassy of Ukraine's note on speeding up the response to the note of the Ministry of Foreign Affairs of*

*Ukraine dated 03.31.2020 No. 72/23-194/510-791), and No. 722/ 522/449317 dated June 7, 2020, sent in response to Ukrainian notes No. 6166/22-012-590 (*note on the transfer of the 18-sheet petition of the Office of Prosecutor General of Ukraine), No. 6166/22-012-591 (*note on the transfer petition of the Office of Prosecutor General of Ukraine on 28 sheets), No. 6166/22-012-592 (*note on transfer of petition of the Office of Prosecutor General of Ukraine on 4 sheets), No. 6166/22-012-593 (*note on transfer of petition of the Office of Prosecutor General of Ukraine on 20 sheets) dated 05/27/2020 Also, a letter of the Prosecutor General's Office of Iran was sent by note No. 1501/386/364629 dated 02/20/2020 in response to the request of the Prosecutor General's Office of Ukraine. To date, answers to 4 requests from the Ukrainian side regarding legal assistance have been provided.*

Other issues raised in the notes of the Ukrainian side are under consideration by the competent authorities, and answers will be provided as this process is completed.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Ukraine the assurances of its highest consideration.

Embassy of Ukraine - Tehran

** - notes made by Embassy of Ukraine*

Embassy
of Ukraine to Iran



سفارت اوکراین
در جمهوری اسلامی ایران

Посольство
України в Ірані

№ 6166/22-012-746

ТЕРМІНОВО!

Посольство України в Ісламській Республіці Іран засвідчує свою повагу Міністерству Закордонних Справ Ісламської Республіки Іран і має честь повідомити про таке.

У зв'язку із попередньо висловленою іранською стороною позицією щодо готовності провести наприкінці липня ц.р. переговори з метою врегулювання питань, пов'язаних зі збиттям літака авіакомпанії МАУ рейсу PS752, Україна пропонує провести такі перемовини тривалістю два дні у м.Київ у період між 28 та 30 липня ц.р. відповідно до такого порядку денного:

- 1) Принципи і організація проведення переговорів;
- 2) Обставини збиття літака авіакомпанії «Міжнародні авіалінії України» рейсу PS752 8 січня 2020 року в небі над Тегераном;
- 3) Питання застосування норм міжнародного права у зв'язку зі збиттям літака рейсу PS752, включаючи Конвенцію про міжнародну цивільну авіацію 1944 року (Чиказька конвенція) та Конвенцію про боротьбу з незаконними актами, спрямованими проти безпеки цивільної авіації 1971 року (Монреальська конвенція);
- 4) Питання забезпечення ефективності кримінального розслідування, у тому числі надання міжнародно-правової допомоги;
- 5) Принципи та модальності компенсації від Ірану за збиття літака рейсу PS752 за участю представників Міжнародної групи з координації допомоги жертвам катастрофи літака рейсу PS752, учасниками якої є Україна, Канада, Швеція, Афганістан та Велика Британія (далі - CG);
- 6) Інше.

При цьому, пропонуємо зарезервувати один день для проведення двосторонніх перемовин, другий – для проведення перемовин у багатосторонньому форматі за участі представників CG, які пройдуть у форматі відео-конференції.

З огляду на викладене, просимо надати Посольству у якомога стислі терміни письмове підтвердження щодо прийнятності іранською стороною дат проведення майбутніх переговорів.

Посольство України в Ісламській Республіці Іран користується цією нагодою, щоб поновити Міністерству Закордонних Справ Ісламської Республіки Іран запевнення у своїй високій повазі.

м. Тегеран, 19 липня 2020 р.

Копії: Управління країн півночі Чорного моря, Міжнародно-правовий департамент
МЗС ІРІ

Департаменту державного протоколу
Ісламської Республіки Іран
м. Тегеран

وزارت امور خارجه اداره دبیرخانه مرکزی	
۱۳۹۹ / ۴ / ۲۹	شماره ثبت:



Embassy of Ukraine in Iran

No: 6166/22-012-746

Date: 19 July 2020

Enclosure: none

URGENT

The Embassy of Ukraine in the Islamic Republic of Iran presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the following.

With regard to the previously expressed position of the Iranian side regarding the readiness to hold negotiations at the end of July this year aimed at settlement the issues related to the downing of UIA Flight RS752, Ukraine proposes to hold such negotiations lasting two days in the city of Kyiv between July 28 and 30 of this year in accordance with the following agenda:

- 1) Principles and organization of negotiations;
- 2) Circumstances of the downing of the "Ukraine International Airlines" Flight RS752 on January 8, 2020 in the sky over Tehran;
- 3) The question of the application of international law regarding the downing of flight RS752, including the 1944 Convention on International Civil Aviation (Chicago Convention) and the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention);
- 4) The issue of ensuring the effectiveness of the criminal investigation, including the provision of international legal assistance;
- 5) Principles and modalities of compensation from Iran for the downing of Flight PS752 with the participation of representatives of the International Coordination and Response Group for the victims of Flight PS752, whose participants are Ukraine, Canada, Sweden, Afghanistan and the United Kingdom (hereinafter - CG);
- 6) Other.

At the same time, we suggest reserving the first day to hold bilateral negotiations and the second one for negotiations in a multilateral format with the participation of representatives of the CG via video conference.

In view of the abovementioned, please provide the Embassy as concisely as possible terms of written confirmation regarding the acceptance by the Iranian side of dates of holding future negotiations.

The Embassy of Ukraine in the Islamic Republic of Iran avails itself of this opportunity to renew the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurance of its highest consideration

Tehran, 19 July 2020

Copies: Administration of the Northern Black Sea Countries. International legal department MFA of IRI

**State Protocol Department of the Ministry of Internal Affairs
of the Islamic Republic of Iran,**

Tehran

Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/377/496354
Дата: 22 липня 2020 р.
Додатки: відсутні

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та, у відповідь на ноту Посольства №6166/22-012-746 від 19 липня 2020 р., має честь повідомити про таке.

Ісламська Республіка Іран висловлює подяку за запропоновані дати проведення двосторонніх переговорів у Києві та повідомляє про свою згоду на проведення перемовин 29-30 липня 2020 р.

У зв'язку цим надсилаємо перелік осіб, включених до іранської делегації задля проведення двосторонніх переговорів щодо різних аспектів катастрофи українського літака:

- Мохаммад БАХАРВАНД – заступник Міністра закордонних справ Ірану з міжнародно-правових питань;
- Аліреза ХАКІКІЯН – Спеціальний помічник Міністра та Директор департаменту Євразії МЗС;
- Голамаббас ТОРКІ – Військовий прокурор м.Тегеран;
- Сейед Алі МУСАВІ – Директор Управління договорів та міжнародного гуманітарного та кримінального права МЗС;
- Пезман МОХАММАДІ – представник офісу Віце-президента Ірану з правових питань;
- Алі ЯЗДІНІЯ – представник офісу Віце-президента Ірану з правових питань;
- представник Генерального штабу Збройних сил ІРІ (*П.І.П. особи буде повідомлено додатково – прим. ПУ*);
- Мохаммад Саїд ШАРАФІ – Начальник головного управління з правових та міжнародних питань Організації цивільної авіації Ірану;
- Мехді МОХАДЖЕР – спеціаліст МЗС з правових питань.

Варто зазначити те, що Ісламська Республіка Іран пропонує обговорити порядок денний, запропонований Україною, під час першого засідання двосторонніх консультацій.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۳۷۷/۴۹۶۳۵۴
تاریخ : ۱۳۹۹/۰۵/۰۱
پیوست : ندارد

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران و در پاسخ به یادداشت آن سفارت به شماره ۷۴۶-۰۱۲-۲۲ / ۶۱۶۶ مورخ ۲۹ / ۰۴ / ۱۳۹۹ احتراماً اشعار می‌دارد:

جمهوری اسلامی ایران ضمن تشکر از تاریخ پیشنهادی برای انجام مذاکرات دوجانبه در کی‌یف، موافقت خود را نسبت به تاریخ ۸ و ۹ مرداد ۱۳۹۹ برابر با ۲۹ و ۳۰ ژوئیه ۲۰۲۰ اعلام می‌نماید. بر این اساس اعضای هیئت اعزامی جمهوری اسلامی ایران برای مذاکرات دوجانبه در خصوص ابعاد مختلف سانحه هواپیمای اوکراینی به شرح زیر معرفی می‌گردند:

- جناب آقای محسن بهاروند - معاون امور حقوقی و بین‌المللی وزارت امور خارجه و رییس هیات؛
- جناب آقای علیرضا حقیقیان - مدیرکل اوراسیا وزارت امور خارجه؛
- جناب آقای غلامعباس ترکی - دادستان نظامی تهران؛
- جناب آقای سید علی موسوی - رییس اداره معاهدات و حقوق بین‌الملل بشردوستانه و کیفری وزارت امور خارجه؛
- جناب آقای پژمان محمدی - نماینده معاونت حقوقی ریاست جمهوری؛
- جناب آقای علی یزدی‌نیا - نماینده معاونت حقوقی ریاست جمهوری؛
- نماینده ستاد کل نیروهای مسلح (Subcommander)؛
- جناب آقای محمد سعید شرفی - مدیرکل حقوقی و امور بین‌الملل سازمان هواپیمایی کشوری؛
- جناب آقای مهدی مهاجر - کارشناس حقوقی وزارت امور خارجه؛

لازم به ذکر است در خصوص دستور کار پیشنهادی مندرج در یادداشت فوق‌الذکر، جمهوری اسلامی ایران بر

این باور است که این موضوع در اولین جلسه رایزنی‌های دوجانبه مورد بحث و بررسی قرار می‌گیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

The Islamic Republic of Iran
Ministry of Foreign Affairs

No: 641/377/496354
Date: 22 July 2020
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and, in response to the Embassy's note No. 6166/22-012-746 dated 19 July 2020, has the honour to inform that:

The Islamic Republic of Iran expresses gratitude for the proposed dates of bilateral talks in Kyiv and announces its agreement to hold talks on 29-30 July 2020

In this regard, we are sending a list of persons included in the Iranian delegation for conducting bilateral negotiations on various aspects of the Ukrainian plane crash:

- Mohammad BAHARWAND, Deputy Minister of Foreign Affairs of Iran for International Legal Affairs;
- Alireza KHAKIKIAN, Special Assistant to the Minister and Director of the Department of Eurasia of MFA;
- Golamabbas TORKY, Military Prosecutor of Tehran;
- Seyed Ali MOUSAVI, Director of the Department of Treaties and International Humanitarian and Criminal Law of the Ministry of Foreign Affairs;
- Pezhman MOHAMMADI, representative of the Office of the Vice President of Iran for Legal Affairs;
- Ali YAZDINIYA, representative of the Office of the Vice President of Iran on legal affairs;
- a representative of the General Staff of the Armed Forces of the IRI (*name of the person will be notified additionally - note Embassy of Ukraine*);
- Mohammad Said SHARAFI, Head of the Main Department of Legal and International Affairs of the Civil Aviation Organization of Iran;
- Mehdi MOHADZHER, Legal Officer of the Ministry of Foreign Affairs.

It is worth noting that the Islamic Republic of Iran proposes to discuss the agenda proposed by Ukraine during the Rirst meeting of bilateral consultations.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran



شماره : ۵۰۱/۲۸۶/۴۹۷۳۷۳

تاریخ : ۱۳۹۹/۰۵/۰۱

پیوست :

سفارت جمهوری اسلامی ایران - کی یف

بسمه تعالی

یادداشت

سفارت جمهوری اسلامی ایران با ابراز تعارفات خود به وزارت امور خارجه اوکراین احتراماً اشعار می دارد پیرو توافق بعمل آمده، جناب آقای محسن بهاروند معاون محترم حقوقی بین المللی وزارت امور خارجه جمهوری اسلامی ایران طی روزهای هشتم و نهم مرداد ۱۳۹۹ برابر با ۲۹ و ۳۰ ژوئیه ۲۰۲۰ در راس هیاتی ۹ نفره جهت مذاکره با جناب آقای یوگنی ینین معاون محترم وزیر امور خارجه اوکراین در خصوص موضوع سانحه سقوط هواپیما به کی یف سفر خواهند کرد.

با عنایت به اهمیت موضوع، موجب امتنان خواهد بود نسبت به تنظیم وقت ملاقات جناب آقای بهاروند و هیات همراه با جناب آقای دیمیتری کولبا وزیر محترم امور خارجه اوکراین و جناب آقای الکسی دانیلوف دبیر محترم شورای امنیت ملی و دفاع اوکراین اقدام نمایند.

همچنین درخواست می نماید نسبت به اختصاص پایون فرودگاه باریسپول و اسکورت خودروهایی هیات توسط پلیس طی حضور در اوکراین مساعدت نمایند. برنامه پروازی و زمان ورود و خروج هیات متعاقباً ارسال خواهد شد. اسامی اعضای هیات ایرانی حاضر در ملاقات ها به شرح زیر اعلام می گردد:

1. جناب آقای محسن بهاروند معاون امور حقوقی و بین المللی وزارت امور خارجه
2. جناب آقای منوچهرمرادی سفیر فوق العاده و تام الاختیار جمهوری اسلامی ایران در اوکراین
3. جناب آقای علیرضا حقیقیان مدیرکل اوراسیا وزارت امور خارجه
4. جناب آقای غلامعباس ترکی دادستان نظامی تهران
5. جناب آقای سیدعلی موسوی رئیس اداره معاهدات و حقوق بین الملل بشردوستانه و کیفری وزارت امور خارجه
6. جناب آقای پژمان محمدی نماینده معاونت حقوقی ریاست جمهوری
7. جناب آقای علی یزدی نیا نماینده معاونت حقوقی ریاست جمهوری
8. جناب آقای محمد سعید شرفی مدیرکل حقوقی و امور بین الملل سازمان هواپیمائی کشوری
9. نماینده ستاد کل نیروهای مسلح جمهوری اسلامی ایران (متعاقباً معرفی خواهد شد).
10. آقای مهدی مهاجر کارشناس حقوقی وزارت امور خارجه
11. آقای علیرضا کاظمی دبیر سوم سفارت جمهوری اسلامی ایران در اوکراین
12. آقای والرئ خرانوفسکی مترجم سفارت جمهوری اسلامی ایران در اوکراین

ДЕПАРТАМЕНТ ГЕНЕРАЛЬНОГО СЕКРЕТАРЯ
Вх. № 48650
22 04 2020

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.





سہارت جمہوری اسلامی ایران - کی یف

In The Name Of God

Note

Urgent

Посольство Ісламської Республіки Іран в Україні засвідчує свою повагу Міністерству закордонних справ України та має честь повідомити про таке.

Услід за досягнутими домовленостями, Й.В. Пан Мохсен Бахарванд (Н.Е. Mr. Mohsen Baharvand), Заступник Міністра закордонних справ Ісламської Республіки Іран з юридичних питань та міжнародного права, здійснить візит до Києва 29-30 липня 2020 року на чолі делегації у складі 9 осіб з метою проведення перемовин з Й.В. Паном Євгенієм Єніним, Заступником Міністра закордонних справ України, щодо питань, пов'язаних з катастрофою – падінням літака.

Зважаючи на важливість питань, Посольство буде вдячне за погодження питання призначення часу зустрічей Й.В. Пана М. Бахарванда та супроводжуючої делегації з Й.В. Паном Дмитром Кулебою, Міністром закордонних справ України, та Й.В. Паном Олексієм Даніловим, Секретарем Ради національної безпеки та оборони України.

Посольство також звертається з проханням відносно сприяння з метою надання послуг ДП “Зал офіційних делегацій” МА “Бориспіль” та ескорту делегації в супроводі автомобілів поліції під час перебування в Україні. Дані авіарейсів, якими прибуде та відбуде делегація, буде надіслано згодом.

Склад іранської делегації, яка візьме участь у зустрічах:

- 1) Й.В. Пан Мохсен Бахарванд (Н.Е. Mr. Mohsen Baharvand), Заступник Міністра закордонних справ Ісламської Республіки Іран з юридичних питань та міжнародного права;
- 2) Й.В. Пан Манучехр Мораді (Н.Е. Mr. Manouchehr Moradi), Надзвичайний і Повноважний Посол Ісламської Республіки Іран в Україні;
- 3) Й.В. Пан Аліреза Хагігіян (Н.Е. Mr. Alireza Haghighian), Директор Департаменту Євразії Міністерства закордонних справ Ісламської Республіки Іран;
- 4) Пан Голамаббас Торкі (Mr. Gholamabbas Torki), Прокурор Військової прокуратури Тегерана;
- 5) Пан Сейєд Алі Мусаві (Mr, Seyed Ali Mousavi), Начальник управління міжнародних договорів, гуманітарного та кримінального права Міністерства закордонних справ Ісламської Республіки Іран;
- 6) Пан Пежман Мохаммаді (Mr. Pejman Mohammadi), представник Віце-Президента Ісламської Республіки Іран з правових питань;
- 7) Пан Алі Язді Ніа (Mr. Ali Yazdi Nia), представник Віце-Президента Ісламської

Республіки Іран з правових питань;

8) Пан Мохаммад Саїд Шарафі (Mr. Mohammad Saeid Sharafi), Директор Департаменту з юридичних та міжнародних питань Організації громадянської авіації Ісламської Республіки Іран;

9) Представник Генерального штабу Збройних сил Ісламської Республіки Іран (дані будуть повідомлені згодом);

10) Пан Мехді Мохаджер (Mr. Mehdi Mohajer), експерт з правових питань Міністерства закордонних справ Ісламської Республіки Іран;

11) Пан Аліреза Каземі (Mr. Alireza Kazemi), Третій секретар Посольства Ісламської Республіки Іран в Україні;

12) пан Храновський Валерій Анатолійович, перекладач Посольства Ісламської Республіки Іран в Україні.

Посольство користується нагодою, щоб поновити Міністерству запевнення у своїй високій повазі.

ДЕПАРТАМЕНТ КРАЇН АЗІАТСЬКО-ТИХООКЕАНСЬКОГО РЕГІОНУ
МІНІСТЕРСТВА ЗАКОРДОННИХ СПРАВ УКРАЇНИ

The Embassy of the Islamic Republic of Iran in Ukraine

No: 497373
Date: 22 July 2020
Enclosure: none

In the name of God
NOTE

The Embassy of the Islamic Republic of Iran in Ukraine presents its compliments to the Ministry of Foreign Affairs of Ukraine and has the honour to inform that:

Following the agreements reached, H.E. Mr. Mohsen Baharvand, Deputy Minister of Foreign Affairs of the Islamic Republic of Iran for Legal Affairs and International Law, will pay a visit to Kyiv on July 29-30, 2020 at the head of a delegation of 9 people for the purpose of holding negotiations with H.E. Mr. Yevhenii Yenin, Deputy Minister of Foreign Affairs of Ukraine, regarding issues related to the disaster - the plane crash.

Considering the importance of the issues, the Embassy will be grateful for the approval of the appointment of the meeting time of H.E. Mr. M. Baharvand and the accompanying delegation with H.E. Mr. Dmytro Kuleba, Minister of Foreign Affairs of Ukraine, H.E. Mr. Oleksiy Danilov, Secretary of the National Security and Defense Council of Ukraine.

The embassy also requests assistance in providing services to the "Hall of Official Delegations" State Enterprise "Boryspil" International Airport and escorting the delegation accompanied by police cars during their stay in Ukraine. Flight data, with of the time of delegation's arrival and departure will be sent later.

The list of the Iranian delegation that will take part in the meetings:

- 1) H.E. Mr. Mohsen Baharvand, Deputy Minister of Foreign Affairs of the Islamic Republic of Iran for Legal Affairs and International Law; and
- 2) H.E. Mr. Manouchehr Moradi, Ambassador Extraordinary and Plenipotentiary of the Islamic Republic of Iran to Ukraine;
- 3) H.E. Mr. Alireza Haghhighian, Director of the Eurasia Department of the Ministry of Foreign Affairs of the Islamic Republic of Iran;
- 4) Mr. Gholamabbas Torki, Prosecutor of the Military Prosecutor's Office of Tehran;
- 5) Mr. Seyed Ali Mousavi, Head of the Department of International Treaties, Humanitarian and Criminal Law of the Ministry of Foreign Affairs of the Islamic Republic of Iran;
- 6) Mr. Pejman Mohammadi, representative of the Vice President of the Islamic Republic of Iran on legal issues;
- 7) Mr. Ali Yazdi Nia, representative of the Vice President of the Islamic Republic of Iran on legal issues;
- 8) Mr. Mohammad Saeid Sharafi, Director of Department of Legal and International Affairs of the Civil Aviation Organization of the Islamic Republic of Iran;
- 9) Representative of the General Staff of the Armed Forces of the Islamic Republic of Iran (data will be reported later);
- 10) Mr. Mehdi Mohajer, Legal Officer, Ministry of Foreign Affairs of the Islamic Republic of Iran;
- 11) Mr. Alireza Kazemi, Third Secretary of the Embassy of the Islamic Republic of Iran in Ukraine;

12) Mr. Hranovsky Valery Anatoliyovych, translator of the Embassy of the Islamic Republic of Iran in Ukraine.

The Embassy avails itself of this opportunity to renew to the Ministry the assurance of its highest consideration.

DEPARTMENT OF THE COUNTRIES OF THE ASIA-PACIFIC REGION OF
THE MINISTRY OF FOREIGN AFFAIRS OF UKRAINE

**МІНІСТЕРСТВО ЗАКОРДОННИХ СПРАВ УКРАЇНИ**

№ 72/22-194/510-2077

Міністерство Закордонних Справ України засвідчує свою повагу Міністерству Закордонних Справ Ісламської Республіки Іран та за підсумками першого раунду переговорів між Україною та Ісламською Республікою Іран з метою врегулювання питань, пов'язаних зі збиттям літака авіакомпанії МАУ рейсу PS752, який відбувся 30 липня 2020 року у м. Київ, Україна, має честь привернути увагу Іранської Сторони до питань, які обговорювалися у ході цього раунду переговорів.

У рамках першого раунду переговорів Українська Сторона та Іранська Сторона обговорили широкий спектр питань згідно з запропонованим Українською Стороною порядком денним, з яким погодилася Іранська Сторона:

- 1) принципи і організація проведення переговорів;
- 2) обставини збиття літака авіакомпанії МАУ рейсу PS752 8 січня 2020 року в небі над Тегераном;
- 3) питання застосування норм міжнародного права, включаючи Конвенцію про міжнародну цивільну авіацію 1944 року (Чиказька Конвенція) та Конвенцію про боротьбу з незаконними актами, спрямованими проти безпеки цивільної авіації 1971 року (Монреальська конвенція) у зв'язку зі збиття літака рейсу PS752;
- 4) питання забезпечення ефективності кримінального розслідування, в тому числі надання міжнародно-правової допомоги;
- 5) принципи та модальності компенсації від Ірану за збиття літака рейсу PS752 (за участю представників Міжнародної групи з координації допомоги жертвам катастрофи літака рейсу PS752, учасниками якої є Україна, Канада, Швеція, Афганістан та Велика Британія);
- 6) інше.

На початку переговорів Українська Сторона окреслила свої вимоги до Іранської Сторони

**Міністерство закордонних
справ Ісламської Республіки
Іран
м.Тегеран**

- в повній мірі прийняти на себе відповідальність за збиття літака рейсу PS 752;
- надати Україні відповідні запевнення і гарантії неповторення такого міжнародно-протиправного діяння;
- закінчити технічне розслідування відповідно до Додатку 13 до Чиказької конвенції 1944 року з метою встановлення обставин інциденту та підготовки пропозицій щодо запобігання таких трагічних трагедій у майбутньому;
- провести повне, відкрите і неупереджене кримінальне розслідування з тим, щоб притягнути винних до відповідальності, і забезпечити співпрацю з Україною з цих питань;
- надати Україні, авіакомпанії «МАУ» та громадянам всіх постраждалих держав повне відшкодування за шкоду, заподіяну збиттям літака.

У відповідь Іранська Сторона заявила, що вона має намір дотримуватися своїх зобов'язань згідно з міжнародним правом, проводити технічне та кримінальне розслідування, а також розпочати процес обговорення вирахування компенсацій за шкоду, завдану збиттям літака.

У ході обговорення *пункту першого порядку денного* Сторони узгодили принципи і організацію проведення переговорів.

У ході обговорення *пункту другого порядку денного* Українська Сторона надала право Іранській стороні представити своє бачення обставин збиття літака авіакомпанії «Міжнародні Авіалінії України» рейсу PS752 08 січня 2020 року.

У свою чергу Іранська Сторона заявила таку позицію:

- Іранська Сторона проводить технічне розслідування відповідно до своїх зобов'язань згідно із Додатком 13 Конвенції про міжнародну цивільну авіацію 1944 року (далі – Чиказька конвенція), співпрацюючи, при цьому, з компетентними органами постраждалих держав. Українським та канадським експертам було надано можливість ознайомитись з матеріалами справи;
- затримка у розшифруванні бортових самописців була об'єктивною та відбувалася через поширення коронавірусної інфекції COVID-19 у світі. Підготовка звіту за результатами розшифрування очікується найближчим часом;
- за результатами попереднього розслідування та згідно із проміжним звітом, на думку Іранської Сторони, причиною збиття рейсу PS752 є «людська помилка» та ланцюговий збіг обставин, зокрема, помилка у виставленні установи протиповітряної оборони (ППО) на північ, помилкова ідентифікація і класифікація цілі, відсутність координації та належної комунікації між установкою ППО та

Координаційним центром, ігнорування процедури військових команд оператором установки ППО;

- висловила готовність провести прозоре, справедливе і неупереджене кримінальне розслідування відповідно до законодавства Ісламської Республіки Іран та норм міжнародного права з метою притягнення до відповідальності всіх відповідальних за збиття рейсу PS752 осіб, у тому числі високопосадовців;
- Військова прокуратура міста Тегеран забезпечує проведення кримінального розслідування збиття рейсу PS752 в Ісламській Республіці Іран, є незалежною від виконавчої влади;
- висловила готовність співпрацювати з правоохоронними органами України відповідно до Договору між Україною та Ісламською Республікою Іран про правові відносини та правову допомогу в цивільних і кримінальних справах 2004 року та інформувати про результати розслідування. У зв'язку з чим було проведено окрему зустріч на рівні компетентних правоохоронних органів Ісламської Республіки Іран та України.
- окреслено деякі питання дій особового складу зенітно-ракетного комплексу ТОР-М1 від моменту виявлення цілі до враження двома ракетами літака рейсу PS752.

Українська Сторона у відповідь на заявлену Іранською Стороною позицію зазначила наступне:

- аналіз доступних джерел і документів щодо згаданих подій не дає підстав вважати, що вони були спричинені так званою «людською помилкою». З метою встановлення істинної причини збиття рейсу PS752 та неповторення подібних трагедій у майбутньому важливим залишається аналіз всіх технічних аспектів системи організації польотів Ісламської Республіки Іран;
- Українська Сторона виходить з того, що і Україна, і Ісламська Республіка Іран є державами-учасницями Чиказької конвенції та зобов'язані дотримуватись її положень, а також додатків до неї.

Українська Сторона очікує від Іранської Сторони представлення детального звіту причин збиття рейсу PS752, а також надання відповідей на низку питань, порушених під час переговорів, зокрема:

- чи проводиться Організацією цивільної авіації Ісламської Республіки Іран чи іншим національним повноважним органом оцінка ризику безпеці в межах її повітряного простору відповідно до стандарту 3.1.3 Додатку 17 до Чиказької конвенції?
- чи встановлено Ісламською Республікою Іран процедури обміну з іншими державами інформацією про загрозу, що

стосується інтересів таких держав у сфері авіаційної безпеки відповідно до стандарту 2.4.3 Додатку 17 до Чиказької конвенції?

- чи виявлено Ісламською Республікою Іран географічний район зон конфліктів та здійснено оцінку факторів небезпеки/загрози або потенційних факторів небезпеки/загрози для міжнародних польотів цивільних повітряних суден? Чому в порушення вимог пункту 3.1.3 документу Міжнародної організації цивільної авіації 10084 «Керівництво з оцінки факторів ризику для польотів цивільних повітряних суден над зонами конфліктів та поблизу них» Ісламською Республікою Іран не випущено міжнародний NOTAM, який містить необхідну інформацію, рекомендації і заходи по забезпеченню безпеки польотів?

- чому в порушення вимог Стандартів 2.18.1, 2.18.3, 2.18.3.1 до Додатку 11 до Чиказької конвенції не забезпечено належну взаємодію між органами обслуговування повітряного руху та військовими повноважними органами?

- чи дотримано встановлену Стандартом 5.11 Додатку 13 до Чиказької конвенції процедуру повідомлення заінтересованих держав щодо наявної у Іранській Республіки Іран під час розслідування інформації або підозри, що мав місце акт незаконного втручання? Чому в порушення Стандарту 5.11 Додатку 13 не вжито невідкладних заходів щодо інформування Державної авіаційної служби України?

У зв'язку із заявами та коментарями Української Сторони Іранська Сторона висловила наступну позицію та коментарі:

- Іранська Сторона вважає себе відповідальною за збиття літака рейсу PS752. Іранська Сторона запевнила, що в неї не було наміру збивати літак. При цьому, Іранська Сторона згадала прецедент 1988 року коли військовим кораблем США було збито пасажирський літак Іранських авіаліній IR 655. Сполучені Штати Америки тоді не взяли на себе відповідальність за цей інцидент на відміну від Іранської Республіки Іран, яка взяла на себе відповідальність одразу після трагедії, яка сталася 08 січня 2020 року;
- Іранська Сторона запевнила Українську Сторону, що передасть детальний звіт щодо обставин збиття рейсу PS752 після закінчення аналізу результатів розшифрування бортових самописців;
- підтвердила, що літак рейсу PS752 не відхилився від польотного маршруту, а екіпаж чітко виконував всі необхідні інструкції;
- заперечила існування збройного конфлікту між Ісламською Республікою Іран та Сполученими Штатами Америки. Зауважила, що авіабаза Сполучених Штатів Америки в Іраку, по якій Ісламська Республіка Іран здійснила ракетні удари зранку 08 січня 2020 року, знаходиться на відстані 1000 км від

аеропорту м. Тегеран. Зазначене робить неможливим зв'язок між збиттям рейсу PS752 та авіаатакою авіабази США в Іраку;

- запевнила Українську Сторону про свій намір передати Державній авіаційній службі України технічний звіт для надання можливих коментарів для нього.

Підсумовуючи результати обговорення пункту другого порядку денного Українська Сторона попросила Іранську Сторону надати письмові відповіді на поставлені Українською Стороною питання в ході розгляду зазначеного пункту порядку денного.

У ході обговорення *пункту третього порядку денного* в частині тлумачення і застосування Чиказької конвенції Українська Сторона заявила, що Ісламська Республіка Іран, здійснивши збиття рейсу PS752, порушила статті 3 *bis*, 9, 26 Чиказької конвенції, а також додатки 2, 11, 13 та 17 до неї, зокрема щодо заборони державам-учасникам використовувати зброю проти цивільних повітряних суден у польоті; щодо заборони польотів у повітряному просторі у випадку існування суспільної небезпеки або з міркувань військової необхідності; щодо відповідальності за проведення прозорого, адекватного та належного розслідування аварії тощо.

Українська Сторона закликала Іранську Сторону підготувати та надати Міжнародній організації цивільної авіації рекомендації щодо запобігання побіжних авіаційних інцидентів у майбутньому, що було підтримано Іранською Стороною.

В рамках обговорення питання застосування Конвенції про боротьбу з незаконними актами, спрямованими проти безпеки цивільної авіації 1971 року (далі - Монреальська конвенція) Українська Сторона висловила переконання, що ситуація зі збиттям літака рейсу PS752 підпадає під кваліфікацію злочину, визначеного підпунктом (b) пункту 1 статті 1 цієї Конвенції щодо незаконного і навмисного знищення повітряного судна, що перебуває в експлуатації, або заподіяння цьому повітряному судну ушкодження, яке виводить його з ладу або може загрожувати його безпеці в польоті.

Українська Сторона закликала Іранську Сторону надати детальну інформацію щодо імплементації останньою зобов'язань за Монреальською конвенцією, передбачених статтями 3, 7, 10, 11 та 13, серед іншого стосовно встановлення суворого покарання за вчинення незаконних актів, спрямованих проти безпеки цивільної авіації, проведення ретельного кримінального розслідування, вжиття заходів для запобігання злочинам проти цивільних повітряних суден, надання допомоги у зв'язку з кримінальним провадженням, а також інформування Ради ІКАО про обставини правопорушень та перебіг відповідних проваджень.

Виходячи з наведеного, Українська Сторона закликала Іранську Сторону визнати свою міжнародно-правову відповідальність за порушення норм міжнародного права, зокрема

Чиказької та Монреальської конвенцій, надати належні гарантії неповторення такого міжнародно-протиправного діяння та відшкодувати шкоду, завдану Україні, всім пасажиром рейсу PS752 та авіакомпанії МАУ.

У відповідь Іранська Сторона надала наступні коментарі та пояснення:

- заперечила порушення нею зобов'язань за Чиказькою та Монреальською конвенціями і наголосила, що нею були вжито всі належні заходи для забезпечення безпеки авіаційного простору і забезпечено координацію між авіаційною владою та військовими;
- наголосила, що вказаний авіаційний інцидент є результатом співпадіння обставин (людська помилка, перебої зв'язку між оператором ЗРК TOP та координаційним центром), а не умисного діяння;
- заперечила, що в зоні здійснення рейсів відбувався збройний конфлікт, в черговий раз наголосивши, що дії Іранських військових були лише контрзаходами у відповідь на теракт в Іраку, вчинений американськими військовими проти посадовців Іранської Сторони.

Іранська Сторона також підтвердила готовність проведення технічного і кримінального розслідувань. Було заявлено про потребу у взаємодії між компетентними органами Ісламської Республіки Іран та України з цих питань. Водночас, було підкреслено, що у ході цієї співпраці мають дотримуватися принципи: виключної юрисдикції Ісламської Республіки Іран щодо судового переслідування винних у збитті літака осіб; неможливості їхньої екстрадиції; незалежності іранської судової влади; поводження з інформацією, яка становить військову таємницю.

У ході обговорення *пункту четвертого порядку денного* Українська Сторона відзначила, що компетентні органи України проводять досудове розслідування за ознаками умисного знищення літака та вбивства громадян України.

Українська Сторона висловила занепокоєння небажанням Іранської Сторони добросовісно виконувати свої зобов'язання за Монреальською конвенцією та Договором між Україною та Ісламською Республікою Іран про правові відносини та правову допомогу в цивільних і кримінальних справах від 11 травня 2004 року.

Зокрема, Українська Сторона наголосила, що Іранська Сторона не надала належну відповідь на 4 запити №19/1-31466-20 від 09.01.2020, 14.01.2020, 25.01.2020 та 17.03.2020 щодо: проведення слідчих дій та надання документів, пов'язаних з оглядом технічного стану літака під час його перебування та вильоту з аеропорту Тегерану, а також формування спільної слідчої групи; надання предметів, що мають значення речових доказів у

кримінальному провадженні: частин повітряного судна та льотних приладів; надання копій процесуальних документів, що підтверджують вину осіб, які переслідуються компетентними органами Ісламської Республіки Іран у зв'язку зі збиттям літака; надання інформації про обставини удару ракети TOP-M1 та встановлення інформації про пасажирів.

Відповіді, які надійшли до компетентних органів України демонструють формальний підхід до опрацювання українських запитів (відповіді розпливчасті, містять посилення на інформацію та факти з відкритих джерел; або повністю відсутня відповідь на низку питань, що містяться у вищезазначених запитах).

Українська Сторона зауважила на тому, що при складанні запитів до України Іранська Сторона не дотрималася вимог двостороннього Договору (відсутність даних щодо кваліфікації правопорушення, обов'язкових додатків до запитів, відповідність запитів предмету розслідування).

Українська Сторона вказала, що через відсутність прямої комунікації між органами судової влади обох Сторін на розгляд Української Сторони так і не надходили наступні документи: № 9000/23246/20 від 02.02.2020 (про який йдеться у листах № 980061 від 11.02.2020 та № 980061 від 17.02.2020); № 9000/25022/20 від 25.02.2020 та 9000/872/20 від 18.04.2020 (про які йдеться у листі № 9000/1721/20 від 29.04.2020).

Українська Сторона запропонувала Іранській Стороні уважно розглянути пропозицію щодо створення Спільної слідчої групи, що, серед іншого, дало б змогу підтримувати безпосередній та оперативний зв'язок між органами прокуратури.

Іранська Сторона, посилаючись на положення Конституції та кримінального процесуального законодавства, наголосила на незалежності органів досудового розслідування та підкреслила, що розслідування відбувається об'єктивно та неупереджено, щоб винні особи були покарані.

У дусі конструктивної співпраці Сторони домовились продовжити обговорення цих питань на наступних раундах переговорів.

У рамках *пункту п'ятого порядку денного* було проведено відео-конференцію за участю представників Міжнародної групи з координації допомоги жертвам рейсу PS752 (далі - Координаційна група) та Ісламської Республіки Іран з метою обговорення принципів і модальностей проведення переговорів стосовно репарацій, пов'язаних зі збиттям літака рейсу PS752.

Українська Сторона виступила в якості речника Координаційної групи. Також були присутні учасники переговорів з Великої Британії, Канади та Швеції (делегатія Афганістану з технічних причин не змогла взяти участь).

Члени Координаційної групи підтвердили свою відданість співпраці та вчергове закликали Ісламську Республіку Іран провести повне, прозоре та незалежне розслідування відповідно до міжнародних стандартів, у тому числі забезпечити притягнення винних до відповідальності та встановлення справедливості для сімей постраждалих внаслідок цієї жахливої трагедії, а також здійснити повну компенсацію родичам загиблих за збиття рейсу PS752.

Іранська Сторона у відповідь на заяви та коментарі членів Координаційної групи зазначила наступне:

- Іранська сторона готова виконувати зобов'язання за міжнародними договорами, а також забезпечити транспарентність цього процесу та поінформувати про результати технічного і кримінального розслідувань;
- згода Іранської Сторони на участь у переговорах з Координаційною групою не обумовлює її автоматичну згоду з можливими їхніми результатами;
- Іранська Сторона закликала членів Координаційної групи не політизувати питання збиття літака і відзначила, що протистоятиме будь-якому впливу на проведення згаданих розслідувань, що Іран розглядатиме як втручання у його внутрішні справи;
- виплата компенсації певній постраждалій державі розглядатиметься Іранською Стороною як остаточне врегулювання всіх можливих претензій з боку її громадян, а розмір компенсації буде обчислюватися, виходячи з існуючих прецедентів та норм міжнародного права.

Сторони погодилися, що предметне обговорення обсягу та структури компенсації можливо розпочати лише після з'ясування всіх обставин інциденту.

У ході обговорення *пункту шостого порядку денного* Сторони узгодили проведення наступного раунду двосторонніх переговорів за такою схемою:

- експертних консультацій щодо обставин та наслідків авіаційного інциденту у робочих групах: 1) з питань технічного розслідування (на рівні експертів авіаційних органів); 2) з питань кримінального розслідування (на рівні експертів прокуратури та органів досудового розслідування); 3) з військових питань (на рівні експертів Генерального штабу Збройних Сил України та Ісламської Республіки Іран);
- обговорення результатів роботи вказаних експертних груп на рівні Заступників Міністрів Закордонних Справ.

Українська Сторона висловлює готовність щодо проведення наступного раунду двосторонніх переговорів 19 жовтня 2020 року (експертні консультації) та 20 жовтня 2020 року (на рівні Заступників Міністрів Закордонних Справ) в м. Тегеран.

Також, Сторони домовились провести багатосторонні консультації (Координаційна група – Ісламська Республіка Іран) - наприкінці листопада 2020 року у м. Києві або у форматі відео-конференції. Сторони узгодять конкретні дати їх проведення дипломатичними каналами.

Підсумовуючи результати першого раунду переговорів Українська Сторона хотіла б відзначити таке:

- Українська і Іранська Сторони мають спільне розуміння необхідності продовження обговорення питань, пов'язаних зі збиттям літака авіакомпанії МАУ рейсу PS752, серед іншого тлумачення і застосування Чиказької та Монреальської конвенцій, а також обсягу і структури компенсації постраждалим державам, членам сімей загиблих та авіакомпанії МАУ, в рамках ініційованого переговорного процесу з метою усунення наявних розбіжностей та вирішення спору шляхом переговорів;
- Українська Сторона зобов'язалася надати Іранській Стороні розгорнуту позицію щодо фактів порушення останньою норм міжнародного права, зокрема Чиказької та Монреальської конвенцій (додається) та очікує належної письмової відповіді від Іранської Сторони;
- Українська Сторона очікує отримати від Іранської Сторони відповіді на питання, порушені у ході обговорення пунктів порядку денного, а саме в частині обставин збиття літака, а також відповіді на запити Української Сторони про правову допомогу у кримінальному провадженні;
- Українська Сторона також очікує отримати від Іранської Сторони оригінали належним чином оформлених запитів про правову допомогу, які бути підготовлені судовою владою Ісламської Республіки Іран і не надійшли на розгляд Української Сторони.

Міністерство Закордонних Справ України користується цією нагодою, щоб поновити Міністерству Закордонних Справ Ісламської Республіки Іран запевнення у своїй високій повазі.

Додаток: згадане, на 3 арк.



Позиція Української сторони щодо порушень Іранською стороною норм Конвенції про міжнародну цивільну авіацію 1944 року

Українська сторона виходить з того, що і Україна, і Ісламська Республіка Іран є державами-учасницями Конвенції про міжнародну цивільну авіацію 1944 року (далі - Чиказька конвенція).

Стаття 3bis Чиказької конвенції забороняє державам-учасницям використовувати зброю проти цивільних повітряних суден у польоті. Цей принцип вже добре відомий у звичаєвому міжнародному праві.

Українська сторона глибоко стурбована тим, що, хоча Ісламська Республіка Іран очікувала і готувалася до можливості подальшої ескалації бойових дій у власному повітряному просторі під час вильоту PS752, відповідно до Чиказької конвенції потрібно було вжити відповідних заходів для забезпечення безпеки цивільної авіації у своєму повітряному просторі. На нашу думку, підтримка безпечного цивільного повітряного простору є позитивним зобов'язанням кожної держави, особливо в ситуаціях потенційного військового конфлікту.

На наше переконання, оскільки Ісламська Республіка Іран не повідомила своєчасно про потенційні ризики для збереження та безпеки цивільних повітряних операцій у своєму суверенному чи делегованому повітряному просторі, вона порушила статтю 9 Чиказької конвенції та численні стандарти безпеки, що містяться у додатках 2, 11 та 17 до Конвенції.

Ісламська Республіка Іран була відповідальною за запровадження спеціальних заходів для забезпечення безпеки міжнародних операцій цивільних повітряних суден у районі польотної інформації (далі - РПІ) Ісламської Республіки Іран, у тому числі за надання авіадиспетчерського обслуговування в повітряному просторі, постраждалому від потенційного конфлікту.

Українська сторона вважає, що положення статті 26 Чиказької конвенції покладають на Ісламську Республіку Іран відповідальність за проведення прозорого, адекватного та належного розслідування аварії, що включає, зокрема, захист доказів та забезпечення безпечного зберігання літака та зчитування бортових самописців «без зволікань».

Більше того, незважаючи на неодноразові обіцянки Іранської сторони, бортові самописці були доставлені до Франції для відповідного зчитування лише 20 липня, що не дає підстав стверджувати, що це було зроблено «без зволікань», як це передбачено у Додатку 13 до Чиказької конвенції.

З огляду на зазначене, Українська сторона вважає, що Ісламська Республіка Іран, здійснивши збиття рейсу PS752, порушила статті 3bis, 9, 26 Чиказької конвенції, а також додатки 2, 11, 13 та 17 до Конвенції.

Українська сторона залишає за собою право повідомити додаткові факти порушень Іранською стороною своїх зобов'язань за Чиказькою конвенцією.

Позиція Української сторони щодо порушень Іранською стороною норм Конвенції про боротьбу з незаконними актами, спрямованими проти безпеки цивільної авіації 1971 року

Українська сторона вважає, що положення Конвенції про боротьбу з незаконними актами, спрямованими проти безпеки цивільної авіації 1971 року (далі - Монреальська конвенція) поширюються на ситуацію зі збиттям літака рейсу PS752.

Українська сторона заявляє, що Монреальська конвенція покладає на Іранську сторону низку зобов'язань, серед іншого:

- запровадити та забезпечити суворі покарання за вчинення незаконних актів, спрямованих проти безпеки цивільної авіації, а у випадку відмови – забезпечити екстрадицію злочинців (ст. 3).

- здійснювати судове переслідування вірогідних злочинців шляхом проведення ретельного кримінального розслідування (ст.7);

- вжити всіх можливих заходів щодо запобігання злочинам проти цивільних повітряних суден (ст.10);

- надавати одна одній найбільш повну допомогу у зв'язку з кримінальним провадженням, порушеним стосовно злочинів, визначених Конвенцією (ст.11);

- оперативно інформувати Раду ІКАО про обставини правопорушень та перебіг відповідних проваджень, зокрема заходи щодо кримінального переслідування ймовірних порушників (ст.13).

Українська сторона була б вдячна Іранській стороні за надання детальної інформації щодо реалізації вказаних вище зобов'язань.

Пунктом (b) пункту 1 статті 1 Монреальської конвенції передбачено, що злочином за цією конвенцією є, серед іншого, незаконне і навмисне знищення повітряного судна, що перебуває в експлуатації, або заподіяння цьому повітряному судну ушкодження, яке виводить його з ладу або може загрожувати його безпеці в польоті.

Українська сторона наголошує, що представники Ісламської Республіки Іран публічно визнали, що військове формування Ірану - Корпус Вартових Ісламської Революції взяло на себе відповідальність за знищення повітряного судна, яке летіло в повітряному просторі над його територією.

Українська сторона вважає, що збиття літака рейсу PS752 і дії Іранської сторони у контексті цієї події дають підстави заявляти про міжнародно-правову відповідальність Ісламської Республіки Іран за порушення її міжнародно-правових зобов'язань за Монреальською конвенцією, виходячи з наступного.

По-перше, загальновизнані принципи і норми міжнародного права, передбачають, що поведінка будь-якого органу держави вважається актом цієї держави незалежно від того, яке місце цей орган займає в системі держави. Таким чином, Українська сторона розглядає вчинення представниками іранських збройних формувань міжнародно-протиправного діяння, передбаченого підпунктом (b) пункту 1 статті 1 Монреальської конвенції, як вчинення зазначеного діяння Іранською стороною;

По-друге, стаття 10 Монреальської конвенції говорить, що «Договірні Держави відповідно до міжнародного права і національного законодавства

будуть прагнути вживати усіх практично здійснених заходів з метою запобігання злочинам, згаданих у статті 1».

Українська сторона вважає, що Іранська сторона не вжила всіх необхідних заходів для запобігання збиттю літака рейсу PS752, в першу чергу, з огляду на таке:

- очікуючи можливого ракетного удару США, Іран не вжив заходів для закриття повітряного простору для цивільних повітряних суден;
- підрозділи протиповітряної оборони були розміщені поблизу цивільного аеропорту, що суперечило вимогам Чиказької конвенції та її додатків;
- обставини збиття літака вказують на відсутність координації дій цивільної авіаційної влади та підрозділів протиповітряної оборони Ірану.

По-третє, Українська сторона виходить з того, що Монреальською конвенцією на держави-учасниці також покладено обов'язок не вчиняти злочини за змістом Конвенції.

Зазначене тлумачення і розуміння Українською стороною Монреальської конвенції базується на тому, що злочин за змістом Конвенції є предметом серйозного занепокоєння міжнародного співтовариства в цілому. Відповідно, оскільки держави-учасниці погодилися з таким визначенням злочину за змістом Монреальської конвенції і взяли зобов'язання запобігати його вчиненню, вони також зобов'язані не вчиняти зазначені злочини.

Українська сторона залишає за собою право повідомити додаткові факти порушень Іранською стороною своїх зобов'язань за Монреальською конвенцією.

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Enclosure: as stated, on 3 sh.

MINISTRY OF FOREIGN AFFAIRS OF UKRAINE

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and as the results of the first round of negotiations between Ukraine and the Islamic Republic of Iran aimed at resolving issues related to the downing of UIA flight RS752, which took place on July 30, 2020 in the city of Kyiv, Ukraine, has the honor to draw the attention of the Iranian side to the issues discussed during this round of negotiations.

As part of the first round of negotiations, the Ukrainian side and the Iranian side discussed a wide range of issues in accordance with the agenda proposed by the Ukrainian side and agreed to by the Iranian side:

- 1) Principles and organization of negotiations;
- 2) Circumstances of the downing of the "Ukraine International Airlines" Flight RS752 on January 8, 2020 in the sky over Tehran;
- 3) The question of the application of international law regarding the downing of flight RS752, including the 1944 Convention on International Civil Aviation (Chicago Convention) and the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention);
- 4) The issue of ensuring the effectiveness of the criminal investigation, including the provision of international legal assistance;
- 5) Principles and modalities of compensation from Iran for the downing of Flight PS752 with the participation of representatives of the International Coordination and Response Group for the victims of Flight PS752, whose participants are Ukraine, Canada, Sweden, Afghanistan and the United Kingdom (hereinafter - CG);
- 6) Other.

At the beginning of the negotiations, the Ukrainian side outlined its requirements to the Iranian side:

- fully accept responsibility for the downing of PS 752;
- provide Ukraine with appropriate assurances and guarantees of non-repetition such an internationally illegal act;
- complete a technical investigation in accordance with Annex 13 to the Chicago Convention of 1944 in order to establish the circumstances of the incident and prepare proposals for and prevent such tragedies in the future;
- conduct a full, open and impartial criminal investigation to the end that to hold all guilty accountable, and to ensure cooperation with Ukraine from these issues;
- provide full compensation to Ukraine, the UIA airline company and the citizens of all affected states for the damage caused by the downing of the plane.

In response, the Iranian side stated that it intends to comply with its obligations under international law, conduct a technical and criminal investigation, and begin the process of discussing compensation for the damage caused by the downing of the plane.

During the discussion of the *first agenda item*, the Parties agreed on the principles and organization of negotiations.

During the discussion of the second agenda item, the Ukrainian side granted the right to the Iranian side to present its vision of the circumstances of the downing of the Ukraine International Airlines flight PS75208 in January 2020.

In turn, the Iranian Party stated the following position:

- the Iranian Party is conducting a technical investigation in accordance with its obligations under Annex 13 of the Convention on International Civil Aviation of 1944 (hereinafter referred to as the Chicago Convention), in cooperation with the competent authorities of the affected states. Ukrainian and Canadian experts were given the opportunity to familiarize themselves with the case materials;
- the delay in deciphering the flight recorders was objective and occurred due to the spread of the COVID-19 coronavirus infection in the world. Preparation of a report based on the results of the decryption is expected in the near future;
- according to the results of the preliminary investigation and according to the interim report, according to the Iranian side, the reason for the downing of flight PS752 is "human error" and a chain of circumstances, in particular, an error in the deployment of air defense to the north, the establishment of erroneous identification and classification of the target, lack of coordination and proper communication between the air defense installation and Coordination center, ignoring the procedure of the military commands by the operator of the air defense installation;
- expressed readiness to conduct a transparent, fair and impartial criminal investigation in accordance with the legislation of the Islamic Republic of Iran, rules of international law in order to bring to justice all persons responsible for the downing of flight PS752, including high- ranking officials;
- the Military Prosecutor's Office of the city of Tehran ensures the conduct of a criminal investigation into the downing of flight RS752 to the Islamic Republic of Iran, and shall be independent from the executive power;
- expressed readiness to cooperate with law enforcement agencies of Ukraine in accordance with the 2004 Treaty between Ukraine and the Islamic Republic of Iran on legal relations and legal assistance in civil and criminal cases and to inform about the results of the investigation. In connection with this, a separate meeting was held at the level of competent law enforcement agencies of the Islamic Republic of Iran and Ukraine;
- some issues of the actions of the personnel of the TOR-M1 anti-aircraft missile system from the moment of target detection to the impact of two missiles of the flight RS752 aircraft are outlined.

The Ukrainian side in response to the statement by the Iranian side stated the following:

- the analysis of available sources and documents regarding the mentioned events does not give grounds to believe that they were caused by the so-called "human error". In order to establish the true cause of the downing of flight PS752 and to prevent similar tragedies in the future, it is important to analyze all technical aspects of the flight management system of the Islamic Republic of Iran;
- the Ukrainian Party assumes that both Ukraine and the Islamic Republic of Iran are State-Parties of the Chicago Convention and are obliged to comply with its provisions, as well as its annexes.

The Ukrainian side expects the Iranian side to present a detailed report on the reasons for the downing of Flight PS752, as well as to provide answers to a number of issues raised during the negotiations, in particular:

- Does the Civil Aviation Organization of the Islamic Republic of Iran or another national authority carry out a security risk assessment within its airspace in accordance with standard 3.1.3 of Annex 17 to the Chicago Convention?

- Has the Islamic Republic of Iran established procedures of sharing with other states information about the threat with regard to the interests of such States in the field of aviation security in accordance with standard 2.4.3 of Annex 17 to the Chicago Convention?

- Has the Islamic Republic of Iran identified the geographical areas of conflicts and carried out an assessment of the danger/threat factors or potential danger/threat factors for international civil aircraft flights? Why, in violation of the requirements of paragraph 3.1.3 of the document of the International Civil Aviation Organization 10084 "Guidelines for the assessment of risk factors for flights of civil aircraft over and near conflict zones", the Islamic Republic of Iran did not issue an international NOTAM containing the necessary information, recommendations and measures to ensure flight safety?

- why, in violation of the requirements of Standards 2.18.1, 2.18.3, 2.18.3.1 to Annex 11 to the Chicago Convention, proper interaction between air traffic service authorities and military authorities was not ensured?

- Has the procedure established by Standard 5.11 of Annex 13 to the Chicago Convention been followed for the notification of interested states regarding the information available to the Islamic Republic of Iran during the investigation or the suspicion that an act of unlawful interference has taken place? Why, in violation of Standard 5.11 of Appendix 13, no urgent measures were taken to inform the State Aviation Administration of Ukraine?

In connection with the statements and comments of the Ukrainian Party, the Iranian side expressed the following position and comments:

- the Iranian side considers itself responsible for the downing of the flight RS752. The Iranian side assured that it had no intention of shooting down the plane. At the same time, the Iranian side recalled the precedent of 1988, when a US warship shot down a passenger plane of Iranian Airlines Flight IR 655. The United States of America did not then take responsibility for this incident, unlike the Islamic Republic of Iran, which took responsibility immediately after the tragedy, which happened on January 8, 2020;
- the Iranian side assured the Ukrainian side that it would submit a detailed report on the circumstances of the downing of flight RS752 after the analysis of the results of the decoding of the flight recorders was completed;
- confirmed that the aircraft of flight PS752 did not deviate from the flight route, and the crew clearly followed all the necessary instructions;
- denied the existence of an armed conflict between the Islamic Republic of Iran and the United States of America. Noted that the airbase of the United States of America in Iraq, on which the Islamic Republic of Iran carried out missile strikes in the morning of January 8, 2020, is located 1,000 km from Tehran airport. This makes the connection between the downing of Flight PS752 and the air attack on the US air base in Iraq impossible;
- assured the Ukrainian Party of its intention to submit the technical report to the State Aviation Administration of Ukraine for possible comments on it.

Summarizing the results of the discussion of the second agenda item, the Ukrainian side asked the Iranian side to provide written answers to the questions raised by the Ukrainian Party issues during the consideration of the specified agenda item.

During the discussion of the *third agenda item* regarding the interpretation and application of the Chicago Convention, the Ukrainian Party stated that the Islamic Republic of Iran, by shooting down Flight RS752, violated Articles 3 bis, 9, 26 of the Chicago Convention, as well as Annexes 2, 11, 13 and 17 to it, in particular, regarding the prohibition of the participating states to use weapons against civilian aircraft in flight; regarding the prohibition of flights in the airspace in the event of public danger or for reasons of military necessity; regarding the responsibility for conducting a transparent, adequate and proper investigation of the accident, etc.

The Ukrainian side called on the Iranian side to prepare and provide the International Civil Aviation Organization with recommendations on preventing unfortunate aviation incidents in the future, which was supported by the Iranian side.

As part of the discussion of the application of the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (hereinafter referred to as the Montreal Convention), the Ukrainian Party expressed its belief that the situation with the downing of the flight RS752 falls under the qualification of the crime specified in subparagraph (b) of paragraph 1 of the article 1 of this Convention regarding the illegal and intentional destruction of an aircraft in operation or causing damage to this aircraft that disables it or may endanger its safety in flight.

The Ukrainian Party called on the Iranian Party to provide detailed information regarding the implementation of the latest obligations under the Montreal Convention, provided for in Articles 3, 7, 10, 11 and 13, among other things, regarding the establishment of severe punishment for committing illegal acts aimed at the safety of civil aviation, conducting a thorough criminal investigation, taking measures to prevent crimes against civil aircraft, providing assistance in connection with criminal proceedings, as well as informing the ICAO Council about the circumstances of offenses and the course of relevant proceedings.

Based on the abovementioned, the Ukrainian side called on the Iranian side to recognize its international legal responsibility for violating the norms of international law, in particular of the Chicago and Montreal Conventions, provide adequate guarantees of non-repetition of such an internationally illegal act and compensate the damage caused to Ukraine, all passengers of Flight RS752 and the UIA airline.

In response, the Iranian side provided the following comments and explanations:

- denied its violation of obligations under the Chicago and Montreal Conventions and emphasized that it had taken all appropriate measures to ensure the safety of aviation space and ensured coordination between aviation authorities and the military;
- emphasized that the specified aviation incident is the result of a coincidence of circumstances (human error, communication interruptions between the operator of the TOR air defense system and the coordination center), and not an intentional act;
- denied that there was an armed conflict in the area of the flights, once again emphasizing that the actions of the Iranian military were only countermeasures in response to the terrorist attack in Iraq committed by the American military against officials of the Iranian side.

The Iranian side also confirmed its readiness to conduct technical and criminal investigations. The need for cooperation between the competent authorities of the Islamic Republic of Iran and Ukraine on issues was stated. At the same time, it was emphasized that in the course of this cooperation, the following principles should be observed: the exclusive jurisdiction of the Islamic Republic of Iran regarding the prosecution of the persons

responsible for the downing of the plane; the impossibility of their extradition; the independence of the Iranian judiciary; handling information that is a military secret.

During the discussion of the *fourth agenda item*, the Ukrainian side noted that the competent authorities of Ukraine are conducting a pre-trial investigation on the grounds of the deliberate destruction of the plane and the murder of Ukrainian citizens.

The Ukrainian side expressed concern over the reluctance of the Iranian side to fulfill its obligations in good faith under the Montreal Convention and the Treaty between Ukraine and the Islamic Republic of Iran on legal relations and legal assistance in civil and criminal matters dated May 11, 2004.

In particular, the Ukrainian Side emphasized that the Iranian Side did not provide an adequate response to 4 requests No. 19/1-31466-20 dated 01.09.2020, 01.14.2020, 01.25.2020 03.17.2020 and regarding: conducting investigative actions and providing documents, related to the inspection of the technical condition of the aircraft during its stay and departure from the Tehran airport, as well as the formation of a joint investigative team; provision of items that have the value of material evidence in criminal proceedings: aircraft parts and flight instruments; provision of copies of procedural documents confirming the guilt of persons prosecuted by the competent authorities of the Islamic Republic of Iran in connection with the downing of the plane; providing information about the circumstances of the TOR-M1 missile strike and establishing information about the passengers.

The answers received by the competent authorities of Ukraine demonstrate a formal approach to the processing of Ukrainian requests (the answers are vague, contain references to information and facts from open sources; or there is a complete absence of answers to a number of questions contained in the above-mentioned requests).

The Ukrainian side noted that when making requests to Ukraine, the Iranian side did not comply with the requirements of the bilateral agreement (lack of data on the qualification of the offense, mandatory annexes to the requests, compliance of the requests with the subject of the investigation).

The Ukrainian Party indicated that due to the lack of direct communication between the judicial authorities of both Parties, the following documents were never submitted for consideration by the Ukrainian Party: No. 9000/23246/20 dated 02.02.2020 (referred to in letters No. 980061 dated 11.02.2020 No. 980061 from 17.02.2020); and No. 9000/25022/20 dated 02/25/2020 and 9000/872/20 dated 04/18/2020 (referred to in letter No. 9000/1721/20 dated 04/29/2020).

The Ukrainian side offered the Iranian side to carefully consider the proposal for the creation of a joint investigative group, which, among other things, would allow maintaining direct and operational communication between the prosecutor's offices.

The Iranian side, referring to the provisions of the Constitution and criminal procedural legislation, emphasized the independence of pre-trial investigation bodies and emphasized that the investigation is conducted objectively and impartially, so that the guilty persons are punished.

In the spirit of constructive cooperation, the Parties agreed to continue the discussion of these issues in subsequent rounds of negotiations.

As part of the *fifth agenda item*, a video conference was held with the participation of representatives of the International Coordination and Response Group for the victims of Flight PS752 (hereinafter referred to as the Coordination Group) and the Islamic Republic of Iran in order to discuss the principles and modalities of negotiations regarding reparations related to the downing flight RS752.

The Ukrainian Party acted as the spokesperson of the Coordination Group. Participants of the negotiations from the United Kingdom, Canada and Sweden were also present (the delegation of Afghanistan could not participate due to technical reasons).

The members of the Coordination Group reaffirmed their commitment to cooperation and once again called on the Islamic Republic of Iran to conduct a full, transparent and independent investigation in accordance with international standards, including ensuring that those responsible are brought to justice and justice for the families of the victims of this terrible tragedy, as well as full compensation to the relatives of those killed in the downing of Flight PS752.

In response to the statements and comments of the members of the Coordination Group, the Iranian Party noted the following:

the Iranian side is ready to fulfill its obligations under international treaties to ensure the transparency of this process and inform about the results of technical and criminal investigations; the consent of the Iranian Party to participate in negotiations with the Coordination Group does not condition its automatic consent to their possible results;

the Iranian side called on the members of the Coordination Group not to politicize the issue of the downing of the plane and noted that it will resist any influence on the conduct of the mentioned investigations, which Iran will consider as interference in its internal affairs;

the payment of compensation to a certain affected state will be considered by the Iranian Party as the final settlement of all possible claims by its citizens, and the amount of compensation will be calculated based on existing precedents and rules of international law.

The parties agreed that the substantive discussion of the scope and compensation structure can be started only after clarification all circumstances of the accident.

During the discussion of the *sixth agenda item*, the Parties agreed to hold the next round of bilateral meetings negotiations according to the following scheme:

- expert consultations on the circumstances and the consequences of the aviation accident in working groups: 1) on technical investigation issues (at the level of experts of aviation authorities); 2) on issues of criminal investigation (at the level of experts of the prosecutor's office and pre-trial investigation bodies); 3) on military issues (at the level of experts of the General Staff of the Armed Forces of Ukraine and the Islamic Republic of Iran);
- discussion of the results of the specified expert groups on levels of Deputy Ministers of Foreign Affairs.

The Ukrainian side expresses its readiness to hold the next round of bilateral negotiations on October 19, 2020 (expert consultations) and October 20, 2020 (at the level of Deputy Ministers of Foreign Affairs) in Tehran.

Also, the Parties agreed to hold multilateral consultations (Coordinating Group - Islamic Republic of Iran) - at the end of November 2020 in Kyiv or in the format of a video conference. The parties will agree on specific dates for their implementation through diplomatic channels.

Summarizing the results of the first round of negotiations The Ukrainian side would like to note the following:

the Ukrainian and Iranian Parties have a common understanding of the need to continue discussing the issues related to the downing of UIA Flight PS752, among other things, the interpretation and application of the Chicago and Montreal Conventions, as well as the scope and structure of compensation to the affected states, family members of the victims and UIA airline, in as part of the initiated negotiation process with the aim of eliminating existing differences and resolving the dispute through negotiations;

- the Ukrainian Party undertook to provide the Iranian Party with a detailed position regarding the facts of the latter's violation of the norms of international law, in particular the Chicago and Montreal Conventions (attached) and expects a proper written response from the Iranian Party;
- the Ukrainian Party expects to receive from the Iranian Party answers to the questions raised during the discussion of the agenda items, namely, regarding the circumstances of the downing of the plane, as well as answers to the Ukrainian Party's requests for legal assistance in criminal proceedings;
- the Ukrainian Party also expects to receive from the Iranian Party the originals of duly executed requests for legal assistance, which have been prepared by the judicial authorities of the Islamic Republic of Iran and have not been submitted for consideration by the Ukrainian Party.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Annex: as stated, at 3 sh.

Kyiv, 27 September 2020

The position of the Ukrainian side regarding violations by the Iranian side of the rules of the 1944 Convention on International Civil Aviation

The Ukrainian side assumes that both Ukraine and the Islamic Republic of Iran are member states of the 1944 Convention on International Civil Aviation (hereinafter referred to as the Chicago Convention).

Article 3bis of the Chicago Convention prohibits member states from using weapons against civilian aircraft in flight. This principle is already well known in customary international law.

The Ukrainian side is deeply concerned that, although the Islamic Republic of Iran expected and prepared for the possibility of a further escalation of hostilities in its own airspace during the Flight PS752, in accordance with the Chicago Convention, it was necessary to take appropriate measures to ensure the safety of civil aviation in its airspace. In our opinion, maintaining safe civil airspace is a positive obligation of every state, especially in situations of potential military conflict.

In our view, because the Islamic Republic of Iran failed to provide timely notification of potential risks to the safety and security of civil air operations in its sovereign or delegated airspace, it violated Article 9 of the Chicago Convention and numerous safety standards contained in Annexes 2, 11 and 17 of Conventions.

The Islamic Republic of Iran was responsible for implementing special measures to ensure the safety of international civil aircraft operations in the Flight Information Area (FIR) of the Islamic Republic of Iran, including the provision of air traffic control services in airspace affected by a potential conflict.

The Ukrainian side believes that the provisions of Article 26 of the Chicago Convention impose on the Islamic Republic of Iran the responsibility for conducting a transparent, adequate and proper investigation of the accident, which includes, in particular, the protection of evidence and ensuring the safe storage of the aircraft and the reading of the flight recorders "without delay".

Moreover, despite the repeated promises of the Iranian side, the flight recorders were delivered to France for appropriate reading only on July 20, which does not give grounds to claim that this was done "without delay" as stipulated in Annex 13 of the Chicago Convention.

In view of the above, the Ukrainian side believes that the Islamic Republic of Iran, by shooting down Flight PS752, violated Articles 3bis, 9, 26 of the Chicago Convention, as well as Annexes 2, 11, 13 and 17 to the Convention.

The Ukrainian side reserves the right to report additional facts of violations by the Iranian side of its obligations under the Chicago Convention.

The position of the Ukrainian side regarding violations by the Iranian side of the rules of the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation

The Ukrainian side believes that the provisions of the 1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (hereinafter referred to as the Montreal Convention) apply to the downing of Flight PS752.

The Ukrainian side declares that the Montreal Convention imposes a number of obligations on the Iranian side, among others:

- to introduce and ensure severe penalties for the commission of illegal acts directed against the safety of civil aviation, and in case of refusal to ensure the extradition of criminals (Article 3).

- to prosecute probable criminals by conducting a thorough criminal investigation (Article 7);

- take all possible measures to prevent crimes against civil aircraft (Article 10);

- to provide each other with the most comprehensive assistance in connection with criminal proceedings instituted in relation to the crimes defined by the Convention (Article 11);

- promptly inform the ICAO Council about the circumstances of offenses and the course of the relevant proceedings, in particular measures regarding the criminal prosecution of alleged violators (Article 13).

The Ukrainian side would be grateful to the Iranian side for providing detailed information regarding the implementation of the above obligations.

Sub-paragraph (j) of paragraph 1 of Article 1 of the Montreal Convention provides that a crime under this Convention is, inter alia, the unlawful and intentional destruction of an aircraft in operation or the infliction of damage on such an aircraft that disables it or is likely to endanger its safety in flight.

The Ukrainian side emphasizes that the representatives of the Islamic Republic of Iran publicly admitted that the military formation of Iran - the Islamic Revolutionary Guard Corps took responsibility for the destruction of the aircraft that was flying in the airspace over its territory.

The Ukrainian side believes that the downing of the flight PS752 and the actions of the Iranian side in the context of this event give grounds to declare the international legal responsibility of the Islamic Republic of Iran for violating its international legal obligations under the Montreal Convention, based on the following.

First, generally recognized principles and norms of international law provide that the behavior of any state body is considered an act of that state, regardless of the place this body occupies in the state system. Thus, the Ukrainian side considers the commission by representatives of the Iranian armed forces of an internationally illegal act, provided for in sub-paragraph (j) of paragraph 1 of Article 1 of the Montreal Convention, as the commission of the specified act by the Iranian side;

Secondly, Article 10 of the Montreal Convention states that "Contracting parties States in accordance with international law and national legislation shall endeavor to take all practicable measures to prevent the crimes referred to in Article 1".

The Ukrainian side believes that the Iranian side did not take all the necessary measures to prevent the downing of the PS752 plane, first of all, in view of the following:

- in anticipation of a possible US missile strike, Iran did not take steps to close its airspace to civilian aircraft;

- air defense units were placed near a civilian airport, which was contrary to the requirements of the Chicago Convention and its annexes;
- the circumstances of the downing of the plane indicate a lack of coordination of actions civil aviation authority and air defense units of Iran.

Thirdly, the Ukrainian side proceeds from the fact that the Montreal Convention also imposes an obligation on member states not to commit crimes under the Convention.

The specified interpretation and understanding by the Ukrainian side of the Montreal Convention is based on the fact that the crime under the Convention is a matter of serious concern to the international community as a whole. Accordingly, since the participating states have agreed to such a definition of the crime under the Montreal Convention and have undertaken to prevent its commission, they are also obliged not to commit the specified crimes.

The Ukrainian side reserves the right to report additional facts of violations by the Iranian side of its obligations under the Montreal Convention.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/377/582930
Дата: 18 жовтня 2020 р.
Додаток: немає

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та посилаючись на ноту МЗС України №72/22-194/510-2077 від 24.09.2020 р. має честь повідомити про таке:

Відповідно до домовленостей, досягнутих 30.07.2020 р. в Києві під час першого раунду переговорів між Ісламською Республікою Іран та Україною щодо катастрофи літака рейсу PS 752 Сторони погодилися, що ніякого протоколу або звіту за результатами цих переговорів не передбачається. Сторони також погодилися продовжувати переговори, ознайомившись з позиціями та поглядами одна одної. Таким чином, Ісламська Республіка Іран заявляє про своє застереження щодо надання регулярних звітів, зазначених у відповідній ноті.

Слід зазначити, що Ісламська Республіка Іран засвідчує свою готовність та прагнення щодо проведення другого раунду двосторонніх переговорів у Тегерані 19-20 жовтня ц.р. і вітає продовження діалогу та взаємодії, спрямованих на вирішення проблем та досягнення цілей.

Користуючись нагодою, поновлюємо свою вельми високу повагу

Посольство України - Тегеран



جمهوری اسلامی ایران
وزارت امور خارجه

شماره: ۶۴۱/۳۷۷/۵۸۲۹۳۰

تاریخ: ۱۳۹۹/۰۷/۲۷

پیوست: ندارد

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران، بازگشت به یادداشت وزارت امور خارجه اوکراین به شماره ۲۰۷۷-۵۱۰ / ۱۹۴-۲۲ / ۷۲ مورخ ۰۳ / ۰۷ / ۱۳۹۹ احتراماً اشعار می‌دارد:

طبق توافق صورت گرفته در اولین دور مذاکرات جمهوری اسلامی ایران و اوکراین مربوط به سانحه هواپیمای پی اس ۷۵۲ در کی یف در تاریخ ۹ مرداد ۱۳۹۹ مقرر شد که هیچ‌گونه صورت‌جلسه یا گزارشی از این مذاکرات تهیه و تنظیم نگردد و طرفین با آگاهی از مواضع و دیدگاههای یکدیگر، با ادامه مذاکرات موافقت کردند. براین اساس جمهوری اسلامی ایران تحفظ خود را نسبت به گزارش منضم به یادداشت عطفی، اعلام می‌دارد.

البته لازم به ذکر است، جمهوری اسلامی ایران تمایل و آمادگی کامل و جدی خود را برای برگزاری دور دوم مذاکرات بین دو کشور در تهران در تاریخ ۲۸ . ۲۹ مهرماه سال جاری اعلام و از ادامه تعاملات و ارتباطات با هدف رسیدگی به موضوع استقبال می‌نماید.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 641/377/582930
Date: 18 October 2020
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and, referring to the note of the Ministry of Foreign Affairs of Ukraine No. 72/22-194/510-2077 dated 24 September 2020, has the honour to inform that:

In accordance with the agreements reached on July 30, 2020 in Kyiv during the First round of negotiations between the Islamic Republic of Iran and Ukraine regarding the PS 752 plane crash, the Parties agreed that no protocol or report on the results of these negotiations is foreseen. The Parties also agreed to continue negotiations, having familiarized themselves with each other's positions and views. Thus, the Islamic Republic of Iran declares its reservation regarding the provision of regular reports specified in the relevant note.

It should be noted that the Islamic Republic of Iran confirms its readiness and desire to hold the Second round of bilateral negotiations in Tehran on October 19-20 this year. and welcomes continued dialogue and engagement aimed at solving problems and achieving goals.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran

NOTES VERBALES

2021

вагомих перешкод, просив би надати пропозиції щодо термінів Третього раунду переговорів з врегулювання питання катастрофи українського літака рейсу PS752.

Додаток: згадане, на 3 арк.

З повагою,

Посол

С.А.Бурдиляк

Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/375/652768
Дата: 04 січня 2021 р.
Додаток: немає

В ім'я Бога
НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та у відповідь на ноту 6166/012-22-8695 від 28.12.2020 р. має честь повідомити про таке:

Під час Другого раунду переговорів між двома державами, який відбувся 19-20 жовтня 2020 р. в Тегерані, сторони досягли домовленості, що Третій раунд переговорів буде проведено наприкінці листопада 2020 р. у Києві. У цьому зв'язку, неодноразово, через Посольство ІРІ в Києві, та під час зустрічей з Послом України в Тегерані, надавалися пропозиції щодо термінів (Третього раунду), зокрема 26-27 листопада та 03-04 грудня 2020 р. Нажаль, незважаючи на подальші зусилля, згадані пропозиції, які були висунуті на підставі згоди Сторін, й досі залишаються без відповіді з боку української сторони. Водночас, з огляду на важливість та дружність двосторонніх відносин, а також глибоку повагу до України та її народу, Ісламська Республіка Іран повторно підтверджує готовність до проведення двосторонніх переговорів.

Щодо оприлюднення технічного звіту стосовно авіакатастрофи, незалежності та специфічності цього документу, інформуємо, що відповідно до додатку 13 Чиказької конвенції, країна, в якій сталася катастрофа, має можливість оприлюднити доповідь протягом 12 місяців з моменту катастрофи, за певних умов, цій термін може бути продовжений. За даними групи з вивчення катастрофи, 30 грудня 2020 р. згаданий звіт було передано причетним державам, у т.ч. Україні.

Ісламська Республіка Іран переконана, що розслідування різних аспектів авіакатастрофи має проводитися на підставі доброї волі, відповідно до норм міжнародного права та зобов'язання сторін. Будь яка поспішність або втручання третіх країн може завдати шкоди нормальному процесу розслідування.

Повторно повідомляємо, що Ісламська Республіка Іран повністю готова та має конструктивну налаштованість до продовження переговорів, а також має відповідальне ставлення до розслідування причин аварії, відповідно до своїх зобов'язань.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

Переклад виконав: В.С.Лапай (09050806839)

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 641/375/652768
Date: 04 January 2021
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and, in response to the Note no. 6166/012-22-8695 dated 28 December 2020, has the honour to inform that:

During the Second Round of negotiations between the two states, which took place on October 19-20, 2020 in Tehran, the parties reached an agreement that the Third Round of negotiations will be held at the end of November 2020 in Kyiv. In this regard, several times, through the IRI Embassy in Kyiv, and during meetings with the Ambassador of Ukraine in Tehran, proposals were made regarding the terms (of the Third Round), in particular November 26-27 and December 3-4, 2020. Unfortunately, despite further efforts, the mentioned proposals, which were put forward on the basis of the agreement of the Parties, still remain unanswered by the Ukrainian side. At the same time, given the importance and friendliness of bilateral relations, as well as deep respect for Ukraine and its people, the Islamic Republic of Iran reaffirms its readiness to conduct bilateral negotiations.

Regarding the publication of the technical report on the plane crash, the independence and specificity of this document, we inform you that in accordance with Annex 13 of the Chicago Convention, the state in which the accident occurred has the opportunity to publish the report within 12 months from the moment of the accident, under certain conditions, this period can be extended. According to the disaster study group, on December 30, 2020, the mentioned report was handed over to the interested states, including Ukraine.

The Islamic Republic of Iran is convinced that the investigation of various aspects of the plane crash should be conducted on the basis of good faith, in accordance with the rules of international law and the obligations of the parties. Any haste or interference by third states may prejudice the normal investigation process.

We reiterate that the Islamic Republic of Iran is fully ready and has a constructive attitude to continue negotiations, and also has a responsible attitude to the investigation of the causes of the accident, in accordance with its obligations.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran

شماره : ۱۵۰۱/۲۸۶/۶۶۱۰۰۵

تاریخ : ۱۳۹۹/۱۰/۲۳

پیوست : دارد



NOTE 13

سفارت جمهوری اسلامی ایران - کی‌یف

بسمه تعالی

یادداشت

سفارت جمهوری اسلامی ایران در کی‌یف با اظهار تعارفات خود به وزارت امور خارجه اوکراین، احتراماً اشعار می‌دارد پیرو درخواست طرف اوکراینی در دور دوم مذاکرات جمهوری اسلامی ایران و اوکراین (تهران، ۲۸ و ۲۹ مهر ۱۳۹۹) در خصوص سانحه سقوط هواپیمای شرکت مائو، متن فارسی به همراه ترجمه انگلیسی گزارش نظامی مربوط به سانحه که از اداره کل امور بین‌الملل قوه قضاییه دریافت شده است را ارسال می‌نماید .

لازم به ذکر است ارائه گزارش فوق‌الذکر در شمول تعهدات بین‌المللی جمهوری اسلامی ایران نبوده و صرفاً با عنایت به اهمیت تعامل سازنده و تقویت روابط دوستانه با کشور اوکراین و همچنین اعلام مجدد حسن نیت جمهوری اسلامی ایران ارسال می‌گردد.



اداره کل حقوقی بین‌المللی وزارت امور خارجه اوکراین



Вих.: 72/17-994-5968-2021 від 02.02.2021 р.

NO : 661005
Date : 12/01/2021
AttachmentDocs :



سأرت جمهوری اسلامی ایران - کی یف

In The Name Of God

Note

Посольство Ісламської Республіки Іран в Україні засвідчує свою повагу Міністерству закордонних справ України та, з огляду на питання, поставлені Українською Стороною під час другого туру перемовин між Ісламською Республікою Іран та Україною (м. Тегеран, 19-20 жовтня 2020 р.) відносно авіакатастрофи – падіння літака авіакомпанії “Міжнародні авіалінії України”, надсилає текст перською мовою, а також англійський переклад звіту військових, пов’язаного з авіакатастрофою, отриманого від Департаменту у міжнародних справах Судової влади Ісламської Республіки Іран.

Слід зазначити, що подання вищезазначеного звіту виходить за рамки міжнародних зобов’язань Ісламської Республіки Іран, і надсилається Іранською Стороною виключно з огляду на важливість конструктивної взаємодії та зміцнення дружніх зв’язків з Україною, а також повторно заявляючи про добру волю Ісламської Республіки Іран.

Посольство користується нагодою, щоб поновити Міністерству запевнення у своїй високій повазі.

ЧЕТВЕРТИЙ ТЕРИТОРІАЛЬНИЙ ДЕПАРТАМЕНТ МІНІСТЕРСТВА
ЗАКОРДОННИХ СПРАВ УКРАЇНИ

ДЕПАРТАМЕНТ МІЖНАРОДНОГО ПРАВА МІНІСТЕРСТВА ЗАКОРДОННИХ СПРАВ
УКРАЇНИ

تاریخ: ۱۳۹۹
شماره:
پوست:

بِسْمِ تَعَالَى



Translation from Persian to English

PS752 Flight Crash Report

December 2020

Contents:

1. Introduction
2. Interaction between I.R. Iran's Civil Aviation Traffic Section with Integrated Antiaircraft Defense System
3. Preventive Actions Taken by Iran's Integrated Antiaircraft Defense System in Military Field
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1. Introduction

Terrorist act of the US Army in assassinating Major General Qasem Soleymani, Senior Commander of the Islamic Revolution Guard Corps nearby Baghdad International Airport on Jan. 03, 2020, who entered Iraq as an Iranian High Ranking Official upon the invitation of Iraqi officials, resulted in a public demand in Iran to revenge. Therefore, to revenge the US terrorist Army became a mandate of the armed forces of the Islamic Republic of Iran.

Despite the US media-based threats to target 52 cultural sites of the Islamic Republic of Iran in response the actual reaction of the Islamic Republic of Iran to terrorist act of the US, the military and non-military intelligence bodies of the Islamic Republic of Iran assessed that the US officials and military are not determined to have counter-operation and their threats are media-based, very weak and just for psychological operation, like past 40 years. One proof of accuracy of assessment of the military and non-military intelligence bodies of the Islamic Republic of Iran regarding the psychological operation of the US was the fact that, unlike the past 40 years, the speech of the Supreme Leader of the Islamic Republic of Iran on the occasion of anniversary of 8-January uprising of Qom City, uttered on Jan. 08, 2020 at Imam Khomeini Hall, was broadcasted as live by the Islamic Republic of Iran Broadcasting.

Therefore, to respond the public demand of the nation and officials if the Islamic Republic of Iran, the Islamic Revolution Guard Corps targeted, in a sudden operation, the Ain-al-Asad US Military Base by ground-to-ground missile at 2:00 AM on Jan. 08, 2020.

2. Interaction between I.R. Iran's Civil Aviation Traffic Section with Integrated Antiaircraft Defense System

The representative of the I.R. Iran's Integrated Antiaircraft Defense System attends consistently and permanently (24 hours) the non-military (civil) section (Air Traffic Control Center). This coordination has existed for several years between the military and civil sections. So, in case any sign of potential threat is seen about the country or in a part of the country, the military section's orders are directly communicated to the civil section which are enforced by the latter. The representative of the military section, who is physically present at Air Traffic Control Center units, observes, in an on-line manner, the results of actions taken by the civil section and informs them to the Integrated Antiaircraft Defense System. This process is executed consistently and in all alert situations (low, medium or high level).

At the night of sudden attack to Ain-al-Asad US Military Base, despite the assessments of the intelligence bodies of the Islamic Republic of Iran that the US officials and military are not determined to have counter-operation, and as there was no sign of probable attack by the US after



Ain-al-Asad operation, the situation of the space of Iran was in an alert level (not war level); i.e. using their maximum existing facilities, all detection and identification systems (radars, passive systems and radar-detectors) considered, examined and analyzed all air movements of Iraq in a more accurate manner and attack and destruction systems get ready at shortest time to do their mission preserving their alertness. In other words, usually in war situations, in addition to the detection and identification systems of air defense, attack and destruction systems, also, are prepared to war situation and get ready to fight the assigned threats. The mentioned circumstances have not ever occurred at the accident night. At that night, the attack and destruction systems of air defense, settled previously throughout the country, including TOR-M1, were in the alert situation. Therefore, at the accident night, the air defense of the Islamic Republic of Iran, fixed the detection and identification systems to the highest level of alertness, and to this end, in addition to the orders issued to the civil section, it ordered the military section that in order to prevent interference in detection and identification, all civil flights should, prior to departure from all airports of the country, receive flight permit issued by the representative if the air defense who is present at Air Traffic Control Center units. Therefore, during the accident night, the Integrated Antiaircraft Defense System had set all of the attack and destruction systems of the country in alert situation, in which, according to the issued order, fire control of the mentioned systems had been kept in the limited (controlled)¹ fire state, and that order had not never been changed into the fire-at-will² state.

3. Preventive Actions Taken by Iran's Integrated Antiaircraft Defense System in Military Field from 2:00 Am on Jan. 08, 2020

Concurrent with Ain-al-Asad operation, the following orders had been communicated by the Integrated Antiaircraft Defense System through its permanent representative to the civil Air Traffic Control Center of the Islamic Republic of Iran:

- To close entrance and exit routs of west of the country in Iran-Iraq air border for the flights arriving to and departing from the Islamic Republic of Iran;
- To clear air traffic in 4 west air routes of the Islamic Republic of Iran;
- To require the departure of all flights in all airports of the country to receive permit issued by the Integrated Antiaircraft Defense System through the Air Traffic Control Center (ACC) of Iran Airports Company;

¹ Limited (controlled) fire is a situation in which, after assignment of the sought targets by the command post to the air defense systems, in case of observing any target in the monitor of the system, the operator must inquire the matter from the command post and attack the target if he receives the permit to fight. And, also, in case the prerequisite conditions for firing the missile are fully fulfilled, he should take permit from the related command post.

² Fire-at-will is a situation in which, after ensuring that there is no insider plane in the area, command post of the systems issues the order of fire-at-will to the attack and destruction systems and the systems may shoot any target they detect.

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- To increase the alert level of the primary alarm radar systems and electronic collection systems in order to timely monitor, control and detect the threats.

At these circumstances, up to the time of the PS752 Flight accident, upon the predictions (assessment of intelligence bodies of the Islamic Republic of Iran), no potential threat towards the Islamic Republic of Iran was reported and there were no sign of attack on the Islamic Republic of Iran and Iran's air defense status was continuously white; so, the Integrated Antiaircraft Defense System and range of commanders and control system had not informed any situation, indicating air attack, to the attack and destruction systems of air defense, settled throughout the country; however, in order to be ready to counteract to any sudden action, the attack and destruction systems of air defense had been set to control and limited fire state.

4. Preventive Actions Taken by Air Traffic Control Center Units after Order of Integrated Antiaircraft Defense System to Decrease Risks against Civil Flights from 2:00 Am on Jan. 08, 2020 in Civil Field

- Routs of air traffic interchange between the Islamic Republic of Iran and Iraq were announced to be closed to all arriving and departing flights;
- Air traffic in the in 4 west air routes of the Islamic Republic of Iran were gradually cleared and transferred to the central routs;
- Readiness needed in the traffic control in civil section was developed to direct the flights to the routes far from probable attack areas or emergency landing areas in the nearest airport inside the country of the Islamic Republic of Iran for flying planes;
- Flight of all planes that intended to depart from civil and civil-military national and international airports of the Islamic Republic of Iran, were subjected to receive permit from the Integrated Antiaircraft Defense System.

5. Circumstances of Occurrence of Targeting PS752 Flight

5.1. Short introduction of TOR-M1 System

- TOR-M1 Missile System that targeted the plane is exactly in conformity with the Russian export version of TOR-M1. This system uses 9A331 missile export version. It should be mentioned that no optimization has been made on the system and original missile.

Some characteristics of export version of TOR-M1 Missile System are as follows:

- ◆ Detection Radar Parameters:
 - Range: 3 to 27 kilometers
 - Direction: 360 grade
 - Altitude: 0 to 32 grade

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◆ Tracing Radar Parameters:

- Range: 200 meters to 24 kilometers
 - Altitude: 10 meters to 6000 meters
 - Working range: 6 grade to 78 grade altitude
 - Direction: -340 grade to +340 grade
-
- Process of Detection and tracing of targets in TOR-M1 Missile System is as follows: first, the search radar detects the target and displays it in the monitor of the system. After tracing the target by the trace radar, exact parameters (range, direction and altitude) of the target are displayed using radar calculations.
 - TOR-M1 Missile System version purchased by the Islamic republic of Iran from the Russian Federation lacks IFF and as it has not been installed, IFF training curriculum for Iranian operators has been removed from Russia's training program and just its antenna has been kept on the system due to balance point of view. So, in order to recognize a threat by an object, the operators of TOR-M1 Missile System check the matter with command post and just the command post is responsible to confirm that if an object is a threat or not (target identification).
 - The existing version of TOR-M1 Missile System does not have automatic status to attack and it should be turned on by the concerned operator and set on the war status and then it will fire.
 - TOR-M1 Missile System is a mobile system and, from organizational point of view, its communication is provided by radio. The system is equipped with a data radio and a voice radio by which it communicates with its command post.

5.2.The Accident

- TOR-M1 Missile System had, since long time ago, been placed in the defined defense location and all the stages of north-finding, detachment and locating process have been executed according to the existing documents and operators were fully informed of the location of the system towards the Imam Khomeini Airport and flight corridors
- At the accident night, the concerned TOR-M1 Missile System had been, one time, set on control mode and after 40 minutes, on stand-by mode.
- At 4:56 o'clock and according to the mobile defense tactic instructions, the commander of TOR-M1 Missile System had changed his location in a local manner and in a radius of 500 meters of its registered place, without north-finding and re-detachment. Therefore, due to the mistake committed by the commander of TOR-M1 Missile System after movement from its last location, TOR-M1 Missile System had been deviated for 150 grades from real north; as a result,



- all data of detection and tracing of air targets had been displayed in the monitors of the system with a variance of 105 grades.
- At 6:07, TOR-M1 Missile System had been set to control mode.
 - At 6:13, the detection radar of TOR-M1 Missile System had detected a signal of a target with a speed of 140 m/s (504 km/h) at the direction of 250 grade and an altitude of 600 meters that was approaching TOR-M1 Missile System (of course, the detected direction had had a 105 grade variance from north).
 - In order to find the exact particulars of the detected signal to send to command post, the commander of TOR-M1 Missile System had traced the target.
 - After tracing and receiving exact features of the target, the commander of TOR-M1 Missile System had, by the radio of TOR-M1 Missile System, asked the related command post to identify the traced target but communication with the command post had been cut due to sudden momentary problem and he had not succeeded to communicate.
 - Taking into consideration the approaching speed of the target and anxiety of losing time to attack, on one hand, and lacking communication to decide, on the other hand, finally, at 6:14, relying on the evidence deduced from the conduct and direction of approach of the target, (the commander of TOR-M1 Missile System had not expected to see insider flying object in a very low altitude and direction of 250 grade), the commander of TOR-M1 Missile System had, by mistake and not intentionally, recognized the signal returned back from the plane as the sudden attack of hostile cruise missile and decided to destroy the target by one fire and therefore, had fired a missile on the target detected in 13837/5 meter range, 1036 mete altitude and 250 grade direction in proportion to linear axis of the system and had awaited the result. As per analysis of the events recording linear axis of the system and had awaited the result. As per analysis of the events recording device of TOR-M1 Missile System, the first missile had exploded at the distance of 11287/5 meters and altitude of 1302 meters.
 - After 30 seconds and as the target had not changed its conduct (direction, speed and altitude) and due to the existence of target tracing signal in the tracing radar of the system, the second missile had been fired in 9725 meter range and 1402 meter altitude. According to the analysis of the events recording device of TOR-M1 Missile System, the second missile had exploded in a distance of 8125 meters and an altitude of 1389 meters.
- It should be mentioned that, up to the sudden drop of its parameters (speed, direction, and altitude), the plane had a route approaching to TOR-M1 Missile System and it had never exited the operation range of TOR-M1 Missile System.
- Both missiles have been fired by the same TOR-M1 Missile System and scattered parts of the missiles had been found in a wide area of plane crash site, but due to the wide range of the site and as it is a residential area, many parts of the missiles have not been found and some blasts among the plane parts and some bigger ones in the missile shot site have been found.

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- Relying on the existing documents in TOR-M1 Missile System, from point view of operation phases in operation execution time, one of the missiles had not successful or effective function and the MNMO³ lamp had lightened up for the operator. For the other missile successful function had been recorded and the MNMO⁴ lamp had been lightened up for the operator.
- Based on the analysis of data of the events recording device of TOR-M1 Missile System, both missiles had exploded in proximity manner (the first one in an approximate distance of -20 to +50 meters⁵, and the second one in an approximate distance of -75 to -140 meters⁶ to the plane). It should be mentioned that:
 1. The distances are on the basis of approximate speed of the missile and the plane and sampling of the events recording device of TOR-M1 Missile System every 0.1 second.
 2. After decoding the information saved in the events recording device of TOR-M1 Missile System, the above mentioned have been provided in a plan herewith attached.

Remarks:

- The operators of TOR-M1 Missile System had been fully informed of the location of themselves, airport and runway of Imam Khomeini Airport (direction of 145 grade), but, observing a target signal in a route not expected by him (direction of 145 grade), and its conformity with the speed and altitude of a cruise missile, even its ascending with an acute angle (diving)⁷ to attack near its target, the commander of TOR-M1 Missile System had supposed that there was a sudden attack by a cruise missile, he has very short time to fight, and the opportunity may be lost, and as a result, he had fired two missiles to the conquered target without taking permit and fully arbitrarily.
- The operators of TOR-M1 Missile System have passed required training courses in Air Defense Training Center and they are experienced.
- The operators of TOR-M1 Missile System are sound and healthy from spiritual and mental points of view and their security qualification are confirmed by the concerned security bodies.

³ To lightened up the MNMO lamp means that the missile has been lost or it has not hit the target.

⁴ To lightened up the MNMO lamp means that processes directing missile towards the target, and finally, destruction circle have been executed according the plan.

⁵ A distance of 20 meters to the target to 50 meters after the target

⁶ A distance of 140 meters to 75 meters to the target

⁷ The cruise missile starts to ascent nearby the target to attack it with high gradient (this conduct of the cruise missile has been severally observed in many US operations in the region).

گزارش سانحه هواپیمایی PS۷۵۲

آذرماه ۱۳۹۹ (نوامبر ۲۰۲۰)

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۱- مقدمه:

اقدام تروریستی ارتش آمریکا در به شهادت رساندن فرمانده ارشد سپاه پاسداران انقلاب اسلامی سردار سرلشکر پاسدار قاسم سلیمانی در فرودگاه بین‌المللی بغداد که به عنوان یک مقام رسمی و به دعوت مقامات کشور عراق در تاریخ ۱۳۹۸/۱۰/۱۳ (سوم ژانویه ۲۰۲۰) به آن کشور سفر کرده بود، موجب شد یک مطالبه عمومی برای گرفتن انتقام در کشور ج.ا.ایران شکل بگیرد؛ بنابراین، گرفتن انتقام اولیه از ارتش تروریستی آمریکا در دستور کار نیروهای مسلح ج.ا.ایران قرار گرفت.

به‌رغم تهدیدات رسانه‌ای آمریکا مبنی بر هدف قرار دادن ۵۲ نقطه فرهنگی ج.ا.ایران در صورت واکنش و اقدام عملی کشور ج.ا.ایران در پاسخ به عمل تروریستی آمریکا، برآورد جامعه اطلاعاتی نظامی و غیرنظامی ج.ا.ایران حاکی از عدم وجوده اراده در مسئولین و نظامیان آمریکایی در انجام عملیات متقابل داشته و تهدیدات آمریکا را برابر رویه ۴۰ ساله گذشته آن، در حد رسانه‌ای، بسیار ضعیف و در راستای عملیات روانی ارزیابی گردید. یکی از شواهد و قرائن صحت ارزیابی جامعه اطلاعاتی نظامی و غیر نظامی ج.ا.ایران در عملیات روانی آمریکا، این بود که برخلاف رویه ۴۰ سال گذشته، سخنرانی رهبر عظیم الشان ج.ا.ایران به مناسبت سالگرد قیام ۱۹ دی مردم قم، در مورخ ۱۳۹۸/۱۰/۱۸ (هشتم ژانویه) از حسینیه امام خمینی (ره) به طور مستقیم از صدا و سیمای ج.ا.ایران پخش شد.

بنابراین در پاسخ به مطالبه عمومی مردم و مسئولین ج.ا.ایران، سپاه پاسداران انقلاب اسلامی، در یک اقدام غافلگیرانه، در ساعت ۲:۰۰ بامداد مورخ ۱۳۹۸/۱۰/۱۸ (هشتم ژانویه ۲۰۲۰) پایگاه آمریکایی عین‌الاسد را مورد حمله موشکی زمین به زمین قرار داد.

۲- تعامل بخش ترافیک هوایی غیرنظامی با شبکه یکپارچه پدافند هوایی کشور ج.ا.ایران :

نماینده شبکه یکپارچه پدافند هوایی کشور، حضور دائمی (۲۴) ساعته و مستمر در بخش غیر نظامی (مرکز کنترل ترافیک هوایی کشور) دارد و این هماهنگی سال‌های متمادی است که بین بخش نظامی و غیرنظامی وجود دارد؛ بنابراین در صورت بروز شواهد و قرائن هر گونه تهدید بالفعل در فضای اطراف کشور و یا در بخشی از کشور، دستورهای لازم از سوی بخش نظامی، مستقیماً به بخش غیرنظامی ابلاغ شده و بخش غیرنظامی نیز اجرا می‌نماید و به دلیل اینکه نماینده بخش نظامی در واحدهای کنترل ترافیک هوایی حضور فیزیکی دارد، نتایج اقدامات بخش غیر نظامی را در لحظه مشاهده و به شبکه یکپارچه پدافند هوایی اطلاع می‌دهد. این روش به صورت مستمر و در کلیه وضعیتهای آماده باش (سطح پایین یا متوسط و یا بالا) اجرا می‌شود.

در شب حمله غافلگیرانه به پایگاه عین‌الاسد، با وجود برآوردهای جامعه اطلاعاتی ج.ا.ایران مبنی بر عدم وجود اراده بر انجام عکس‌العمل توسط آمریکایی‌ها و به دلیل نبود شواهد و قرائن حمله بعد از انجام عملیات عین‌الاسد، شرایط فضای کشور در وضعیت هشدار بوده است (نه شرایط جنگی)، به این معنی که کلیه سامانه‌های کشف و شناسایی (رادارها و سامانه‌های پسیو و راداریابها) با استفاده از حداکثر امکانات موجود خود، با دقت بیشتری کلیه تحرکات هوایی کشور عراق را مورد بررسی و تجزیه و تحلیل قرار داده و سامانه‌های درگیری و انهدام با حفظ هوشیاری در کوتاه‌ترین زمان ممکن، آماده اجرای مأموریت باشند؛ به عبارت دیگر، معمولاً در شرایط جنگی، علاوه بر سامانه‌های کشف و شناسایی پدافند هوایی، سامانه‌های درگیری و انهدام نیز در وضعیت جنگی قرار گرفته و آماده درگیری با تهدیدات واگذاری خواهند شد (این شرایط هیچگاه در شب حادثه اتفاق نیفتاده و در آن شب، سامانه‌های درگیری و انهدام پدافند هوایی که از قبل در سراسر کشور مستقر شده بودند، از جمله سامانه TOR - M1، در وضعیت هوشیاری قرار داشته‌اند)؛ بنابراین در شب حادثه، پدافند هوایی ج.ا.ایران، سامانه‌های کشف و شناسایی را در شرایط بالاترین وضعیت هوشیاری قرار داده و به همین منظور، علاوه بر تدابیری که به بخش‌های نظامی ابلاغ نمود 208 به بخش غیر نظامی نیز دستور داده تا همه پروازهای غیر

نظامی قبل از برخاستن از کلیه فرودگاه های کشور، برای اینکه تداخلی در بخش کشف و شناسایی اتفاق نیفتد، از نماینده پدافند هوایی حاضر در واحدهای کنترل ترافیک هوایی، اجازه پرواز دریافت نمایند؛ از این رو در طول شب حادثه، شبکه یکپارچه پدافند هوایی، کلیه سامانه های درگیری و انهدام پدافند هوایی کشور را در وضعیت هوشیار باش قرار داده که برابر دستور کنترل آتش سامانه های پیش گفته، در وضعیت آتش محدود^۱ نگه داشته شده و هیچگاه دستور کنترل آتش آنها به وضعیت آتش به اختیار^۲ تغییر داده نمی شود.

۳- اقدام های پیشگیرانه شبکه یکپارچه دفاع هوایی ج.ا.ایران از ساعت ۰۲:۰۰ روز ۱۳۹۸/۱۰/۱۸ در حوزه نظامی:

همزمان با انجام عملیات حمله به عین الاسد، دستورهای زیر از سوی شبکه یکپارچه پدافند هوایی و از طریق نماینده دائمی خود به مرکز کنترل ترافیک هوایی بخش غیر نظامی کشور، ابلاغ می گردد:

- ✓ بستن مسیرهای ورودی و خروجی غرب کشور در مرز هوایی عراق برای پروازهای ورودی و خروجی به کشور ج.ا.ایران؛
- ✓ تخلیه ترافیک هوایی در ۴ مسیر هوایی غرب کشور ج.ا.ایران؛
- ✓ منوط کردن انجام پروازها در کلیه فرودگاه های کشور به اخذ مجوز از شبکه یکپارچه پدافند هوایی کشور توسط مرکز کنترل ترافیک هوایی (ACC) شرکت فرودگاهها؛
- ✓ ارتقای سطح هوشیاری سامانه های راداری هشدار اولیه و سامانه های جمع آوری الکترونیکی به منظور رصد و پایش و کشف به موقع تهدیدات.

در این شرایط تا ساعت وقوع حادثه هواپیمای PS 752، برابر آنچه پیش بینی می شد (نظر جامعه اطلاعاتی نظامی و غیرنظامی کشور)، هیچ گونه تهدید بالقوه ای به سمت ج.ا.ایران گزارش نگردید و قرائن و شواهدی مبنی بر حمله به ج.ا.ایران وجود نداشته و وضعیت دفاع هوایی کشور همچنان در وضعیت سفید قرار داشت؛ بنابراین، شبکه یکپارچه پدافند هوایی و سلسله مراتب فرماندهی و کنترل آن، هیچ گونه وضعیتی که حاکی از حمله هوایی باشد را به سامانه های درگیری و انهدام سامانه دفاع هوایی مستقر شده در سطح کشور ج.ا.ایران اعلام نمی نماید، لیکن به منظور آمادگی مقابله با هر گونه اقدام غافلگیرانه، سامانه های درگیری و انهدام دفاع هوایی، در وضعیت مراقبت و آتش محدود قرار می گیرند.

۴- اقدامات پیشگیرانه واحدهای کنترل ترافیک هوایی پس از ابلاغ شبکه یکپارچه پدافند هوایی برای کاهش مخاطره پروازهای غیر نظامی از ساعت ۰۲:۰۰ روز ۱۳۹۸/۱۰/۱۸ در حوزه غیر نظامی:

- مسیرهای تبادل ترافیک هوایی بین کشور ج.ا.ایران و عراق برای کلیه پروازهای ورودی و خروجی بسته اعلام گردید؛

- ترافیک هوایی در مسیرهای هوایی غرب کشور ج.ا.ایران (۴ مسیر هوایی غرب کشور) به تدریج تخلیه و به مسیرهای مرکزی منتقل گردید؛

- آمادگی لازم در بخش کنترل ترافیک بخش غیرنظامی، برای هدایت پروازها به مسیرهای دورتر از مناطق درگیری احتمالی و یا اعلام فرود اضطراری به هواپیماهای در حال پرواز در نزدیکترین فرودگاه در داخل کشور ج.ا.ایران ایجاد گردید.

- پرواز کلیه هواپیماهایی که قصد انجام پرواز از مبدأ فرودگاه های غیر نظامی و مشترک نظامی - غیرنظامی داخلی و بین المللی ج.ا.ایران را داشتند، منوط به دریافت مجوز پرواز از شبکه یکپارچه پدافند هوایی گردید.

^۱ آتش محدود وضعیتی است که پس از واگذاری اهداف مورد نظر توسط پست فرماندهی مربوط به سامانه های دفاع هوایی، در صورت مشاهده هر گونه هدفی در مانیتور سامانه پابستی از پست فرماندهی خود استعلام کرده و در صورت صدور اجازه درگیری، نسبت به درگیر شدن با هدف مورد نظر اقدام و در صورت ایجاد شرایط کامل برای شلیک موشک نیز، مجدداً از سوی پست فرماندهی مربوط مجوز دریافت نماید.

^۲ آتش به اختیار، وضعیتی است که در آن پست فرماندهی سامانه ها پس از اطمینان از عدم وجود هواپیمای خودی در منطقه، دستور آتش به اختیار را به سامانه های درگیری و انهدام صادر کرده و سامانه ها می توانند هر گونه هدفی را که کشف می نمایند، بر روی آن اجرای آتش نمایند.

۵- چگونگی وقوع حادثه هدف قرار گرفتن هواپیمای PS ۷۵۲:

۵,۱- معرفی اجمالی سامانه TOR - M1 :

خودروی رزمی TOR - M1 که شلیک را انجام داده دقیقاً مطابق با مشخصات نسخه صادراتی TOR - M1 روسی بوده و همچنین این سامانه از نسخه صادراتی موشک ۹A۳۳۱ بهره برداری می‌نماید. قابل ذکر است، هیچ گونه بهینه سازی بر روی سامانه و موشک فابریک صورت نگرفته است.

برخی از قابلیت های نسخه صادراتی خودروی رزمی TOR - M1 ، به شرح زیر است:

پارامترهای رادار کشف:

✓ برد: ۳ تا ۲۷ کیلومتر؛

✓ سمت: ۳۶۰ درجه؛

✓ ارتفاع: صفر تا ۳۲ درجه.

پارامترهای رادار ردگیر:

✓ برد: ۲۰۰ متر تا ۲۴ کیلومتر؛

✓ ارتفاع: ۱۰ متر تا ۶۰۰ متر؛

✓ محدوده کاری: ارتفاع ۶-درجه تا ۷۸ درجه؛

✓ سمت: ۳۴۰- درجه تا ۳۴۰+ درجه.

فرآیند کشف و ردگیری اهداف در خودروی رزمی TOR - M1 بدین صورت است که ؛ ابتدا رادار جستجو (search)، عمل کشف و نمایش هدف را در نمایشگر خودروی رزمی انجام می‌دهد و بعد از ردگیری توسط رادار ردگیر، به وسیله انجام محاسبات راداری، پارامترهای دقیق هدف (برد ، سمت و ارتفاع) نمایش داده می‌شود.

نسخه خودروی رزمی TOR - M1 خریداری شده توسط ج.ا. ایران از روسیه فاقد IFF بوده و با توجه به عدم نصب آن، سرفصل آموزشی IFF از برنامه آموزشی کشور روسیه برای اپراتورهای ایرانی حذف شده و فقط آنتن آن به دلیل لزوم رعایت تعادل (Balance) آنتن کشف سامانه روی آن باقی مانده است، بنابراین، اپراتورهای خودروی رزمی TOR - M1 برای تشخیص تهدید یک شیء، موارد را با پست فرماندهی مربوط چک می‌کنند و مسئولیت تأیید تهدید بودن یک شیء (شناسایی هدف)، فقط با پست فرماندهی مربوط می‌باشد.

نسخه سامانه پدافند هوایی TOR - M1 موجود، وضعیت اتوماتیک برای درگیری نداشته و سامانه بایستی توسط اپراتور مربوط روشن و در وضعیت جنگی قرار گرفته و سپس شلیک صورت پذیرد.

- خودروی رزمی TOR - M1 ، یک سامانه متحرک بوده و به طور سازمانی ارتباطات آن از طریق رادیو تأمین می‌شود . این سامانه مجهز به یک رادیوی داده (DATA) و یک رادیوی صوتی (VOICE) است که از آن طریق ، با پست فرماندهی خود ارتباط برقرار می‌کند.

۵,۲- شرح حادثه

خودروی رزمی TOR - M1 از مدت‌ها قبل در موقعیت پدافندی تعریف شده مستقر بوده و کلیه مراحل شمال یابی، روانه سازی و فرآیند استقرار برابر اسناد موجود انجام شده و همچنین اپراتورها از موقعیت استقرار سامانه نسبت به فرودگاه حضرت امام خمینی (ره) و کریدورهای پروازی آگاهی کامل داشته‌اند.

در شب حادثه ، خودروی رزمی TOR - M1 مورد نظر، برابر دستور پست فرماندهی مربوط، یک بار در مرحله مراقبت و پس از ۴۰ دقیقه در وضعیت stand - by قرار گرفته است.

در ساعت ۵:۴۰ و برابر دستورالعمل تاکتیک پدافند متحرک، فرمانده خودروی رزمی محل استقرار خود را به صورت محلی و در شعاع ۵۰۰ متری محل ثبت شده خود و بدون ۱۲۱۰ یابی و روانه سازی مجدد، تغییر مکان داده ، از این رو،

براساس اشتباهی که توسط فرمانده خودروی رزمی TOR - M1 پس از جابجایی در آخرین استقرار خود صورت می‌گیرد، خودروی رزمی TOR - M1 نسبت به شمال واقعی ۱۰۵ درجه انحراف پیدا می‌کند. (بنابراین کلیه اطلاعات کشف و ردگیری اهداف هوایی با ۱۰۵ درجه اختلاف در مانیتورهای سامانه نشان داده می‌شود.)

- در ساعت ۰۷:۰۶ خودروی رزمی TOR - M1، در وضعیت مراقبت قرار می‌گیرد.

- در ساعت ۱۳:۰۶ رادار کشف خودروی رزمی TOR - M1 در جهت ۲۵۰ درجه، ارتفاع ۶۰۰ متری، سیگنال هدفی را با سرعت ۱۴۰ متر بر ثانیه (۵۰۴ کیلومتر در ساعت) و به صورت نزدیک شونده به سمت خودروی رزمی کشف می‌نماید (البته جهت کشف شده با ۱۰۵ درجه اختلاف با شمال بوده است).

- در ادامه فرمانده خودروی رزمی TOR - M1، برای بدست آوردن مشخصات دقیق سیگنال کشف شده به منظور ارائه به پست فرماندهی شروع به ردگیری هدف می‌نماید.

- پس از ردگیری و دریافت مختصات دقیق هدف، فرمانده خودروی رزمی TOR - M1 با استفاده از رادیوی خودروی رزمی اقدام به درخواست شناسایی هدف ردگیری شده از پست فرماندهی مربوط می‌نماید لیکن ارتباط با پست فرماندهی به دلیل قطعی لحظه‌ای برقرار نشده و موفق به برقراری ارتباط نمی‌شود.

- در ادامه و با توجه سرعت نزدیک شونده‌گی هدف و نگرانی از دست رفتن زمان درگیری از یک سو و عدم برقراری ارتباط برای کسب تکلیف از سوی دیگر، نهایتاً در ساعت ۱۴:۰۶، فرمانده خودروی رزمی TOR - M1 بر اساس شواهد استنتاجی از رفتار و سمت نزدیک شدن هدف (فرمانده خودروی رزمی انتظار مشاهده پرنده خودی در ارتفاع خیلی پایین و سمت ۲۵۰ درجه را نداشته است)، سیگنال برگشتی از هواپیما را به اشتباه و نه به عمد، حمله غافلگیرانه موشک کروز و متخاصم تشخیص داده و تصمیم به انهدام هدف با یک شلیک را اتخاذ کرده و بر همین اساس یک تیر موشک علیه هدف کشف شده در برد ۱۳۸۳۷/۵ متری، ارتفاع ۱۰۳۶ متر و سمت ۲۵۰ درجه نسبت به محور طولی سامانه، شلیک کرده و منتظر نتیجه می‌ماند. بر اساس تحلیل داده های دستگاه ثبت وقایع سامانه TOR - M1، انفجار موشک اول، در فاصله ۱۱۲۸۷/۵ متری و ارتفاع حدود ۱۳۰۲ متری رخ داده است.

- پس از ۳۰ ثانیه و به دلیل عدم تغییر رفتار هدف (جهت، سرعت و ارتفاع) و وجود سیگنال ردگیری هدف در رادار ردگیر سامانه، موشک دوم در برد ۹۷۲۵ متری، ارتفاع ۱۴۰۲ متری شلیک می‌گردد. براساس تحلیل داده‌های دستگاه ثبت وقایع سامانه TOR - M1، انفجار موشک دوم، در فاصله ۸۱۲۵ متری و ارتفاع ۱۳۸۹ متری رخ داده است.

توضیح اینکه مسیر هواپیما تا لحظه افت شدید پارامترهای آن (سرعت، جهت و ارتفاع) به صورت نزدیک شونده و به سمت خودروی رزمی بوده و هیچگاه از محدوده عملیاتی خودروی رزمی TOR - M1 خارج نشده است.

- هر دو موشک از یک خودروی رزمی TOR - M1 شلیک شده و قطعات متلاشی شده موشکها در سطح وسیعی از محل اصابت و سقوط هواپیما یافت شده، لیکن به دلیل وسعت منطقه و مسکونی بودن آن، بسیاری از قطعات موشک یافت نشده و ترکشهای محدودی در لابه‌لای قطعات هواپیما و قطعات نسبتاً بزرگتری در محدوده اصابت موشک پیدا شده است.

- برابر اسناد موجود در خودروی رزمی TOR - M1، از نقطه نظر مراحل اپراتوری در زمان اجرای عملیات، یکی از موشک‌ها عملکرد موفق یا مؤثری نداشته و برای اپراتور لامپ^۲ MNMO روشن گردیده و برای موشک دیگر عملکرد موفق ثبت شده و برای اپراتور لامپ^۴ MNMO روشن شده است.

^۲ روشن شدن لامپ MNMO به معنی از دست رفتن موشک و یا عدم اصابت می باشد.

^۴ روشن شدن MNMO به مفهوم این است که فرآیندهای هدایت موشک به سمت هدف و نهایتاً زنجیره انهدام برابر برنامه انجام شده است.

براساس تحلیل داده‌های دستگاه ثبت وقایع خودروی رزمی TOR - M1، هر دو موشک به صورت مجاورتی (موشک اول در فاصله حدودی بین ۲۰- تا ۵۰+ متری^۵ و موشک دوم در فاصله حدودی بین ۷۵- تا ۱۴۰^۶ متری هواپیما) منفجر شده است.

قابل ذکر است:

۱- فواصل بر مبنای سرعت تقریبی موشک و هواپیما و نمونه‌گیری سامانه ثبت وقایع خودروی رزمی TOR - M1 بر اساس هر ۰/۱ ثانیه یکبار می‌باشد.

۲- پس از رمزگشایی از اطلاعات ذخیره شده در دستگاه ثبت وقایع خودروی رزمی TOR - M1، موارد در یک نقشه پیاده شده که به پیوست می‌باشد.

ملاحظات:

۱- اپراتورهای خودروی رزمی TOR - M1 به محل استقرار خود و موقعیت فرودگاه و باند پروازی فرودگاه امام خمینی (ره) (سمت ۱۴۵ درجه) توجه بوده اند، لیکن فرمانده خودروی رزمی TOR - M1 با مشاهده سیگنال هدف در مسیری که انتظار نداشته است (سمت ۲۵۰ درجه) و انطباق آن با سرعت و ارتفاعی که با سرعت و ارتفاع موشک کروز و حتی صعودی که برای حمله با زاویه تند^۷ (شیرجه) در نزدیکی هدف خود اتخاذ می‌کند، با فرض اینکه مورد حمله غافلگیرانه موشک کروز قرار گرفته و زمان کمی برای درگیری دارد و ممکن است فرصت از دست برود، دو فروند موشک را بدون دریافت مجوز و به صورت کاملاً خودسرانه به سمت هدف تسخیر شده، شلیک می‌نماید.

۲- اپراتورهای سامانه، آموزش‌های لازم را در مرکز آموزش‌های پدافند هوایی گذرانده و با تجربه بوده‌اند.

۳- اپراتورها از لحاظ روحی و روانی سالم و در شرایط خوبی بوده و صلاحیت امنیتی آنان مورد تأیید مراجع امنیتی ذی صلاح می‌باشد.

^۵ حد فاصل ۲۰ متر مانده به هدف الی ۵۰ متر بعد از آن.

^۶ حد فاصل ۱۴۰ الی ۷۵ متر مانده به هدف.

^۷ موشک کروز در نزدیکی هدف شروع به افزایش ارتفاع نموده تا با شیب زیاد به هدف حمله نماید (این رفتار موشک کروز در بسیاری از حملات آمریکایی

ها در منطقه مشاهده شده است)

No.: 1501/286/661005

Date: 12/01/2021

Enclosures: Yes

[emblem]

Embassy of the Islamic Republic of Iran in Kyiv

In the Name of God

Note

The embassy of the Islamic Republic of Iran in Kyiv presents its compliments to the Ministry of Foreign Affairs of Ukraine and states that pursuant to the Ukrainian party's request made during the second round of negotiations between the Islamic Republic of Iran and Ukraine (19th and 20th October 2020, Tehran) regarding the Mao Corporation plane crash incident, the Farsi military report on the incident along with its English translation, which have been received from the Judiciary's Office of International Affairs, are sent herewith.

It should be noted that the sending of the above-mentioned report is not among the international obligations of the Islamic Republic of Iran and is offered only in view of the importance of constructive interaction and of strengthening friendly relations with Ukraine and also to reiterate the goodwill of the Islamic Republic of Iran.

Fourth Regional Head Office of Ukraine's Ministry of Foreign Affairs
International Legal Head Office of Ukraine's Ministry of Foreign Affairs

Flight PS752 Incident Report November 2020

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- 3- Preventive measures of the integrated air defense network of the Islamic Republic of Iran in the military sector
- 4- Preventive measures of air traffic control for reducing the risks to civil aviation
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1. Introduction:

The terrorist act of the US Army in assassinating at Baghdad International Airport on 03/01/2020 Major General Qasem Soleymani, a senior commander of the Islamic Revolutionary Guard Corps, who travelled to Iraq as a high-ranking Iranian official at the invitation of Iraqi officials, resulted in a public demand within the Islamic Republic of Iran for vengeance. Therefore, taking revenge on the US terrorist army became a priority for the armed forces of the Islamic Republic of Iran.

Even though the US threatened to target 52 cultural sites in Iran in case of any retaliations in response to their terrorist act, the military and non-military intelligence services of the Islamic Republic of Iran assessed that US officials and military are not determined to conduct counter-operations and that their threats are shallow, weak and aimed at psychological warfare, as has been the case for the past 40 years. One proof of the accuracy of the assessment made by the military and non-military intelligence services of the Islamic Republic of Iran regarding psychological warfare was the fact that, unlike the approach taken over the past 40 years, the speech of the Supreme Leader of the Islamic Republic of Iran on the occasion of the January 8th uprising of Qom City, delivered on 08/01/2020 at Imam Khomeini Hall, was broadcasted live on national television by the Islamic Republic of Iran.

Therefore, to respond to the demand of the nation, the Islamic Revolutionary Guard Corps, in a surprise attack, targeted the American base of Ain-al-Asad using ground-to-ground missiles at 2:00 AM on 08/01/2020.

2. Interaction between the civil air traffic control and the integrated air defense network of the Islamic Republic of Iran

A representative of the integrated air defense system of the I.R. of Iran has a constant (24-hour) presence at the civil air traffic control centre. This coordination has existed for years between the military and non-military sectors. In this way, in case any sign of a potential threat to the country is detected, the military sector's orders are directly communicated to the civil sector. A representative of the military sector, who is physically present at the air traffic control centre, observes, in real time, the results of actions taken by the civil sector and reports them to the integrated air defense system. This process is executed consistently and during all standby situations (low, medium or high level).

On the night of the surprise attack on the American base of Ain-al-Asad, despite the assessments of the intelligence services of the Islamic Republic of Iran showing that US officials and military were not determined to counterattack, I.R. Iran was on high alert (but not on war alert). That is, all detection and identification systems (radars, passive systems, and radardetectors) were monitoring every single aerial movement on Iraq's side so that engage-and-destroy systems could respond as quickly as possible while staying alert. In other words, usually in case of a war, in addition to detection and identification systems, the engage-and-destroy systems are also put on high alert and are prepared to engage with potential threats (This never happened on the night of the incident. That night, engage-and-destroy systems, including the TOR – M1 system, which have been put in

position around the country, were in alert mode). Accordingly, on the night of the incident, the air defense system of the I.R. of Iran put the engage-and-destroy systems on the highest alert level. For this reason, in addition to instructions given to the military sectors, the non-military sector was also ordered to check every civil flight with the representative of the air defense system at the traffic control centres before any takeoff from any of the country's airports. Therefore, on the night of the incident, the integrated air defense system had put all of the country's engage-and-destroy systems on alert level, whereby the aforementioned systems were set to controlled engagement¹, and their range of engagement would never change to fire-at-will².

3. Preventive military measures of the integrated air defense network of the Islamic Republic of Iran starting at 2:00 AM 08/01/2020

Concurrently with the Ain-al-Asad operation, the following orders had been communicated by the integrated air defense system through its permanent representative at the country's civil air traffic control centre:

- ✓ Closing of in and out routes along the country's west air border with Iraq;
- ✓ Clearing of air traffic from the 4 western air routes of the I.R. of Iran;
- ✓ Requiring of all flights from all of the country's airports to receive permission from the integrated air defense system through the Air Traffic Control Centre (ACC);
- ✓ Increasing of the alert level of the primary alarm radar systems and electronic collection systems to monitor, control and detect threats in a timely fashion.

Under these circumstances, until the Flight PS752 incident happened and on the basis of the predictions (and assessments of the country's military and non-military intelligence services), no potential threat towards the Islamic Republic of Iran was reported, there were no signs of attacks on the Islamic Republic of Iran, and Iran's air defense was continuously on white alert. Therefore, the integrated air defense systems did not give any alert, indicating an air raid, to the engage-and-destroy systems deployed throughout the country. In order to be ready to counteract any surprise attack, however, the air defense engage-and-destroy systems were set to a controlled and limited level of engagement.

4. Preventive measures taken by air traffic control starting at 2:00 AM on 08/01/2020 for reducing the risks to civil flights after receiving the notification from the integrated air defense system:

- Routes of air traffic interchange between the Islamic Republic of Iran and Iraq were closed to all arriving and departing flights;

1 Limited (controlled) fire describes a situation in which, after targets are acquired by the air defense system, the system will ask the command post about the monitored targets before engagement. If permission is granted, the system will examine engagement with the target and, once the conditions are right, the system will ask again for permission before launching missiles.

2 Fire-at-will is a situation in which, after it is ascertained that there are no friendly planes in the area, the engage-and-destroy systems are ordered to fire at any target they detect.

- The air traffic on the 4 western air routes of the I.R. of Iran was gradually cleared and transferred to the central routes;
- Required preparation in the non-military traffic control sector was made to direct the flights to the routes far from possible attack areas, or aircraft flying closer to the airport within the country were notified to land immediately;
- All the flights intended for departure from the country's non-military, military-civil, and international airports were subject to receiving permission from the integrated air defense system.

5. The circumstances under which Flight PS752 was targeted

5.1. Short introduction to the TOR-M1 System

- The TOR-M1 missile system that targeted the aircraft is an exact copy of the Russian export version of the TOR-M1. This system uses the export version of the 9A331 missile. It should be mentioned that no optimization has been made on the system and the original missile.
- Some capabilities of the export version of the TOR-M1 missile system are as follows:

Detection Radar Parameters:

- ✓ Range: 3 to 27 kilometers;
- ✓ Direction: 360 degrees;
- ✓ Altitude: 0 to 32 degrees.

Tracking Radar Parameters:

- ✓ Range: 200 meters to 24 kilometers
- ✓ Altitude: 10 meters to 6000 meters
- ✓ Working range: -6 to 78 degrees altitude
- ✓ Direction: -340 to +340 degrees

- The process of detection and tracking of targets in the TOR-M1 missile system is as follows: first, the search radar detects the target and displays it on the monitor in the system. After the target has been tracked by the tracking radar, the exact parameters (range, direction and altitude) of the target are displayed using radar calculations.
- The version of the TOR-M1 missile system purchased by the Islamic Republic of Iran from Russia lacks IFF and, as it has not been installed, the IFF training curriculum for Iranian operators has been removed from Russia's training program, and only its antenna has been kept on the system to maintain the balance of the system detection antenna. So, to identify the threat of an object, the operators of the TOR-M1 missile system check with the command post, and only the command post is responsible for confirming whether an object is a threat or not (target identification).
- The existing version of the TOR-M1 missile system does not have an automatic engage mode, and it should be turned on and made ready to fire by an operator, and then it will fire.
- The TOR-M1 is a mobile system and communicates through radio. The system is equipped with a data radio and a voice radio through which it communicates with its command post.

5.2. The incident

- The TOR-M1 had been deployed in its location for some time, all the stages of orientation, detachment and deployment were executed according to the existing documents, and operators were fully informed about the position of the system relative to Imam Khomeini Airport and flight corridors.
- On the night of the incident, the TOR-M1 in question was once set on watch mode and after 40 minutes was set on stand-by mode according to the orders sent by the command post.
- At 4:56 [AM] and according to the mobile defense tactical instructions, the commander of the TOR-M1 changed his position locally and moved in a 500-meter radius of its designated spot, without orienting and re-detachment. Therefore, because of the mistake made by the commander of the TOR-M1 after it was moved from its last position, the TOR-M1 missile system deviated 105 degrees from true north (as a result, all the detection and tracing information on air targets were displayed on the system's monitors with a 105-degree variance).
- At 6:07 [AM], the TOR-M1 missile system was set to watch mode.
- At 6:13 [AM], the detection radar of the TOR-M1 missile system detected the signal of a target moving at a high speed of 140 m/s (504 km/h) on a 250-degree course and at an altitude of 600 meters. In this way, it was approaching the TOR-M1 missile system (of course, the detected direction had a 105-degree variance from north).
- To gather details of the detected signal to send to the command post, the commander of the TOR-M1 started tracking the target.
- After tracking the target and receiving its exact coordinates, the commander of the TOR-M1 asked the command post to identify the tracked object but could not communicate with the command post because of a short temporary interruption.
- Considering the approaching speed of the target and being under stress from losing time to engage on one hand and from not being able to communicate commands on the other hand, finally at 6:14 [AM], relying on the information gathered about the the target (the commander of the TOR-M1 missile system was not expecting to see a friendly flying object at a very low altitude and on a 250-degree course), the commander of the TOR-M1 missile system identified, by mistake and not intentionally, the signal from the aircraft as a surprise cruise-missile attack and decided to destroy the target by opening fire. Therefore, he fired a missile at the target detected at a 13,837.5-meter range, at a 1,036-meter altitude and on a 250-degree course in relation to the linear axis of the system and awaited the results. According to analysis of the event-recording device of the TOR-M1 missile system, the first missile exploded at a distance of 11,287.5 meters and an altitude of 1,302 meters.
- After 30 seconds, as the parameters (direction, speed and altitude) of the target did not change and because of the existence of a target-tracking signal on the tracking radar of the system, the second missile was fired at a 9,725-meters range and a 1,402-meter altitude. According to the

analysis of the event-recording device of the TOR-M1 missile system, the second missile exploded at a distance of 8,125 meters and an altitude of 1,389 meters.

It should be mentioned that, up to the point of the sudden drop in its parameters (speed, direction and altitude), the aircraft was approaching the TOR-M1 missile system, and it never went out of the operational range of the TOR-M1 missile system.

- Both missiles were fired by the same TOR-M1 missile system, and scattered parts of the missiles were found in a vast area around the crash site. Because of the vastness of the area and because it is a residential area, however, many parts of the missiles have not been found. Some pieces of shrapnel were found among the aircraft parts, and some bigger fragments were seen in the blast area.

- According to the existing information in the TOR-M1 missile system, and from the view point of the operator, one of the missiles did not function successfully or effectively, and the operator saw that the MNMO lamp³ switched on. The other missile functioned successfully, and the operator saw that the MNMO lamp⁴ switched on. [translator's note: The literal translation of the original text is "on" in both cases.]

- According to the analysis of the data retrieved from the event-recording device of the TOR-M1 missile system, both missiles exploded parallel to the aircraft (the first one at a distance of approximately -20 to +50 meters⁵, and the second one at a distance of approximately -75 to -140 meters⁶ from the aircraft).

It should be mentioned that:

1. The calculation of distances is based on the approximate speed of the missile and the aircraft, and the sampling of the event-recording device of the TOR-M1 missile system is performed every 0.1 second.

2. After the information saved in the event-recording device of the TOR-M1 missile system was decoded, the above-mentioned descriptions were noted on a map included herewith.

Remarks:

- The operators of the TOR-M1 missile system were fully informed about their position and about the location of Imam Khomeini Airport and its runway (direction of 145 degrees). The commander of the TOR-M1 missile system, however, observed a target signal on a course that he was not expecting (course of 250 degrees), and judging from the target's conformity with the speed and altitude of a cruise missile ascending at an acute angle (diving)⁷ to attack its target, he supposed that there was a surprise cruise-missile attack. He assumed there would be very little time to

³ If the MNMO light is on, it means that the missile has been lost or it has missed its target.

⁴ If the MNMO light is on, it means that the processes for directing the missile have gone according to plan and it has been a hit.

⁵ 20 meters to target and 50 meters beyond it

⁶ 140 – 75 meters to target

⁷ A cruise missile starts to ascend when getting close to its target so it can hit it at a sharp angle (This kind of cruise missile behaviour has been seen quite often in American attacks in the region)

engage and that the opportunity could be lost. Accordingly, he, arbitrarily and without obtaining permission, fired two missiles at the locked target.

- The operators of the TOR-M1 missile system have passed the required training courses at the Air Defense Training Centre and are experienced.

- The operators of the TOR-M1 missile system are mentally sound and healthy, and their security checks have been confirmed by the security bodies.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/377/692050
Дата: 13 лютого 2021 р.
Додаток: немає

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити про таке:

На додаток до ноти 641/375/652768 від 04.01.2021 р. щодо трагічної катастрофи літака рейсу PS752 та оголошення її причин, а також посилаючись на дружні відносини, і необхідність поглиблення двосторонніх стосунків з Україною, враховуючи встановлення ефективної та конструктивної взаємодії задля виявлення масштабів цієї катастрофи МЗС ІРІ наголошує на тому, що окрім проведення низки робочих зустрічей, важливим досягненням такого підходу можна назвати проведення Першого та Другого раунду переговорів у Києві 30-31 липня, та у Тегерані 19-20 жовтня 2020 р. відповідно. Водночас, на підставі доброї волі та сприяння співпраці, представникам Генеральної прокуратури України було надано можливість провести багаточасову зустріч у Військовій прокуратурі Тегерану, та ознайомитись з останніми слідчими діями.

Варто підкреслити, що під час Другого раунду сторони досягли домовленості щодо проведення Третього раунду переговорів наприкінці листопада 2020 р. Українська сторона висловила бажання отримати технічний та військовий звіти, Айпад, відвідати Військову прокуратуру Тегерану, а також провести ревізію листування, обміну нотами та судовими клопотаннями. Всі ці вимоги, включаючи такі, що не входили до міжнародних зобов'язань Ірану, було виконано.

Слід зазначити, що 10 листопада 2020 р. у договірному відділі Управління міжнародної юстиції у присутності Першого секретаря Посольства України відбувся обмін всією судовою перепискою між обома сторонами. Також, 6 грудня 2020 р. під час зустрічі з Військовим прокурором Тегерану шановному Послу України, на підставі доброї волі, було передано Айпад. Відповідно до положень

Додатку 13 Чиказької конвенції, 30 грудня 2020 р., технічний звіт було направлено всім зацікавленим сторонам, включаючи Україну. Військовий звіт було передано Посольству України нотою 641/377/658900 від 11.01.2021 р.

З урахуванням виконання іранською стороною усіх прийнятих зобов'язань, МЗС ІРІ нагадує на пріоритетності переговорного процесу і важливості двосторонніх відносин з Україною, а також засвідчує готовність до проведення Третього раунду переговорів на засадах доброї волі та розвитку дружніх відносин.

Користуючись нагодою, поновлюємо Вам запевнення у високій повазі.

Посольство України - Тегеран

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 641/377/692050
Date: 13 February 2021
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and has the honour to inform that:

In addition to diplomatic note no. 641/375/652768 dated 01.04.2021 regarding the tragic crash of Flight PS752 and the announcement of its causes, as well as referring to friendly relations and the need to deepen bilateral relations with Ukraine, taking into account the establishment of effective and constructive cooperation to identify the extent of this crash, the Ministry of Foreign Affairs of IRI emphasizes that, in addition to holding a number of working meetings, an important achievement of such an approach can be called the holding of the First and Second Round of negotiations in Kyiv on July 30-31, and in Tehran on October 19-20, 2020, respectively. At the same time, on the basis of good faith and cooperation promotion, representatives of the General Prosecutor's Office of Ukraine were given the opportunity to hold a long-term meeting at the Military Prosecutor's Office of Tehran and familiarize themselves with the latest investigative actions.

It is worth emphasizing that during the Second Round, the parties reached an agreement on holding the Third Round of negotiations at the end of November 2020. The Ukrainian side expressed a desire to receive technical and military reports, an iPad, visit the Tehran Military Prosecutor's Office, and also conduct an audit of correspondence, exchange of notes and court petitions. All these requirements, including those that were not part of Iran's international obligations, were fulfilled.

It should be noted that on November 10, 2020, in the treaty department of the Office of International Justice, in the presence of the First Secretary of the Embassy of Ukraine, an exchange of all court correspondence between both parties took place. Also, on December 6, 2020, during a meeting with the Military Prosecutor of Tehran, the Honorable Ambassador of Ukraine, on the basis of good faith, was given an iPad. According to the regulations of the Annex 13 of the Chicago Convention, on December 30, 2020, the technical report was sent to all interested parties, including Ukraine. The military report was submitted to the Embassy of Ukraine by the diplomatic note no. 641/377/658900 dated 11.01.2021.

Taking into account the fulfillment by the Iranian side of all assumed obligations, the Foreign Ministry of IPI reminds of the priority of the negotiation process and the importance of bilateral relations with Ukraine, and also certifies the readiness to hold the Third Round of negotiations on the basis of good faith and the development of friendly relations.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran

NOTE 15



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/23-194/510-12444

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Embassy of the Islamic Republic of Iran in Ukraine and upon request of the National Bureau of Air Accidents Investigation of Ukraine has the honor to convey herewith a letter of Mr. Igor Misharin, Acting Director of the said agency, Accredited representative from Ukraine for flight PS752 accident investigation, along with the Notes and Comments of Ukraine on the Draft Final Report of the Accident with the aircraft B-737 UR-PSR, operated by «Ukrainian International Airlines», that occurred on 08.01.2020 near the Tehran, including three annexes thereto.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Embassy of the Republic of Islamic Republic of Iran in Ukraine the assurances of its highest consideration.

Enclosure: as stated.

Kyiv, 26 February 2021



Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 773778
Дата: 11 травня 2021 р.
Додаток: немає

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити про таке:

Уряд Ісламської республіки Іран висловлює співчуття жертвам авіакатастрофи українського літака, і відповідно до Постанови Кабінету міністрів № 58341/118136 від 05.01.2021 р. «Щодо компенсації жертвам авіакатастрофи українського літака» готовий виплатити компенсацію сім'ям або законним представникам загиблих українців:



Просимо інформувати родини загиблих громадян України про зазначене та надати підтверджуючі документи задля здійснення відповідних узгоджень із штабом відшкодування Міністерства доріг та містобудування ІРІ (через департамент міжнародного права МЗС ІРІ).

**Користуючись нагодою, поновлюємо
запевнення у високій повазі**

Посольство України - Тегеран

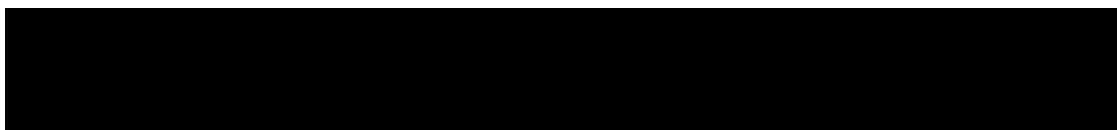
**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 773778
Date: 11 May 2021
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and has the honour to inform that:

The Government of the Islamic Republic of Iran expresses its condolences to the victims of the crash of the Ukrainian plane, and in accordance with the Resolution of the Cabinet of Ministers No. 58341/118136 of 05.01.2021 "Regarding compensation to the victims of the crash of the Ukrainian plane" is ready to pay compensation to the families or legal representatives of the deceased Ukrainians:



We ask you to inform the families of the deceased citizens of Ukraine about the abovementioned and provide supporting documents in order to make appropriate arrangements with the compensation office of the Ministry of Roads and Urban Development of the IPI (through the Department of International Law of the Ministry of Foreign Affairs of IRI).

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran

Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 773599
Дата: 11 травня 2021 р.
Додаток: немає

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані, та у відповідь на Ноту № 6166/22-12-28953 від 05.05.2021 р. має честь повідомити про таке:

Ісламська Республіка Іран підтримує пропозицію України провести черговий раунд переговорів щодо катастрофи літака рейсу PS752 в Києві у період з 2 по 3 червня 2021 р.

Ісламська Республіка Іран переконана, що продовження переговорів та конструктивна взаємодія з зазначеного питання сприятиме досягненню необхідних рішень на основі спільних інтересів і сприятиме розбудові дружніх двосторонніх відносин у різних сферах.

**Користуючись нагодою, поновлюємо
запевнення у високій повазі**

Посольство України - Тегеран

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 773599
Date: 11 May 2021
Enclosure: none

In the name of God
NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and, in response to the Note no. 6166/22-12-28953 dated 5 May 2021, has the honour to inform the following.

The Islamic Republic of Iran supports Ukraine's proposal to hold another round of negotiations regarding the crash of Flight RS752 in Kyiv in the period from June 2 to June 3, 2021,

The Islamic Republic of Iran is convinced that the continuation of the negotiations and the constructive interaction on the mentioned issue will contribute to reaching the necessary solutions based on common interests and will contribute to the development of friendly bilateral relations in various fields.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration

Embassy of Ukraine - Tehran

In coming note from MFA

Note no. 774543

Date: May 12, 2021

Faxed

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to Embassy of Sweden in Tehran and has the honour to inform the Embassy:

With paying respect to the souls of the killed ones in the Ukrainian airline crash accident and by referring to the approved note no. 58341T/118136 dated January 6, 2021 of the Ministers Committee of the Islamic Republic of Iran regarding the settlement with families of the victims of the Ukrainian airline crash accident, the Government of the Islamic Republic of Iran, is ready to pay compensation to families or legal representatives of the Swedish victims of the crash named as the followings:

[REDACTED]

For the Ministry to proceed with the settlement process with the payment headquarter of the Ministry of Road and Urban Construction of the Islamic Republic of Iran, it requests that this information be conveyed to the respected families of the Swedish victims of the crash so they can submit their legal proofs and documents to this Ministry (to the International and Legal General Office).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

His Excellency Mohammad Javad Zarif
Minister of Foreign Affairs of the Islamic Republic of Iran

June 2 2021

Your Excellency,

The Ministry of Foreign Affairs of Ukraine, the Ministry of Foreign Affairs of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth & Development Office of the United Kingdom of Great Britain and Northern Ireland present their compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and have the honour to inform the Minister of Foreign Affairs of Iran of the following.

Ukraine, Canada, the United Kingdom of Great Britain and Northern Ireland, and the Kingdom of Sweden (“*Group of Countries*”) jointly and with unity of purpose, hereby provide the Government of the Islamic Republic of Iran with notice of a claim against the Islamic Republic of Iran arising from the tragic downing of a civilian aircraft, Ukraine International Flight 752 (“*flight PS752*”), on 8 January 2020 by the Islamic Republic of Iran and in Iranian airspace shortly after its departure from Tehran Imam Khomeini International Airport, resulting in the loss of all 176 lives aboard.

In recognizing its role in the downing of Ukraine International Airlines Flight 752 and in enabling the repatriation of the victims’ remains, the Islamic Republic of Iran took steps towards justice for the victims and their families.

The Group of Countries recognize that the downing of flight PS752 by the armed forces of the Islamic Republic of Iran constitutes an internationally wrongful act under international law attributable to the Islamic Republic of Iran. Its actions and omissions amount to breaches of its obligations under international law, including, but not limited to the *Convention on International Civil Aviation* (the Chicago Convention), the *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (the 1971 Montreal Convention), and the *International Covenant on Civil and Political Rights*.

The Group of Countries and its nationals and residents on board PS752 were seriously and irreversibly harmed by the internationally wrongful act committed by the Islamic Republic of Iran, as a result we call on the Islamic Republic of Iran to fulfill its legal responsibility to make full reparations to the Group of Countries, pursuant to international law. The Group of Countries therefore demand that the Islamic Republic of Iran:

- A) Acknowledge wrongdoing, including a full accounting of all relevant causes and contributing factors that led to the downing of flight PS752;
- B) Publicly apologize to the affected States and the families of the victims;
- C) Return the missing personal belongings of the victims, where possible, that were misplaced or taken from the missing luggage or the crash site in the aftermath of the downing;

- D) To the satisfaction of the Group of Countries, provide assurances that concrete measures to prevent a similar downing in the future have been instituted;
- E) Similarly, to the satisfaction of the Group of Countries, provide assurances that a comprehensive review of its air defense system, including enacting reforms that implement multiple layers of safeguards to prevent the use of weapons against civil aircraft, including reforms to its civil-military air traffic control coordination, continuous monitoring of civil aviation frequencies by all air defense unit operators, and identification protocols that utilize radio frequencies, visual, and radar data, have been instituted;
- F) Prosecute or extradite all alleged offenders, with any prosecution taking place in a transparent manner, and in accordance with the rule of law;
- G) Provide equitable compensation to the affected States for the material and moral damages suffered by victims and their families as a result of the downing of flight PS752 regardless of nationality, in an amount consistent with its obligations under international law.

Delay in taking actions in support of accountability and justice will undermine the trust of the international community in the Islamic Republic of Iran and deepen the anguish of the victims' family members, who must now make sense of a world without their loved ones.

The Group of Countries is prepared to discuss how and through which appropriate methods the Islamic Republic of Iran may fulfill its obligation to make full reparations to its satisfaction. Ukraine, as the Group's Spokesperson, has been mandated to make best efforts to engage in negotiations on behalf of the Group of Countries at your earliest convenience.

The Group of Countries note that this notice of claim is without prejudice to any other claims arising out of other violations of international legal obligations as a result of the downing. It is also without prejudice to any future judicial claims under applicable treaties.

The Ministry of Foreign Affairs of Ukraine, the Ministry of Foreign Affairs of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth & Development Office of the United Kingdom of Great Britain and Northern Ireland avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of their highest consideration.



Dmytro Kuleba
Minister of Foreign Affairs of Ukraine



Marc Garneau
Minister of Foreign Affairs of Canada

A handwritten signature in blue ink that reads "Ann Linde". The signature is written in a cursive style with a large initial 'A'.

Ann Linde
Minister for Foreign Affairs of the Kingdom of Sweden



James Cleverly
Minister of State, Foreign, Commonwealth and Development Office of the United Kingdom of
Great Britain and Northern Ireland

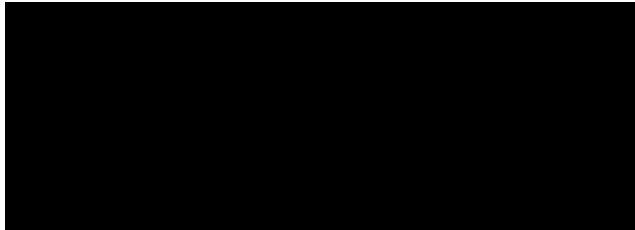
REPUBBLICA ISLAMICA DELL'IRAN
MINISTERO DEGLI AFFARI ESTERI

Numero: 641/822258
Data: 26.06.2021
(5 Tir 1400)

NOTA VERBALE

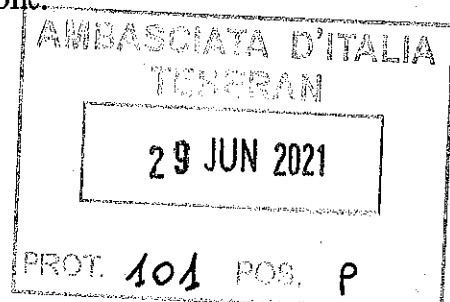
Il Ministero degli Affari Esteri della Repubblica Islamica dell'Iran, nel presentare i propri complimenti al Ministero degli Affari Globali di Canada, ha l'onore di comunicare quanto segue:

In riferimento alla Nota Verbale n. 774571 del 11.05.2021, nell'onorare la memoria delle vittime dell'incidente dell'aereo ucraino e vista la disposizione n. H58341 T/118136 del 05.01.2021 del Consiglio dei Ministri della Repubblica Islamica dell'Iran relativa alla riconciliazione con le famiglie delle vittime dell'incidente della caduta dell'aereo ucraino, il Governo della Repubblica Islamica dell'Iran è pronto a risarcire le famiglie o rappresentanti legali delle sottoelencate vittime canadesi:



Si sarà grati se si vorrà informare le famiglie delle vittime canadesi sul quanto riferito in modo che la documentazione legale possa pervenire all'Ufficio Generale del Diritto Internazionale di questo Ministero al fine di coordinare con la Commissione di Pagamento del Ministero di Strade e Sviluppo Urbano della Repubblica Islamica dell'Iran.

Il Ministero degli Affari Esteri si avvale dell'occasione per rinnovare i sensi della sua più alta considerazione.



شماره : ۶۴۱/۸۲۲۲۵۸

تاریخ: ۱۴۰۰/۴/۵

پیوست: دارد



جمهوری اسلامی ایران

وزارت امور خارجه

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور جهانی کانادا احتراماً
اشعار می‌دارد:

پیرو یادداشت شماره ۷۷۴۵۷۱ مورخه ۲۱ / ۰۲ / ۱۴۰۰، ضمن ادای احترام به ارواح جانباختگان سانحه
هواییمای اوکراینی و با عنایت به تصویبنامه شماره ۱۱۸۱۳۶/ت/۵۸۳۴۱ هـ مورخ ۱۶ / ۱۰ / ۱۳۹۹ هیئت
محترم وزیران جمهوری اسلامی ایران در خصوص مصالحه با بازماندگان قربانیان حادثه سقوط هواییمای
اوکراینی، دولت جمهوری اسلامی ایران آماده پرداخت به خانواده‌ها یا نمایندگان قانونی جانباختگان به شرح
ذیل می‌باشد:

موجب امتنان خواهد بود چنانچه، به نحو مقتضی، مراتب به خانواده‌های محترم جانباختگان کانادایی اعلام
و مستندات و مدارک قانونی به منظور هماهنگی با ستاد پرداخت در وزارت راه و شهرسازی جمهوری اسلامی
ایران، به این وزارت (اداره کل حقوقی بین‌المللی) ارائه گردد.

موقع را مغتنم شمرده و احترامات فائقه را تجدید می‌نماید.

وزارت امور جهانی کانادا

courtesy translation _____

ISLAMIC REPUBLIC OF IRAN
MINISTRY OF FOREIGN AFFAIRS

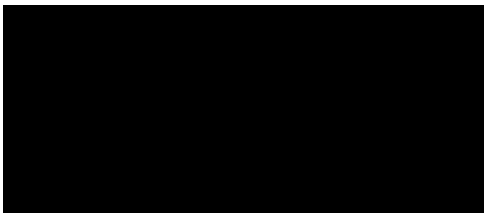
Number: 641/822258

Date: 26.06.2021 (5 Tir 1400)

NOTE VERBALE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to Global Affairs Canada, and has the honour to advise as follows:

With reference to Note Verbale n.774571 of 11.05.2021, in honouring the memory of the victims of the accident involving a Ukrainian aircraft, and in light of order n. H58341 T/118136 of 05.01.2021 of the Council of Ministers of the Islamic Republic of Iran relative to reconciliation with the families of the victims of Ukrainian aircraft accident, the Government of the Islamic Republic of Iran is prepared to compensate the families or the legal representatives of the following Canadian victims:



The Ministry would be grateful if the families of the Canadian victims could be informed of the preceding so that legal documentation may be forwarded to the General Bureau for International Law of this Ministry; for coordination with the Payment Commission of the Ministry of Roads and Urban Development of the Islamic Republic of Iran.

The Ministry of Foreign Affairs avails itself of this occasion to renew the assurances of its highest consideration.

Rubber stamp:
Embassy of Italy - Tehran
29 June 2021



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

Nº 72/23-194/510-74337

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to advise of the following.

With reference to the tragic downing of Ukraine International Airlines Flight 752 (PS752) by Iranian surface-to-air missiles on 8 January 2020, the Ministry, as the Spokesperson for the group of countries, members of the International Coordination and Response Group for victims of Flight PS752, wishes to remind the Ministry of Foreign Affairs of the Islamic Republic of Iran that a notice of our claims against the Islamic Republic of Iran was delivered to former Deputy Minister for International and Legal Affairs, Mohsen Baharvand, on 3 June 2021 in Kyiv, Ukraine. A copy of this notice of claim is attached.

The Ministry wishes to reiterate that the group of countries recognizes that the downing of flight PS752 by the armed forces of the Islamic Republic of Iran constitutes an internationally wrongful act attributable to the Islamic Republic of Iran. As a result, the group of countries call on the Islamic Republic of Iran to fulfill its legal responsibility to make full reparations in accordance with international law.

The Ministry reminds the Ministry of Foreign Affairs of the Islamic Republic of Iran that it has previously agreed to engage with the International Coordination and Response Group having already actively participated in a first round of discussions on 30 July 2020. During these discussions, both parties agreed to a set of modalities for upcoming rounds of negotiations. The Ministry further reminds the Islamic Republic of Iran that the former Minister of Foreign Affairs of the Islamic Republic of Iran, His Excellency Mohammad Javad Zarif, indicated to former Minister of Foreign Affairs of Canada, Mr. François-Philippe Champagne, as Chair of the International Coordination and Response Group on 22 June 2020 that compensation would be made to all victims regardless of nationality.

**The Ministry of Foreign Affairs
of the Islamic Republic of Iran**

Tehran

mfa.gov.ua

At this time, the Ministry reiterates its call on the Islamic Republic of Iran to enter into good faith negotiations in relation to the aforementioned obligation to make reparations. The group of countries requests that the next round be held before the end of this year and proposes that the next round start on 22-23 November 2021. The group also proposes that this round could be held in The Hague, Netherlands.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Attachment: 2 pages



Kyiv, 27 September 2021

His Excellency Mohammad Javad Zarif
Minister of Foreign Affairs of the Islamic Republic of Iran

June 2 2021

Your Excellency,

The Ministry of Foreign Affairs of Ukraine, the Ministry of Foreign Affairs of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth & Development Office of the United Kingdom of Great Britain and Northern Ireland present their compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and have the honour to inform the Minister of Foreign Affairs of Iran of the following.

Ukraine, Canada, the United Kingdom of Great Britain and Northern Ireland, and the Kingdom of Sweden ("*Group of Countries*") jointly and with unity of purpose, hereby provide the Government of the Islamic Republic of Iran with notice of a claim against the Islamic Republic of Iran arising from the tragic downing of a civilian aircraft, Ukraine International Flight 752 ("*flight PS752*"), on 8 January 2020 by the Islamic Republic of Iran and in Iranian airspace shortly after its departure from Tehran Imam Khomeini International Airport, resulting in the loss of all 176 lives aboard.

In recognizing its role in the downing of Ukraine International Airlines Flight 752 and in enabling the repatriation of the victims' remains, the Islamic Republic of Iran took steps towards justice for the victims and their families.

The Group of Countries recognize that the downing of flight PS752 by the armed forces of the Islamic Republic of Iran constitutes an internationally wrongful act under international law attributable to the Islamic Republic of Iran. Its actions and omissions amount to breaches of its obligations under international law, including, but not limited to the *Convention on International Civil Aviation* (the Chicago Convention), the *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (the 1971 Montreal Convention), and the *International Covenant on Civil and Political Rights*.

The Group of Countries and its nationals and residents on board PS752 were seriously and irreversibly harmed by the internationally wrongful act committed by the Islamic Republic of Iran, as a result we call on the Islamic Republic of Iran to fulfill its legal responsibility to make full reparations to the Group of Countries, pursuant to international law. The Group of Countries therefore demand that the Islamic Republic of Iran:

- A) Acknowledge wrongdoing, including a full accounting of all relevant causes and contributing factors that led to the downing of flight PS752;
- B) Publicly apologize to the affected States and the families of the victims;
- C) Return the missing personal belongings of the victims, where possible, that were misplaced or taken from the missing luggage or the crash site in the aftermath of the downing;

- D) To the satisfaction of the Group of Countries, provide assurances that concrete measures to prevent a similar downing in the future have been instituted;
- E) Similarly, to the satisfaction of the Group of Countries, provide assurances that a comprehensive review of its air defense system, including enacting reforms that implement multiple layers of safeguards to prevent the use of weapons against civil aircraft, including reforms to its civil-military air traffic control coordination, continuous monitoring of civil aviation frequencies by all air defense unit operators, and identification protocols that utilize radio frequencies, visual, and radar data, have been instituted;
- F) Prosecute or extradite all alleged offenders, with any prosecution taking place in a transparent manner, and in accordance with the rule of law;
- G) Provide equitable compensation to the affected States for the material and moral damages suffered by victims and their families as a result of the downing of flight PS752 regardless of nationality, in an amount consistent with its obligations under international law.

Delay in taking actions in support of accountability and justice will undermine the trust of the international community in the Islamic Republic of Iran and deepen the anguish of the victims' family members, who must now make sense of a world without their loved ones.

The Group of Countries is prepared to discuss how and through which appropriate methods the Islamic Republic of Iran may fulfill its obligation to make full reparations to its satisfaction. Ukraine, as the Group's Spokesperson, has been mandated to make best efforts to engage in negotiations on behalf of the Group of Countries at your earliest convenience.

The Group of Countries note that this notice of claim is without prejudice to any other claims arising out of other violations of international legal obligations as a result of the downing. It is also without prejudice to any future judicial claims under applicable treaties.

The Ministry of Foreign Affairs of Ukraine, the Ministry of Foreign Affairs of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth & Development Office of the United Kingdom of Great Britain and Northern Ireland avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of their highest consideration.



NOTE 22

ESB-126

The Department of Foreign Affairs, Trade and Development presents its compliments to the Embassy of Italy in Ottawa.

The Department of Foreign Affairs, Trade and Development respectfully requests the assistance of the Embassy of Italy in Tehran to transmit the attached response to the Note Verbale no. 822258 of 26 June 2021 to the Ministry of Foreign Affairs of the Islamic Republic of Iran.

The Department of Foreign Affairs, Trade and Development avails itself of this opportunity to renew to the Embassy of Italy in Ottawa the assurances of its highest consideration.

September 29, 2021

OTTAWA





ESB-126

The Department of Foreign Affairs, Trade and Development of Canada presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and, with reference to the Note Verbale no. 641/822258 of 26 June 2021, has the honour to advise of the following:

The Department of Foreign Affairs, Trade and Development of Canada wishes to draw the attention of the Ministry of Foreign Affairs of the Islamic Republic of Iran that Canada is not in receipt of the Note Verbale no. 774571 of 11 May 2021, as referred to in the Note Verbale no. 641/822258 of 26 June 2021.

The Department has taken note of the Islamic Republic of Iran's request to engage directly with certain families in order to discuss a form of compensation for the deaths of the victims of the downing of Flight PS752 and the Department has informed the families and legal representatives of those victims accordingly.

The Department notes the reference to only five Canadian victims. The Department reminds the Islamic Republic of Iran that there were 55 Canadian victims on Flight PS752 and there were 30 more victims who were Permanent Residents of Canada at the time of their death. The Department would welcome more information from the Islamic Republic of Iran with respect to why only these five were identified by the Islamic Republic of Iran for this purpose.

Having discussed the Note Verbale no. 641/822258 of 26 June 2021 with the families, it is the Department's view that key elements are missing in order for them to make an informed decision regarding the forwarding of information to the Islamic Republic of Iran. The Department therefore requests on behalf of the families that the Islamic Republic of Iran provide more information in relation to the order n. H58341 T/118136 of January 5 2021 of the Council of Ministers of the Islamic Republic of Iran in relation to reconciliation with the families of the victims of PS752. In addition, the Department requests that the Islamic Republic of Iran provide answers to the following:

1. What is the exact formulation of the decision referred to above? Canada would appreciate receiving a copy of the decision to share with the families.
2. Indicate the legal basis of the decision reached by the Council of Ministers? Is the compensation offered on an *ex gratia* basis?
3. Provide the detailed list of criteria for eligibility for families to receive compensation pursuant to this decision?
4. Provide additional details regarding the type of legal documentation that should be forwarded to the General Bureau for International Law?
5. Provide a name and contact information of a specific person to whom the families can communicate these documents, and with whom their legal representatives can discuss the details of the decision-making process.



The questions and requests referenced above are without prejudice to Canada and the other affected states' claim against the Islamic Republic of Iran. With reference to the notice of our claim delivered to Mr. Mohsen Baharvand by Ukraine's Ministry of Foreign Affairs on June 3, 2021, the Department reiterates that Canada and the other affected states recognize that the downing of flight PS752 by the armed forces of the Islamic Republic of Iran constitutes an internationally wrongful act attributable to the Islamic Republic of Iran. As a result, Canada and the other affected states have called on the Islamic Republic of Iran to fulfill its legal responsibility to make full reparations in accordance with international law.

The Department also reiterates that Canada and the other affected states' have called on the Islamic Republic of Iran to enter into negotiations in relation to the aforementioned obligation to make reparations. The Department further reminds the Islamic Republic of Iran that the former Minister of Foreign Affairs of the Islamic Republic of Iran, His Excellency Mohammad Javad Zarif, indicated to Canada on 22 June 2020 that compensation would be made to all victims regardless of nationality. The Department emphasizes that all victims, including the 55 Canadian victims and 30 Permanent Residents of Canada must be treated equally.

The Department of Foreign Affairs, Trade and Development of Canada avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.





Ministry
of Foreign Affairs
of Ukraine

NOTE 23

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/23-194/510-89906

The Ministry of Foreign Affairs of Ukraine presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to advise of the following.

With reference to the tragic downing of Ukraine International Airlines Flight 752 (PS752) by Iranian surface-to-air missiles on 8 January 2020, the Ministry – acting as Spokesperson for the Group of Countries (Canada, Sweden, Ukraine, and the United Kingdom), members of the International Coordination and Response Group for victims of Flight PS752 – recalls the 3 June 2021 notice of the Group of Countries' claims against the Islamic Republic of Iran delivered to the former Deputy Minister for International and Legal Affairs, Mohsen Baharvand in Kyiv, Ukraine, and, the 27 September 2021 note verbal № 72/23-194/510-74337, requesting that the next round of negotiations between the Islamic Republic of Iran and the Group of Countries be held before the end of this year, and proposing the dates of 22 and 23 November 2021 in The Hague, the Netherlands.

The Ministry, on behalf of the Group of Countries, proposes the following agenda for the next round of negotiations:

- Presentation of delegations and opening statements
- Discussion on applicability of international law to downing of PS752
- Discussion of the consequences of downing of PS752, including on compensation and other forms of reparations
- Discussion related to the criminal investigation into downing of PS752
- Summing up, discussion on further steps, and closing remarks.

The Ministry further invites the Islamic Republic of Iran to inform of any additional topics it wishes to discuss during this round.

**The Ministry of Foreign Affairs
of the Islamic Republic of Iran**

Tehran

Finally, due to the need to make all necessary prior arrangements, including travel arrangements of members of the delegation of the Group of Countries, the Ministry requests that the Islamic Republic of Iran kindly inform no later than 15 November 2021 whether the representatives of the Islamic Republic of Iran will meet the Group of Countries for negotiations in The Hague, the Netherlands on 22-23 November 2021.

The Ministry of Foreign Affairs of Ukraine avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.



Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 722/969376
Дата: 16 листопада 2021 р.
Додаток: листи

В ім'я Бога
НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити про таке:

За даними судових органів, у неділю, 21 листопада ц.р. о 9.00 у військовій прокуратурі ЗС ІРІ буде проведено перше закрите судове засідання по справі збиття українського літака.

Надсилаємо списки загиблих під час авіакатастрофи та просимо повідомити родичів (спадкоємців), що вони можуть бути присутні на згаданому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

Переклад виконав: В.С.Лапай (09050806839)



ДОКУМЕНТ СЕД МЗС АСКОД

Підписувач ЗОЛОТАРЬОВА ОКСАНА ВАДИМІВНА
Сертифікат 2B6C7DF9A3891DA10400000C010870025638602
Дійсний з 01.10.2021 9:42:27 по 01.10.2022 23:59:59

248



МЗС

72/17-194/510-92002 від 18.11.2021

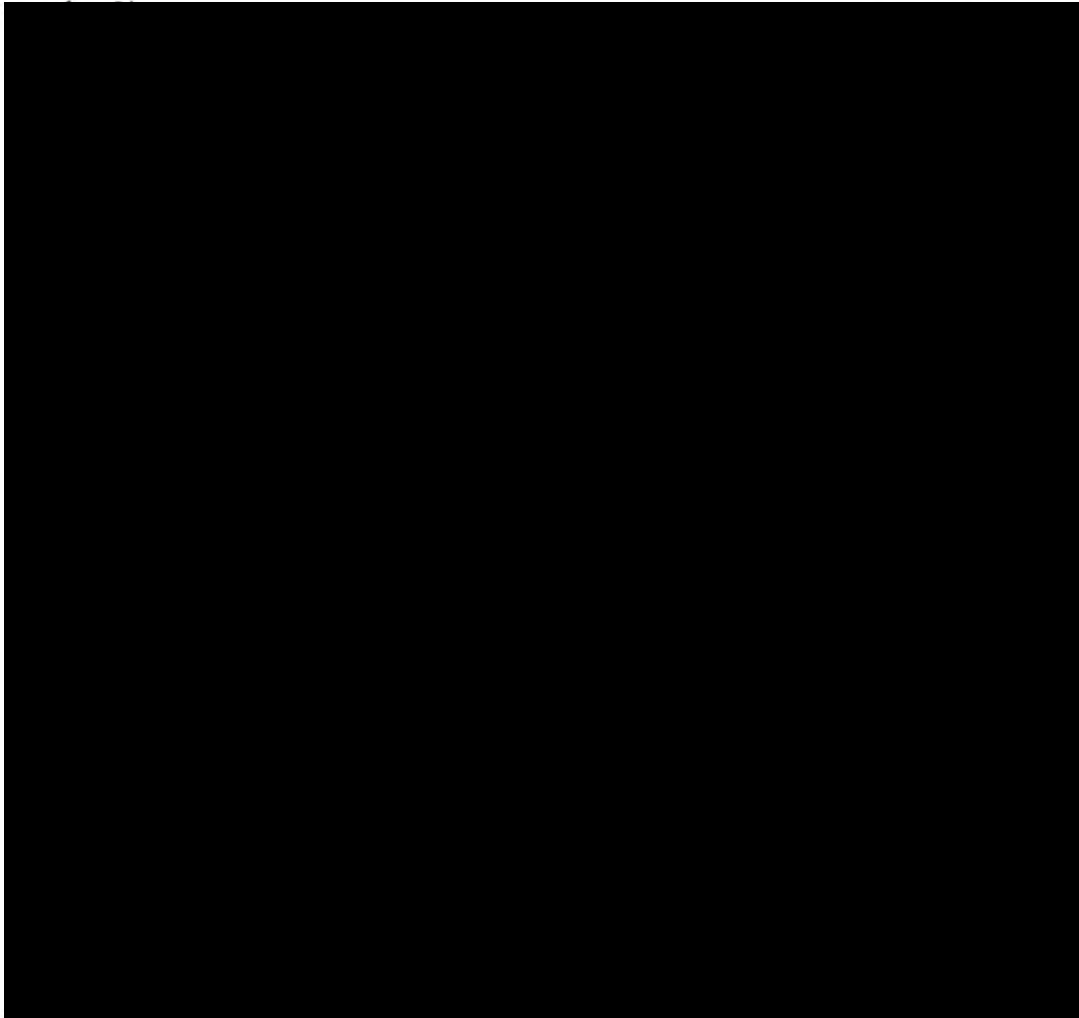
In name of God

List, names (written in Farsi translated into English)

Names

Nationality

Passport no.





جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۷۲۲/۹۶۹۲۷۶
تاریخ : ۱۴۰۰/۰۸/۲۵
پیوست : اوراق

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

حسب اعلام مراجع قضائی، اولین جلسه غیر علنی دادگاه رسیدگی به پرونده سانحه سقوط هواپیمای اوکراینی در ساعت ۹ صبح روز یکشنبه مورخ ۱۴۰۰/۸/۳۰ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد. ضمن ارسال لیست اسامی جانباختگان سانحه مذکور موجب امتنان خواهد بود به اولیاء دم (وراث) آنان اعلام نمایند که می‌توانند در جلسه دادگاه حضور یابند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

**The Islamic Republic of Iran
Ministry of Foreign Affairs**

No: 722/969376

Date: 16 November 2021

Enclosure: list

In the name of God

NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and has the honour to inform that:

According to information from the judicial authorities, on Sunday, November 21, this year, at 9:00 a.m., the first closed court hearings in the case of downing of the Ukrainian plane will be held at the Military Prosecutor's Office of the Armed Forces of the IRI.

We send the list of victims of the plane's crash and ask to inform the relatives (heirs) that they can be presented at the mentioned hearings.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avail itself of this opportunity to renew the Embassy of Ukraine in Tehran the assurances of its highest consideration.

Embassy of Ukraine - Tehran

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/969901

Дата: 17 листопада 2021 р.

Додаток:

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити про таке:

У відповідь на Ноти 72/23-194/510-74337 від 27.09.2021р. та 72/23-194/510-89906 від 12.11.2021р. МЗС України повідомляємо:

Розслідуючи обставини авіакатастрофи українського літака, Ісламська Республіка Іран, керуючись добротою волею та з метою недопущення ускладнення дружніх відносин з Україною та уникнення можливих спекуляцій, докладає значних зусиль для конструктивної взаємодії з Україною в усіх аспектах цієї трагічної події.

Як відомо, окрім низки зустрічей та контактів на різних рівнях між відповідними відомствами обох держав було проведено три раунди переговорів у липні 2020р. у Києві, у жовтні 2020р. в Тегерані, та у червні ц.р. у Києві із залученням причетних фахівців, які детально розглянули всі питання, в т.ч. технічні, військові, правові, судові, а також питання відшкодування збитків відповідно до

міжнародних зобов'язань. Делегація ІРІ на підставі доброї волі надавала українській делегації виявлені факти, повідомляла про всі вжиті заходи та у межах дійсного законодавства надавала необхідні відповіді на запитання української делегації.

Враховуючи небажання Української Сторони проводити переговори щодо компенсацій родичам загиблих та відшкодування збитків авіакомпанії МАУ, про які було оголошено під час другого раунду двосторонніх переговорів, було вжито заходів для скорішого початку переговорів між згаданою авіакомпанією та іранським Урядом (в особі Центру міжнародного права), перший раунд яких відбувся 30 червня ц.р. Тривають контакти сторін з цього питання.

Що стосується технічного аспекту авіакатастрофи, за результатами здійсненого відповідно до міжнародних норм та за участі причетних держав розшифрування «чорних скриньок» у Парижі, група з розслідування катастрофи Організації цивільної авіації Ірану завершила процес вивчення та розслідування. Після проведення необхідних узгоджень з відповідними державами у встановлений строк було опубліковано технічний звіт авіакатастрофи та належним чином його представлено до Міжнародної організації цивільної авіації (ІКАО). Іранська делегація оголосила про це на засіданні Ради ІКАО під час виступу тогочасного заступника міністра закордонних справ 18 червня 2021 року.

Що стосується судово-кримінального аспекту, Ісламська Республіка Іран з урахуванням усіх юридичних і правових наслідків та відповідно до власного законодавства, вжила всіх необхідних заходів щодо проведення Військового прокуратурою Тегерану кримінального розслідування стосовно обвинувачених осіб та передала обвинувальний акт до суду. Судові засідання проводимуться у встановлений

строк під наглядом шановних суддів і з дотриманням усіх стандартів закону та триватимуть до досягнення результату та встановлення справедливості.

З іншого боку, Ісламська Республіка Іран, висловлюючи добрі наміри та ґрунтуючись на принципі ех-ґратіа (добровільно, від доброти спонукано – прим. ПУ), задля розради родин загиблих визначила розмір виплат сім'ям усіх загиблих (без жодної дискримінації за їх приналежністю до громадянства), створивши «Штаб компенсацій» при Міністерстві доріг та містобудування. На сьогодні великій кількості родин вже здійснено виплату компенсацій і триває законний процес з виплати компенсацій решті.

У цьому зв'язку, окрім інформування про здійснення виплат іранським громадянам, урядам України, Канади, Афганістану та Швеції, громадяни яких також є серед загиблих, надавалася відповідна інформація дипломатичними нотами та було оголошено про готовність Ісламської Республіки Іран здійснити виплату компенсацій родинам загиблих громадян.

Таким чином, виходячи з вищезазначеного, на переконання МЗС, за результатами трьох раундів проведених делегаціями двох держав переговорів та інших двосторонніх контактів, всім аспектам авіакатастрофи українського літака була надана належна увага. Отже, наразі не існує окремого питання, яке б потребувало проведення чергового раунду переговорів (включаючи ті, про які йдеться у відповідних нотах).

Втім, Ісламська Республіка Іран завжди готова продовжувати двосторонню взаємодію через Посольства

України та Ірану та/або в рамках інших зустрічей і комунікації посадовців двох держав.

Користуючись нагодою,
поновлюємо свою вельми високу
повагу.

Посольство України - Тегеран

Переклад виконав: В.С.Лапай (09050806839)



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۹۶۹۹۰۱
تاریخ : ۱۴۰۰/۰۸/۲۶
پیوست :

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت های شماره ۷۴۳۳۷-۵۱۰/۱۹۴-۲۳/۷۲ مورخ ۵ مهر ۱۴۰۰ (۲۷ سپتامبر ۲۰۲۱) و ۸۹۹۰۶-۵۱۰/۱۹۴-۲۳/۷۲ مورخ ۲۱ آبان ۱۴۰۰ (۱۲ نوامبر ۲۰۲۱) وزارت امور خارجه اوکراین، اشعار می‌دارد:

به دنبال وقوع سانحه تاسف بار سقوط هواپیمای اوکراینی، جمهوری اسلامی ایران بر اساس حسن نیت و با هدف ممانعت از تاثیر سوء این رخداد بر روابط دوستانه جاری خود با دولت اوکراین و زدودن سوءتفاهم های احتمالی، نهایت تلاش خود را به کار بست که در فضایی سازنده و حرفه ای، تعامل مقتضی با دولت اوکراین در خصوص ابعاد مختلف این سانحه را انجام دهد.

براین اساس همان طور که آگاهی دارند، علاوه بر چندین ملاقات و تماس در سطوح مختلف میان مسئولین ذیربط در دو کشور، هیات های دو طرف با حضور نمایندگان تمامی بخش های مربوطه در سه دور مذاکرات دو جانبه، مرداد ۱۳۹۹ در کی یف، مهر ۱۳۹۹ در تهران و خرداد ۱۴۰۰ در کی یف شرکت کرده و در قالب مذاکرات یادشده، به تمام جوانب فنی، نظامی، حقوقی، کیفی و پرداختها به تفصیل و متناسب با تعهدات بین المللی و حتی فراتر از آن پرداخته شد. هیات جمهوری اسلامی ایران، با حسن نیت، کلیه یافته های خود و شرح مبسوطی از اقدامات انجام شده را به اطلاع هیات اوکراینی رسانده و در محدوده قوانین و مقررات تلاش نمود که به سوالات هیات اوکراینی پاسخهای لازم را ارائه نماید.

متعاقب عدم تمایل طرف اوکراینی برای مذاکره راجع به زینهای وارده به خانواده های جان باختگان و شرکت هواپیمایی اوکراین اینترنشنال(مائو) که در دور دوم مذاکرات دوجانبه اعلام شد، هماهنگی های لازم به منظور آغاز هرچه سریعتر مذاکره بین شرکت هواپیمایی یادشده با دولت جمهوری اسلامی ایران (به نمایندگی مرکز امور حقوقی بین المللی) انجام شده و اولین دور مذاکرات در تاریخ ۹ تیر ۱۴۰۰ برگزار شد و تماس بین طرفین در این زمینه ادامه دارد.

در خصوص ابعاد فنی سانحه نیز، با خوانش جعبه های سیاه در پاریس وفق مقررات بین المللی مربوطه و با مشارکت دولتهای ذیربط، تیم تحقیقات سازمان هواپیمایی کشوری جمهوری اسلامی، فرآیند تحقیقات و بازرسی را به سرانجام رسانده و گزارش فنی سانحه در موعد زمانی مقرر، پس از انجام هماهنگی های لازم با دولتهای

ذریبط، منتشر و به نحو مقتضی به سازمان بین المللی هواپیمایی کشوری (ایکائو) نیز ارایه شد. این موضوع در مشارکت هیات ایرانی در نشست شورای ایکائو، طی سخنرانی معاون وقت وزیر امور خارجه در تاریخ ۲۸ خرداد ۱۴۰۰ به اطلاع دولتهای شرکت کننده رسید.

در زمینه کیفری و قضایی، جمهوری اسلامی ایران با مد نظر قرار دادن کلیه جوانب حقوقی و کیفری و وفق قوانین و مقررات خود، اقدامات لازم در زمینه انجام تحقیقات و بررسیهای کیفری را از طریق دادستانی نظامی تهران در قبال متهمین انجام داده و کیفرخواست از سوی دادستانی به دادگاه تقدیم شده است. جلسات دادگاه وفق نظرات قضات محترم و با رعایت کلیه استانداردهای قانونی در موعد زمانی مقتضی برگزار می شود و تا حصول نتیجه و اجرای عدالت ادامه خواهد یافت.

از سوی دیگر، جمهوری اسلامی ایران بر اساس حسن نیت و بر مبنای *ex-gratia* و در راستای دلجویی از خانواده های جانبازان، نسبت به تعیین رقمی برای پرداخت به خانواده های کلیه قربانیان (بدون هیچگونه تبعیض از قبیل تابعیت آنها) اقدام کرده و با تشکیل «ستاد پرداخت» در وزارت راه و شهرسازی، تاکنون به تعداد زیادی از خانواده ها پرداخت صورت گرفته و مراحل قانونی برای پرداخت به مابقی نیز در دست انجام است. در همین راستا، علاوه بر اطلاع رسانی و پرداخت به اتباع ایرانی، طی یادداشتهایی، مراتب به دولتهای اوکراین، کانادا، افغانستان و سوئد که برخی از اتباع آنان در میان جانبازان قرار دارند اطلاع رسانی شده و آمادگی جمهوری اسلامی ایران برای پرداخت به خانواده های اتباع جانبازان آنها اعلام گردیده است.

در نتیجه، همانطور که از مطالب بالا مشخص است، این وزارت بر این باور است که کلیه ابعاد سانحه هواپیمای اوکراینی در قالب سه دور مذاکرات انجام شده بین هیات های دو طرف و سایر تماس های رسمی فی مابین، به حد کفایت مورد توجه قرار گرفته است و بر این اساس، موضوع خاصی که مستلزم برگزاری دور دیگری از مذاکرات باشد (از جمله طبق پیشنهاد اعلامی در یادداشتهای عطفی) وجود ندارد. مع الوصف، جمهوری اسلامی ایران همواره آماده است به تعاملات دوجانبه از طریق سفارتخانه های دو طرف و یا سایر دیدارها و تعاملات میان مقامات دو کشور ادامه دهد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10529259	Farsi - English		

[emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

Number: 641/969901
Date: 17 November 2021
Enclosure: [blank]

In the Name of God
Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran extends its greetings to the Embassy of Ukraine in Tehran and respectfully advises:

In response to memoranda number 72/23-194/510- 74337, dated 27 September 2021, and 72/23-194/510-89906, dated 12 November 2021 of the Ministry of Foreign Affairs of Ukraine, we hereby inform you that:

following the regrettable accident of the crash of the Ukrainian airplane, the Islamic Republic of Iran, based on the principles of good will and in order to prevent this accident from adversely affect its friendly relation with the government of Ukraine, and to eliminate any possible misunderstandings, has made its utmost efforts to conduct its necessary interactions with the Ukrainian government with regard to various aspects of the accident in a professional and constructive manner.

In this context, as you are aware, in addition to a few meetings and contacts at various levels between the authorities of the two countries, the two parties held three rounds of bilateral negotiations, with the participation of the representatives of all the relevant sections, in July/August 2020 in Kiev, in September/October 2020 in Tehran, and in May/June 2021 in Kiev. During the above-mentioned negotiations, all the technical, military, legal, criminal, and compensatory aspects of the case were discussed at length and in details, based on, and even beyond, the international obligations. In accordance with the principles of good will, the Islamic Republic’s delegation shared all its findings with its Ukrainian counterpart, and provided an elaborate account of the actions taken, and, within the scope of the laws and regulations, has made efforts to provide necessary answers to the questions of the Ukrainian delegation.

Following the reluctance of the Ukrainian part to negotiate the damages inflicted on the victims’ families and the Ukraine International Airline (MAU), which was declared during the second round of bilateral negotiations, the necessary coordination for the speedy start of the negotiations between the aforesaid airline and the Islamic Republic of Iran (represented by the Centre for International Legal Affairs) was organized and the first round of the negotiations took place on 30 June 2021, and the communications between the two parties are ongoing.

With respect to the technical aspects of the accident, the plane's black boxes were decoded in Paris in accordance with the international law, with the participation of the related governments, and the research team of the National Aviation Organization of the Islamic Republic concluded the process of research and inspection, and subsequent to necessary coordination with the related states, the technical report of the incident was published and duly submitted to the International Civil Aviation Organization (ICAO) within the deadline. This matter was communicated to the participating states at the ICAO council meeting on 18 June 2021 through the speech made by the then Deputy Minister of Foreign Affairs.

In terms of the criminal and judicial context, the Islamic Republic of Iran, considering all the legal and criminal aspects of the case and in accordance with its own laws and regulations, has taken all the necessary measures with respect to the criminal investigations and assessments against the accused through Tehran Military Prosecutor's Office and an indictment has been preferred and submitted to the court by the Prosecutor's Office. The court hearings will be held in due time, in accordance with the opinions of the esteemed judges, and in compliance with all legal standards, and will continue until a conclusion is reached and justice is served.

Additionally, the Islamic Republic of Iran, based on the principles of good will and "ex-gratia" and in order to appease the families of the victims, has taken steps to determine a figure to be paid to the families of all the victims (without any discrimination based on criteria such as citizenship), and by setting up "The Payment Headquarters" at the Ministry of Roads and Urban Development. Payments have already been made to a large number of the families, and the legal processes for making payments to the rest of the families are underway. In this regard, in addition to providing information and paying the Iranian citizens, we have also sent memoranda to the governments of Ukraine, Canada, Afghanistan and Sweden, whose citizens have also been victims of the accident, informing them of the Islamic Republic of Iran's readiness to pay the families of their citizens who have been victims of that accident.

In conclusion, as it is clear from the above, this Ministry believes that all aspects of the Ukrainian plane accident have been sufficiently addressed through three rounds of negotiations between the delegations of the two sides, as well as through other formal contacts. Therefore, there is no particular issue that would require another round of negotiations (taken into consideration the proposal declared in the aforementioned memoranda). Nonetheless, the Islamic Republic of Iran is always prepared to continue bilateral interactions through the respective embassies or through meetings and interactions between the authorities of both countries.

We take this opportunity to renew our highest respect.

Embassy of Ukraine, Tehran



Міністерство
закордонних справ
України

Михайлівська площа, 1
м. Київ, 01018, Україна

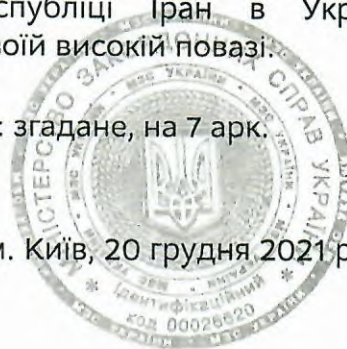
№ 72/23-604-102445

Міністерство Закордонних Справ України засвідчує свою повагу Посольству Ісламської Республіки Іран в Україні та звертається з проханням передати ноту від імені Групи держав, постраждалих внаслідок збиття 8 січня 2020 року українського літака рейсу PS 752 поблизу м. Тегеран, адресовану Міністерству Закордонних Справ Ісламської Республіки Іран.

Міністерство користується цією нагодою, аби поновити Посольству Ісламській Республіці Іран в Україні запевнення у своїй високій повазі.

Додаток: згадане, на 7 арк.

м. Київ, 20 грудня 2021 року



**Посольство Ісламської Республіки Іран
в Україні**

м. Київ

mfa.gov.ua



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

No 72/23 - 604 - 102444

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

Ukraine, Canada, the United Kingdom of Great Britain and Northern Ireland, and the Kingdom of Sweden (hereafter "Group of Countries"), wish to express our deep disappointment in the Islamic Republic of Iran's decision not to accept the Group's proposal to discuss the matter of reparations for the downing of Ukraine International Airlines Flight 752 (hereafter "Flight PS752") on 22-23 November 2021 as expressed in the Islamic Republic of Iran's Note Verbal 641/969901 sent to Ukraine on 17 November 2021.

Recalling the notice of its claim, which was delivered to former Deputy Minister of International and Legal Affairs, Mohsen Baharvand, on 3 June 2021 in Kyiv, Ukraine, the Group of Countries reminds the Islamic Republic of Iran that the grave act of downing of Flight PS752 by its armed forces constitutes an internationally wrongful act under international law that is attributable to the Islamic Republic of Iran. The actions and omissions of the Islamic Republic of Iran amount to breaches of its obligations under international law, including, but not limited to the *Convention on International Civil Aviation*, the *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation*, and the *International Covenant on Civil and Political Rights*.

**Ministry of Foreign Affairs of
the Islamic Republic of Iran**

Tehran

mfa.gov.ua

As a result, the Islamic Republic of Iran is under an international legal obligation to make full reparations for the injuries caused to the Group of Countries, including to its nationals and residents who were passengers on Flight PS752 and to their families who have suffered unimaginable loss. To date, the Islamic Republic of Iran has not acknowledged its international legal responsibility nor has it offered to make full reparations to the Group of Countries.

In our 3 June 2021 Notice of Claim, the Group of Countries made clear that Ukraine had been mandated by the Group to make best efforts to engage in negotiations with the Islamic Republic of Iran on the Group's behalf at the Islamic Republic of Iran's earliest convenience.

In response to Ukraine's multiple requests on behalf of the Group of Countries proposing a date and venue for the next round of negotiations, including reminders sent on 27 September and 12 November 2021 respectively, the Islamic Republic of Iran has yet to directly address the Group's request.

Instead, in its Note Verbal 641/969901, the Islamic Republic of Iran states that all aspects of the case have been adequately discussed during a series of bilateral negotiations between it and Ukraine. The Group of Countries wishes to express its disagreement with this assertion and reiterates that such discussions were not pertinent to, and have no bearing on, the Group's request as these were discussions in the context of the Islamic Republic of Iran's bilateral relations with Ukraine. Ukraine was not acting on behalf of the Group during these meetings, as explained by the Ukrainian representatives at the time.

The Group of Countries reminds the Islamic Republic of Iran that it had previously agreed to engage with the Group having already participated in a first round of discussions on 30 July 2020. During these discussions, both parties agreed to a set of modalities for upcoming rounds of negotiations.

On 12 November 2021, Ukraine sent a Note Verbal 72/23-194/510-89906 on behalf of the Group of Countries that contained a proposed agenda for the upcoming round of negotiation. The topics relate to the elements of the Group of Countries' claim against the Islamic Republic of Iran as set out in the Notice of Claim. These proposed agenda items do not overlap with the aspects discussed in the Islamic Republic of Iran's 17

November 2021 response to Ukraine.

Therefore, the Group of Countries, as referenced in its joint statement issued on 24 November 2021, reiterate the Group's call for the Islamic Republic of Iran to enter into good faith negotiations in relation to the aforementioned obligation to make full reparations.

Considering the latest COVID-19 developments and related travel restrictions, the Group of Countries requests that the next round of negotiations between the Islamic Republic of Iran and the Group of Countries be held virtually, at a mutually agreeable time during the week of 17 January 2022 on a mutually agreeable conferencing platform.

In order to ensure a reasonable amount of time is available to organize the technical aspects for a virtual meeting, we request that the Islamic Republic of Iran confirm its agreement to enter into good faith negotiations with the Group of Countries on the matter of reparations for the downing of Flight PS752 no later than 5 January 2022.

The proposed agenda remains the same as outlined by the Group of Countries in the Note Verbal 72/23-194/510-89906 sent by Ukraine on the Group's behalf on 12 November 2021, namely:

- Presentation of delegations and opening statements;
- Discussion on applicability of international law to downing of PS752;
- Discussion of the consequences of downing of PS752, including on compensation and other forms of full reparations;
- Discussion related to the criminal investigation into downing of PS752, and
- Summing up, discussion on further steps, and closing remarks.

Again, the Group of Countries has mandated Ukraine to engage with the Islamic Republic of Iran to organize the next round of negotiations on reparations, notwithstanding the consistent failure of the Islamic Republic of Iran to respond to previous invitations. If there is any further refusal to take part in these negotiations, or if there is no answer by 5 January 2022, the Group of Countries will have no choice but to conclude that further attempts to negotiate with the Islamic Republic of Iran are futile.

Noting the importance of opening channels of communications to resolve the matter in accordance with international law, the Group of

Countries remains willing to hold further negotiations should the Islamic Republic of Iran indicate a willingness to do so in good faith.

In order to demonstrate the continuing need for discussions, and without prejudice to the aforementioned offer to engage in good faith negotiations, the Group of Countries has shared additional information with the Islamic Republic of Iran regarding the breaches of international law by the Islamic Republic of Iran discussed in the 3 June 2021 Notice of Claim. This information can be found in the annex to this note.

The Ministry of Foreign Affairs of Ukraine on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Annex: as stated.



Kyiv, 20 December 2021

Annex – Additional Details Related to the Group of Countries' Claim

With a view to facilitating the upcoming negotiations on the matter of reparations, the Group of Countries wishes to provide the Islamic Republic of Iran with additional information regarding the claims made in its 3 June 2021 Notice of Claim.

The Group of Countries notes that the following information is without prejudice to any other claims or arguments arising out of the applicable treaties, and arising out of other violations of international legal obligations as a result of the downing. It is also without prejudice to any future judicial or arbitral proceedings commenced under applicable treaties. The Group of Countries reserves its right to amend and clarify its position in any such proceedings.

Convention on International Civil Aviation

With respect to the application and interpretation of the *Convention on International Civil Aviation* (hereafter the "Chicago Convention"), the Islamic Republic of Iran, as a party to the Convention, had an obligation to refrain from resorting to the use of weapons against civil aircraft in flight pursuant to Article 3*bis* of the Chicago Convention and failed to do so. This is an obligation owed to the members of the Group of Countries, who are Parties to the Chicago Convention.

Iran's Islamic Revolutionary Guard Corps (IRGC) fired two surface-to-air missiles, weapons of war, at Flight PS752, a civil aircraft in flight, on 8 January 2020.

These actions are inconsistent with established international standards and are in direct violation of the legal obligation found in Article 3*bis* of the Chicago Convention.

Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation

The Islamic Republic of Iran's actions and omissions in relation to the downing of Flight PS752 by members of its armed forces constitute breaches of its treaty obligations under the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation of 1971 (hereafter the "1971 Montreal Convention"). These international obligations are owed to the Group of Countries, which are Parties to the 1971 Montreal Convention.

Indeed, members of the Islamic Republic of Iran's IRGC unlawfully and intentionally destroyed an aircraft in service, or caused damage to it, which rendered it incapable of flight with two surface-to-air missiles on or around 8 January 2020.

As a state party to the 1971 Montreal Convention the commission of this offence by Iranian military personnel must be treated by the Islamic Republic of Iran as a matter of grave concern and for the purposes of deterring such acts the Islamic Republic of Iran must fulfill its legal obligations pursuant to this Convention.

To date, there is no evidence available to the Group of Countries that indicates that the Islamic Republic of Iran has fulfilled any of the legal obligations found in the 1971 Montreal Convention.

In addition, as states parties, we recognize that the purpose of the 1971 Montreal Convention is to ensure the safety of persons and property, avoid seriously affecting operation of air services and maintain the confidence of peoples of the world in the safety of civil aviation. This includes, but is not limited to, a state's obligation to endeavour to take all practicable measures for the purpose of preventing the unlawful and intentional destruction of a civil aircraft in service.

The Islamic Republic of Iran failed to meet its international legal obligation to prevent the unlawful and intentional destruction of a civil aircraft in service.

It is the position of the Group of Countries that the Islamic Republic of Iran not only failed in its obligation to prevent the destruction of Flight PS752, but its actions and omissions on 8 January 2020 directly contributed to a situation that led to the unlawful and intentional destruction of a civilian aircraft in its airspace by its armed forces for which the alleged perpetrators must be prosecuted.

International Covenant on Civil and Political Rights

The Islamic Republic of Iran, as a party to the *International Covenant on Civil and Political Rights* (hereafter the "ICCPR"), had an obligation to protect the right to life of all those aboard Flight PS752, including not arbitrarily depriving them of life, in accordance with Article 6 of the ICCPR and as protected under customary international law.

This protection was the responsibility of the Iranian government and its agencies, including its military and the Islamic Republic of Iran failed to protect the lives of the passengers onboard Flight PS752.

Senior civil and military authorities also contributed significantly to setting the conditions in which such a massive and tragic loss of life could occur.

The Group of Countries invokes the Islamic Republic of Iran's responsibility in the commission of a serious violation of human rights, both for having arbitrarily deprived all 176 persons onboard of their lives, and for failing to respect and protect those lives from foreseeable and preventable loss.

The Islamic Republic of Iran also failed, and continues to fail, to take required measures following this serious violation of human rights. This includes, but is not limited to, providing adequate, effective and prompt reparation; conducting an adequate investigation into these violations; providing the families of the victims a full accounting of all aspects of the downing, and ensuring a full and transparent accountability for those responsible, including senior civil and military authorities, for the downing.

State Responsibility

These acts or omissions are attributable to the Islamic Republic of Iran and constitute a breach of the Islamic Republic of Iran's international legal obligations. As a result, the Islamic Republic of Iran's state responsibility is engaged and it is under an obligation to make full reparations to the Group of Countries for the injuries caused by the breach of the international obligations owed to the Group of Countries. The Islamic Republic of Iran has not acknowledged this international legal responsibility nor has it offered to make full reparations to the Group of Countries.

Reparations

The Group of Countries and its nationals and residents on board Flight PS752 were seriously and irreversibly injured by the internationally wrongful act committed by the Islamic Republic of Iran, as a result the Group of Countries call on the Islamic Republic of Iran to fulfill its legal responsibility to make full reparations to the Group of Countries, pursuant to international law.

The Group of Countries therefore demands that, to the satisfaction of the Group, the Islamic Republic of Iran:

- Acknowledge the internationally wrongful acts and omissions alleged by the Group of Countries;
- Publicly apologize to the affected states and the families of the victims;
- Provide a full accounting of all relevant causes and contributing factors that led to the downing of Flight PS752 through the conduct of a transparent and impartial investigation to ensure accountability and justice for the victims and their families;
- Provide assurances and guarantees that concrete measures to prevent a similar downing in the future have been instituted. Including, but not limited to, assurances that a comprehensive review of its air defense system, including enacting reforms that implement multiple layers of safeguards to prevent the use of weapons against civil aircraft, including reforms to its civil-military air traffic control coordination, continuous monitoring of civil aviation frequencies by all air defense unit operators, and identification protocols that utilize radio frequencies, visual, and radar data, have been instituted;
- Conduct a full and transparent investigations, and fulfill its other legal obligations pursuant to the 1971 Montreal Convention, including prosecution or extradition of all alleged offenders, with any prosecution taking place in a transparent and impartial manner, and in accordance with the rule of law;
- Return the missing personal belongings of the victims, where possible, that were misplaced or taken from the missing luggage or the crash site in the aftermath of the downing;
- Provide equitable compensation to the Group of Countries for the material and moral damages suffered by the victims and their families as a result of the downing of Flight PS752 regardless of nationality, in an amount consistent with its obligations under international law.

Finally, the Group of Countries is also prepared to discuss the methods and modalities by which the Islamic Republic of Iran may fulfill its obligation to make full reparations to the Group's satisfaction.

Note 27 to be
provided at a later
date



جمهوری اسلامی ایران
وزارت امور خارجه

شماره: ۶۴۱/۱۰۵۰۱۲۲
تاریخ: ۱۴۰۰/۱۱/۰۴
پیوست:

به نام خدا
یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می دارد:

پیرو یادداشت شماره ۶۴۱/۱۰۱۵۴۳۴ مورخ ۱۴۰۰/۱۰/۰۶ و بازگشت به یادداشت شماره ۱۸۷۲-۶۲۰-۷۲/۲۳ مورخ ۱۴۰۰/۱۰/۲۱ وزارت امور خارجه اوکراین، جمهوری اسلامی ایران، ضمن ابراز تاسف از انجام مکاتبه غیرمستقیم از سوی دولت کانادا، طبق قوانین داخلی و وفق تعهدات بین المللی خود اقدامات گسترده ای را در ابعاد مختلف سانحه هواپیمای اوکراینی انجام داده است. متأسفانه اقدامات معطوف به اهداف سیاسی و سوء استفاده از احساسات خانواده های محترم جانباختگان توسط دولت کانادا، در هدایت و حل و فصل مسائل مربوط به سانحه مزبور مانع ایجاد کرده است.

جمهوری اسلامی ایران قویاً از دولت کانادا انتظار دارد، ضمن احترام به قوانین داخلی و تعهدات بین المللی کشورها که منبعث از حقوق بین الملل است، مذاکرات با حسن نیت و در چارچوب دستور کار توافق شده را مدنظر قرار دهد. لازم به یادآوری است، این موضوع در مواضع اعلامی و مکاتبه قبلی تصریح و بدان تاکید شده است.

جمهوری اسلامی ایران معتقد است توافق ناشی از اراده تعدادی از دولت‌ها مگر با رضایت دولت ثالث تکلیف و تعهدی را برای دولت ثالث ایجاد نمی کند. بنابراین با احترام به اراده دولت کانادا، یادآوری می نماید درخواست چهار کشور برای انجام مذاکرات مشترک ذیل گروه خودخوانده با جمهوری اسلامی ایران، هیچگونه الزام حقوقی را برای طرف ایرانی ایجاد نمی نماید. لازم به توضیح است که در اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین، با پیشنهاد طرف اوکراینی و در حاشیه مذاکرات، صرفاً به منظور اعلام حسن نیت و همدردی و بیان مواضع اصولی کشورمان و همچنین اعلام آمادگی و هماهنگی برای انجام مذاکرات دوجانبه، ملاقاتی مجازی با نمایندگان دولت های کانادا، سوئد و بریتانیا برگزار گردید. جمهوری اسلامی ایران با امعان نظر به اقدامات گسترده وفق قوانین داخلی و تعهدات بین المللی خود در موضوع سانحه هواپیمای اوکراینی و علیرغم فعالیت‌های دولت کانادا که معطوف امور سیاسی بوده و حسن نیتی در آن مشاهده نکرده است، و با عنایت به اینکه تاکنون هیچگونه مذاکره دوجانبه بین جمهوری اسلامی ایران و کانادا، طبق دستور کار توافق شده، در موضوعات مرتبط با سانحه هواپیمای اوکراینی، صورت نگرفته است، در راستای اعلام مجدد حسن نیت خود و احترام به حقوق بین الملل، از انجام مذاکره دو جانبه با کانادا در

چارچوب دستور کار توافق شده، استقبال می نماید و امیدوار است که دولت کانادا نیز با پرهیز از رویکردهای غیرحقوقی و سیاسی زیانبار با حسن نیت با این موضوع همراهی نماید.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10562956	Farsi		

[PDF 1]

[emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

Number: 641/1015434
Date: 1400/10/06 [corresponding to December 27, 2021]
Enclosure: Yes

In the Name of God
Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran would like to extend its greetings to the Department of Foreign Affairs, Trade and Development Canada and would like to inform you that:

In reference to the Memo number 72 / 23-604-102445 of the Ministry of Foreign Affairs of Ukraine dated on the 29th of Azar 1400 corresponding to December 20, 2021, the Ministry of Foreign Affairs of the Islamic Republic of Iran has stressed that following the previous communications and negotiations, and while rejecting any fabricated deadlines, the Islamic Republic of Iran found no reason to negotiate with a self-proclaimed « group » of some countries, and clarified that all former negotiations between Iran and Ukraine in Tehran and Kiev had been taken place in the form of bilateral consultations.

Furthermore, during the previous negotiations, the Islamic Republic of Iran addressed all technical, military, legal, criminal, and payment aspects in detail and in accordance with international obligations and even beyond, and tried in good faith to articulate a detailed description of the measures taken and its findings in order to provide the required answers to the questions of the Ukrainian delegation.

Nevertheless, the Islamic Republic of Iran has always been ready to conduct bilateral talks and engagement with Canada through diplomatic channels of the two parties or other meetings and interactions between the officials of the two countries based on a mutually agreed agenda.

We would like to avail ourselves of this opportunity to renew to you our highest consideration.

Department of Foreign Affairs, Trade and Development Canada



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۰۱۵۴۲۸

تاریخ : ۱۴۰۰/۱۰/۰۶

پیوست : دارد

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۱۰۲۴۴۵-۶۰۴-۲۳ / ۷۲ مورخ ۲۹ آذر ۱۴۰۰ برابر با ۲۰ دسامبر ۲۰۲۱ وزارت امور خارجه اوکراین، وزارت امور خارجه جمهوری اسلامی ایران، پیرو مکاتبات قبلی و مذاکرات انجام شده، ضمن رد هرگونه ضرب الاجل ساختگی، تأکید می‌نماید که جمهوری اسلامی ایران دلیلی برای مذاکره با يك «گروه» خودخوانده از برخی کشورها نمی‌بیند و تصریح می‌کند که کلیه مذاکرات پیشین صورت گرفته میان ایران و اوکراین در تهران و کیف در قالب رایزنی‌های دوجانبه صورت پذیرفته است.

همچنین جمهوری اسلامی ایران در خلال مذاکرات قبلی به تمام جوانب فنی، نظامی، حقوقی، کیفری و پرداختها به تفصیل و متناسب با تعهدات بین‌المللی و حتی فراتر از آن پرداخته و با حسن نیت، تلاش کرده تا با ارائه شرح منسوبة، از اقدامات انجام شده و باقیه‌های خود، به سؤالات هیئت اوکراینی پاسخهای لازم را ارائه نماید.

با وجود این، جمهوری اسلامی ایران همواره آماده بوده و هست تا به گفتگو و تعامل دوجانبه با اوکراین از طریق سفارتخانه‌های دو طرف یا سایر دیدارها و تعاملات میان مقامات دو کشور بر اساس دستورکار مورد توافق متقابل طرفین ادامه دهد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

Unofficial summary of the Iran's Diplomatic Note to Ukraine,

The Islamic Republic of Iran
Ministry of Foreign Affairs
Note no. 641/1015428
Date: Monday, December 27, 2021

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Ukraine in Tehran and hereby states the following:

- Recalling the Ukrainian MFA's diplomatic note, number 72/23-604-102445 of 20th December 2021, the Iranian Ministry of Foreign Affairs notes the matter has been addressed through previous correspondence and meetings, while rejecting any fabricated/fake deadlines, and stresses that the Islamic Republic of Iran sees no reason to negotiate with a self-proclaimed "group" of some countries.
- The Iranian MFA asserts that previous meetings between Iran and Ukraine have taken place in Tehran and Kyiv in the form of bilateral consultations. The Islamic Republic of Iran during these previous meetings dealt with all aspects of technical, military, legal, criminal and the payments in detail and in accordance with the international obligations and even beyond that in good faith and provided necessary answers to the questions of the Ukrainian delegation.
- Nevertheless, the Islamic Republic of Iran has always been ready to continue bilateral dialogue with Ukraine through our respective embassies or other meetings and interactions between the two countries' officials in accordance with the mutually agreed agenda.

The Islamic Republic of Iran
Ministry of Foreign Affairs

Note no. 641/1015437

Date: Monday, December 27, 2021

Attachment: Enclosed

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and hereby states the following:

The Ministry of Foreign Affairs of the Islamic Republic of Iran, as a response to the note number 72/23-604-102445, dated December 20, 2021, [by the] the Ministry of Foreign Affairs of Ukraine, following the previous correspondence and negotiations, while rejecting any fabricated deadlines, stresses that the I.R. of Iran does not recognize any cause to negotiate with a self-proclaimed "group" of countries; it furthermore asserts that the previous negotiations between Iran and Ukraine held in Tehran and Kiev were conducted under bilateral consultations.

Moreover, the I.R. of Iran in the previous negotiations extensively addressed all the technical, military, legal, penal and payments aspects, proportionate with or even further off international obligations; and it has in good will attempted to answer the questions posed by the Ukrainian delegation by providing a detailed account of the proceedings and the findings.

Notwithstanding, the I.R. of Iran has been and is constantly prepared to hold bilateral talks and facilitate interactions with Sweden via the respective embassies or arrange meetings and facilitate interactions between the officials of both countries based on an agenda that is agreed upon.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails itself of this opportunity to renew the assurances of its highest consideration to the Embassy of Sweden in Iran.

NOTES VERBALES

2022



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/23-620-1872

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

In response to the Islamic Republic of Iran's Note Verbale no. 641/1015428 sent to Ukraine and in its Note Verbale Note no. 641/1015437 sent to the Kingdom of Sweden on 27 December 2021, Canada, the Kingdom of Sweden, Ukraine, and the United Kingdom of Great Britain and Northern Ireland (hereafter "Group of Countries"), wish to reiterate our disappointment in the Islamic Republic of Iran's decision to disregard the Group's latest attempt to discuss the matter of reparations for the grave act of the downing of Ukraine International Airlines Flight 752 (hereafter "Flight PS752").

With reference to the Islamic Republic of Iran's position as outlined in its notes verbales no. 641/1015428 and 641/1015437 of 27 December 2021, its Note Verbale no. 641/969901 of 17 November 2020, its related statements and other communications by Iranian officials since January 8, 2020, as well as the Group of Countries' Notice of Claim delivered to the Islamic Republic of Iran on 3 June 2021, and subsequent notes verbales no. 72/23-194/510-74337 of September 27, no. 72/23-194/510-89906 of 12 November 2021 and no. 72/23-604-102445 of 20 December 2021, it is evident that the Islamic Republic of Iran:

- has failed to acknowledge that the unlawful downing of Flight PS752 by Iranian armed forces constitutes an internationally wrongful act that is attributable to the Islamic Republic of Iran, for which it must make full reparations to the Group of Countries in accordance with international law;

**The Ministry of Foreign Affairs
of the Islamic Republic of Iran**

Tehran

- is therefore in disagreement with the Group of Countries' positions with respect to the interpretation and application of the *Convention on International Civil Aviation*, the *Convention on the Suppression of Unlawful Acts Against the Safety of Civil Aviation* and the *International Covenant on Civil and Political Rights*, and Iran's international obligations under those conventions;

- does not acknowledge the collective and common interest of the Group of Countries in achieving the same settlement agreement with respect to reparations owed to them for the wrongful acts committed by the Islamic Republic of Iran, despite the Islamic Republic of Iran's own acknowledgment that all victims should be treated equally; and

- has refused to engage in further negotiations with the Group of Countries on reparations, despite having previously agreed to the modalities for these negotiations during the first round of negotiations between the Group of Countries and Islamic Republic of Iran held on July 30, 2020.

For these reasons, the Group of Countries has no other choice but to conclude that there is a clear dispute between the Group of Countries and the Islamic Republic of Iran, and that further attempts to negotiate this matter with the Islamic Republic of Iran are futile at this time. The Group of Countries wishes to inform the Islamic Republic of Iran that the Group will now prepare to take appropriate action in order to ensure that the dispute related to the reparations owed to them for the downing of Flight PS752 is resolved in accordance with international law.

Noting the importance of maintaining channels of communications to resolve disputes in accordance with international law, the Group of Countries remains open to hold further joint negotiations should the Islamic Republic of Iran indicate a willingness to do so in good faith.

The Ministry of Foreign Affairs of Ukraine on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Kyiv, 11 January 2022





General Assembly

Distr.: General
12 January 2022

Original: English

Seventy-sixth session

Agenda items 74 and 85

Promotion and protection of human rights

The rule of law at the national and international levels

Letter dated 11 January 2022 from the representatives of Canada, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the joint statement of the International Coordination and Response Group for the victims of flight PS752, marking two years since the tragic downing of flight PS752, issued on 6 January 2022 (see annex).

The ministers representing Canada, Sweden, Ukraine and the United Kingdom honoured the memory of the 176 innocent passengers and crew who lost their lives on 8 January 2020, when the Iranian military fired two surface-to-air missiles and destroyed Ukraine International Airlines flight 752 near Tehran. As stated by the Group, the victims' families deserve transparency, justice and accountability for this reprehensible tragedy.

We should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 74 and 85.

(Signed) Richard **Arbeiter**

Chargé d'affaires, a.i.

Ambassador

Deputy Permanent Representative of Canada to the United Nations

(Signed) Anna Karin **Eneström**

Ambassador

Permanent Representative of Sweden to the United Nations

(Signed) Sergiy **Kyslytsya**

Ambassador

Permanent Representative of Ukraine to the United Nations

(Signed) Barbara **Woodward**

Ambassador

Permanent Representative of the United Kingdom to the United Nations



Annex to the letter dated 11 January 2022 from the representatives of Canada, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Statement of the International Coordination and Response Group for the victims of flight PS752 marking two years since the tragic downing of flight PS752

6 January 2022

The International Coordination and Response Group for the victims of Flight PS752 today issued the following joint statement:

“Almost two years ago, in the early morning of January 8, 2020, the Iranian military fired two surface-to-air missiles and destroyed Ukraine International Airlines Flight 752 near Tehran.

“We, Ministers representing Canada, Sweden, Ukraine, and the United Kingdom, honour the memory of the 176 innocent passengers and crew who lost their lives that day. We will never forget this senseless loss of life and stand in solidarity with the victims’ families. They deserve transparency, justice and accountability for this reprehensible tragedy.

“As a group of states that have been specially affected by Iran’s breaches of international law, we have united our efforts to ensure that the interests of the victims and their families are served, and that there is respect for the rule of law. With this common purpose, we have consistently called upon Iran to engage in good-faith negotiations to fulfil its international legal obligations to make full reparations for the downing of Flight PS752.

“Most recently, the Coordination Group asked Iran to commit to engaging in negotiations with the Group by January 5, 2022. Unfortunately, on December 27, 2021, we received an unequivocal response from Iran that it does not see a need to negotiate with the Group. After initially agreeing to engage with the Group during our first round of negotiations held on July 30, 2020, Iran is now categorically rejecting any further negotiations with the Group related to our collective demand for reparations. As reparations are owed to the affected states, this matter must be discussed collectively, so that all victims are treated fairly and equally.

“It is clear that Iran continues to avoid its international legal responsibilities, including by refusing to negotiate further with the Coordination Group and make full reparations for its actions. We will not stand for this affront to the memories of the 176 innocent victims.

“Despite our best efforts over the past two years and multiple attempts to resolve this matter through negotiations, the Coordination Group has determined that further attempts to negotiate with Iran on reparations for the destruction of Flight PS752 at this time are futile. The Coordination Group will now focus on subsequent actions to take to resolve this matter in accordance with international law.

“We remain united in our commitment to hold Iran accountable for the actions and omissions of its civil and military officials that led to the illegal downing of Flight PS752 by ensuring that Iran makes full reparations for its breaches of international law.”

In coming note from MFA

Note no. 641/1050129

Date: Jan. 24, 2022

Received Jan. 24, 2022

Unofficial translation

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to Embassy of Sweden in Tehran and has the honour to inform:

Following the note no. 641/1015437 dated Dec. 27, 2021 and by referring to note no.72/23-620-1872 dated Jan. 11, 2022 from the Ministry of Foreign Affairs of Ukraine, the Islamic Republic of Iran regrets the Swedish Government's adoption of indirect correspondence, but is still committed to maintain and expand the development and the reinforcement of friendly relations between the two countries of Iran and Sweden, while observing its domestic laws and its International obligations, in accordance with International laws. Therefore, Iran, considers a bilateral dialogue on issues related to the Ukrainian plane crash a positive step forward. It is necessary to remind, that this issue was mentioned in Iran's announced positions and in previous correspondences, and specifically in the meeting of July 7, 2021 with H.E. Mr Mattias Lentz, Ambassador of Sweden to Tehran, the issue was mentioned and emphasised upon.

The Islamic Republic of Iran believes that an agreement based on the will of a number of states cannot create duty and obligation for a third state without the consent of a third state. Therefore, with all respect to the will of the Swedish Government, the request of the 4 countries to conduct joint negotiations with the Islamic Republic of Iran, does not create any legal obligations for the Iranian side. It is necessary to explain that, in the first round of negotiations between Iran and Ukraine, with the proposal of the Ukrainian side, alongside of the negotiations, strictly for the sake of showing good will and empathy, to show the principled views of our country, and to also announce the willingness for bilateral negotiations, a virtual meeting was held among representatives of the Governments of Sweden, Canada and Great Britain.

Although the Islamic Republic of Iran, according to its domestic and international obligations, in regard to the Ukrainian plane crash, has taken extensive measures, but still to demonstrate its good will, by taking into consideration that until present no bilateral direct negotiations between Iran and Sweden has taken place, clearly and once again, emphasises on avoiding to take any illegal or harmful politicised actions, and announces that based on good intention and respect for international laws, the Islamic Republic of Iran welcomes a bilateral negotiations with the Government of Sweden and hopes that the Government of Sweden with good intentions also welcomes back the offer.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

Embassy of Sweden - Tehran

Number: 641/1050142
Date: 24 January 2022

NV

The Ministry of Foreign Affairs of the Islamic Republic of Iran would like to extend its greetings to Her Majesty Queen's Embassy in Tehran to declare that:

Further to NV numbered 641/1014526 dated 26 December 2021 and in reference to NV numbered 72/23-620-1872 dated 11 January 2022 of the MFA of Ukraine, the Islamic Republic of Iran would like to express its dismay with a move by the British government to conduct indirect correspondence, and would like to emphasise that Iran has always stressed the expansion and the strengthening of constructive relations between the two countries while respecting the domestic laws as well as the international commitments as enshrined in the international law and declare that it would consider as positive any bilateral negotiation with the British government regarding issues relating to the incident of the Ukrainian plane. It needs to be pointed out that this issue has also been clearly underlined in Iran's previous positions as well as its previous correspondences. Nevertheless, no expression of intention on the part of the British government has so far been announced for bilateral negotiations [on this issue].

The Islamic Republic of Iran believes that any agreement based on the determination of a group of countries can create no legal obligation on a third country without the consent of the same third country. Therefore, while respecting the determination of the British government, Iran would like to announce that the request of the four countries for conducting joint negotiations with Iran would create no binding legal obligation for the Islamic Republic. It needs to be explained that during the first round of negotiations between Iran and Ukraine, a virtual meeting was held with the representatives of the governments of Britain, Canada and Sweden upon the proposal of the Ukrainian side and merely as a gesture to show goodwill and express sympathy and also to announce the substantive positions of Iran and also to voice readiness to proceed towards bilateral negotiations.

Although the Islamic Republic of Iran has undertaken major steps based on its domestic laws as well as its international commitments regarding the issue of flight PS752. Still, by taking the above into account and also considering that there has so far never been a bilateral negotiation between the Islamic Republic of Iran and Britain based on the agenda agreed for issues relating to the incident of the Ukrainian plane, Iran would like to again announce openly and clearly that based on goodwill and within the framework of respecting the international law while emphasising on the need to avoid any unlawful and politically harmful approach, it would welcome conducting a bilateral negotiation with Britain over issues relating to the abovementioned incident, hoping that the British government would also cooperate over this issue with goodwill.

We would like to use the opportunity to refresh our greetings to you.

Her Majesty Queen's Embassy in Tehran



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۰۵۰۱۴۲

تاریخ : ۱۴۰۰/۱۱/۰۴

پیوست :

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت علیا حضرت ملکه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۱ / ۱۰۱۴۵۲۶ مورخ ۱۴۰۰ / ۱۰ / ۰۵ و بازگشت به یادداشت شماره ۱۸۷۲-۶۲۰-۲۲ / ۲۳ مورخ ۱۴۰۰ / ۱۰ / ۲۱ وزارت امور خارجه اوکراین، جمهوری اسلامی ایران، ضمن ابراز تأسف از انجام مکاتبه غیر مستقیم از سوی دولت بریتانیا، همواره با رعایت قوانین داخلی و تعهدات بین المللی منبعت از حقوق بین الملل، بر توسعه و تقویت روابط سازنده بین دو کشور تأکید داشته و انجام مذاکره دو جانبه با دولت بریتانیا در خصوص مسائل مرتبط با سانحه هواپیمای اوکراینی را مثبت می‌داند. لازم به یادآوری است، این موضوع در مواضع اعلامی و مکاتبه قبلی نیز تصریح و بدان تأکید گردیده است. با وجود این، هیچ گاه تمایلی از سوی آن دولت برای انجام مذاکرات دوجانبه اعلام نشده است.

جمهوری اسلامی ایران معتقد است توافق ناشی از اراده تعدادی از دولت‌ها مگر با رضایت دولت ثالث نمی‌تواند تکلیف و تعهدی برای دولت ثالث ایجاد نماید. بنابراین با احترام به اراده دولت بریتانیا، درخواست چهار کشور برای انجام مذاکرات مشترک با جمهوری اسلامی ایران، هیچگونه اثر حقوقی الزام آور برای طرف ایرانی ایجاد نمی‌کند. لازم به توضیح است در اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین، با پیشنهاد طرف اوکراینی و در حاشیه مذاکرات، صرفاً به منظور اعلام حسن نیت و همدردی و بیان مواضع اصولی کشورمان و همچنین اعلام آمادگی و هماهنگی برای انجام مذاکرات دوجانبه، ملاقاتی مجازی با نمایندگان دولت های بریتانیا، کانادا و سوئد برگزار شد.

اگرچه جمهوری اسلامی ایران اقدامات گسترده ای را وفق قوانین داخلی و تعهدات بین المللی خود در موضوع سانحه هواپیمای اوکراینی انجام داده است، با این حال بنا به ملاحظات فوق و همچنین با توجه به اینکه تاکنون هیچگونه مذاکره دوجانبه بین جمهوری اسلامی ایران و بریتانیا طبق دستور کار توافق شده در موضوعات مرتبط با سانحه هواپیمای اوکراینی، صورت نگرفته است، صریحاً و مجدداً با تأکید بر پرهیز از رویکردهای غیرحقوقی و سیاسی زیانبار اعلام می‌دارد که براساس حسن نیت و در چارچوب احترام به حقوق بین الملل، جمهوری اسلامی ایران از انجام مذاکره دو جانبه با بریتانیا در مسائل مرتبط با سانحه مذکور استقبال می‌نماید و امیدوار است که دولت بریتانیا نیز با حسن نیت با این موضوع همراهی نماید.

Посольство України
в Ісламській Республіці
Іран

Іран, м. Тегеран, вул. Шахід Бахонар,
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(+9821) 22722658,
(+9821) 22397292 (fax), emb_ir@mfa.gov.ua



Embassy of Ukraine
in the Islamic Republic
of Iran

Iran, Tehran, Shahid Bahonar str.,
Qaderi alley 10

iran.mfa.gov.ua

24.01.2021

**Директору Департаменту
міжнародного права МЗС
України**

Золотарьовій О.В.

4ТД МЗС України

ТЕРМІНОВО!

Щодо питання рейсу PS752

Шановна Оксано Вадимівно,

Надсилаємо отриману Посольством ноту МЗС Ірану від 24 січня 2022 р. №641/1050177 (додається), якою іранська сторона надає відповідь на ноту МЗС України від 11.01.2021 р. №72/23-620-1872.

Додаток: згадане, на 4 арк.

З повагою,

Посол

С.А.Бурдияк



ДОКУМЕНТ СЕД МЗС АСКОД

Підписувач Бурдияк Сергій Анатолійович
Сертифікат 58E2D9E7F900307B04000000A1C3880A0949D00
Дійсний з 30.12.2021 0:00:00 по 29.12.2023 23:59:59



МЗС

6166/72-194/510-6983-ВН від 24.01.2022

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1050177

Дата: 24.01.2022

В ім'я Бога

Нота

МЗС Ісламської Республіки Іран засвідчує свою повагу Посольству України в Ірані та має честь повідомити таке.

На додаток до нот від 17 листопада 2021 року №641/969901 та 27 грудня 2021 року №641/1015428, а також у відповідь на ноту Міністерства закордонних справ України від 11 січня 2022 року №72/23-620-1872, Ісламська Республіка Іран, сподіваючись на розвиток та зміцнення дружніх відносин між двома державами та наголошуючи на повазі до внутрішнього законодавства та міжнародних зобов'язань згідно з нормами міжнародного права, постійно виступає за взаємодію та проведення двосторонніх переговорів з урядом України щодо питання катастрофи українського літака відповідно до узгодженого порядку денного. Варто нагадати, що на цьому важливому питанні робився наголос у виголошених позиціях та попередній кореспонденції.

Як вам відомо, делегація Ісламської Республіки Іран під час другого раунду двосторонніх переговорів (Тегеран, жовтень 2020 р.) висунула пропозицію щодо розгляду та обговорення правових аспектів та вимірів (*становища – прим. ПУ в ІРІ*) родичів жертв згаданої катастрофи, а також щодо збитків за літак, яка, на жаль, була відхилена українською стороною. Отже, у зв'язку з цим небажанням України, через рік після катастрофи, керуючись співчуттям і повагою до інтересів і прав загиблих, а також зважаючи на людяне ставлення задля розради рідних, шановний кабінет міністрів Ісламської Республіки Іран прийняттям постанови встановив суму (*компенсації – прим. ПУ в ІРІ*) незважаючи на громадянство, вік і стать.

Ісламська Республіка Іран переконана, що домовленість, яка впливає з бажань низки держав, без надання згоди третьої держави, не спричиняє правових наслідків для третьої держави. Таким чином, домовленість чотирьох держав та вимоги Групи держав і наполягання на проведенні спільних переговорів з Ісламською Республікою Іран не спричиняють жодних обов'язкових правових наслідків для іранської сторони. Необхідно надати роз'яснення, що під час першого раунду переговорів між Ісламською Республікою Іран і Україною, згідно з пропозицією українською стороною та на полях двосторонніх переговорів, виключно задля висловлення добрих намірів, співчуття та виголошення принципів позицій нашої держави, а також задля демонстрації готовності та узгодженості щодо проведення двосторонніх переговорів, була проведена онлайн зустріч з представниками держав Канади, Британії та Швеції. Отже, саме з цієї причини другий і третій раунди переговорів з українською стороною відбулися у двосторонньому форматі без присутності третьої сторони.

Виходячи з викладеного та з урахуванням необхідності проведення переговорів щодо питань, які стосуються узгодженого порядку денного, у тому числі й питання прав родичів загиблих, стосовно розгляду яких на попередніх раундах переговорів виникало небажання української сторони, Ісламська Республіка Іран відверто оголошує, що на основі доброї волі та конструктивної налаштованості на двосторонню співпрацю, необхідності уникнення неправових підходів та зайвої політизації, а також у рамках поваги до міжнародних принципів і зобов'язань, підтримує проведення двосторонніх переговорів щодо відповідних питань, і сподівається, що українська сторона також добровільно їх підтримає.

**Користуючись нагодою,
поновлюємо запевнення у високій повазі.**

Посольство України - Тегеран



جمهوری اسلامی ایران
وزارت امور خارجه

شماره: ۶۴۱/۱۰۱۵۴۳۴

تاریخ: ۱۴۰۰/۱۰/۰۶

پیوست: دارد

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۱۰۲۴۴۵-۶۰۴-۲۳ / ۷۲ مورخ ۲۹ آذر ۱۴۰۰ برابر با ۲۰ دسامبر ۲۰۲۱ وزارت امور خارجه اوکراین، وزارت امور خارجه جمهوری اسلامی ایران، پیرو مکاتبات قبلی و مذاکرات انجام شده، ضمن رد هرگونه ضرب الاجل ساختگی، تأکید می‌نماید که جمهوری اسلامی ایران دلیلی برای مذاکره با یک «گروه» خودخوانده از برخی کشورها نمی‌بیند و تصریح می‌کند که کلیه مذاکرات پیشین صورت گرفته میان ایران و اوکراین در تهران و کی‌یف در قالب رایزنی‌های دوجانبه صورت پذیرفته است.

همچنین جمهوری اسلامی ایران در خلال مذاکرات قبلی به تمام جوانب فنی، نظامی، حقوقی، کیفری و پرداختها به تفصیل و متناسب با تعهدات بین‌المللی و حتی فراتر از آن پرداخته و با حسن نیت، تلاش کرد تا با ارائه شرح مبسوطی از اقدامات انجام شده و یافته‌های خود، به سوالات هیئت اوکراینی پاسخهای لازم را ارائه نماید.

با وجود این، جمهوری اسلامی ایران همواره آماده بوده و هست تا به گفتگو و تعامل دوجانبه با کانادا از طریق مجاری دیپلماتیک دو طرف یا سایر دینارها و تعاملات میان مقامات دو کشور بر اساس دستورکار مورد توافق متقابل طرفین بپردازد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10562956	Farsi		

[PDFs 2 and 3]

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

Number: 641/1050122

Date: 1400/11/04 [corresponding to January 24, 2022]

Enclosure: [blank]

In the Name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran would like to extend its greetings to the Department of Foreign Affairs, Trade and Development Canada and would like to inform you that:

With regards to Memo number 641/1015434 dated on 1400/10/06 [corresponding to December 27, 2021] and in reference to Memo number 72 / 23-620-1872 of the Ministry of Foreign Affairs of Ukraine dated on 1400/10/21 [corresponding to January 11, 2022], the Ministry of Foreign Affairs of the Islamic Republic, while expressing regret over the indirect communications conducted by the Government of Canada, has taken extensive measures in various aspects of the Ukraine plane crash in accordance with the domestic law and in line with the international law. Unfortunately, measures that seek to achieve political goals and the exploitation of the feelings of the survivors of the victims by the Government of Canada have hindered the direction and resolution of issues related to the tragedy.

While respecting the domestic law and international obligations outlined in the international law, the Islamic Republic of Iran strongly expects the Government of Canada to consider negotiations in good faith and within the agreed upon agenda. It should be noted that this issue has been clarified and stressed in the announced positions as well as in previous communications.

The Islamic Republic of Iran believes that an agreement resulting from the will of a number of states would not impose any burdens and obligations on a third State unless with the consent of the third state. Therefore, with respect to the will of the Government of Canada, it is to be noted that the request of the four countries to conduct joint negotiations under the self-proclaimed group with the Islamic Republic of Iran does not create any legal obligations for the Iranian side. It should be explained that in the first round of talks

between the Islamic Republic of Iran and Ukraine, at the suggestion of the Ukrainian side and on the sidelines of the talks, a virtual meeting was held with the representatives of the governments of Canada, Sweden and Britain merely to express goodwill and sympathy and to explain the principled positions of our country as well as to announce readiness and coordination for bilateral talks.

The Islamic Republic of Iran – considering its views on its extensive measures in various aspects of the Ukraine plane crash in accordance with the domestic law and in line with the international law despite the actions of the Government of Canada which have focused on political matters with no goodwill found, and although no bilateral talks on the issues related to the Ukraine plane crash within an agreed upon agenda have taken place between the Islamic Republic of Iran and Canada - welcomes bilateral negotiations with Canada according to an agreed upon agenda in order to re-demonstrate its good faith and to respect the international law, hoping that the Government of Canada will collaborate in this matter and avoid, with goodwill, harmful legal and political approaches.

We would like to avail ourselves of this opportunity to renew to you our highest consideration.

Department of Foreign Affairs, Trade and Development Canada



General Assembly

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Agenda items 74 and 85

Promotion and protection of human rights

The rule of law at the national and international levels

Letter dated 31 January 2022 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing to you regarding the letter and its annex from the representatives of Canada, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland ([A/76/653](#)).

The Ministry of Foreign Affairs of the Islamic Republic of Iran reiterates its sincerest condolences to the families of the victims of the tragic accident of Ukrainian flight PS752 on 8 January 2020. First and foremost, the Ministry emphasizes the need to not only sympathize with and support the families of those affected but also take note that no remedy can heal the wounds, sorrows and griefs caused by the loss of loved ones. It is hoped that no accident of this or any kind will take place again.

The Islamic Republic of Iran has never recognized the so-called “International Coordination and Response Group”. Needless to say, the volitional acts leading to an agreement within this self-proclaimed Group create neither obligations nor rights for Iran without its consent. The Islamic Republic of Iran, therefore, is of the view that these countries’ request to hold joint negotiations with Iran has no basis and effect on Iran.

It should be noted that during the first round of bilateral negotiations with Ukraine, at the proposal of the Ukrainian side and on the sidelines of the meeting, a virtual session was held on 30 July 2020 that included the representatives of Canada, Sweden and the United Kingdom of Great Britain and Northern Ireland with the aim of expressing Iran’s good faith, sympathy and principled positions on the issues as well as declaring our readiness and cooperation for future bilateral negotiations. Moreover, during the third round of the negotiations held in Kiev in June 2021, the head of the Iranian delegation explicitly asserted that Iran did not recognize this self-proclaimed Group.

More importantly, the Islamic Republic of Iran has already welcomed bilateral negotiations with the relevant States through various notes verbales, including notes No. 641/1015428 dated 27 December 2021 to Ukraine, No. 641/1015434 dated 27 December 2021 to Canada, No. 641/1015437 dated 27 December 2021 to Sweden,



No. 641/1014526 dated 26 December 2021 to the United Kingdom, No. 641/969901 dated 17 November 2021 to Ukraine, No. 641/377/692050 dated 13 February 2021 to Ukraine and No. 641/375/652768 dated 4 January 2021 to Ukraine; and more recently No. 641/1050122 to Canada, No. 641/1050129 to Sweden, No. 641/1050142 to the United Kingdom and No. 641/1050177 to Ukraine, all dated 24 January 2022.

It is ironic that, without engaging in bilateral negotiations, the aforementioned Governments have concluded that any attempts at negotiations with Iran are futile!

Declaring its goodwill and providing the necessary explanations regarding the various technical, military and judicial aspects of the accident, the Islamic Republic of Iran has participated in three rounds of bilateral talks with the Ukrainian Government in Kiev in July 2020 and June 2021 as well as in Tehran in October 2020. Various facets of the subject were thoroughly examined by representatives from both parties, including experts, during these negotiations.

Furthermore, the Islamic Republic of Iran has thus far taken all feasible measures to fulfil its internal and international obligations in good faith and has endeavoured to act swiftly, accurately, transparently and constructively in this regard.

With regard to the technical aspects of the accident and despite the lengthy process of investigation taken globally as to the causes of aviation accidents, following the initial assessments and preliminary investigations of the Ukrainian aircraft accident in accordance with article 26 and annex 13 of the 1944 Chicago Convention, the relevant authorities of the Islamic Republic of Iran announced the main cause of the accident to the public at their earliest convenience on 11 January 2020.

Since the accident, the relevant institutions of the Islamic Republic of Iran have, in accordance with domestic laws and its relevant international obligations, performed their duties and responsibilities as accurately, transparently and quickly as possible. Accordingly, in the field of aviation, the independent Accidents Investigation Team in charge has published the final report of the accident in accordance with the framework of the Convention on International Civil Aviation (1944 Chicago Convention) and its annexes. This was achieved in due time through interaction and cooperation with the relevant countries and the International Civil Aviation Organization (ICAO) and was welcomed by most of the countries participating in the accident investigation process.

In this context, the Iranian delegation, headed by the then Deputy Foreign Minister for Legal and International Affairs, delivered a statement on 18 June 2021 to the 223rd session of the ICAO Council that elaborated on significant measures that have been taken by Iran in this regard.

Regarding the judicial aspect of the accident, as it has become known to the public, the Judiciary Organization of the Armed Forces as well as the Tehran Military Prosecutor's Office have conducted the necessary criminal investigations carefully, in accordance with their legal and inherent duties and with emphasis on the realization of justice.

The trial of the accused has already commenced and is now in progress. Furthermore, the families of the victims were invited and publicly informed that they could file a complaint against the accused before the competent courts of Iran. Currently, several hearings have so far been held in the presence of the families of the victims. It should be noted that the Islamic Republic of Iran has conducted the criminal and judicial process based on indisputable principles of law, including the principle of territorial jurisdiction of the country where the accident occurred and the nationality of the accused, and in compliance with the relevant laws and regulations.

Moreover, on 5 January 2021, the Cabinet of Ministers of the Islamic Republic of Iran issued a directive to the relevant institutions to pay the amount of \$150,000.00 ex gratia to the heirs of each person who lost his/her life in this accident. With the aim of implementing this directive, a bureau was formed in the Ministry of Roads and Urban Development of the Islamic Republic of Iran which has taken the necessary measures to carry out the payment process. It has so far made payments to a number of families willing to receive the said amount according to the relevant regulations.

In this regard, the readiness of the Islamic Republic of Iran to pay the survivors of 30 foreign nationals were conveyed through diplomatic channels in notes verbales No. 774571 to Canada, No. 774543 to Sweden, No. 773778 to Ukraine and No. 774340 to Afghanistan, all dated 11 May 2021.

The Islamic Republic of Iran once again reiterates that the payment will be made to all families regardless of their nationality and without discrimination, while categorically rejecting the baseless claims of this self-proclaimed Group in this regard.

Finally, the Islamic Republic of Iran strongly condemns any attempt to politicize the accident and its relevant technical issues through the utilization of any tools that would put pressure on the Iranian Government for political purposes. All States should be assured that Iran is prepared to take firm steps towards justice, transparency and accountability with regard to this case within the framework of law and the due process of law.

Noting the importance of maintaining channels of communication in order to consider matters in accordance with international law, the Islamic Republic of Iran expresses, once again, its willingness to hold further bilateral negotiations with Canada, Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland on a bilaterally agreed agenda, should the aforementioned States indicate a willingness to do so in good faith.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 74 and 85.

(Signed) **Majid Takht Ravanchi**
Ambassador
Permanent Representative



جمهوری اسلامی ایران

وزارت امور خارجه

شماره: ۶۴۱/۱۱۱۲۷۸۷

تاریخ: ۱۴۰۰/۱۲/۲۴

پیوست: دارد

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره EBS-126، دولت جمهوری اسلامی ایران مجدداً بر این مسئله تأکید می‌نماید که به کلیه وراث قانونی جانب‌باختگان فارغ از ملیت، مبلغ مقرر مطابق با تصویب‌نامه شماره ۱۱۸۱۳۶/ت/۵۸۳۴۱ هـ مورخ ۱۶ / ۱۰ / ۱۳۹۹ هیئت وزیران صورت خواهد پذیرفت. بر این اساس در راستای دلجویی از خانواده‌های جانب‌باختگان، بر مبنای *ex gratia* و با در نظر گرفتن استانداردهای موجود، کلیه وراث جانب‌باختگان می‌توانند با ارائه مدارک مورد نیاز به طرف ایرانی، مبلغ ۱۵۰ هزار دلار مصوب طی تصویب‌نامه مزبور را دریافت نمایند. مدارک لازم برای ایرانیان گواهی فوت و گواهی حصر وراثت بر اساس قانون ایران و در خصوص پنج تبعه کانادایی ارائه مدارک مذکور طبق قانون کانادا است. اگرچه ممکن است که برخی از مسافران ایرانی پرواز مقیم کانادا بوده و علاوه بر گذرنامه ایرانی، گذرنامه کانادایی نیز داشته باشند ولی این افراد مطابق با قوانین ایران، ایرانی محسوب می‌شوند (کما اینکه خود با گذرنامه ایرانی وارد کشور شده‌اند) و امور شخصیه آنان نیز تابع قانون ایران خواهد بود. لازم به ذکر است که مطابق با ماده ۹۸۹ قانون مدنی جمهوری اسلامی ایران مصوب ۱۳۰۷ هجری شمسی، تابعیت مضاعف توسط دولت جمهوری اسلامی ایران کان لم یکن تلقی می‌شود.

یادآوری می‌گردد که جمهوری اسلامی ایران همواره بر این باور است که می‌توان از طریق انجام مذاکرات دوجانبه، موضوعات مرتبط مورد بررسی قرار گیرند. یادداشت شماره ۷۷۴۵۷۱ مورخه ۲۱ / ۲ / ۱۴۰۰ مجدداً به پیوست این نامه جهت حفظ در سوابق ارسال می‌گردد. برای کسب اطلاعات بیشتر می‌توان با رایانامه <legal.departement@mfa.gov.ir> مربوط به اداره کل حقوقی بین‌المللی وزارت امور خارجه ارتباط برقرار نمود. جمهوری اسلامی ایران آمادگی خود را برای ارائه خدمات کنسولی به آن دسته از خانواده‌های جانب‌باختگان که مقیم کانادا هستند، اعلام می‌دارد. همچنین متن تصویب‌نامه هیئت وزیران از آدرس زیر قابل بارگیری است: <<https://dotic.ir/news/8223>>.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.



جمهوری اسلامی ایران

رئیس جمهور

تصویب نامه هیئت وزیران

بسمه تعالی

"با صلوات بر محمد و آل محمد"

وزارت راه و شهرسازی - وزارت امور خارجه - وزارت امور اقتصادی و دارایی
وزارت دفاع و پشتیبانی نیروهای مسلح - وزارت دادگستری - سازمان برنامه و بودجه کشور
معاونت حقوقی رئیس جمهور - بانک مرکزی جمهوری اسلامی ایران

هیئت وزیران در جلسه ۱۳۹۹/۱۰/۱۰ ضمن ادای احترام به روح جانبازان سانحه سقوط هواپیمای اوکراینی و با ابراز مجدد همدردی با بازماندگان آنان به پیشنهاد معاونت حقوقی رئیس جمهور و به استناد اصول یکصد و سی و هشتم و یکصد و نهم قانون اساسی جمهوری اسلامی ایران اجازه اقدام وزارت راه و شهرسازی برای مصالحه با دارندگان نسبت به حقوق احتمالی و متصوره بازماندگان قربانیان حادثه سقوط هواپیمای اوکراین (پرواز شماره ۷۵۲ - ۱۳۹۸/۱۰/۱۸) و دیگر دارندگان حقوق احتمالی مرتبط با سانحه را به شرح زیر تصویب کرد:

۱- به وزارت راه و شهرسازی اجازه و مأموریت داده می شود حسب مورد در خصوص کلیه اختلافات و دعاوی مربوط به سقوط هواپیمای اوکراینی (پرواز شماره ۷۵۲ - ۱۳۹۸/۱۰/۱۸)، نسبت به انجام صلح با اطراف اختلاف و دعاوی مزبور اقدام نماید. پرداخت داوطلبانه خسارات به بازماندگان درگذشتگان حادثه یادشده از محل اعتباراتی که در تاریخ ۱۳۹۹/۱۰/۷ مورد موافقت مقام معظم رهبری قرار گرفته است، صورت می پذیرد.

۲- موضوع مصالحه بند (۱) این تصویب نامه و خسارات قابل پرداخت به بازماندگان قربانیان حادثه (در مورد جانبازان تبعه ایران براساس قانون ایران و در مورد جانبازان اتباع خارجی براساس قانون قابل اعمال نسبت به ایشان)، با در نظر گرفتن عرف و رویه بین المللی و برای جبران هر نوع خسارت مربوط به هر یک از جانبازان به مبلغ یکصد و پنجاه هزار دلار یا معادل یورویی آن (برای مسافر و بار او) تعیین می شود.

تبصره ۱- پرداخت خسارت بیش از مبلغ فوق تنها محدود به ارزش اموال یا اشیایی است که به هنگام پرواز به گمرک اظهار شده است.

شماره
تاریخ ۱۶ / ۱۰ / ۳۹۹



جمهوری اسلامی ایران
رییس جمهور
تصویب نامه هیئت وزیران

- تبصره ۲- ارزیابی مقرر در این بند تنها ناظر به سانه موضوع این تصویب نامه است و در هیچ مورد دیگری قابلیت استناد و اعمال ندارد.
- ۳- ترتیبات، روش اجرایی مصالحه و پرداخت خسارات، برابر شیوه نامه ای است که با توافق معاونت حقوقی رییس جمهور و وزارتخانه های راه و شهرسازی، امور خارجه و امور اقتصادی و دارایی و در صورت نیاز با همکاری قوه قضائیه (سازمان قضایی نیروهای مسلح) تنظیم و توسط وزارت راه و شهرسازی به اجرا گذاشته می شود.
- ۴- نظر به تابعیت خارجی برخی از طرف های مصالحه، جهت انعقاد و اجرای عقد صلح با آنان حسب مورد مجوزهای لازم از مراجع ذی صلاح قانونی اخذ می شود.
- ۵- مصالحه مقرر در این تصویب نامه، ناظر به خسارات ناشی از سانحه سقوط هواپیما است و نافی حق پیگیری جنبه کیفری موضوع در مرجع قضایی صلاحیت دار به موجب قانون نیست.

اسحاق جهانگیری
معاون اول رییس جمهور

رونوشت به دفتر مقام معظم رهبری، دفتر رییس جمهور، دفتر رییس قوه قضائیه، دفتر معاون اول رییس جمهور، دبیرخانه مجمع تشخیص مصلحت نظام، سازمان اداری و استخدامی کشور، معاونت امور مجلس رییس جمهور، دیوان محاسبات کشور، دیوان عدالت اداری، سازمان بازرسی کل کشور، معاونت قوانین مجلس شورای اسلامی، امور تدوین، تنقیح و انتشار قوانین و مقررات، روزنامه رسمی جمهوری اسلامی ایران، دبیرخانه شورای اطلاع رسانی دولت و دفتر هیئت دولت ابلاغ می شود.



جمهوری اسلامی ایران
وزارت امور خارجه

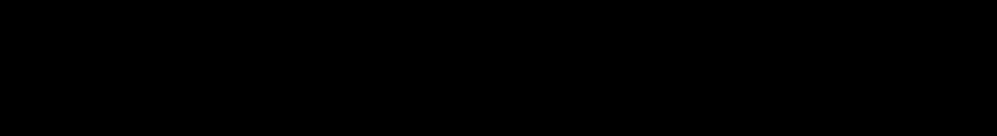
شماره : ۷۷۴۵۷۱
تاریخ : ۱۴۰۰/۰۲/۲۱
پیوست : ندارد

بسمه تعالی

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت ایتالیا (دفتر حفاظت منافع کانادا) در تهران احتراماً اشعار می دارد:

ضمن ادای احترام به ارواح جانباختگان سانحه هواپیمای اوکراینی و با عنایت به تصویب نامه شماره ۱۱۸۱۳۶/ت/۵۸۳۴۱ هـ. مورخ ۱۶ / ۱۰ / ۱۳۹۹ هیئت محترم وزیران جمهوری اسلامی ایران در خصوص مصالحه با بازماندگان قربانیان حادثه سقوط هواپیمای اوکراینی، دولت جمهوری اسلامی ایران آماده پرداخت به خانواده ها یا نمایندگان قانونی جانباختگان کانادایی به شرح ذیل می باشد:



موجب امتنان خواهد بود چنانچه، به نحو مقتضی، مراتب به خانواده های محترم جانباختگان کانادایی اعلام و مستندات و مدارک قانونی به منظور هماهنگی با ستاد پرداخت در وزارت راه و شهرسازی جمهوری اسلامی ایران، به این وزارت (اداره کل حقوقی بین المللی) ارایه گردد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت جمهوری ایتالیا - تهران



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10603962	Arabic - English		

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1112787

Date: 24/12/1400 [corresponding to 15 March 2022]

Enclosure: yes

In the name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Department of Foreign Affairs, Trade, and Development Canada and respectfully informs you of the following:

With reference to the memorandum EBS-126, the government of the Islamic Republic of Iran emphasizes once more that, pursuant to Cabinet of Ministers Decree No. H58341T/118136, dated 16/10/1399 [corresponding to 5 January 2021], the agreed amount will be paid to the heirs at law of those who have lost their lives, regardless of their nationality. Accordingly, in order to conciliate the families of those who lost their lives, it is mentioned that, considering the current standards, all heirs at law of those who lost their lives can submit their documents to the Iranian party and receive the \$150,000 determined by the mentioned decree as an *ex gratia* payment. The required documents are the certificate of death and the certificate of sole inheritance for Iranians, and any documents that are required according to the Canadian Law for the five Canadian citizens. Although some of the Iranian passengers might have been residents of

Canada and had Canadian passports besides their Iranian passports, they are considered Iranian according to the Iranian Law (as they have entered Iran with their Iranian passports), and their personal affairs are also subject to the Iranian Law. It must be mentioned that, pursuant to Article 989 of the Civil Code of the Islamic Republic of Iran, adopted in 1307 Solar Hijri [corresponding to 1928 or 1929], dual citizenship is not recognized.

It should be mentioned that the Islamic Republic of Iran always believes that relevant issues can be addressed through mutual negotiations. Memorandum No. 774571, dated 21/2/1400 [corresponding to 11 May 2021] is enclosed with this letter for your records. For more information, you can contact the International Legal Department of the Ministry of Foreign Affairs at <legal.department@mfa.gov.ir>. The Islamic Republic of Iran is prepared to offer consular services to the families of the deceased living in Canada. Moreover, the text of the Cabinet of Ministers Decree can be downloaded at <<https://dotic.ir/news/8223>>.

We take this opportunity to renew our high regards.

Department of Foreign Affairs, Trade, and Development of Canada

[emblem]
The Islamic Republic of Iran
The President
Cabinet of Ministers Decree

No.: H58341T/118136
Date: 16/10/1399 [corresponding to 5 January 2021]

In the name of God

“Blessing upon Mohammad and his family”

Ministry of Roads and Urban Development – Ministry of Foreign Affairs - Ministry of Economic Affairs and Finance – Ministry of Defense and Armed Forces Logistics - Plan and Budget Organization - Vice President for Legal Affairs - Central Bank of the Islamic Republic of Iran

The cabinet of ministers in its meeting held on 10/10/1399 [corresponding to 30 December 2020], paying respects to the souls of those who lost their lives in the Ukrainian plane crash accident and expressing its sympathy with their families, following the proposal made by Vice President for Legal Affairs and pursuant to Articles 138 and 139 of the Constitution of the Islamic Republic of Iran, authorized the Ministry of Roads and Urban Development to compromise with the holders of potential and conceivable rights of the survivors of the victims of the Ukrainian plane crash accident (flight No. 752 – 18/10/1398 [corresponding to 8 January 2020]) as follows:

1. The Ministry of Roads and Urban Development is authorized and mandated to compromise with the parties with respect to the disputes and claims related to the Ukrainian plane crash accident (flight No. 752 – 18/10/1398 [corresponding to 8 January 2020]), on a case by case basis. The compensations will be voluntarily paid to the families of the victims through the sources approved by the Supreme Leader on 7/10/1399 [corresponding to 27 December 2020].
2. With respect to the common international practice and in order to compensate for any kind of damage to each of the victims, the subject of compromise mentioned in Article 1 of this decree and the compensation payable to the families of those killed in the accident (for Iranian victims, based on Iranian Law, and for foreign victims, according to the law applicable to them) is determined to be one hundred fifty thousand dollars or its equivalent in euro (for the passengers and their luggage).

Note 1- Payment of any compensation higher than the above-mentioned amount is exclusive to the value of properties or objects declared to the customs before the flight.

Not 2- The evaluation mentioned in this section is exclusive to the accident that is the subject of this decree and is not applicable to any other case.

3. The arrangements and procedure of compromise and payment of compensation will be defined by the guideline that will be prepared with the approval of Vice President for Legal Affairs and the Ministries of Roads and Urban Development, Foreign Affairs, and Economic Affairs and Finance and, if required, with the cooperation of the Judiciary (Judicial Organization of the Armed Forces) and put into execution by the Ministry of Roads and Urban Development.

4. Considering the foreign nationality of some of the parties to this compromise, depending on the case, the required permits will be received from the related authorities to make and execute peace agreements with them.

5. The compromise mentioned in this decree focuses on the damages caused by the plane crash accident and does not negate the right to the legal pursuit of the criminal aspect of this accident through competent judicial authorities.

Eshagh Jahangiri
First Vice President
[signed]

Copies are submitted to the Office of the Supreme Leader, the Office of the President, the Office of the Chief Justice, the Office of the First Vice President, the Secretariat of the Expediency Discernment Assembly, the Administrative and Recruitment Affairs Organization of Iran, Vice President for Parliamentary Affairs, The Supreme Audit Court of Iran, the Administrative Court of Justice, The General Inspection Organization of Iran, Parliamentary Deputy for Law, Codification Affairs, Critical Revision and Promulgation of Laws, the Official Gazette of the Islamic Republic of Iran, Government Information Council, and the Cabinet Office.

[emblem]
The Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 774571

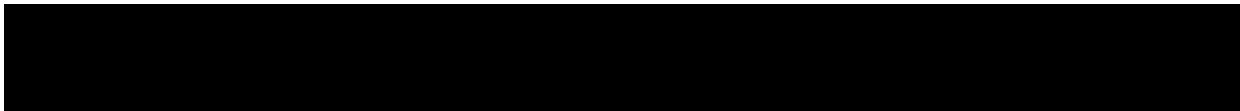
Date: 21/02/1400 [corresponding to 11 May 2021]

Enclosure: none

In the name of God
Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Embassy of Italy (Canada's Interests Protection Office) in Tehran and respectfully informs you of the following:

Paying due respect to the souls of those who lost their lives in the Ukrainian plane crash accident and with respect to Decree No. H 58341 T/11136, dated 16/10/1399 [corresponding to 5 January 2021], made by the respected Cabinet of Ministers of the Islamic Republic of Iran regarding compromise with the families of the victims of the Ukrainian plane crash accident, the Government of the Islamic Republic of Iran is prepared to pay compensation to the families or legal representatives of Canadian victims as described below:



It would be appreciated if the respected families of the Canadian victims could be informed about the stated matters in an appropriate manner, and their legal documents be submitted to this ministry (the International Legal Department) for the purpose of coordination with the payment staff in the Ministry of Roads and Urban Development.

We take this opportunity to renew our respects.

Embassy of the Republic of Italy - Tehran



جمهوری اسلامی ایران

وزارت امور خارجه

شماره: ۶۴۳/۱۱۵۶۶۶۸

تاریخ: ۱۴۰۱/۰۲/۰۷

پیوست: ندارد

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

بازگشت به یادداشت های شماره ۲۲-۸۸۳۹ مورخ ۲۲ / ۱۱ / ۱۴۰۰ و شماره ۲۲-۸۸۴۰ مورخ ۲۷ / ۱۱ / ۱۴۰۰ و پیرو یادداشت های شماره ۶۴۶/۳۷۷/۵۲۹۶۳۷ مورخ ۰۴ / ۰۶ / ۱۳۹۹ و شماره ۶۴۳/۸۵۵۷۳۵ مورخ ۰۹ / ۰۵ / ۱۴۰۰ تأکید می نماید که اصل مصونیت قضایی دولتها و مصونیت اجرایی اموال آنها و مقامات رسمی که مبتنی بر اصل برابری حاکمیت دولتهاست، ریشه در حقوق بین الملل عرفی دارد. اصل مزبور در معاهدات بین المللی نیز تدوین شده و در رویه قضایی بین المللی تثبیت شده است. رأی مورخ ۲۸ ژوئن ۲۰۱۹ دادگاه عالی عدالت انتاریو در پرونده اریک جاکوبسن و دیگران به شماره CV-13-10240-CL دائر بر تأیید شناسایی و اجرای رأی غیابی صادره از دادگاه کلمبیای آمریکا بر اساس قانون عدالت برای قربانیان تروریسم ۲۰۱۲، نقض آشکار اصول مذکور است. آراء صادره از محاکم ایالات متحده آمریکا علیه جمهوری اسلامی ایران و برخی نهادهای ایرانی مبتنی بر ادعاهای واهی، بی اساس و شهادت کذب شهود و مغایر اصول و استانداردهای پذیرفته شده قضایی خصوصاً معیار پذیرفته شده انتساب در حقوق بین الملل است. صدور این آراء که در زمره اعمال متخلفانه بین المللی محسوب می شود، مسئولیت بین المللی آن دولت را در پی دارد. به علاوه، هرگونه اقدام توسط محاکم کانادا در راستای شناسایی و اجرای آراء مزبور به منزله عمل متخلفانه بین المللی دولت کانادا محسوب می شود و مسئولیت بین المللی آن دولت را نیز در پی دارد.

ارسال ابلاغیه دادرخواست پرونده جان اسمیت و دیگران در دادگاه عالی عدالت انتاریو به شماره CV-22-00674774-0000 در ارتباط با پرونده جان باختگان هواپیمای اوکراینی (پرواز PS752) که متضمن ادعاهای بی اساس و خلاف واقع علیه جمهوری اسلامی ایران و مقامات ایرانی است، فاقد هرگونه ارزش حقوقی است. جمهوری اسلامی ایران تاکنون همه تدابیر لازم را به منظور انجام تعهدات بین المللی خود با حسن نیت اتخاذ و تلاش کرده است امور مربوطه را به صورت سازنده، شفاف، دقیق و سریع، پیگیری نموده و اقدام نماید. در این راستا، رسیدگی کیفی به پرونده در دادگاه ذیصلاح ایران، بر اساس اصول مسلم حقوقی از جمله اصل صلاحیت سرزمینی کشور محل حادثه و کشور متبوع متهم ادامه دارد و خانواده

هاي جان باختگان در جلسات استماع پرونده شرکت کرده اند. همچنین هیئت وزیران جمهوری اسلامی ایران مبلغ یکصد و پنجاه هزار دلار آمریکا را به عنوان *Ex gratia* برای ورثه هر يك از جان باختگان در نظر گرفته است.

بدیهی است که دولت ج.ا. ایران بر اساس اصول کلی حقوق بین الملل به ویژه اصل «عدم امکان اعمال صلاحیت يك دولت بر دولت دیگر» (*par in parem non habet imperium*) که به موجب آن محاکم يك دولت نمی توانند بر دولت دیگر اعمال صلاحیت نمایند، نه تنها هیچ الزامی برای حضور و دفاع در دادگاه کانادا ندارد بلکه اساساً تشکیل دادگاه برای رسیدگی به پرونده هاي مذکور را که مغایر اصول پیشگفته است، فاقد وجاهت قانونی می داند و به رسمیت نمی شناسد.

دولت جمهوری اسلامی ایران بار دیگر تأکید می نماید که دولت کانادا باید فوراً اینگونه اعمال متخلفانه بین المللی را متوقف کرده و نسبت به اعاده وضعیت و جبران خسارات وارده به جمهوری اسلامی ایران اقدام نماید. بدیهی است جمهوری اسلامی ایران در قبال نقض مصونیت قضایی و اجرایی دولت و مقامات رسمی، حقوق خود را برای پیگیری اقدامات متخلفانه دولت کانادا محفوظ دانسته و براساس قواعد و مقررات قابل اعمال حقوق بین الملل اقدام آنها را مورد پیگیری قرار می دهد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10615845	Persian - English	C. Carlone	

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

Ref.: 643/1156668

Date: 07/02/1401 [corresponding to 27 April 2022]

Enclosure: none

In the name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Department of Foreign Affairs, Trade, and Development of Canada and respectfully informs the Department of the following:

With reference to memoranda No. 8839-22, dated 22/11/1400 [corresponding to 11 February 2022], and No. 8840-22, dated 27/11/1400 [corresponding to 16 February 2022], and pursuant to memoranda No. 646/377/529637, dated 04/06/1399 [corresponding to 25 August 2020], and No. 643/855735, dated 09/05/1400 [corresponding to 31 July 2021], it is important to emphasize that the principle of the sovereign immunity of states and the executive immunity of their properties and state officials, which are based on the principle of sovereign equality of states, is rooted in the customary international law. This principle is also enshrined in international treaties and accepted in international judicial precedents.

The Ontario Superior Court of Justice ruling on 28 June 2019, in the File No. CV-13-10240-CL of Eric Jacobsen et al., confirming the fining and enforcement of the judgment in absentia of the Columbia Court of the United States, based on the Victims of Terrorism Justice Act 2012, is a clear violation of those principles. The rulings of the United States courts against the Islamic Republic of Iran and some Iranian institutions are based on false claims, baseless and false testimonies of

witnesses and contrary to accepted judicial principles and standards, especially the accepted criterion of imputation in the international law. Rendering such judgments, which is considered an international violation, brings international responsibility for that government. In addition, any action taken by Canadian courts to identify and enforce such judgments also constitutes an international violation by the Government of Canada and will entail international responsibility for that government.

Serving the notice of the case of John Smith et al at the Ontario Superior Court of Justice under No. CV-22-00674774-0000, regarding the victims of the Ukrainian plane crash (Flight PS752) which contains baseless and misrepresented allegations against the Islamic Republic of Iran and Iranian authorities, has no legal value. The Islamic Republic of Iran has so far taken all necessary measures in order to fulfill its international obligations in good faith and has tried to follow and take action in a constructive, transparent, accurate and rapid manner. In this regard, criminal proceedings of the case is ongoing in a competent Iranian court based on established legal principles, including the principle of territorial jurisdiction for the country of the incident and the country of the defendant, and the families of the victims have participated in the court hearings . The Cabinet of the Islamic Republic of Iran has also considered the amount of one hundred and fifty thousand US dollars as *ex gratia* payment for the heirs of each victim.

Based on general principles of international law, and in particular the principle of *par in parem non habet imperium*, which states that the courts of a state cannot exercise jurisdiction over another state, it is clear that the government of Islamic Republic of Iran not only has no obligation to appear and defend itself before a Canadian court, but essentially the establishment of a court to hear the mentioned cases, which is contrary to the aforementioned principles, has no legal validity and Iran does not recognize it.

The Government of the Islamic Republic of Iran reiterates that the Government of Canada must immediately cease such international violations and take actions to remedy the situation and compensate the Islamic Republic of Iran. It is clear that the Islamic Republic of Iran reserves the right to pursue the Canadian government for the violation of the judicial and executive immunity of its government and officials, and to pursue it for its actions in accordance with the applicable rules and regulations of the international law.

We take this opportunity to renew our high regards.

Department of Foreign Affairs, Trade, and Development of Canada



Ministry
of Foreign Affairs
of Ukraine

NOTE 40

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/22-620-34525

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

In response to the Islamic Republic of Iran's note verbale no. 641/1050129 sent to the Embassy of Sweden in Tehran on January 24, 2022; its note verbale no. 641/1050177 sent to the Embassy of Ukraine in Tehran on January 24, 2022; its notes verbales no. 641/1050122 and no. 641/1112787 sent to the Department of Foreign Affairs, Trade and Development of Canada on January 24, 2022 and March 15, 2022 respectively, and its note verbale no. 641/1014526 sent to the Embassy of the United Kingdom of Great Britain and Northern Ireland in Tehran on 26 December 2021, Canada, the Kingdom of Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland (hereinafter the "Group of Countries") wish to reiterate our continued disappointment in the Islamic Republic of Iran's decision to disregard the Group's multiple attempts to discuss the matter of reparations for the grave act of the downing of Ukraine International Airlines Flight 752 (hereafter "Flight PS752").

As outlined by the Group of Countries in its note verbale no. 72/23-620-1872 delivered to the Islamic Republic of Iran by the Ministry of Foreign Affairs of Ukraine on January 11, 2022, it remains evident that the Islamic Republic of Iran:

- has failed to acknowledge that the unlawful downing of Flight PS752 by Iranian armed forces constitutes an internationally wrongful act that is attributable to the Islamic Republic of Iran, for which it must make full reparations to the Group of Countries in accordance with international law;
- is therefore in disagreement with the Group of Countries' positions with respect to the interpretation and application of the *Convention on International Civil Aviation*, the *Convention on the Suppression of Unlawful Acts Against the Safety of Civil Aviation* and the *International Covenant on Civil and Political Rights*, and Iran's international obligations under those conventions;

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- does not acknowledge the collective and common interest of the Group of Countries in achieving the same settlement agreement with respect to reparations owed to them for the wrongful acts committed by the Islamic Republic of Iran, despite the Islamic Republic of Iran's own acknowledgment that all victims should be treated equally; and
- has refused to engage in further negotiations with the Group of Countries on reparations, despite having previously agreed to the modalities for these negotiations during the first round of negotiations between the Group of Countries and Islamic Republic of Iran held on July 30, 2020.

For these reasons, the Group of Countries remains of the view that there is a clear dispute between the Group of Countries and the Islamic Republic of Iran, and that further attempts to negotiate this matter with the Islamic Republic of Iran are futile at this time. The Group of Countries wishes to remind the Islamic Republic of Iran that the Group will take appropriate action in order to ensure that the dispute related to the reparations owed to them for the downing of Flight PS752 is resolved in accordance with international law.

Noting the importance of maintaining channels of communications to resolve disputes in accordance with international law, the Group of Countries remains open to hold further joint negotiations should the Islamic Republic of Iran indicate a willingness to do so in good faith.

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Kyiv, 24 May 2022





جمهوری اسلامی ایران

وزارت امور خارجه

شماره: ۶۴۱/۱۳۳۰۴۹۸

تاریخ: ۱۴۰۱/۰۶/۳۰

پیوست:

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۳۴۵۲۵-۶۲۰-۲۲ / ۷۲ مورخ ۰۳ / ۰۳ / ۱۴۰۱ برابر با ۲۴ می ۲۰۲۲) وزارت امور خارجه اوکراین از سوی برخی دولت‌ها از جمله کانادا و پیرو یادداشت قبلی این وزارت به شماره ۶۴۱ / ۱۰۵۰۱۲۲ مورخ ۰۴ / ۱۱ / ۱۴۰۰، جمهوری اسلامی ایران ضمن ابراز تاسف مجدد از دریافت مکاتبه نیابتی به‌وسیله دولت ثالث، همانند گذشته بر این باور است که تفاهم در موضوعات مربوط به سانحه هواپیمای اوکراینی از طریق مذاکره و تعامل دو طرفه و با رعایت و احترام به قوانین داخلی و تعهدات بین المللی طبق یک دستور کار توافق شده امکانپذیر است. اقدامات با نیت سیاسی و فاقد حسن نیت از سوی دولت کانادا که با مستمسک قرار دادن احساسات خانواده‌های محترم جان باختگان همراه است، می‌تواند به حصول تفاهم در موضوع سانحه هواپیمای اوکراینی و تامین منافع حداکثری خانواده‌های مذکور آسیب وارده کند. همانطوریکه در مکاتبات و ارتباطات پیشین تصریح شده است جمهوری اسلامی ایران ضمن پایبندی کامل به تعهدات بین المللی قابل اعمال در این زمینه و ایفای این تعهدات، موضوع رعایت منافع و حقوق جان باختگان و خانواده‌های ایشان را ضروری می‌داند و در این رابطه نیز وفق قوانین داخلی خود گام‌های موثری برداشته است. در این خصوص می‌توان به بررسی‌های فنی انجام گرفته به منظور روشن شدن علل وقوع سانحه، همکاری با سازمان بین‌المللی هواپیمایی کشوری (ایکائو) و ایفای به تعهدات ذیل کنوانسیون شیکاگو و ضمیمه ۱۳ آن، آغاز رسیدگی قضایی جدی و موثر به پرونده متهمین وفق قوانین داخلی و اصول کلی حقوقی از جمله اصل صلاحیت سرزمینی و آمادگی برای پرداخت به بازماندگان جان باختگان به عنوان بخشی از اقدامات جمهوری اسلامی ایران اشاره نمود.

با تاکید بر اینکه اراده تعدادی از دولتها نمی‌تواند برای یک دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد کند، جمهوری اسلامی ایران بر این باور است انجام گفتگو و مذاکره دوجانبه با دولت کانادا در هرگونه مسئله احتمالی در خصوص سانحه مذکور از جمله مسائل حقوقی و منافع بازماندگان جان باختگان، بهترین و موثرترین راه برای ادای احترام به ابعاد انسان‌دوستانه و تسکین آلام این افراد می‌باشد. مجدداً یادآوری می‌شود در اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین در کی‌یف، با پیشنهاد طرف اوکراینی و در حاشیه مذاکرات دوجانبه، صرفاً به منظور اعلام حسن نیت، اعلام همدردی و بیان مواضع اصولی کشورمان و همچنین اعلام آمادگی و هماهنگی برای انجام مذاکرات دوجانبه بعدی با هر یک از

کشورها، یک ملاقات مجازی با نمایندگان دولت‌های مرتبط از جمله کانادا برگزار گردید. مذاکرات دوره‌های بعدی با اوکراین نیز صرفاً دوجانبه و تنها با طرف اوکراینی و بدون حضور ثالث برگزار شده است. با استناد به مقررات حقوق بین‌الملل، جمهوری اسلامی ایران هرگز خود را موظف به مذاکره با یک گروه خودخوانده از دولتها ندانسته و معتقد است هرگونه توافق بین تعدادی از دولتها در این زمینه، بدون رضایت دولت ثالث (در اینجا جمهوری اسلامی ایران) نمی‌تواند هیچ تعهد یا آثار حقوقی برای آن دولت ایجاد کند.

بر مبنای دلایل و ملاحظات فوق و با توجه به عدم برگزاری هیچ‌گونه مذاکره یا گفتگوی دوجانبه با دولت کانادا در موضوعات مرتبط با سانحه هواپیمای اوکراینی، پیشنهاد می‌گردد مذاکره دوجانبه با کانادا در زمان و محل مورد توافق و با دستور کار از پیش تعیین شده برگزار شود. طبیعتاً این مهم براساس حسن نیت، همکاری سازنده بین دو کشور و پرهیز از رویکردهای سیاسی و غیرحقوقی زیانبار که بازماندگان و عواطف آنان را متأثر می‌کند، انجام می‌گیرد. واضح است که موفقیت در این مذاکرات نیازمند حسن نیت و رویکرد مثبت طرفین در پرتو توجه به ابعاد انسان دوستانه و حقوق بازماندگان سانحه هواپیمای اوکراینی است.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10684014	Farsi - English	A. Pashtonyar	

[emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1330498

Date: 30/06/1401 [corresponding to 21 September 2022]

Enclosure: [blank]

In the name of God
Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran extends its greetings to the Department of Foreign Affairs, Trade, and Development of Canada and respectfully informs the Department of following:

With reference to memorandum No. 72/22-620-34525 of the Ministry of Foreign Affairs of Ukraine, dated 03/03/1401 [corresponding to 24 May 2022], on behalf of various states including Canada, and pursuant to the previous memorandum of this ministry, No. 641/1050122, dated 04/11/1400 [corresponding to 24 January 2022], while expressing regret again for vicarious correspondence through a third state, the Islamic Republic of Iran continues to believe that coming to an understanding with respect to the matters relevant to the Ukrainian airplane accident may be achieved through negotiation, mutual interaction, respect, adhering to domestic laws and international commitments and based on an agreed upon agenda. Actions taken with political intentions and without goodwill by the Canadian government, which play upon the feelings of the respected families of the victims, can hinder the achievement of an understanding with respect to the issue of the Ukrainian airplane accident and providing maximum benefits to the above-mentioned families.

As it has been specified in previous correspondence and communications, remaining thoroughly faithful to the international commitments applicable in this case and adhering to those commitments, the Islamic Republic of Iran deems it necessary to respect the interests and rights of the victims and their families and has also taken effective steps towards this matter, in line with its domestic laws. In this respect, conducting technical investigations to clarify the causes of this accident, cooperating with the International Civil Aviation Organization (ICAO) and

complying with the terms of Chicago Convention and Annex 13 to that Convention, initiating the serious and effective trial of the defendants in accordance with domestic laws and general legal principles including territorial jurisdiction, and readiness to pay to the heirs of the victims can be mentioned as some of the actions taken by the Islamic Republic of Iran.

Emphasizing on the fact that the volition of some governments cannot be legally enforcing regarding a third state without its agreement, the Islamic Republic of Iran believes that mutual communication and negotiation with the Canadian government about any probable issue related to the above-mentioned accident including legal issues and the interests of the heirs of the victims are the best and most effective ways to respect its humanitarian aspects and to ease the sufferings of these people.

It must be reiterated that, during the first round of negotiations between the Islamic Republic of Iran and Ukraine in Kyiv, at the Ukrainian party's suggestion and on the sidelines of the mutual negotiations, just in order to show our goodwill and sympathy and to express the solid positions of our country and also our readiness to arrange further mutual negotiations with any of the countries, we had an online meeting with the representatives of the involved countries including Canada. The following rounds of negotiations with Ukraine were also bilateral negotiations, and only the Ukrainian party, and no third party, was present. Pursuant to the provisions of the international law, the Islamic Republic of Iran has never felt obliged to negotiate with a self-proclaimed group of states and believes that any agreement between a number of states in this respect without the consent of the third state (here, the Islamic Republic of Iran) cannot be binding or have any legal consequences for that state.

On the basis of the above-mentioned reasons and considerations, and in view of the fact that there has not been any mutual communications or negotiations with the Canadian government about the issues related to the Ukrainian airplane accident, a mutual negotiation with Canada at an agreed-upon time and place and with a preplanned agenda is proposed. Obviously, this will be done based on goodwill and constructive cooperation between the countries, while avoiding pernicious political and nonlegal approaches which would affect the heirs of the victims and their feelings. It goes without saying that succeeding in these negotiations requires the goodwill and positive attitude of both parties in the light of attention to the humanitarian aspects of this accident and the rights of the heirs of the victims.

We take this opportunity to renew our high regards.

Department of Foreign Affairs, Trade, and Development of Canada

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1330946

Дата: 21 вересня 2022 р.

Додаток:

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

У відповідь на ноту МЗС України від 24.05.2022 р. №72/22-620-34525 та на додаток до ноти МЗС ІРІ від 24.01.2022 р. №641/1050177 Ісламська Республіка Іран, як і раніше, сподіваючись на зміцнення дружніх двосторонніх відносин, впевнена, що усвідомлення будь-яких можливих проблем, пов'язаних із катастрофою українського літака можна вирішити шляхом переговорів за бажанням обох сторін з дотриманням та повагою до внутрішнього законодавства і відповідно до міжнародних зобов'язань, а політизовані дії та відсутність доброї волі з боку деяких країн, особливо якщо вони супроводжуються маніпуляцією почуттів шанованих родичів загиблих, можуть завдати шкоди досягненню порозуміння у питанні катастрофи українського літака та максимальному забезпеченні інтересів згаданих сімей.

Як зазначалося у попередніх повідомленнях та листуванні, Ісламська Республіка Іран, повністю дотримуючись прийнятих міжнародних зобов'язань у цій сфері та виконуючи ці зобов'язання, вважає за необхідне поважати права та інтереси загиблих та їх родичів, і у зв'язку з цим, згідно з внутрішнім законодавством, вживає ефективних заходів. У цьому контексті, серед деяких заходів ІРІ можна назвати такі дії як проведення технічної експертизи з метою встановлення справжньої причини катастрофи, взаємодію з міжнародною організацією цивільної авіації (ICAO), виконання зобов'язань згідно з Чиказькою конвенцією та додатку до неї №13, відкриття суворого судового провадження та ефективних дій у справі звинувачених відповідно до національного законодавства та загальних правових принципів, у тому числі принципів територіальної юрисдикції, а також готовність сплатити компенсації родичам загиблих.

Так само як у ході попереднього листування підтвердилося, що всупереч бажанню іранської сторони до переговорів щодо забезпечення прав

родичів постраждалих під час попередніх раундів переговорів, українська сторона не виявила зацікавленості у переговорному процесі. Отже шановний уряд Ісламської Республіки Іран, поважаючи інтереси та права постраждалих та ставлячись із співчуттям до них ухвалив постанову щодо виплат членам родин загиблих у катастрофі українського літака.

Враховуючи, що бажання низки держав не може мати юридичних наслідків для третьої держави без згоди на це останньої, Ісламська Республіка Іран переконана, що двосторонній діалог та переговори з будь-якого можливого питання щодо згаданої катастрофи, у т.ч. правових питань та інтересів родичів загиблих, є найкращим та найефективнішим шляхом для прояву поваги у гуманітарному вимірі та полегшення болю людей. Крім того, з урахуванням наявності громадян інших країн у цій катастрофі, будь-яке порозуміння з Україною може також бути корисним у порозумінні з іншими країнами.

Повторно нагадуємо, що в ході Першого раунду переговорів між Ісламською Республікою Іран та Україною у Києві, за пропозицією Української сторони та у рамках двосторонніх переговорів, виключно для демонстрації доброї волі, висловлення співчуття та проголошення основних позицій нашої держави, підтвердження готовності та координації для проведення наступних двосторонніх переговорів з кожною з країн, було проведено одну онлайн зустріч з представниками урядів Канади, Великої Британії та Швеції. Наступні раунди переговорів з Україною відбулися також виключно у двосторонньому форматі та лише з Українською стороною і без присутності третіх сторін. Посилаючись на норми міжнародного права, Ісламська Республіка Іран ніколи не визнавала себе зобов'язаною до переговорів з самопроголошеною групою держав та вважає, що будь-які домовленості між низкою держав у цій сфері без згоди третьої держави (тобто Ісламської Республіки Іран) не можуть створювати зобов'язань або правових наслідків для такої держави.

На підставі таких причин та міркувань, з метою зближення позицій сторін Ісламська Республіка Іран пропонує провести новий раунд переговорів з Україною за попередньо узгодженими часом, місцем та порядком денним. Цілком природньо, що важливими є добра воля, конструктивна взаємодія між двома країнами, а також уникнення політизації та шкідливої протиправності, які впливають на родичів загиблих та їх почуття. Вочевидь, що успіх на цих переговорах потребуватиме доброї волі, позитивного підходу сторін з урахуванням уваги до гуманітарних вимірів та прав родичів загиблих у катастрофі українського літака.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
014-230120-006	Ukrainian	9950790	2023-01-20

**Islamic Republic of Iran
Ministry of Foreign Affairs**

Our ref.: 641/1330946

Date: September 21, 2022

Annex:

In the name of God

NOTE

The Ministry of Foreign Affairs of the Islamic Republic of Iran expresses its respects to the Embassy of Ukraine in Tehran and has the honor to declare the following:

Referring to Note of the Ministry of Foreign Affairs of Ukraine dated May 24, 2022. No. 72/22-620-34525 and to Annex to Note of the Ministry of Foreign Affairs of IRI dated January 24, 2022, №641/1050177 the Islamic Republic of Iran, hoping for the strengthening of friendly bilateral relations, is still sure that the awareness of any possible issues related to the Ukrainian plane crash can be resolved through negotiations at the will of both parties with observance and respect for the internal legislation and in accordance with international obligations, and that politicized actions and lack of goodwill on the part of some countries, especially if they are accompanied by manipulation of the feelings of respected relatives of the deceased, can harm the achievement of an understanding on the issue of the Ukrainian plane crash and serving the interests of the mentioned families at most.

As stated in previous messages and correspondence, the Islamic Republic of Iran, being in full compliance with accepted international obligations in this field and fulfilling these obligations, considers it necessary to respect the rights and interests of the deceased and their relatives, and in this regard, takes effective measures in due observance with the domestic legislation. In this context, activities provided for by IRI include such actions as conducting a technical examination in order to establish the true cause of the accident, interaction with the International Civil Aviation Organization (ICAO), fulfillment of obligations under the Chicago Convention and its Annex No. 13, opening of a strict judicial proceedings and effective actions in the case of the accused in accordance with national legislation and common legal principles, including principles of territorial jurisdiction, as well as willingness to pay compensation to relatives of the deceased.

Just as during previous correspondence, it was confirmed that contrary to the wish of the Iranian party to negotiate to safeguard the rights of the relatives of the victims during the previous rounds of negotiations, the Ukrainian party did not show interest in the negotiation process. Therefore, the

honorable government of the Islamic Republic of Iran, respecting the interests and rights of the victims and treating them with compassion, adopted a resolution regarding payments to the family members of those deceased in the Ukrainian plane crash.

Considering that the wishes of several countries cannot have legal consequences for a third country without the consent of the latter, the Islamic Republic of Iran is convinced that bilateral dialogue and negotiations on any possible issue related to the said crash, including legal issues and interests of the relatives of the deceased, is the best and most effective way to show humanitarian respect and alleviate people's pain. In addition, considering the presence of citizens of other countries in this crash, any mutual understanding with Ukraine can also be useful in understanding with other countries.

We would like to remind you again that during the first round of negotiations between the Islamic Republic of Iran and Ukraine in Kyiv, at the proposal of the Ukrainian party and within the framework of bilateral negotiations, exclusively to demonstrate goodwill, express sympathy, declare the main positions of our state, and confirm readiness and coordination for following bilateral negotiations with each of the countries, one online meeting was held with representatives of the governments of Canada, Great Britain and Sweden. The following rounds of negotiations with Ukraine also took place exclusively in a bilateral format and only with the Ukrainian party and without the presence of third parties. Referring to the norms of international law, the Islamic Republic of Iran has never recognized itself to be obliged to negotiate with a self-proclaimed group of countries and believes that any agreements between several countries in this field without consent of a third country (i.e., the Islamic Republic of Iran) cannot create obligations consequences or legal consequences for such a country.

Based on such reasoning and considerations, in order to bring the positions of the parties closer, the Islamic Republic of Iran proposes to hold a new round of negotiations with Ukraine at a pre-agreed time, place and agenda. It is obvious that goodwill and result-oriented interactions between the two countries, as well as avoidance of politicization and harmful illegality, which would affect the relatives of the victims and their feelings, are important. It is obvious that the success of these negotiations will require good will and a positive approach of the parties in consideration of humanitarian dimensions and the rights of the relatives of the deceased in the Ukrainian plane crash.

Taking this opportunity, we renew our very high regard.

Embassy of Ukraine - Tehran

translated by V.S. Lapai: (09050806839)

Note Number: 641/1330912

Date: 21 September 2022

Ministry of Foreign Affairs of
the Islamic Republic of Iran

The Ministry of Foreign Affairs of the Islamic Republic of Iran conveys its greetings to the Embassy of Her Majesty Queen of Britain in Tehran to declare that:

Further to NV 72/22-620-34525 dated 24 May 2022 of Ukraine's MFA [forwarded] from certain countries including the UK and further to the NV of the respective MFA [of Iran] numbered 641/1050142 dated 24 January 2021, the Islamic Republic of Iran would like to again voice regret that it has received a letter through a third-party intermediary and would like to emphasise as it had done in the past that agreement on issues relating to the incident of the Ukrainian plane is possible through negotiation and mutual cooperation and through respecting the internal laws and international laws – all based on an agreed agenda; and efforts that are politically motivated and are void of any good faith particularly when meant to take advantage of the sentiments of the families of victims could undermine an agreement over the issue of the Ukrainian plane and providing maximum benefits for the families of the victims.

Just as explained in previous correspondences, while the Islamic Republic of Iran is committed to complying to the international commitments towards the same issue and will implement such commitments, it also considers respecting the rights of the victims and their families as necessary and has taken effective measures towards the same direction according to its own internal laws. On the same front, measures were taken by the Islamic Republic that included as conducting technical studies to determine the causes of the incident, cooperating with the International Civil Aviation Organisation (ICAO) and implementing commitments enshrined in the Chicago Convention and its Annex 13, starting a serious and effective judicial investigation into the case of the suspects based on Iran's internal laws and the general legal principles including the principle of territorial legitimacy and finally announcing readiness to make payments to those who lost their lives [in the plane incident].

Considering that the determination of a group of countries cannot create any legal obligation for a third-party country without its consent, the Islamic Republic believes that that conducting negotiations and bilateral dialogue in any potential issue over the aforementioned incident such as the case of legal matters and the payments for the families of the victims is the best and most effective way to pay respect to the humanitarian dimensions of the incident and provide relief of those families.

Again, we would like to recall that in the first round of negotiations between Iran and Ukraine in Kiev, a virtual meeting was held with the representatives of related countries including Britain. This was based on a proposal by Ukraine and was carried out on the side line of bilateral discussions and was merely meant to express good faith and also to voice sympathy and declare the positions of Iran and also announce readiness for next rounds of bilateral negotiations with each country [involved in the incident]. The next rounds of talks with Ukraine were held merely on a bilateral basis and were held only with Ukraine without the presence of a third-party country. Based on the international law, the Islamic Republic has never considered itself duty-bound to negotiate with a self-declared group of countries and believes that any agreement among a number of countries around this issue [the plane incident] without the consent of a third-party country cannot lead to any commitment or legal implications for that third-party country.



جمهوری اسلامی ایران

وزارت امور خارجه

شماره : ۶۴۱/۱۳۳۰۹۱۲

تاریخ : ۱۴۰۱/۰۶/۳۰

پیوست :

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت علیا حضرت ملکه بریتانیا در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۳۴۵۲۵-۶۲۰-۲۲ / ۷۲ مورخ ۰۳ / ۰۳ / ۱۴۰۱ وزارت امور خارجه اوکراین از سوی برخی دولت‌ها از جمله بریتانیا و پیرو یادداشت وزارت متبوع به شماره ۱۰۵۰۱۴۲ / ۶۴۱ مورخ ۰۴ / ۱۱ / ۱۴۰۰، جمهوری اسلامی ایران ضمن ابراز تاسف مجدد از دریافت مکاتبه نیابتی به‌وسیله دولت ثالث، همانند گذشته بر این باور است که تفاهم در موضوعات مربوط به سانحه هواپیمای اوکراینی از طریق مذاکره و تعامل دو طرفه و با رعایت و احترام به قوانین داخلی و تعهدات بین‌المللی طبق یک دستور کار توافق شده امکانپذیر است؛ و اقدامات با نیت سیاسی و فاقد حسن نیت به خصوص اگر با مستمسک قرار دادن احساسات خانواده‌های محترم جان باختگان همراه باشد، می‌تواند به حصول تفاهم در موضوع سانحه هواپیمای اوکراینی و تامین منافع حداکثری خانواده‌های مذکور آسیب وارده کند.

همانطوریکه در مکاتبات و ارتباطات پیشین تصریح شده است جمهوری اسلامی ایران ضمن پایبندی کامل به تعهدات بین‌المللی قابل اعمال در این زمینه و ایفای این تعهدات، موضوع رعایت منافع و حقوق جان باختگان و خانواده‌های ایشان را ضروری می‌داند و در این رابطه نیز وفق قوانین داخلی خود گام‌های موثری برداشته است. در این خصوص می‌توان به بررسی‌های فنی انجام گرفته به منظور روشن شدن علل وقوع سانحه، همکاری با سازمان بین‌المللی هواپیمایی کشوری (ایکائو) و ایفای به تعهدات ذیل کنوانسیون شیکاگو و ضمیمه ۱۳ آن، آغاز رسیدگی قضایی جدی و موثر به پرونده متهمین وفق قوانین داخلی و اصول کلی حقوقی از جمله اصل صلاحیت سرزمینی و آمادگی برای پرداخت به بازماندگان جان باختگان به عنوان بخشی از اقدامات جمهوری اسلامی ایران اشاره نمود.

با تاکید بر اینکه اراده تعدادی از دولتها نمی‌تواند برای یک دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد کند، جمهوری اسلامی ایران بر این باور است انجام گفتگو و مذاکره دوجانبه در هرگونه مسئله احتمالی در خصوص سانحه مذکور از جمله مسائل حقوقی و منافع بازماندگان جان باختگان، بهترین و موثرترین راه برای ادای احترام به ابعاد انسان‌دوستانه و تسکین آلام این افراد می‌باشد.

مجدداً یادآوری می‌شود در اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین در کی‌یف، با پیشنهاد طرف اوکراینی و در حاشیه مذاکرات دوجانبه، صرفاً به منظور اعلام حسن نیت، اعلام همدردی و بیان مواضع اصولی کشورمان و همچنین اعلام آمادگی و هماهنگی برای انجام مذاکرات دوجانبه بعدی با هر یک از

کشورها، یک ملاقات مجازی با نمایندگان دولت‌های مرتبط از جمله بریتانیا برگزار گردید. مذاکرات دوره‌ای بعدی با اوکراین نیز صرفاً دوجانبه و تنها با طرف اوکراینی و بدون حضور ثالث برگزار شده است. با استناد به مقررات حقوق بین‌الملل، جمهوری اسلامی ایران هرگز خود را موظف به مذاکره با یک گروه خودخوانده از دولت‌ها ندانسته و معتقد است هرگونه توافق بین تعدادی از دولت‌ها در این زمینه، بدون رضایت دولت ثالث (در اینجا جمهوری اسلامی ایران) نمی‌تواند هیچ تعهد یا آثار حقوقی برای آن دولت ایجاد کند.

بر مبنای دلایل و ملاحظات فوق و با توجه به عدم برگزاری هیچ‌گونه مذاکره یا گفتگوی دوجانبه با دولت بریتانیا در موضوعات مرتبط با سانحه هواپیمای اوکراینی، پیشنهاد می‌گردد مذاکره دوجانبه با بریتانیا در زمان و محل مورد توافق و با دستور کار از پیش تعیین شده برگزار شود. طبیعتاً این مهم براساس حسن نیت، همکاری سازنده بین دو کشور و پرهیز از رویکردهای سیاسی و غیرحقوقی زیانبار که بازماندگان و عواطف آنان را متأثر می‌کند، انجام می‌گیرد. واضح است که موفقیت در این مذاکرات نیازمند حسن نیت و رویکرد مثبت طرفین در پرتو توجه به ابعاد انسان دوستانه و حقوق بازماندگان سانحه هواپیمای اوکراینی است.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت علیا حضرت ملکه بریتانیا - تهران

In coming note from MFA

Note no. 641/1330922

Date : Sept. 22, 2022

Unofficial translation

Note Verbale

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to Embassy of Sweden in Tehran and has the honour to inform:

Following the note no. 72/22-620-34525 dated May 24, 2022, of the Ministry of Foreign Affairs of Ukraine from a few Governments, including Sweden and following the note no. 641/1050129 dated Jan.24, 2022, the Islamic Republic of Iran, again regrets to receive the adoption of an indirect correspondence through a third Government, like before, the Government of Iran believes that the understanding of subjects related to the Ukrainian plane crash is possible through negotiations, bilateral interactions, respecting the domestic laws and observing International commitments according to an agreed agenda; and actions taken with political motives, lacking good faith, especially if they aim to manipulate the feelings and emotions of the respectful families of the victims, can be destructive to reaching an agreement in the matter of the Ukrainian plane crash and the matter of providing maximum benefits to the families of the victims.

As previously stated in the correspondences and in the meetings, the Islamic Republic of Iran, while is fully adhering to the applicable international commitments in this regard and the fulfilling of them, strongly believes in safeguarding the interests and the rights of the victims of the crash and their families, and based on its domestic laws, has taken effective steps. For example, and to name a few, one can point to: the technical investigation done to clear the reason of the crash, cooperation with ICAO (the Country's International Aviation Organisation), complying to the Chicago Convention and clause 13th of that Convention, beginning, and pursuing seriously the judicial investigation process of the accused ones in this case, and readiness to pay compensation to the families of the victims.

While emphasizing that the will of a few Governments for a third Government, without the consent of that Government, cannot create legal consequences, the Islamic Republic of Iran believes that conducting talks and bilateral negotiations on any possible issue related to the Ukrainian plane crash, including legal matters and interests of the victims' families, are the best and the most effective ways to pay respect to the humanitarian aspect of this case and to ease the pain of these people.

Once again, it is reminded that in the first round of negotiations between the Islamic Republic of Iran and Ukraine in Kiev, based on the Ukrainian's proposal on the side lines of the bilateral negotiations, strictly to show good will, to express compassion and to convey our country's basic principles and also to state readiness to conduct future bilateral negotiations with any of the countries involved, a virtual meeting with Representatives of related countries including Sweden, took place. The next round of negotiations and talks took place only with Ukraine and without the presence of a third party. By referring to international laws, the Islamic Republic of Iran, does not consider itself obliged to negotiate with a self-called group from other Governments and believes that any agreement among a few Governments in this regard, without the consent of a third Government (in this case the Islamic Republic of Iran) cannot create any commitment or have legal consequences for that Government.

Based on the above and considering that no negotiations or bilateral talk with the Government of Sweden regarding the Ukrainian plane crash have so far taken place, it is proposed that a bilateral negotiation with Sweden in a place, on a date and at a time that are agreed upon between the two countries and with a pre- set agenda, take place. Naturally, this initiative is taken based on good faith, constructive cooperation between the two countries, and refraining from adopting political and illegal approaches that may affect the victims' families. It is clear that reaching success in these negotiations require good intentions, and a positive approach from both sides in light of considering the humanitarian dimensions and legal rights of the families of the victims of the Ukrainian plane crash.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

Embassy of Sweden - Tehran

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1429221
Дата: 13 грудня 2022 р.
Додаток: €

ТЕРМІНОВО

В ім'я Бога

НОТА

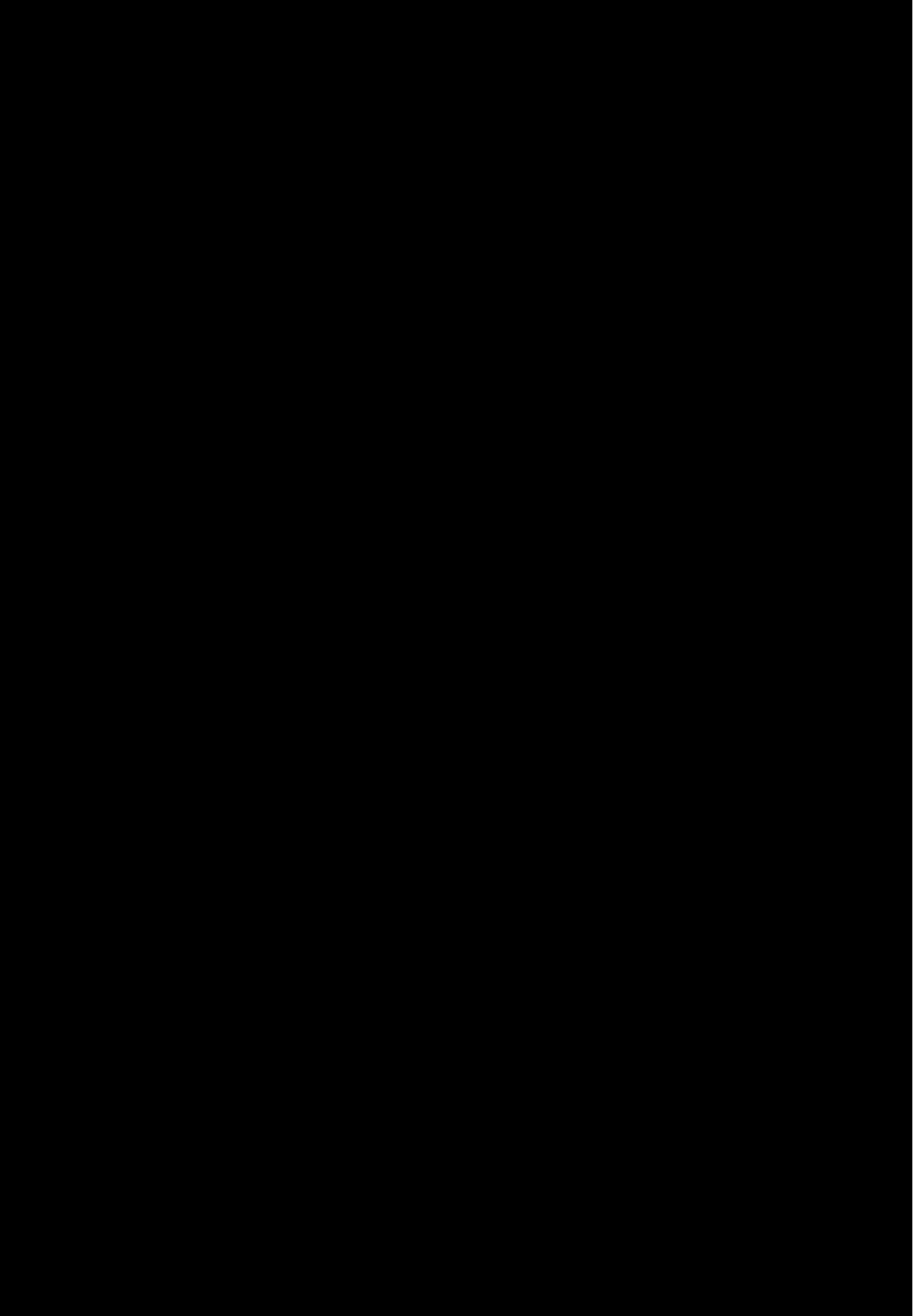
Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

За повідомленням судових органів, у четвер, 15.12.2022, о 8.30 ранку за місцем розташування судової організації збройних сил відбудеться судове засідання у справі звинувачених в авіакатастрофі українського літака.

Надсилаючи список не іранських громадян, загиблих під час згаданої катастрофи, запрошуємо шановного представника Посольства України в Тегерані для участі у засіданні та просимо повідомити родичів (спадкоємців) або їх законних представників, що вони мають право бути присутніми на судовому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран





جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۲۹۲۲۵
تاریخ : ۱۴۰۱/۰۹/۲۲
پیوست : دارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

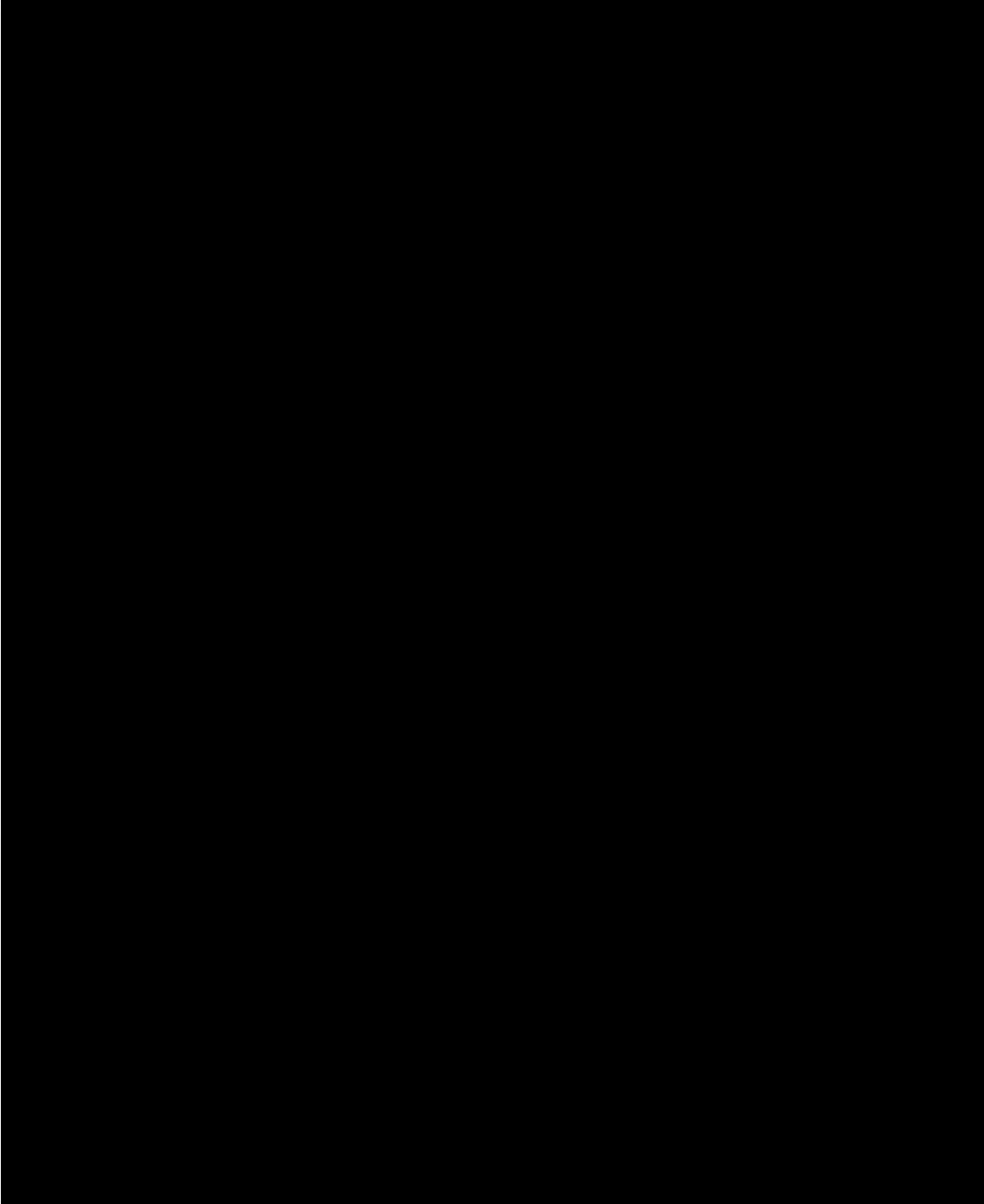
حسب اعلام مراجع قضایی، جلسه دادگاه رسیدگی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی در ساعت ۰۸:۳۰ صبح روز پنجشنبه مورخ ۲۴ آذر ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

ضمن ارسال فهرست اسامی جان باختگان غیر ایرانی سانحه مذکور، درخواست می‌شود به اولیاء دم (وراث) کانادایی یا نمایندگان قانونی ایشان اعلام نمایند که از حق حضور در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا

به نام خدا







Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10722615	Farsi - English		

[Emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1429225
Date: 22/09/1401 [corresponding
to 2022/12/13]
Enclosure: yes

Urgent

In the Name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Department of Foreign Affairs, Trade, and Development of Canada and respectfully informs the Department of the following:

According to the announcement of the judicial authority, the hearing of the case of the accused of the Ukrainian plane crash will be held at 08:30 am, on Thursday, December 15, 2022 at the Judiciary Organization of the Armed Forces.

Considering the enclosed list of the names of the non-Iranian victims of the said incident, it is requested that Canadian heirs (next of kin) or their legal representatives be informed that they have the right to attend and participate in the court session.

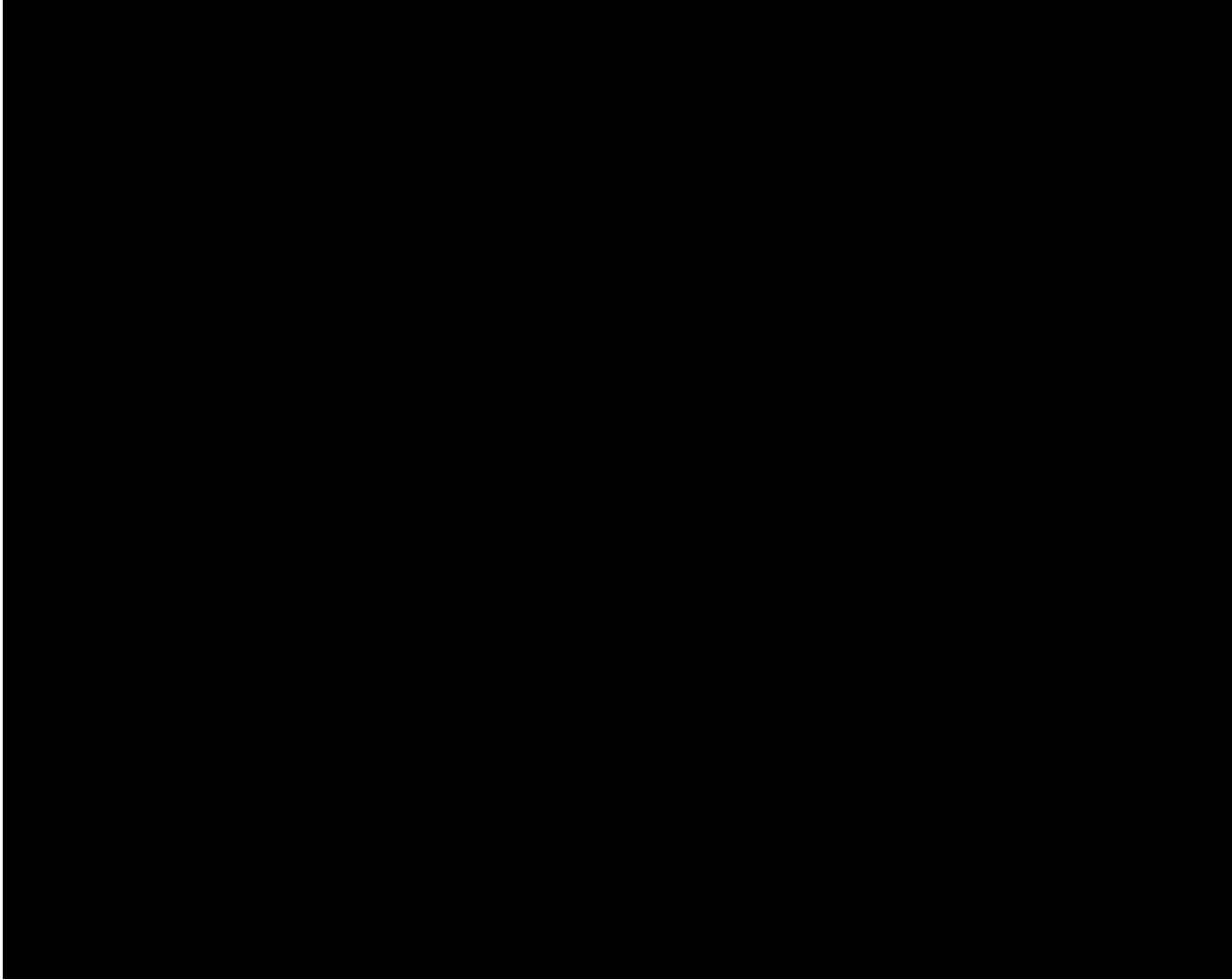
We take this opportunity to renew our high regards.

Ministry of Foreign Affairs, Trade and Development of Canada



Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10722615	Farsi - English		

In the Name of God



In coming note from MFA

Note no. 641/1429224

Date: Dec.13, 2022

Received: Dec. 14, 2022, via fax

Enclosure: yes

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform:

By the announcement of the Judicial Authorities, the court session to investigate the case of the accused in the Ukrainian plane crash accident will take place on Thursday December 15, 2022, at 08:30 am at the Judicial Organizations of the Armed Forces.

The list of the names of the non-Iranian victims of this plane crash is enclosed with this note, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

In coming note from MFA

Note no. 641/1433308

Date: Dec.17, 2022

Received: Dec. 18, 2022, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, and in continuation of the judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Monday December 19, 2022, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۳۳۳۱۱
تاریخ : ۱۴۰۱/۰۹/۲۶
پیوست : دارد

آنی

به نام خدا

یادداشت

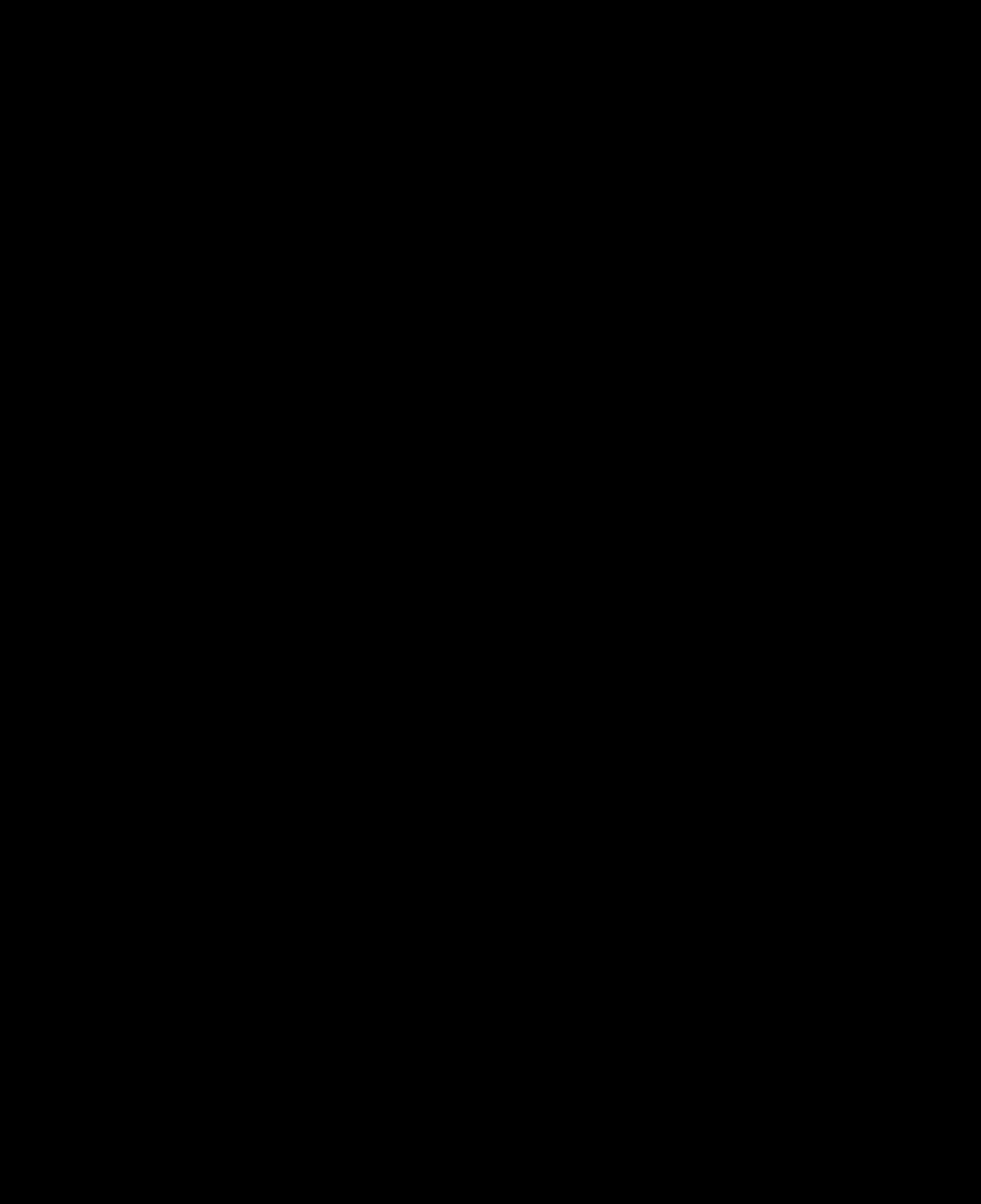
وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۵ مورخ ۱۴۰۱ / ۰۹ / ۲۲ هجری خورشیدی و در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی، حسب اعلام مرجع قضایی صلاحیت‌دار، جلسه بعدی دادگاه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز دوشنبه مورخ ۲۸ آذر ۱۴۰۱ هجری خورشیدی در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد. با عنایت به لزوم رعایت و احترام به حقوق خانواده‌های محترم جان باختگان درخواست می‌شود به اولیاء دم (وراث) یا نمایندگان قانونی ایشان اعلام نمایند که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا

به نام خدا







Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10722615	Farsi - English		

[Emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1433311
Date: 26/09/1401
[corresponding to 2022/12/17]
Enclosure: yes

Urgent

In the Name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Department of Foreign Affairs, Trade, and Development of Canada and respectfully informs the Department of the following:

With reference to the memorandum No. 1429225/641, 22/09/1401 [corresponding to dated 13/12/2022], we are writing to inform you that in the continuation of the trial of the case of the accused of the Ukrainian plane crash, the next hearing of the case of the accused of this incident will be held at 08:30 am, on Monday, 28 Azar 1401 [corresponding to December 19, 2022] at the Judiciary Organization of the Armed Forces, according to the announcement of the competent judicial authority.

Given the importance of respecting the rights of esteemed families of the deceased, it is requested that Canadian heirs (next of kin) or their legal representatives be informed that they have the right to attend and participate in the court session.

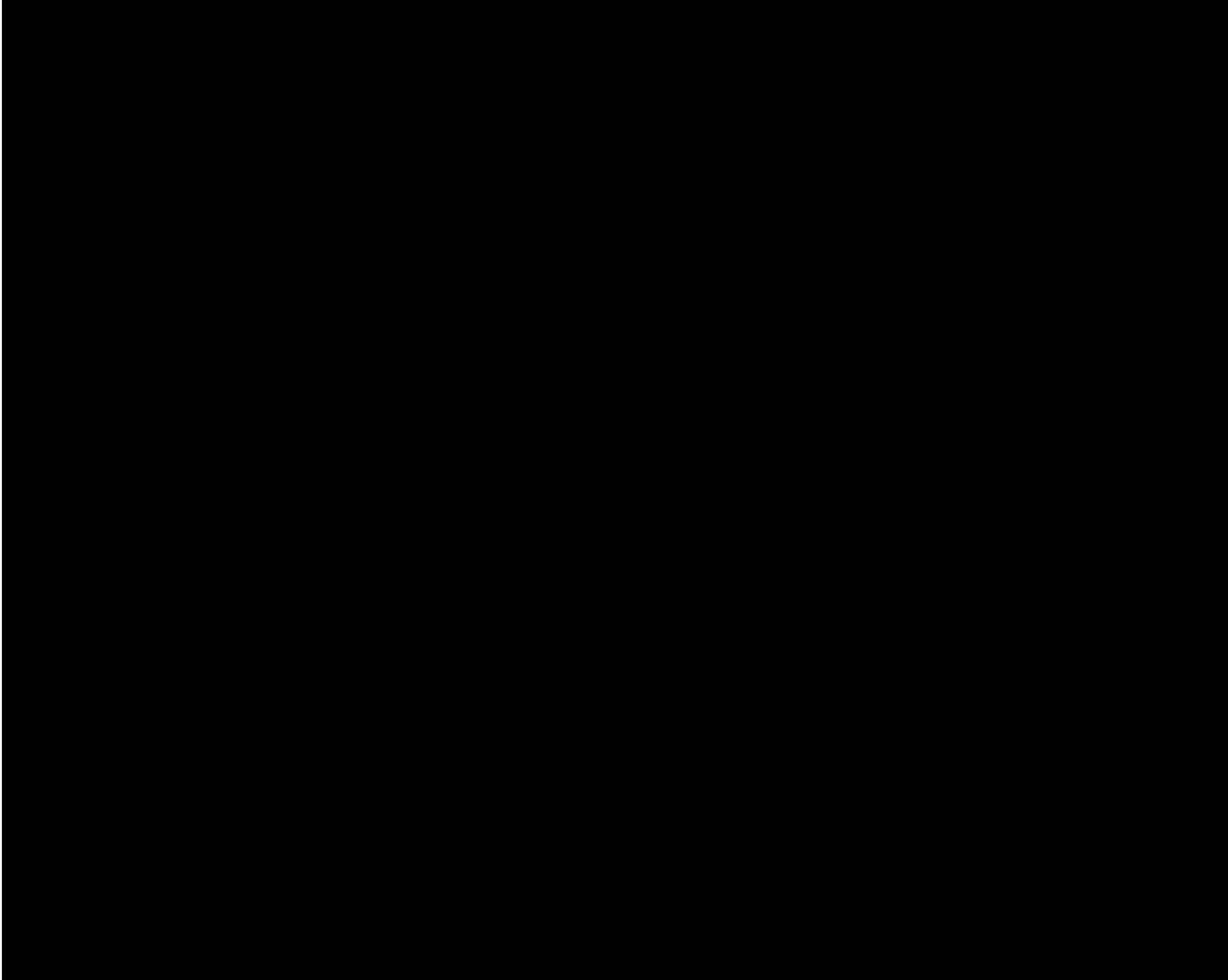
We take this opportunity to renew our high regards.

Ministry of Foreign Affairs, Trade and Development of Canada



Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10722615	Farsi - English		

In the name of god



Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1433309
Дата: 17 грудня 2022 р.
Додаток:

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до ноти від 13.12.2022 №641/1429221 та у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у понеділок, 19.12.2022, о 8.30 ранку за місцем розташування судової організації збройних сил.

Поважаючи необхідність дотримання прав шановних членів родин, які втратили близьких у згаданій катастрофі, запрошуємо шановного представника Посольства України в Тегерані для участі у засіданні та будемо вдячні за повідомлення родичів (спадкоємців) або їх законних представників, що вони мають право бути присутніми на судовому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

شماره : ۶۴۱/۱۴۳۳۳۰۹
 تاریخ : ۱۴۰۱/۰۹/۲۶
 پیوست :



آنی

به نام خدا
 یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می دارد:

پیرو یادداشت شماره ۶۴۱/۱۴۲۹۲۲۱ مورخ ۱۴۰۱/۰۹/۲۲ هجری خورشیدی و در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی، حسب اعلام مرجع قضایی ذیصلاح، جلسه بدی دادگاه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز دوشنبه مورخ ۲۸ آذر ۱۴۰۱ هجری خورشیدی در محل سازمان قضایی نیروهای مسلح برگزار می گردد.
 با عنایت به لزوم رعایت و احترام به حقوق خانواده های محترم جان باختگان، ضمن دعوت از نماینده محترم سفارت اوکراین در تهران برای حضور در جلسه دادگاه موجب امتنان خواهد بود به اولیاء دم (وراث) یا نمایندگان قانونی ایشان اعلام نمایند که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/05-620-106209

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry of Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

In response to the Islamic Republic of Iran's note verbale no. 641/1330498 sent to the Department of Foreign Affairs, Trade and Development of Canada on 21 September 2022; its note verbale no. 641/1330922 sent to the Embassy of Sweden in Tehran on 22 September, 2022; and its note verbale no. 641/1330946 sent to the Embassy of Ukraine in Tehran on 21 September 2022, Canada, the Kingdom of Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland (hereinafter the "Group of Countries") wish to reiterate our continued disappointment in the Islamic Republic of Iran's refusal to engage in joint negotiations on the matter of reparations for the grave act of the downing of Ukraine International Airlines Flight 752 (hereafter "Flight PS752").

**Ministry of Foreign Affairs of
the Islamic Republic of Iran**

Tehran

It is in our collective interest to resolve this serious matter as soon as possible through joint negotiations in a timely manner and with the best interests of the victims and their next of kin in mind. We therefore regret the Islamic Republic of Iran's ongoing refusal to acknowledge the common interest of the members of the Group of Countries in negotiating this matter jointly.

The Group of Countries considers it important to maintain channels of communications to resolve disputes in accordance with international law and remain open to hold further joint negotiations should the Islamic Republic of Iran indicate a willingness to do so in good faith and demonstrate that there is reason to believe that such negotiations would offer a possibility of resolving the dispute.

During our first multilateral round of negotiations in Kyiv, Ukraine on 30 July 2020, the members of the Group of Countries indicated to the Head of the Iranian delegation, H.E. Mr. Mohsen Baharvand, that it is the common belief of the members of the Group of Countries that engaging in joint negotiations on this matter is the most effective approach.

We wish to remind the Islamic Republic of Iran that it is the understood practice of states in disputes regarding a state's responsibility that where the interests of several states are implicated, any negotiations should be conducted collectively and in coordination. This is in fact in the best interest of the State whose responsibility is being invoked as it avoids the possibility of incompatible outcomes.

The dispute settlement provisions found in the relevant treaties in the Flight PS752 matter, the *Convention on International Civil Aviation*, and the *Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation*, contemplate a scenario in which a dispute or disagreement can exist between two **or more States**.

The members of the Group of Countries furthermore note that the Islamic Republic of Iran's own acknowledgement of the Group of Countries and demonstrated willingness to engage jointly

with its members dates back to February 2020 during a meeting in Munich, Germany held jointly between the Ministers of Foreign Affairs of the Group of Countries and the Islamic Republic of Iran's then Foreign Minister, Mr. Javad Zarif (see Annex A). During this meeting, the Group of Countries' Ministers delivered – and Foreign Minister Zarif accepted – a jointly-signed letter regarding the need to provide closure, accountability, transparency, and justice for the families and loved ones of the victims. A copy of this letter is provided (see Annex B).

We wish to emphasize that, the Islamic Republic of Iran agreed during the first round of negotiations held on 30 July 2020 with the Group of Countries to continue to engage in joint negotiations with the Group of Countries. Several modalities specific to such joint negotiations were agreed to, such as an understanding that all negotiations with the members of this Group would be conducted in English. A readout from this meeting is attached (see Annex C).

For the aforementioned reasons – the recognized state practice, the dispute resolution rules of treaties to which the Islamic Republic of Iran is a party, and its own commitment, as expressed by the former Foreign Minister – the members of the Group of Countries maintain their position that any negotiations related to the matter of Flight PS752 must be conducted jointly with the Group of Countries and not on a bilateral basis.

As outlined by the members of the Group of Countries in their note verbale no. 72/23-620-1872 delivered to the Islamic Republic of Iran by the Ministry of Foreign Affairs of Ukraine on 11 January 2022, and again in note verbale no. 72/22-620-34525 delivered to the Islamic Republic of Iran by the Ministry of Foreign Affairs of Ukraine on 24 May 2022, and as further confirmed by the Islamic Republic of Iran's most recent communication to certain members of the Group of Countries, it is clear that a dispute related to interpretation and application of several treaties exists between the Group of Countries and the Islamic Republic of Iran.

The Ministry of Foreign Affairs of Ukraine, on

behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Annex: as stated.



International Coordination and Response Group for the victims of Flight PS752: Advancing on the framework for cooperation with Iran

15 February 2020 15:23

February 15, 2020 - Munich, Germany

Ukraine, Canada, Sweden, Afghanistan and the United Kingdom, the members of the International Coordination and Response Group for the victims of Flight PS752, held a second in-person meeting on the margins of the Munich Security Conference today to advance work on the framework of cooperation with Iran presented in London, United Kingdom, on January 16, 2020.

Today, the ministers of the coordination group will present a letter to Mohammad Javad Zarif, Iran's Minister of Foreign Affairs, in which they reaffirm the need to provide closure, accountability, transparency and justice for the families and loved ones of the victims.

During a discussion with Minister Zarif, the ministers of the coordination group pressed Iran to continue to take necessary active steps toward the resolution of the many crucial questions of fact and of law raised by the downing of the flight. The group's ministers urged a transparent and thorough safety investigation, in compliance with the standards and practices of the International Civil Aviation Organization. They also called for timely and equitable compensation consistent with international precedents. Lastly, the group's ministers urged Iran to complete a thorough and transparent criminal investigation of the downing of PS752.

In addition, the Coordination Group also discussed the need to improve aviation security and air travel near or over conflict zones.

His Excellency Mohammad Javad Zarif
Minister of Foreign Affairs of the Islamic Republic of Iran

15 February 2020

Your Excellency,

Thank you for meeting with the International Coordination and Response Group today.

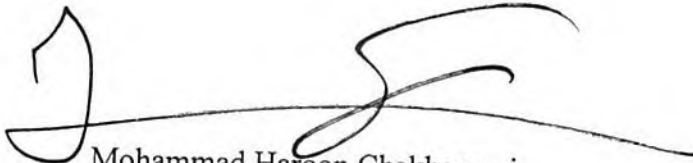
In recognizing its role in the downing of Ukraine International Airlines flight PS752, in promptly initiating a technical investigation, and in enabling the repatriation of the victims' remains, the Islamic Republic of Iran took important steps towards justice for the victims and their families.

We now also expect Iran to continue to take necessary active steps toward the resolution of the many crucial questions of fact and of law raised by the internationally wrongful act of the downing. In particular, the victims' families, our governments, and the international community expect Iran to:

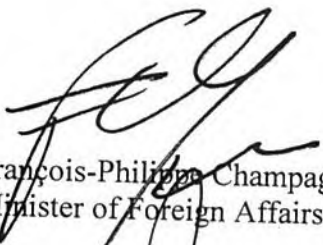
1. Pursue a transparent, independent, and thorough safety investigation into the downing, pursuant to the standards and recommended practices set out in Annex 13 to the *Convention on International Civil Aviation*.
2. Arrange for the read-out and analysis of Flight PS752's flight recorders to be conducted under the control of the Iranian air safety authorities without delay, as prescribed in Annex 13, section 5.7, by making use of the facilities offered by France and/or Ukraine, which we believe to be suitable and available.
3. Separately, pursue a transparent and thorough criminal investigation into the Iranian military command's behaviour which led to weapons of war being directed at a civilian aircraft.
4. Make reparations, including in the form of timely and equitable compensation to the families of the victims and in line with international precedents, following Iran's admission of responsibility for the downing of Flight PS752.

Such action in support of accountability and justice would contribute to restoring the trust of the international community in Iran. Delay in taking these steps will only undermine that trust and will deepen the anguish of the victims' family members, who must now make sense of a world without their loved ones.

The International Coordination and Response Group for the Victims of Flight PS752



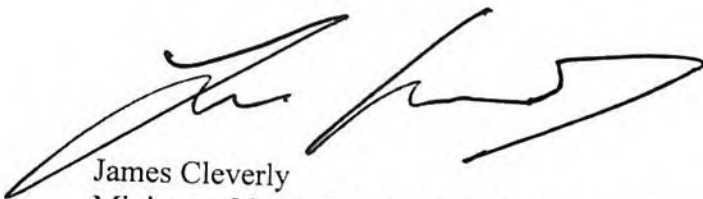
Mohammad Haroon Chakhansuri
Deputy Foreign Minister for Political Affairs and Acting Minister for Foreign Affairs for the
Islamic Republic of Afghanistan



François-Philippe Champagne
Minister of Foreign Affairs of Canada



Vadym Prystaiko
Minister of Foreign Affairs of Ukraine



James Cleverly
Minister of State, Foreign and Commonwealth Office and Department for International
Development of the United Kingdom of Great Britain and Northern Ireland

Ann Linde

Ann Linde
Minister for Foreign Affairs of Sweden



Canada.ca > [Global Affairs Canada](#)

Readout: First meeting of the International Coordination and Response Group and Iran regarding negotiations on reparations related to the downing of Flight PS752

From: [Global Affairs Canada](#)

News release

July 30, 2020 - Kyiv, Ukraine - Global Affairs Canada

Afghanistan, Canada, Sweden, Ukraine and the United Kingdom, members of the International Coordination and Response Group for the victims of Flight PS752, today issued the following readout:

Today, representatives from the five members of the International Coordination and Response Group held their first meeting with Iranian officials regarding negotiations on reparations for the families of the victims of Flight PS752.

The Coordination Group was represented by the Ministry of Foreign Affairs of Ukraine as its negotiating spokesperson. Negotiators from Afghanistan, Canada, Sweden and the United Kingdom were also present at the meeting.

The Coordination Group members reaffirmed their commitment to cooperation and, once again, called on Iran to make full reparations for the downing of Flight PS752. Coordination Group members and Iran also discussed the preparations and organization for the upcoming rounds of negotiations.

The Coordination Group reiterated the call on Iran to conduct a full, transparent and independent investigation in accordance with international standards, including accountability and justice for the families of the victims of this terrible tragedy.

Contacts

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Date modified:

2020-07-30



Ministry
of Foreign Affairs
of Ukraine

№ 72/05-620-106210

NOTE 52

Mykhailivska square, 1
Kyiv, 01018, Ukraine

The Ministry for Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry of Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

Canada, Sweden, Ukraine and the United Kingdom (hereinafter the Group of Countries) wish to recall their notes verbales no. 72/23-620-1872 of 11 January 2022, no. 72/22-620-34525 of 24 May 2022 and the recent note dated December 22, 2022, delivered to the Ministry of Foreign Affairs of the Islamic Republic of Iran by the Ministry of Foreign Affairs of Ukraine, wherein the members of the Group of Countries expressed their determination that there exists a dispute between the parties, and that further attempts to negotiate with the Islamic Republic of Iran on the matter of the unlawful downing of Ukraine International Airlines Flight 752 (Flight PS752) were futile as a result of the Islamic Republic of Iran's refusal to engage jointly with members of the Group in said negotiations.

**Ministry of Foreign Affairs of
the Islamic Republic of Iran**

Tehran

The members of the Group of Countries further recall their notice of claim of 2 June 2021 addressed to His Excellency Mr. Javad Zarif, the then Foreign Minister of the Islamic Republic of Iran, where they reiterated that the unlawful downing of Flight PS752, killing all 176 passengers and crew on board, amounts to breaches of the Islamic Republic of Iran's international legal obligations pursuant to several treaties including, but not limited to, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (herein after the 1971 Montreal Convention). Specifically, in their notice of claim the members of the Group of Countries demanded that the Islamic Republic of Iran prosecute or extradite all alleged offenders, with any prosecution taking place in a transparent manner, and in accordance with the rule of law.

The members of the Group of Countries also wish to recall their note verbale no: 72/23-604-102444 of 20 December 2021, where additional details were provided to the Islamic Republic of Iran concerning their claims under the 1971 Montreal Convention, noting, without prejudice:

- that members of the Islamic Republic of Iran's IRGC [Islamic Revolutionary Guard Corps] unlawfully and intentionally destroyed an aircraft in service, or caused damage to it, which rendered it incapable of flight with two surface-to-air missiles on or around 8 January 2020;

- that as a state party to the 1971 Montreal Convention the commission of this offence by Iranian military personnel must be treated by the Islamic Republic of Iran as a matter of grave concern and for the purposes of deterring such acts the Islamic Republic of Iran must fulfill its legal obligations pursuant to this Convention and to date there is no evidence available to the Group of Countries that indicates the Islamic Republic of Iran has fulfilled any of the legal obligations found in the 1971 Montreal Convention;

- that as states parties to the 1971 Montreal Convention, we recognize that the purpose of this treaty is to ensure the safety of

persons and property, avoid seriously affecting operation of air services and maintain the confidence of peoples of the world in the safety of civil aviation. This includes, but is not limited to, a state's obligation to endeavor to take all practicable measures for the purpose of preventing the unlawful and intentional destruction of a civil aircraft in service. That the Islamic Republic of Iran failed to meet its international legal obligation to prevent the unlawful and intentional destruction of a civil aircraft in service; and,

- that the Islamic Republic of Iran not only failed in its obligation to prevent the destruction of Flight PS752, but its actions and omissions on 8 January 2020 directly contributed to a situation that led to the unlawful and intentional destruction of a civilian aircraft in its airspace by its armed forces for which the alleged perpetrators must be prosecuted.

Taking into consideration the position of the Islamic Republic of Iran, communicated both publically and through correspondence to the members of the Group of Countries, a dispute continues to exist between the parties concerning the interpretation and application of the 1971 Montreal Convention to the unlawful downing of Flight PS752 by the members of the IRGC of the Islamic Republic of Iran. The members of the Group of Countries have correspondingly determined that further attempts to joint negotiations with the Islamic Republic of Iran with the view to resolving this dispute are futile as a result of the Islamic Republic of Iran's unequivocal and repeated refusal to engage jointly with the Group of Countries.

Consequently, in view of the above, as States Parties to the 1971 Montreal Convention and in accordance with Article 14 paragraph 1 of the treaty, the members of the Group of Countries hereby request that the dispute in relation to the Islamic Republic of Iran's breaches of its international legal obligations under the 1971 Montreal Convention involving the unlawful downing of Flight PS752 be submitted to arbitration.

In order to facilitate a timely mutual agreement on the organization of arbitration under

the 1971 Montreal Convention, the members of the Group of Countries hereby propose that the Islamic Republic of Iran meet with the members of the Group of Countries in The Hague, The Netherlands during the week of 1 February 2023 on a mutually agreed agenda.

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development Canada, the Ministry of Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Kyiv, 22 December 2022





جمهوری اسلامی ایران

وزارت امور خارجه

شماره : ۶۴۱/۱۴۴۵۹۲۷

تاریخ : ۱۴۰۱/۱۰/۰۷

پیوست : دارد

آئی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۱۴۲۹۲۲۵ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۲ و یادداشت شماره ۱۴۳۳۳۱۱ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۶ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی، حسب اعلام مرجع قضایی صلاحیت‌دار، جلسه بعدی رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۲۱ دی ماه ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با عنایت به لزوم رعایت و احترام به حقوق خانواده‌های محترم جان باختگان، درخواست می‌شود به اولیاء دم (وراث) کانادایی یا نمایندگان قانونی ایشان اعلام نمایند که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10723588	Farsi - English		

[emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1445927
Date: 07/10/1401
[corresponding to 28 December
2022]
Enclosure: Yes

Urgent

In the Name of God

Memorandum

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its greetings to the Department of Foreign Affairs, Trade, and Development of Canada and respectfully informs the Department of the following:

With reference to the memorandum No. 1429225/641, dated 22/09/1401 [corresponding to 13/12/2022] and the memorandum No. 1433311/641, dated 26/09/1401 [corresponding to 12/17/2022], we are writing to inform you that in continuation of the trial of the accused of the Ukrainian plane crash, the next hearing of the accused of this incident will be held at 08:30 am, on Wednesday, 21 Dey 1401 [corresponding to January 11, 2023] at the Judiciary Organization of the Armed Forces, as announced by the competent judicial authority.

Given the importance of respecting the rights of esteemed families of the deceased, it is requested that Canadian heirs (next of kin) or their legal representatives be informed that they have the right to attend and participate in the court session.

We take this opportunity to renew our high regards.

Ministry of Foreign Affairs, Trade and Development of Canada

Неофіційний переклад

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1445923
Дата: 28 грудня 2022 р.
Додаток:

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот від 13.12.2022 №641/1429221, від 17.12.2022 №641/1433309 та у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у середу, 11.01.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Поважаючи необхідність дотримання прав шановних членів родин, які втратили близьких у згаданій катастрофі, запрошуємо представника Посольства України в Тегерані для участі у засіданні та будемо вдячні за повідомлення родичів (спадкоємців) або їх законних представників, що вони мають право бути присутніми на судовому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

شماره : ۶۴۱/۱۴۴۵۹۲۳
تاریخ : ۱۴۰۱/۱۰/۰۷
پیوست : دارد



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۱۴۲۹۲۲۱ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۲ و یادداشت شماره ۱۴۳۳۳۰۹ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۶ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی، حسب اعلام مرجع قضایی صلاحیت‌دار، جلسه بعدی رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۲۱ دی ماه ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با عنایت به لزوم رعایت و احترام به حقوق خانواده‌های محترم جان باختگان، ضمن دعوت از نماینده محترم سفارت اوکراین در تهران جهت حضور در جلسه دادگاه مورد اشاره، موجب امتنان است به اولیاء دم (وراث) اوکراینی یا نمایندگان قانونی ایشان اعلام نمایند که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید

سفارت اوکراین - تهران



In coming note from MFA

Note no. 641/1445929

Date: Dec.28, 2022

Received: Dec. 29, 2022, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated Dec.13, 2022, and note no. 641/1433308 dated Dec. 17, 2022, based on the announcement of the Judicial authorities, the next court session of the accused ones in the Ukrainian plane crash case will be at 08.30 am on Wednesday January 11, 2023, at the Judicial Organizations of the Armed Forces.

To observe and respect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

NOTES VERBALES

2023



جمهوری اسلامی ایران

وزارت امور خارجه

شماره : ۶۴۱/۱۴۷۱۹۹۳

تاریخ : ۱۴۰۱/۱۱/۰۱

پیوست :

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۵ مورخ ۶۴۱ / ۰۹ / ۲۲، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۱۱ مورخ ۶۴۱ / ۰۹ / ۲۶ و یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۷ مورخ ۶۴۱ / ۱۰ / ۰۷ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی، حسب اطلاع مرجع قضایی صلاحیت‌دار، جلسه بعدی رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز یکشنبه ۲ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد. با عنایت به لزوم رعایت و احترام به حقوق خانواده های محترم جان‌باختگان سانحه مذکور از جمله خانواده‌های جان‌باختگان کانادایی و اطلاع و شرکت ایشان در فرآیند رسیدگی قضایی، درخواست می‌گردد به اولیاء دم (وراث) و وکلاء یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات نائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10733401	Farsi – English	---	2023-02-08

[logo]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1471993
Date: 21/01/2023
Enclosures: None
Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to note No. 641 / 1429225 dated 13/12/2022, note No. 641 / 1433311 dated 17/12/2022, and note No. 641 / 1445927 dated 28/12/2022, it is stated that following the legal proceedings involving the defendants in the Ukrainian airplane crash incident, with a view to informing the competent legal authority, the next court session for the defendants will be held on Sunday 22/01/2023 at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With regards to the necessity of observing and respecting the rights of honorable families of the victims of the incident in question, including the Canadian victims' families, and of ensuring their knowledge and participation throughout the legal procedures, it is requested that avengers of blood (heirs) and their attorneys or legal representatives be informed about their right to attend the court sessions.

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1471990
Дата: 21 січня 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №641/1429221 від 13.12.2022, 641/1433309 від 17.12.2022 та 641/1445923 від 28.12.2022 щодо продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у неділю, 22.01.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Поважаючи необхідність дотримання прав шановних членів родин, загиблих під час згаданої катастрофи, включаючи родичів загиблих громадян України, запрошуємо представника Посольства України в Тегерані для участі у засіданні та будемо вдячні за повідомлення родичів (спадкоємців) або їх законних представників, що вони мають право бути присутніми на судовому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

Переклав: В.Лапай (+9809050806839)

Note 58 to be
provided at a later
date



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۷۴۹۷۴
تاریخ : ۱۴۰۱/۱۱/۰۳
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۷۲۲ / ۹۷۰۱۴۰ مورخ ۲۶ / ۰۸ / ۱۴۰۰، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۵ مورخ ۲۲ / ۰۹ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۱۱ مورخ ۲۶ / ۰۹ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۷ مورخ ۰۷ / ۱۰ / ۱۴۰۱ و یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۳ مورخ ۰۱ / ۱۱ / ۱۴۰۱ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت‌دار، جلسه بعدی رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۵ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم برقراری عدالت و رسیدگی کیفی به پرونده متهمان در پرتو قوانین و مقررات قابل اعمال در پرونده سانحه هواپیمای اوکراینی و با امعان نظر به ضرورت تامین منافع و رعایت حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، درخواست می‌گردد به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا

[logo]
Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1474974
Date: 23/01/2023
Enclosures: None
Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to note No. 722 / 970140 dated 17/11/2021, note No. 641 / 1429225 dated 13/12/2022, note No. 641 / 1433311 dated 17/12/2022, note No. 641 / 1445927 dated 28/12/2022, and note No. 641 / 1471993 dated 21/01/2023, it is stated that following the legal proceedings involving the defendants in the Ukrainian airplane crash incident, which is a continuous and constant process, with a view to informing the competent legal authority, the next court session for the defendants will be held on Wednesday 25/01/2023 at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of serving justice and carrying out the criminal investigations on the defendants' case and in light of applicable laws and regulations in the Ukrainian airplane incident lawsuit and with regards to securing the interests and observing the rights of honorable families of the victims of the incident in question, including the Canadian victims' families, it is requested that avengers of blood (heirs) and their attorneys or legal representatives be informed about their right to attend the court sessions.

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1474976
Дата: 23 січня 2023 р.
Додаток:

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №722/969276 від 16.11.2021, №722/970240 від 17.11.2021, №641/1429221 від 13.12.2022, 641/1433309 від 17.12.2022, 641/1445923 від 28.12.2022 та 641/1471990 від 21.01.2023 щодо продовження судового розслідування, яке постійно відбувається у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у середу, 25.01.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Констатуючи необхідність встановлення справедливості та кримінальне розслідування у справі звинувачених відповідно до законодавства та нормативних вимог у справі авіакатастрофи українського літака, а також поважаючи необхідність дотримання інтересів та прав шановних членів родин загиблих під час згаданої катастрофи, у т.ч. родичів загиблих громадян України, запрошуємо шановного представника Посольства України в Тегерані для участі у судовому засіданні та інформування Уряду України щодо перебігу судового розслідування авіакатастрофи, який проводиться в Ісламській Республіці Іран, та просимо інформувати родичів (спадкоємців) або їх законних представників про те, що вони мають право бути присутніми на судовому засіданні.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

شماره : ۶۴۱/۱۴۷۴۹۷۶
تاریخ : ۱۴۰۱/۱۱/۰۳
پیوست :



آئی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۹۶۹۲۷۶ / ۷۲۲ مورخ ۱۴۰۰ / ۰۸ / ۲۵، یادداشت شماره ۷۲۲ / ۹۷۰۲۴۰ مورخ ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۱ مورخ ۱۴۰۱ / ۰۹ / ۲۲، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۰۹ مورخ ۱۴۰۱ / ۰۹ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۳ مورخ ۱۴۰۱ / ۱۰ / ۰۷ و یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۰ مورخ ۱۴۰۱ / ۱۱ / ۰۱ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت‌دار، جلسه بعدی رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۵ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم برقراری عدالت و رسیدگی کیفی به پرونده متهمان در پرتو قوانین و مقررات قابل اعمال در پرونده سانحه هواپیمای اوکراینی و با امان نظر به ضرورت تامین منافع و رعایت حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان اوکراینی، ضمن دعوت از نماینده محترم سفارت اوکراین در تهران جهت حضور در جلسه دادگاه و اطلاع دولت اوکراین از روند رسیدگی‌های قضایی انجام گرفته و در دست اقدام جمهوری اسلامی ایران در این سانحه، موجب امتنان خواهد بود به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

In coming note from MFA

Note no. 641/1474972

Date: Jan 23, 2023

Received: Jan. 24, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, and note no. 641/143308 dated Dec.17, 2022, and note no. 641/1445929 dated Dec.28, 2022, and note no. 641/1471988 dated Jan. 21, 2023, in continuation of the judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Wednesday Jan. 25, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

شماره : ۶۴۱/۱۴۸۱۰۹۲
تاریخ : ۱۴۰۱/۱۱/۰۸
پیوست : دارد



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۹۷۰۱۴۰ / ۷۲۲ مورخ ۲۶ / ۰۸ / ۱۴۰۰، یادداشت شماره ۱۴۲۹۲۲۵ / ۶۴۱ مورخ ۲۲ / ۰۹ / ۱۴۰۱، یادداشت شماره ۱۴۳۳۳۱۱ / ۶۴۱ مورخ ۲۶ / ۰۹ / ۱۴۰۱، یادداشت شماره ۱۴۴۵۹۲۷ / ۶۴۱ مورخ ۰۷ / ۱۰ / ۱۴۰۱، یادداشت شماره ۱۴۷۱۹۹۳ / ۶۴۱ مورخ ۰۱ / ۱۱ / ۱۴۰۱ و یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ مورخ ۰۳ / ۱۱ / ۱۴۰۱ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت دار، ادامه جلسه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز یکشنبه ۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری جدی و عادلانه به پرونده متهمان در پرتو قوانین و مقررات قابل اعمال در پرونده سانحه هواپیمای اوکراینی و با عنایت به ضرورت تامین منافع و رعایت حقوق خانواده‌های محترم جان‌باختگان سانحه مذکور از جمله خانواده‌های جان‌باختگان کانادایی، درخواست می‌گردد به اولیاءدم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه از دست داده‌اند و تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری متهمان در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده این متهمان (شعبه دوم دادگاه نظامی یک استان تهران) به صورت داوطلبانه اعلام نموده است که از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل می‌آورد. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10734239	Farsi		27/02/2023

[Emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1481092

Date: 28/01/2023

Enclosures: Yes

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/202[2], Note No. 641 / 1471993 dated 21/01/2023, and Note No. 641 / 1474974 dated 23/01/2023, it is stated that following the legal proceedings involving the defendants in the Ukrainian airplane crash incident which is an ongoing process, with a view to informing the competent legal authority, the next court session for defendants will be held on Sunday 29/01/2023 at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair and serious criminal investigations on the defendants' case in light of applicable laws and regulations in the Ukrainian airplane incident lawsuit and with regards to securing the interests and observing the rights of honorable families of the victims of the incident in question, including the Canadian victims' families, it is requested that avengers of blood (heirs) and their attorneys or legal representatives be informed about their right to attend the court sessions.

Following the goodwill towards the countries that have lost their citizens in this incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants (second branch of Tehran's court martial one) has voluntarily announced that the honorable representative of the government of Canada is invited to attend the court session and observe the proceedings. It should be noted that since there are no Canadian diplomatic agencies in Tehran, it will be arranged for the representative of the Italian embassy in Tehran as the interests section of Canada in the Islamic Republic of Iran to attend the mentioned court session with an interpreter.

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1481088
Дата: 28 січня 2023 р.
Додаток:

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот від 16.11.2021 №722/969276, від 17.11.2021 №722/970240, від 13.12.2022 №641/1429221, від 17.12.2022 №641/1433309, від 28.12.2022 №641/1445923, від 21.01.2023 №641/14719990, від 23.01.2023 №641/1474974 та у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться в неділю, 29.01.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування щодо обвинувачених у світлі застосованих законів і нормативних актів у справі про катастрофу українського літака та враховуючи необхідність забезпечення інтересів і поваги прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, будемо вдячні за повідомлення рідних (спадкоємців), адвокатів чи законних представників цих осіб, що вони мають право бути присутніми та брати участь у судовому засіданні.

Крім того, виходячи з доброї волі та поваги до дружніх відносин між двома країнами, вчергове наголошуючи на прозорості Ісламської Республіки Іран у кримінальному провадженні обвинувачених у межах закону, суд, який розглядає справу цих обвинувачених (друге відділення військового суду провінції Тегеран) запрошує високоповажного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та задля ознайомлення з ходом кримінального провадження.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۹۶۹۲۷۶ / ۷۲۲ مورخ ۲۵ / ۰۸ / ۱۴۰۰، یادداشت شماره ۷۲۲ / ۹۷۰۲۴۰ مورخ ۲۶ / ۰۸ / ۱۴۰۰، یادداشت شماره ۱۴۲۹۲۲۱ / ۶۴۱ مورخ ۲۲ / ۰۹ / ۱۴۰۱، یادداشت شماره ۱۴۳۳۳۰۹ / ۶۴۱ مورخ ۲۶ / ۰۹ / ۱۴۰۱، یادداشت شماره ۱۴۴۵۹۲۳ / ۶۴۱ مورخ ۰۷ / ۱۰ / ۱۴۰۱، یادداشت شماره ۱۴۷۱۹۹۹۰ / ۶۴۱ مورخ ۰۱ / ۱۱ / ۱۴۰۱ و یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ مورخ ۰۳ / ۱۱ / ۱۴۰۱ به آگاهی می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت دار، ادامه جلسه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز یکشنبه ۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده متهمان در پرتو قوانین و مقررات قابل اعمال در پرونده سانحه هواپیمای اوکراینی و با عنایت به ضرورت تامین منافع و رعایت حقوق خانواده‌های محترم جان‌باختگان سانحه مذکور از جمله خانواده‌های جان‌باختگان اوکراینی، موجب امتنان خواهد بود به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

همچنین براساس حسن نیت و احترام به روابط دوستانه بین دو کشور و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری متهمان در حدود قوانین، دادگاه رسیدگی کننده به پرونده این متهمان (شعبه دوم دادگاه نظامی یک استان تهران) از نماینده محترم سفارت اوکراین در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران



In coming note from MFA

Note no. 641/1481090

Date: Jan 28, 2023

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929, and in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Sunday Jan. 29, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasize on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۸۱۰۹۱
تاریخ : ۱۴۰۱/۱۱/۰۸
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

با عنایت به اهتمام جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه تاسف بار سقوط هواپیمای اوکراینی در چارچوب قوانین داخلی و تعهدات بین المللی خود، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه سقوط هواپیمای اوکراینی که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت دار، ادامه جلسه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز یکشنبه ۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران و بررسی گذرنامه های ارائه شده به پلیس فرودگاه امام خمینی (ره) (IKA از سوی مسافران پرواز پی.اس ۷۵۲، جان باختاری از کشور بریتانیا در این پرواز حضور نداشته است، با این حال در راستای اعلام حسن نیت و تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری متهمان در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده این متهمان (شعبه دوم دادگاه نظامی یک استان تهران) به صورت داوطلبانه از نماینده محترم آن سفارت به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

Islamic Republic of Iran
Ministry of Foreign Affairs

No: 641/1481091

Date: 28 January 2023

Attachment: None

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to His Britannic Majesty's Embassy in Tehran and informs that:

Considering the pledge of the Islamic Republic of Iran to carry out all the required measures regarding the tragic crash of the Ukrainian plane (PS752) in line with its domestic laws as well as its international commitments, we would like to inform you that in continuation of the judicial proceedings over the case of the suspects of the crash of the Ukrainian plane which has been going on continuously, according to the announcement of the authorised judicial officials, the continuation of a court session to deal with the case of the convicts of the case would be held at the premises of the Military Judicial Organisation at 08:30 on Sunday, 29 January 2023.

Although according to the laws of the Islamic Republic and as a result of studying the passports presented to the Airport Police at IKIA by passengers of Flight PS752 there were no British national on board the plane, the Islamic Republic would voluntarily invite the representative of the British Embassy together with a translator from the Embassy to attend the court session and learn about the judicial proceedings into the case based on good intention and as an indication of renewed emphasis on Iran's transparency in its judicial proceedings towards the convicts according to the laws of the country.

The MFA would like to use the opportunity to refresh its greetings to the British Embassy in Tehran.

شماره : ۶۴۱/۱۴۸۲۰۲۴
تاریخ : ۱۴۰۱/۱۱/۰۹
پیوست : ندارد



تاریخ

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۱۰۶۲۰۹-۶۲۰-۰۵/۷۲ مورخ ۱۴۰۱/۱۰/۰۱ وزارت امور خارجه اوکراین، که طی یادداشت شماره ۱۰۷۳۳۳-۰۱۲-۰۲۲/۶۱۶۶ مورخ ۱۴۰۱/۱۰/۰۶ سفارت اوکراین در تهران واصل شده است، وزارت امور خارجه جمهوری اسلامی ایران پیرو یادداشتهای متعدد قبلی خود منتهی به یادداشت شماره ۶۴۱/۱۳۳۰۹۴۶ مورخ ۱۴۰۱/۰۶/۳۰، همچنان براین باور است که مذاکره، شیوه شایسته ای برای بررسی کلیه مسائل مرتبط با سانحه هواپیمای اوکراینی است.

کما اینکه سه دوره مذاکرات دو جانبه با اوکراین در تاریخهای ۹ مرداد ۱۳۹۹ در کی یف، ۲۸-۲۹ مهر ۱۳۹۹ در تهران و ۱۲-۱۳ خرداد ۱۴۰۰ در کی یف، با هدف بررسی جوانب سانحه مذکور، حصول توافق در موضوع سانحه هواپیمای اوکراینی، تامین منافع و حقوق جان باختگان و خانواده های محترم بر اساس حسن نیت، همکاری سازنده و پرهیز از رویکرد سیاسی برگزار شده است.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین الملل از جمله اصل برابری حاکمیت دولت ها، معتقد است اراده تعدادی از دولت‌ها نمی‌تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی و یا صریح آن دولت صورت پذیرفته باشد، لذا همانطوریکه که قبلاً اعلام شده است جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را به رسمیت نمی‌شناسد.

برگزاری ملاقاتی مجازی بین نمایندگان کشورهای سوئد، کانادا و بریتانیا در حاشیه اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی یف، که بنا به پیشنهاد طرف اوکراینی انجام شد، صرفاً برای نشان دادن حسن نیت هیات ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران بود. بدیهی است که نمی‌توان برگزاری چنین ملاقات حاشیه ای و فاقد دستور کار توافق شده را به منزله انجام مذاکرات جمعی تلقی نمود.

مع الوصف، جمهوری اسلامی ایران با امعان نظر به اصول حسن نیت و شفافیت و با اعتقاد به تحکیم روابط دوستانه بین دو کشور و با استقبال از تکمیل روند مذاکرات، آمادگی خود را برای برگزاری دور جدید مذاکرات دوجانبه اعلام و تصریح می‌نماید که برای نشان دادن حسن نیت خود، حضور نمایندگان سه کشور کانادا، بریتانیا و سوئد با هدف رفع هر گونه ابهام احتمالی، در مذاکرات آتی، از نظر جمهوری اسلامی ایران، بلامانع می‌باشد. این مذاکرات می‌تواند در تهران یا کی یف، در زمان مشخص و با دستور کاری که مورد توافق قرار خواهد گرفت، برگزار گردد.

شماره : ۶۴۱/۱۴۸۲۰۲۴
تاریخ : ۱۴۰۱/۱۱/۰۹
پیوست : ندارد



موجب امتنان خواهد بود چنانچه مراتب به دولت متبوع آن سفارت اعلام و این وزارت (اداره کل حقوقی بین المللی) را از نتایج آن مطلع نمایند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران



TRANSLATION BUREAU

BUREAU DE LA TRADUCTION

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10732985	Farsi- English		



Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1482024
Date: 29/01/2023
Enclosures: None
Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Ukrainian Embassy in Tehran and states the following:

Pursuant to Note No. 72 / 05-620-106209 dated 22/12/2022 Ukrainian Ministry of Foreign Affairs, which has been delivered in Tehran following Note No. 6166 / 22-012-107333 Ukrainian Embassy dated 27/12/2022, the Ministry of Foreign Affairs of the Islamic Republic of Iran, following its numerous previous notes ending in Note No. 641/1330946 dated 21/09/2022, still believes that negotiation is the proper way to address issues related to the Ukrainian airplane incident.

As such, three rounds of bilateral negotiations were held with the Ukrainian government on July 30, 2020 in Kyiv, on October 19-20, 2020 in Tehran, and on June 2-3, 2021 in Kyiv with the purpose of investigating the aspects of the incident in question, reaching a consensus on the Ukrainian airplane incident, and securing the rights and interests of the victims and their families based on goodwill, constructive cooperation and avoidance of the ongoing political approach.

The Islamic republic of Iran, while emphasizing the principles and rules of the international laws, including the principle of sovereign equality of states, believes that the will of a few states cannot create legal effects for a third state without the consent of that state, unless the will in question has been accepted through the said state's written or explicit consent. Hence, as previously stated, the

Islamic Republic of Iran does not recognize the so-called, self-proclaimed “Coordination and Response Group”.

The virtual meeting between the representatives of Sweden, Canada and the United Kingdom, as suggested by the Ukrainian delegation on the sidelines of the first round of negotiations between the Islamic Republic of Iran and Ukraine on 30 July, 2020, was a token of the Iranian delegation’s goodwill, expression of sympathy and statement of the Islamic Republic of Iran’s fundamental position. It is obvious that such marginal meetings without an agreed agenda cannot be regarded as collective negotiations.

Nevertheless, the Islamic Republic of Iran, with respect to the principles of goodwill and transparency, and with the intention of improving the two countries’ friendly relations and by welcoming the progression of the negotiations, expresses its readiness for a new round of bilateral negotiations, and to show its goodwill, the Islamic Republic of Iran specifies that for the purpose of clarifying any ambiguities, the attendance of the representatives of Canada, the United Kingdom and Sweden in future negotiations is permissible. These negotiations can be held in Tehran or Kyiv on an agreed-upon date and according to an agreed-upon agenda.

It would be appreciated if the embassy’s appropriate government is informed and the Ministry (of Foreign Affairs’ International Legal Department) is notified of the results.

The Ministry avails itself of this opportunity to renew its highest consideration.

Ukrainian Embassy – Tehran

In coming note from MFA

Note no. 641/1482024

Date: Jan 29, 2023

Received: Jan. 31, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honor to inform that:

In reference to the Ministry of Foreign Affairs of Ukraine's note no. 72/05-620-106209 dated December 22, 2022, which was sent to the Ministry of Foreign Affairs of Iran enclosed with the Embassy of Ukraine's note no. 6166/22012107333, dated 28 December 2022; the Ministry of Foreign Affairs of Iran, following the numerous notes sent in this regard, the last one be: note no. 641/1330922 dated August 28, 2022, believes that negotiations are still the most appropriate ways for assessing all the issues related to the Ukrainian plane accident.

For example, the three rounds of bilateral negotiations with Ukraine on July 30, 2020 in Kiev, on September 18, 19 in Tehran and June 2, 3 2021, in Kiev, all with the goal of checking all aspects of this accident, to reach an agreement in the subject of the Ukrainian plane accident, to fulfill the interest and rights of the victims and their esteemed families, all have been done based on the good will and constructive cooperation and refraining from politicizing the process.

The Islamic Republic of Iran by emphasizing on the principles and rules of International Laws, including the principle of the equality of governance for Governments, believes that the will of a few Governments cannot create legal effects for the third Government without the consent of that third Government, unless the stated will is done through a written consent or has been clearly announced by that Government; therefore as it was announced before, the self-called group known as "Coordination and Response" is not recognized by the Government of the Islamic Republic of Iran.

The virtual meeting held among the Representatives of Sweden, Canada, an UK, on the sideline of the first round of negotiation between Iran and Ukraine on July 30, 2020, in Kiev, which happened based on the request of the Ukrainian side, was only to show the good will of the Iranian delegation, to express sympathy and to state the principal positions of the Islamic Republic of Iran. It is obvious that one cannot consider the holding of such a marginal meeting without an agreed agenda, as the conclusion of collective negotiations.

However, considering that no negotiation and talks about the Ukrainian plane accident have taken place between the Government of the Kingdom of Sweden and Iran, and by taking into consideration that the Islamic Republic of Iran insists on the principles of good will and transparency and by the belief of reinforcing constructive relations between the two countries, Iran welcomes bilateral talks and negotiations with the Government of Sweden. In addition, as stated in the note verbale to the Embassy of Ukraine in Tehran, note no. 641/1482024, dated January 29, 2023, to show the good will of the Islamic Republic of Iran, the presence of the Swedish delegation in future negotiations with Ukraine is fine and without any objection.

It will be appreciated if the above stated points are conveyed to the relevant authorities of the Government of Sweden, also it is requested that your Embassy informs the Foreign Ministry of Iran, (the General Directorate of International Laws) of the results.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden - Tehran



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۸۲۸۶۲
تاریخ : ۱۴۰۱/۱۱/۱۰
پیوست : دارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۱۰۶۲۰۹-۶۲۰-۰۵ / ۷۲ مورخ ۱۴۰۱ / ۱۰ / ۰۱ وزارت امور خارجه اوکراین که طی یادداشت شماره ۱۰۷۳۳۳-۰۱۲-۰۲۲ / ۶۱۶۶ مورخ ۱۴۰۱ / ۱۰ / ۰۶ سفارت اوکراین در تهران واصل شده است، وزارت امور خارجه جمهوری اسلامی ایران پیرو یادداشت‌های متعدد قبلی خود منتهی به یادداشت شماره ۱۳۳۰۹۱۲ / ۶۴۱ مورخ ۱۴۰۱ / ۰۶ / ۳۰، همچنان براین باور است که مذاکره، شیوه شایسته‌ای برای بررسی کلیه مسائل مرتبط با سانحه هواپیمای اوکراینی است.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین الملل از جمله اصل برابری حاکمیت دولت‌ها، معتقد است اراده تعدادی از دولت‌ها نمی‌تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی یا صریح آن دولت صورت پذیرفته باشد، لذا همانطوریکه که قبلاً اعلام شده است جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را به رسمیت نمی‌شناسد.

برگزاری ملاقاتی مجازی بین نمایندگان کشورهای سوئد، کانادا و بریتانیا در حاشیه اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی‌یف، که بنا به پیشنهاد طرف اوکراینی انجام شد، صرفاً برای نشان دادن حسن نیت هیات ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران بود. بدیهی است که نمی‌توان برگزاری چنین ملاقات حاشیه‌ای و فاقد دستور کار توافق شده را به منزله انجام مذاکرات جمعی تلقی نمود.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران و گذرنامه‌های ارائه شده به پلیس فرودگاه امام خمینی (ره) از سوی مسافران پرواز پی. اس. ۷۵۲، جانب‌باخته‌ای از شهروندان دولت بریتانیا در این سانحه حضور نداشته است، مع الوصف، با توجه به عدم برگزاری مذاکرات دوجانبه با طرف بریتانیایی درخصوص موضوع سانحه هواپیمای اوکراینی و با عنایت به تاکید جمهوری اسلامی ایران بر اصول حسن نیت و شفافیت و همچنین با اعتقاد به تحکیم روابط سازنده بین دو کشور، از انجام مذاکرات دوجانبه با دولت بریتانیا استقبال می‌شود. مضافاً، همانطوریکه در یادداشت ارسالی به سفارت اوکراین در تهران به شماره ۱۴۸۲۰۲۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۹ (پیوست) تصریح شده است، در راستای نشان دادن حسن نیت جمهوری اسلامی ایران، حضور هیات بریتانیایی در مذاکرات دوجانبه آتی با اوکراین، با هدف رفع هرگونه ابهام احتمالی بلامانع اعلام شده است.

۶۴۱/۱۴۸۲۸۶۲

شماره

۱۴۰۲/۱۱/۱۰

تاریخ

دارد

پیوست



جمهوری اسلامی ایران

وزارت امور خارجه

موضوع امتسح خواهد بود. حاشیه برای سه دولت مسیوح از سفارت اعلامه و این وزارت اداره کل
حقوقی بیرون المظنی از راه از قطع خواهد

موقع را معتمم شمرده. احترامات فائقه را تجدید می نماید.

سفارت اعلامحضرت پادشاه بریتانیا - تهران

Islamic Republic of Iran**Ministry of Foreign Affairs**

No: 641/1482024

Date: 29 January 2023

Attachment: None

Further to NV number 72/05-620-106209 dated 22 December 2022 from Ukraine's MFA which was forwarded to Iran's MFA by Ukraine's Embassy in Tehran through NV number 6166/22-012-107333 dated 27 December 2022, the MFA would like to insist that it still believes - as communicated through previous NVs that culminated in a note numbered 641/1330946 dated 31 September 2022 – that negotiation is still an efficient way to study all aspects related to the incident of the Ukrainian plane.

To the same effect, three rounds of bilateral negotiations were held with Ukraine: on 30 July 2020 in Kiev, 20-21 October 2020 in Tehran and 2-3 June 2021 in Kiev. The target of the negotiations was to study different aspects of the incident, reach an agreement over [the causes of] the incident, providing compensation for the families of the victims based on goodwill and constructive cooperation while avoiding the politicisation of the case.

Based on the principle of respecting the international law including the principle of the equality of the sovereignty of governments, the Islamic Republic of Iran believes that merely the determination of a number of governments cannot create any legal obligation for a third government without its consent unless that specific government would provide its written consent on the same front. Therefore, as announced before,

the Islamic Republic does not recognise the self-declared so-called group of “coordination and response”.

Holding virtual meetings between the representatives of Sweden, Canada, and the UK on the side-lines of the first round of talks between Iran and Ukraine on 30 July 2020 in Kiev which were held at the initiative of Ukraine were merely out of goodwill by the Iranian delegation and was meant to express sympathy on the incident and announce Iran’s positions. It needs to be emphasised that holding such meetings which were proceeded without a clear agenda cannot be considered as a move equal to negotiations with a collective consensus.

Therefore, the Islamic Republic would like to announce that it would welcome any initiative to move towards the completion of negotiations and would stand ready to hold a new round of negotiations while considering the principles of goodwill and transparency and by relying on a determination to strengthen amicable relations between the two countries. The Islamic Republic would also like to emphasise that there will be no problem for the participation of the representatives of Canada, the UK and Sweden in future negotiations [between Iran and Ukraine] in order to remove any potential ambiguity and as a further indication of goodwill. Such negotiations could be carried out in Kiev or Tehran at an agreed date and based on an agreed agenda.



شماره : ۶۴۱/۱۴۸۲۸۶۷
تاریخ : ۱۴۰۱/۱۱/۱۰
پیوست : دارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۱۰۶۲۰۹-۱۰۶۲۰-۰۵ / ۷۲ مورخ ۱۴۰۱ / ۱۰ / ۰۱ وزارت امور خارجه اوکراین، که طی یادداشت شماره ۱۰۷۳۳۳-۱۲-۰۲۲ / ۶۱۶۶ مورخ ۱۴۰۱ / ۱۰ / ۰۶ سفارت اوکراین در تهران واصل شده است، وزارت امور خارجه جمهوری اسلامی ایران پیرو یادداشت‌های متعدد قبلی خود منتهی به یادداشت شماره ۱۳۳۰۴۹۸ / ۶۴۱ مورخ ۱۴۰۱ / ۰۶ / ۳۰، همچنان براین باور است که مذاکره، شیوه شایسته‌ای برای بررسی کلیه مسائل مرتبط با سانحه هواپیمای اوکراینی است.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین الملل از جمله اصل برابری حاکمیت دولت‌ها، معتقد است اراده تعدادی از دولت‌ها نمی‌تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی یا صریح آن دولت صورت پذیرفته باشد، لذا همانطوریکه که قبلاً اعلام شده است جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را به رسمیت نمی‌شناسد.

برگزاری ملاقاتی مجازی بین نمایندگان کشورهای سوئد، کانادا و بریتانیا در حاشیه اولین دور مذاکرات بین جمهوری اسلامی ایران و اوکراین در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی‌یف، که بنا به پیشنهاد طرف اوکراینی انجام شد، صرفاً برای نشان دادن حسن نیت هیات ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران بود. بدیهی است که نمی‌توان برگزاری چنین ملاقات حاشیه‌ای و فاقد دستور کار توافق شده را به منزله انجام مذاکرات جمعی تلقی نمود.

مع الوصف، با توجه به عدم برگزاری مذاکرات دوجانبه با دولت کانادا در مورد سانحه هواپیمای اوکراینی و با عنایت به تاکید جمهوری اسلامی ایران بر اصول حسن نیت و شفافیت، از انجام مذاکرات دوجانبه با دولت کانادا، استقبال می‌شود. مضافاً، همانطوریکه در یادداشت ارسالی به سفارت اوکراین در تهران به شماره ۱۴۸۲۰۲۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۹ (پیوست) تصریح شده است، در راستای نشان دادن حسن نیت جمهوری اسلامی ایران، حضور هیات کانادایی در مذاکرات دوجانبه آتی با اوکراین، با هدف رفع هرگونه ابهام احتمالی بلامانع اعلام شده است.

درخواست می‌شود چنانچه مراتب به دولت متبوع آن سفارت اعلام و این وزارت (اداره کل حقوقی بین المللی) را از نتایج آن مطلع نمایند.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

No.: 641/1482867
Date: 30/01/2023
Enclosures: Yes
Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to Note No. 72 / 05-620-106209 dated 22/12/2022 Ukrainian Ministry of Foreign Affairs, which has been delivered in Tehran following Note No. 6166 / 22-012-107333 Ukrainian Embassy dated 27/12/2022, the Ministry of Foreign Affairs of the Islamic Republic of Iran, following its numerous previous notes ending in Note No. 641 / 1330498 dated 21/09/2022, still believes that negotiation is the proper way to address issues related to the Ukrainian airplane incident.

The Islamic republic of Iran, while emphasizing on the principles and rules of the international laws, including the principle of Sovereign Equality of States, believes that the will of a few states cannot create legal effects for a third state without the consent of that state, unless the will in question has been accepted through the said state's written or explicit consent. Hence, as previously stated, the Islamic Republic of Iran does not recognize the so-called, self-proclaimed "Coordination and Response Group".

The virtual meeting between the representatives of Sweden, Canada and the United Kingdom, as suggested by the Ukrainian delegation on the sidelines of the first round of negotiations between the Islamic Republic of Iran and Ukraine on 30 July, 2020, was a token of the Iranian delegation's goodwill, expression of sympathy and statement of the Islamic Republic of Iran's fundamental position. It is obvious that such marginal meetings without an agreed agenda cannot be regarded as collective negotiations.

Nevertheless, considering the lack of bilateral negotiations with the Canadian government about the Ukrainian airplane incident and with regards to the Islamic Republic of Iran's emphasis on the principles of goodwill and clarity, the bilateral negotiations with the Canadian government will be welcomed. Additionally, as stated in the Note No. 641 / 1482024 dated 29/01/2023 (enclosed) sent to the Ukrainian Embassy in Tehran, in order to show the Islamic Republic of Iran's goodwill, the presence of the Canadian delegation in the future bilateral negotiations with Ukraine with the purpose of eliminating any possible ambiguities is permissible.

It is requested that the embassy's appropriate government is informed and the Ministry (of Foreign Affairs' International Legal Department) is notified of the results.

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

In coming note from MFA

Note no. 641/1482869

Date: Jan 30, 2023

Received: Jan. 31, 2023, via fax

Enclosure: yes

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honor to inform that:

In reference to the Ministry of Foreign Affairs of Ukraine's note no. 72/05-620-106209 dated December 22, 2022, which was sent to the Ministry of Foreign Affairs of Iran enclosed with the Embassy of Ukraine's note no. 6166/22012107333, dated 28 December 2022; the Ministry of Foreign Affairs of Iran, following the numerous notes sent by it, the last one be, note no. 641/1330922 dated August 28, 2022, believes that talking and negotiating are still the most appropriate ways for assessing all the issues related to the Ukrainian plane accident.

The Islamic Republic of Iran by emphasizing on the principles and rules of International Laws, including the principle of the equality of governance for Governments, believes that the will of a few Governments cannot create legal effects for the third Government without the consent of that third Government, unless the stated will is done through a written consent or has been clearly announced by that Government; therefore as it was announced before, the self-called group known as "Coordination and Response" is not recognized by the Government of the Islamic Republic of Iran.

The virtual meeting held among the Representatives of Sweden, Canada, an UK, on the sideline of the first round of negotiation between Iran and Ukraine on July 30, 2020, in Kiev, which happened based on the request of the Ukrainian side, was only to show the good will of the Iranian delegation, to express sympathy and to state the principal positions of the Islamic Republic of Iran. It is obvious that one cannot consider the holding of such a marginal meeting without an agreed agenda, as the conclusion of collective negotiations.

However, considering that no negotiation and talks about the Ukrainian plane accident have taken place between the Government of the Kingdom of Sweden and Iran, and by taking into consideration that the Islamic Republic of Iran insists on the principles of good will and transparency and by the belief of reinforcing constructive relations between the two countries, Iran welcomes bilateral talks and negotiations with the Government of Sweden. In addition, as stated in the note verbale to the Embassy of Ukraine in Tehran, note no. 641/1482024, dated January 29, 2023, to show the good will of the Islamic Republic of Iran, the presence of the Swedish delegation in future negotiations with Ukraine is fine and without any objection.

It will be appreciated if the above stated points are conveyed to the relevant authorities of the Government of Sweden, also it is requested that your Embassy informs the Foreign Ministry of Iran, (the General Directorate of International Laws) of the results.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden - Tehran

In coming note from MFA

Note no. 641/1482732

Date: Jan 30, 2023

Received: Jan. 30, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, in continuation of the judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Wednesday Feb. 01, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasis on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

شماره : ۶۴۱/۱۴۸۲۷۳۰
تاریخ : ۱۴۰۱/۱۱/۱۰
پیوست : ندارد



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۷۲۲/۹۷۰۱۴۰ مورخ ۱۴۰۰/۰۸/۲۶، یادداشت شماره ۱۴۲۹۲۲۵ / ۶۴۱ / مورخ ۱۴۰۱/۰۹/۲۲، یادداشت شماره ۱۴۳۳۳۱۱ / ۶۴۱ / مورخ ۱۴۰۱/۰۹/۲۶، یادداشت شماره ۱۴۴۵۹۲۷ / ۶۴۱ / مورخ ۱۴۰۱/۱۰/۰۷، یادداشت شماره ۱۴۷۱۹۹۳ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۰۱، یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۰۳، یادداشت شماره ۱۴۸۱۰۹۲ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۰۸ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۲ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده متهمان در پرتو قوانین و مقررات قابل اعمال در پرونده سانحه هواپیمای اوکراینی و با عنایت به ضرورت تامین منافع و رعایت حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده‌های جان باختگان کانادایی، درخواست می‌گردد به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان (شعبه دوم دادگاه نظامی یک استان تهران) به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشند.

[Emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1482730

Date: 30/01/2023

Enclosures: None

Urgent

In the Name of God**Note**

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/2022, and Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, and Note No. 641 / 1481092 dated 28/01/2023, it is stated that following the legal proceedings involving the defendants in the Ukrainian airplane crash incident, which is a continuous and constant process, with a view to informing the competent legal authority, the next court session for the defendants will be held on Wednesday 01/02/2023 at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair criminal investigations on the defendants' case in light of applicable laws and regulations in the Ukrainian airplane incident lawsuit and with regards to securing the interests and observing the rights of honorable families of the victims of the incident in question, including the Canadian victims' families, it is requested that avengers of blood (heirs) and their attorneys or legal representatives be informed about their right to attend the court sessions.

Following the goodwill towards the countries that have lost their citizens in this incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants (second branch of Tehran's court martial one) has voluntarily announced that the honorable representative of the government of Canada is invited to attend the court session and observe the proceedings.

It should be noted that since there are no Canadian diplomatic agencies in Tehran, it will be arranged for the representative of the Italian embassy in Tehran as the interests section of Canada in the Islamic Republic of Iran to attend the mentioned court session with an interpreter.

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1482727
Дата: 30 січня 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №722/969276 від 16.11.2021, №722/970240 від 17.11.2021, №641/1429221 від 13.12.2022, 641/1433309 від 17.12.2022, 641/1445923 від 28.12.2022, 641/1471990 від 21.01.2023, 641/1474974 (примітка ПУ №641/1474976) від 23.01.2023 та №641/1481088 від 28.01.2023 щодо продовження судового розслідування, яке постійно проводиться у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у вівторок, 01.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Констатуючи необхідність справедливого кримінального провадження відповідно до законодавства у справі звинувачених в катастрофі українського літака та необхідність дотримання прав шановних членів родин, загиблих під час згаданої катастрофи, у т.ч. родичів загиблих громадян України, просимо повідомити родичів (спадкоємців), адвокатів або їх законних представників про те, що вони мають право бути присутніми на судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, та підтверджуючи прозорість Ісламської Республіки Іран у кримінальному провадженні в рамках законодавства, судовий процес у справі звинувачених (2-й відділ 1-го військового суду провінції Тегеран) запрошує шановного представника Посольства України в Тегерані з перекладачем для участі у засіданні та отримання інформації щодо перебігу кримінального провадження.

Для спрощення процедури прийняття участі у судовому процесі просимо взаємодіяти з МЗС ІРІ (департамент міжнародного права).

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

Переклав: В.Лапай (+9809050806839)



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۸۲۷۴۴
تاریخ : ۱۴۰۱/۱۱/۱۰
پیوست : ندارد

آنی

به نام خدا
یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۱۴۸۱۰۹۱ / ۶۴۱ مورخ ۰۸ / ۱۱ / ۱۴۰۱ و با عنایت به حدیث و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه تاسف بار سقوط هواپیمای اوکراینی در چارچوب قوانین داخلی و تعهدات بین المللی خود، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه مذکور که به صورت مستمر و پیوسته در حال انجام است، حسب اعلام مرجع قضایی صلاحیت دار، ادامه جلسه رسیدگی به پرونده متهمان این سانحه در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۲ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران و بررسی گذرنامه‌های ارائه شده به پلیس فرودگاه امام خمینی (ره) از سوی مسافران پرواز پی. اس. ۷۵۲، جان‌باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع الوصف، در راستای نشان دادن حسن نیت و تاکید بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری متهمان در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده این متهمان (شعبه دوم دادگاه نظامی یک استان تهران) به صورت داوطلبانه از نماینده محترم سفارت به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است.

موجب امتنان است جهت حضور در جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام شود.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

Islamic Republic of Iran
Ministry of Foreign Affairs

No: 641/1482744

Date: 30 January 2023

Attachment: None

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to His Britannic Majesty's Embassy in Tehran and informs that:

Further to the Note Verbal No 641/1481091 on 28 January 2023, and considering the pledge of the Islamic Republic of Iran to carry out all the required measures regarding the tragic crash of the Ukrainian plane (PS752) in line with its domestic laws as well as its international commitments, we would like to inform you that in continuation of the judicial proceedings over the case of the suspects of the crash of the Ukrainian plane which has been going on continuously, according to the announcement of the authorised judicial officials, the continuation of a court session to deal with the case of the convicts of the case would be held at the premises of the Military Judicial Organisation at 08:30 on Wednesday, 1 February 2023.

Although according to the laws of the Islamic Republic and as a result of studying the passports presented to the Airport Police at IKIA by passengers of Flight PS752 there were no British national on board the plane, the Islamic Republic would voluntarily invite the representative of the British Embassy together with a translator from the Embassy to attend the court session and learn about the judicial proceedings into the case based on good intention and as an indication of renewed emphasis on Iran's transparency in its judicial proceedings towards the convicts according to the laws of the country.

The MFA would like to use the opportunity to refresh its greetings to the British Embassy in Tehran.



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۸۷۵۴۸
تاریخ : ۱۴۰۱/۱۱/۱۲
پیوست : ندارد

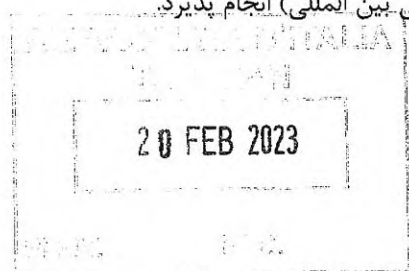
آنی

به نام خدا
یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۹۷۰۱۴۰ / ۷۲۲ مورخ ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره یادداشت شماره ۱۴۲۹۲۲۵ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۲، یادداشت شماره ۱۴۳۳۳۱۱ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۶، یادداشت شماره ۱۴۴۵۹۲۷ / ۶۴۱ مورخ ۱۴۰۱ / ۱۰ / ۰۷، یادداشت شماره ۱۴۷۱۹۹۳ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۱، یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۳، یادداشت شماره ۱۴۸۱۰۹۲ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۸ و یادداشت شماره ۱۴۸۲۷۳۰ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۰، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان سانحه، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت دار جمهوری اسلامی ایران (شعبه دوم دادگاه نظامی یک استان تهران)، ادامه جلسه رسیدگی به پرونده این متهمان در ساعت ۰۸:۳۰ صبح روز یکشنبه ۱۶ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد. با تاکید بر لزوم رسیدگی کیفی عادلانه به پرونده متهمان سانحه در چارچوب قوانین و مقررات قابل اعمال و ضرورت کشف حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه جمهوری اسلامی ایران برای تامین منافع خانواده های محترم جان باختگان سانحه مذکور و رعایت حقوق این خانواده‌ها از جمله خانواده های جان باختگان کانادایی، درخواست می‌گردد به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام گردد که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند. در راستای اعلام حسن نیت به دولت‌هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با توجه به تاکید مجدد جمهوری اسلامی ایران بر شفافیت در روند رسیدگی کیفی در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفی دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشد. با عنایت به این دعوت، درخواست می‌گردد جهت تسهیل برای حضور نماینده محترم سفارت ایتالیا در جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.





TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744945	Farsi	K.Speijer	27/03/2023

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1487548

Date: 01/02/2023

Enclosures: None

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/20[22], Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, Note No. 641 / 1481092 dated 28/01/2023, and Note No. 641 / 1482730 dated 30/01/2023, following the legal proceedings for the defendants in the Ukrainian airplane crash incident, which is an ongoing and constant process involving all parties, including the defendants, avengers of blood, attorneys of the victims' families and subject matter experts, and according to the competent legal authority of the Islamic Republic of Iran (second branch of Tehran's court martial one), the next court session will be held on Sunday, February 5, 2023, at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair criminal investigations on this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and in accordance with the demand of the Islamic Republic of Iran to secure the interests of the honourable families of the victims of the incident in question and to observe the rights of these families, including the Canadian victims' families, it is kindly requested that avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.

In the spirit of goodwill towards the countries that have lost their citizens in this tragic incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe the criminal proceedings. It should be noted that since there is no Canadian diplomatic representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session with an interpreter. Considering this invitation, in order

to facilitate the participation of the Italian embassy's honourable representative in the court session, it is requested that correspondences will be done with the Ministry of Foreign Affairs (International Legal Department).

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

1

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1487551
Дата: 01 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот від 16.11.2021 №722/969276, від 17.11.2021 №722/970240, від 13.12.2022 №641/1429221, від 17.12.2022 №641/1433309, від 28.12.2022 №641/1445923, від 21.01.2023 №641/14719990, від 23.01.2023 №641/1474974 від 28.01.2023, від 30.01.2023 №641/1482727, у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться в неділю, 05.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування обвинувачених у рамках застосування відповідних законів та нормативних актів у справі щодо катастрофи українського літака та враховуючи необхідність забезпечення інтересів і поваги прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, будемо вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження обвинувачених у межах закону, суд, який розглядає справу цих обвинувачених запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

شماره : ۶۴۱/۱۴۸۷۵۵۱
تاریخ : ۱۴۰۱/۱۱/۱۲
پیوست : ندارد



آسی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۹۲۷۶ / ۷۲۲ مورخ ۱۴۰۰ / ۰۸ / ۲۵، یادداشت شماره ۹۷۰۲۴۰ / ۷۲۲ مورخ ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره ۱۴۲۹۲۲۱ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۲، یادداشت شماره ۱۴۳۳۳۰۹ / ۶۴۱ مورخ ۱۴۰۱ / ۰۹ / ۲۶، یادداشت شماره ۱۴۴۵۹۲۳ / ۶۴۱ مورخ ۱۴۰۱ / ۱۰ / ۰۷، یادداشت شماره ۱۴۷۱۹۹۰ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۱، یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۳، یادداشت شماره ۱۴۸۱۰۸۸ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۸ و یادداشت شماره ۱۴۸۲۷۲۷ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۰، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان سانحه، اولیاء دم و وکلای خانواده‌های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت دار جمهوری اسلامی ایران (شعبه دوم دادگاه نظامی یک استان تهران)، ادامه جلسه رسیدگی به پرونده این متهمان در ساعت ۰۸:۳۰ صبح روز یکشنبه ۱۶ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده متهمان سانحه در چارچوب قوانین و مقررات قابل اعمال و ضرورت کشف حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه جمهوری اسلامی ایران برای تامین منافع خانواده‌های محترم جان باختگان سانحه مذکور و رعایت حقوق این خانواده‌ها از جمله خانواده‌های جان باختگان اوکراینی، موجب امتنان خواهد بود به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام گردد که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت‌هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان از نماینده محترم سفارت اوکراین در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان است جهت تسهیل برای حضور نماینده محترم سفارت اوکراین در جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

In coming note from MFA

Note no. 641/1487552

Date: Feb.1, 2023

Received: Feb.2, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 203, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Sunday Feb.5, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasis on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

شماره : ۶۴۱/۱۴۹۰۰۸۳
تاریخ : ۱۴۰۱/۱۱/۱۷
پیوست : ندارد



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۰/۹۷۰۱۴۰ مورخ ۲۶/۰۸/۱۴۰۰، یادداشت شماره ۶۴۱/۱۴۲۹۲۲۵ مورخ ۲۲/۰۹/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۳۳۳۱۱ مورخ ۲۶/۰۹/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۴۵۹۲۷ مورخ ۰۷/۱۰/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۷۱۹۹۳ مورخ ۰۱/۱۱/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۷۴۹۷۴ مورخ ۰۳/۱۱/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۸۱۰۹۲ مورخ ۰۸/۱۱/۱۴۰۱، یادداشت شماره ۶۴۱/۱۴۸۲۷۳۰ مورخ ۱۰/۱۱/۱۴۰۱ و یادداشت شماره ۶۴۱/۱۴۸۷۵۴۸ مورخ ۱۲/۱۱/۱۴۰۱ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشد. با عنایت به این دعوت، درخواست می‌گردد، جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

20 FEB 2023



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744938	Farsi	K. Speijer	27/03/2023

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1490083

Date: 06/02/2023

Enclosures: None

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/2022, Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, Note No. 641 / 1481092 dated 28/01/2023, Note No. 641 / 1482730 dated 30/01/2023, and Note No. 641 / 1487548 dated 01/02/2023, in the legal proceedings concerning the defendants in the Ukrainian airplane crash incident, which constitute an ongoing and constant process involving all parties, including the defendants, avengers of blood, attorneys of the victims' families and subject-matter experts, the competent legal authority has ruled that the next court session will be held on Wednesday, February 8, 2023, at 8:30 a.m. at [the office of] the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair criminal investigations in this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and with regard to the demand and will of the Islamic Republic of Iran in securing the interests and respecting the rights of the honourable families of the victims of the incident in question, including the Canadian victims' families, it is kindly requested that the avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.

In a spirit of goodwill towards the countries that have lost citizens in this tragic incident and with emphasis on the clarity that the Islamic Republic of Iran has shown throughout in [conducting] the criminal investigations within the law, the court that is trying the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe the criminal proceedings. It should be noted that since there is no Canadian diplomatic representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session with an interpreter. Considering this invitation, in order to facilitate the participation of that country's honourable

representative at the court session, it is requested that correspondence be conducted with the Ministry of Foreign Affairs (International Legal Department).

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 79

Номер: 641/1490081
Дата: 06 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот від 16.11.2021 №722/969276, від 17.11.2021 №722/970240, від 13.12.2022 №641/1429221, від 17.12.2022 №641/1433309, від 28.12.2022 №641/1445923, від 21.01.2023 №641/1471990, від 23.01.2023 №641/1474974, від 28.01.2023 №641/1481088, від 30.01.2023 №641/1482727, від 01.02.2023 №641/1487551 у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у середу, 08.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, будемо вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

شماره : ۶۴۱/۱۴۹۰۰۸۱
تاریخ : ۱۴۰۱/۱۱/۱۷
پیوست : ندارد



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۷۲۲ / ۹۶۹۲۷۶ مورخ ۲۵ / ۰۸ / ۱۴۰۰، یادداشت شماره ۷۲۲ / ۹۷۰۲۴۰ مورخ ۲۶ / ۰۸ / ۱۴۰۰، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۱ مورخ ۲۲ / ۰۹ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۰۹ مورخ ۲۶ / ۰۹ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۳ مورخ ۰۷ / ۱۰ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۰ مورخ ۰۱ / ۱۱ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۷۴۹۷۴ مورخ ۰۳ / ۱۱ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۸۱۰۸۸ مورخ ۰۸ / ۱۱ / ۱۴۰۱، یادداشت شماره ۶۴۱ / ۱۴۸۲۷۲۷ مورخ ۱۰ / ۱۱ / ۱۴۰۱ و یادداشت شماره ۶۴۱ / ۱۴۸۷۵۵۱ مورخ ۱۲ / ۱۱ / ۱۴۰۱ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان اوکراینی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان از نماینده محترم سفارت اوکراین در تهران جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران

In coming note from MFA

Note no. 641/1490076

Date: Feb.6, 2023

Received: Feb.7, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 2023, and note no. 641/1487552 dated Feb.1, 2023, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Wednesday Feb.8, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasize on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۹۰۰۸۰
تاریخ : ۱۴۰۱/۱۱/۱۷
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۱۴۸۱۰۹۱ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۸، یادداشت شماره ۱۴۸۲۷۴۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۰ و یادداشت شماره ۱۴۸۷۵۴۹ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۲ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۹ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع‌الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

شماره : ۶۴۱/۱۴۹۴۴۵۲
تاریخ : ۱۴۰۱/۱۱/۱۹
پیوست : ندارد



NOTE 82

آئینی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۶۴۱/۱۴۸۱۰۹۱ مورخ ۱۴۰۱/۱۱/۰۸، یادداشت شماره ۶۴۱/۱۴۸۲۷۴۴ مورخ ۱۴۰۱/۱۱/۱۰، یادداشت شماره ۶۴۱/۱۴۸۷۵۴۹ مورخ ۱۴۰۱/۱۱/۱۲ و یادداشت شماره ۶۴۱/۱۴۹۰۰۸۰ مورخ ۱۴۰۱/۱۱/۱۷ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۲۳ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

شماره : ۶۴۱/۱۴۹۴۴۶۶
تاریخ : ۱۴۰۱/۱۱/۱۹
پیوست : دارد (یادداشت)



NOTE 83

20 FEB 2023

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۷۲۲/۹۷۰۱۴۰ مورخ ۱۴۰۰/۰۸/۲۶، یادداشت شماره ۱۴۲۹۲۲۵ / ۶۴۱ / مورخ ۱۴۰۱/۰۹/۲۲، یادداشت شماره ۱۴۳۳۳۱۱ / ۶۴۱ / مورخ ۱۴۰۱/۰۹/۲۶، یادداشت شماره ۱۴۴۵۹۲۷ / ۶۴۱ / مورخ ۱۴۰۱/۱۰/۰۷، یادداشت شماره ۱۴۷۱۹۹۳ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۰۱، یادداشت شماره ۱۴۷۴۹۷۴ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۰۳، یادداشت شماره ۱۴۸۱۰۹۲ / ۶۴۱ / مورخ ۱۴۰۱/۰۸/۱۱، یادداشت شماره ۱۴۸۲۷۳۰ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۱۰، یادداشت شماره ۱۴۸۷۵۴۸ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۱۲ و یادداشت شماره ۱۴۹۰۰۸۳ / ۶۴۱ / مورخ ۱۴۰۱/۱۱/۱۷ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۲۳ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشد. با عنایت به این دعوت، درخواست می‌گردد، جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744921	Farsi	K.Speijer	16/03/2023

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1494466

Date: 08/02/2023

Enclosures: Yes (note)

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/2022, Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, Note No. 641 / 1481092 dated 28/01/2023, Note No. 641 / 1482730 dated 30/01/2023, Note No. 641 / 1487548 dated 01/02/2023 and Note No. 641 / 1490083 dated 06/02/2023, following the legal proceedings for the defendants in the Ukrainian airplane crash incident, which is an ongoing and constant process involving both parties, including the defendants, avengers of blood, attorneys of the victims' families and subject matter experts, with a view to inform the competent legal authority, the next court session will be held on Sunday, February 12, 2023, at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair criminal investigations on this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and with regard to the will of the Islamic Republic of Iran in securing the interests and observing the rights of the honourable families of the victims of the incident in question, including the Canadian victims' families, it is kindly requested that avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.

In a spirit of goodwill towards the countries that have lost their citizens in this incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe the criminal proceedings. It should be noted that since there is no Canadian diplomatic representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session with an interpreter. Considering this invitation, in order to facilitate the participation of that country's honourable representative, it is requested that

correspondences will be done with the Ministry of Foreign Affairs (International Legal Department).

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 84

Номер: 641/1494455
Дата: 08 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №722/969276 від 16.11.2021, №722/970240 від 17.11.2021, №641/1429221 від 13.12.2022, №641/1433309 від 17.12.2022, №641/1445923 від 28.12.2022, №641/1471990 від 21.01.2023, №641/1474974 від 23.01.2023, №641/1481088 від 28.01.2023, №641/1482727 від 30.01.2023, №641/1487551 від 01.02.2023, №641/1490081 від 06.02.2023 у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у неділю, 12.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, були б вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

In coming note from MFA

Note no. 641/1494443

Date: Feb. 8, 2023

Received: Feb. 8, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 2023, note no. 641/1487552 dated Feb.1, 2023, and note no. 641/1490076, dated Feb.6, 2023, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Sunday Feb. 12, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasize on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۴۹۹۱۴۰
تاریخ : ۱۴۰۱/۱۱/۲۵
پیوست : ندارد (یادداشت)

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

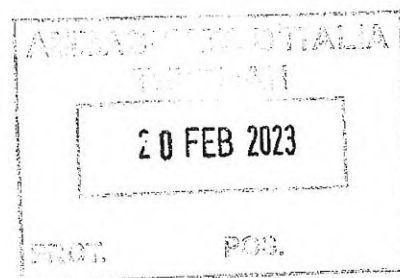
پیرو یادداشت شماره ۱۴۰۱۴۰ / ۹۷۰ / ۷۲۲ مورخ ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۵ مورخ ۱۴۰۱ / ۰۹ / ۲۲، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۱۱ مورخ ۱۴۰۱ / ۰۹ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۷ مورخ ۱۴۰۱ / ۱۰ / ۰۷، یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۳ مورخ ۱۴۰۱ / ۱۱ / ۰۱، یادداشت شماره ۶۴۱ / ۱۴۷۴۹۷۴ مورخ ۱۴۰۱ / ۱۱ / ۰۳، یادداشت شماره ۶۴۱ / ۱۴۸۱۰۹۲ مورخ ۱۴۰۱ / ۱۱ / ۰۸، یادداشت شماره ۶۴۱ / ۱۴۸۲۷۳۰ مورخ ۱۴۰۱ / ۱۱ / ۱۰، یادداشت شماره ۶۴۱ / ۱۴۸۷۵۴۸ مورخ ۱۴۰۱ / ۱۱ / ۱۲، یادداشت شماره ۶۴۱ / ۱۴۹۰۰۸۳ مورخ ۱۴۰۱ / ۱۱ / ۱۷ و یادداشت شماره ۶۴۱ / ۱۴۹۴۴۶۶ مورخ ۱۴۰۱ / ۱۱ / ۱۹ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۳۰ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد. با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، درخواست می‌شود به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور یابد. با عنایت به این دعوت، درخواست می‌گردد، جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

شماره : ۶۴۱/۱۴۹۹۱۴۰
تاریخ : ۱۴۰۱/۱۱/۲۵
پیوست : دارد (یادداشت)



موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.
وزارت امور خارجه، تجارت و توسعه کانادا





TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744950	Farsi	K.Speijer	27/03/2023

[page 1]

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1499140
Date: 14/02/2023
Enclosures: Yes (note)

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/2022, Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, Note No. 641 / 1481092 dated 28/01/2023, Note No. 641 / 1482730 dated 30/01/2023, Note No. 641 / 1487548 dated 01/02/2023, Note No. 641/1490083 dated 06/02/2023, and Note No. 641 / 1494466 dated 08/02/2023, following the legal proceedings for the defendants in the Ukrainian airplane crash incident, which is an ongoing and constant process involving all parties, including the defendants, avengers of blood, attorneys of the victims' families and subject matter experts, and according to the competent legal authority, the next court session will be held on Sunday, February 19, 2023, at 8:30 a.m. at the Judiciary Organization of the Armed Forces.

With emphasis on the necessity of carrying out fair criminal investigations on this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and in accordance with the demand and will of the Islamic Republic of Iran to secure the interests and observe the rights of the honourable families of the victims of the incident in question, including the Canadian victims' families, it is kindly requested that avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.

In the spirit of goodwill towards the countries that have lost their citizens in this tragic incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe

the criminal proceedings. It should be noted that since there is no Canadian diplomatic representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session with an interpreter. Considering this invitation, in order to facilitate the participation of that country's honourable representative in the court session, it is requested that correspondences will be done with the Ministry of Foreign Affairs (International Legal Department).

[page 2]

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1499140

Date: 14/02/2023

Enclosures: Yes (note)

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

2

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 87

Номер: 641/1499136
Дата: 14 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №722/969276 від 16.11.2021, №722/970240 від 17.11.2021, №641/1429221 від 13.12.2022, №641/1433309 від 17.12.2022, №641/1445923 від 28.12.2022, №641/1471990 від 21.01.2023, №641/1474974 від 23.01.2023, №641/1481088 від 28.01.2023, №641/1482727 від 30.01.2023, №641/1487551 від 01.02.2023, №641/1490081 від 06.02.2023, №641/1494455 від 08.02.2023 у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, судові органи повідомляють, що чергове судове засідання у зазначеній справі відбудеться у неділю, 19.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, були б вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

شماره : ۶۴۱/۱۴۹۹۱۳۶
تاریخ : ۱۴۰۱/۱۱/۲۵
پیوست : ندارد



به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۷۲۲ / ۹۶۹۲۷۶ مورخ ۷۲۲ / ۰۸ / ۲۵، یادداشت شماره ۷۲۲ / ۹۷۰۲۴۰ مورخ ۷۲۲ / ۰۸ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۱ مورخ ۶۴۱ / ۰۹ / ۲۲، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۰۹ مورخ ۶۴۱ / ۰۹ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۳ مورخ ۶۴۱ / ۱۰ / ۰۷، یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۰ مورخ ۶۴۱ / ۱۱ / ۰۱، یادداشت شماره ۶۴۱ / ۱۴۷۴۹۷۴ مورخ ۶۴۱ / ۱۰ / ۰۳، یادداشت شماره ۶۴۱ / ۱۴۸۱۰۸۸ مورخ ۶۴۱ / ۱۱ / ۰۸، یادداشت شماره ۶۴۱ / ۱۴۸۲۷۲۷ مورخ ۶۴۱ / ۱۱ / ۱۰، یادداشت شماره ۶۴۱ / ۱۴۸۷۵۵۱ مورخ ۶۴۱ / ۱۱ / ۱۲، یادداشت شماره ۶۴۱ / ۱۴۹۰۰۸۱ مورخ ۶۴۱ / ۱۱ / ۱۷ و یادداشت شماره ۶۴۱ / ۱۴۹۴۴۵۵ مورخ ۶۴۱ / ۱۱ / ۱۹، یادداشت ۱۴۰۱ به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت‌دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۳۰ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان اوکراینی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان از نماینده محترم سفارت اوکراین در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

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In coming note from MFA

Note no. 641/1499138

Date: Feb. 14, 2023

Received: Feb.14, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 2023, and note no. 641/1487552 dated Feb.1, 2023, and note no. 641/1494443 dated Feb. 8, 2023, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Sunday Feb.19, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasize on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

شماره : ۶۴۱/۱۴۹۹۱۳۷
تاریخ : ۱۴۰۱/۱۱/۲۵
پیوست : ندارد



جمهوری اسلامی ایران
وزارت امور خارجه

NOTE 89

به نام خدا یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می دارد:

پیرو یادداشت شماره ۶۴۱/۱۴۸۱۰۹۱ مورخ ۱۴۰۱/۱۱/۰۸، یادداشت شماره ۶۴۱/۱۴۸۲۷۴۴ مورخ ۱۴۰۱/۱۱/۱۰، یادداشت شماره ۶۴۱/۱۴۸۷۵۴۹ مورخ ۱۴۰۱/۱۱/۱۲، یادداشت شماره ۶۴۱/۱۴۹۰۰۸۰ مورخ ۱۴۰۱/۱۱/۱۷ و یادداشت شماره ۶۴۱/۱۴۹۴۴۵۲ مورخ ۱۴۰۱/۱۱/۱۹ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قضایی صلاحیت دار، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۳۰ بهمن ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می گردد. اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

شماره : ۶۴۱/۱۵۰۷۱۱۸
تاریخ : ۱۴۰۱/۱۲/۰۱
پیوست : دارد (یادداشت)



27 FEB 2023

آنی

به نام خدا یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۹۷۰۱۴۰ / ۷۲۲ / مورخ ۱۴۰۰ / ۰۸ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۲۹۲۲۵ / مورخ ۱۴۰۱ / ۰۹ / ۲۲، یادداشت شماره ۶۴۱ / ۱۴۳۳۳۱۱ / مورخ ۱۴۰۱ / ۰۹ / ۲۶، یادداشت شماره ۶۴۱ / ۱۴۴۵۹۲۷ / مورخ ۱۴۰۱ / ۱۰ / ۰۷، یادداشت شماره ۶۴۱ / ۱۴۷۱۹۹۳ / مورخ ۱۴۰۱ / ۱۱ / ۰۱، یادداشت شماره ۶۴۱ / ۱۴۷۴۹۷۴ / مورخ ۱۴۰۱ / ۱۱ / ۰۳، یادداشت شماره ۶۴۱ / ۱۴۸۱۰۹۲ / مورخ ۱۴۰۱ / ۱۱ / ۱۰، یادداشت شماره ۶۴۱ / ۱۴۸۲۷۳۰ / مورخ ۱۴۰۱ / ۱۱ / ۱۲، یادداشت شماره ۶۴۱ / ۱۴۹۰۰۸۳ / مورخ ۱۴۰۱ / ۱۱ / ۱۷، یادداشت شماره ۱۴۹۴۴۶۶ مورخ ۱۴۰۱ / ۱۱ / ۱۹ و یادداشت شماره ۶۴۱ / ۱۴۹۹۱۴۰ مورخ ۱۴۰۱ / ۱۱ / ۲۵، یادداشت شماره ۱۴۰۱ / ۱۴۰۱ / ۱۱ / ۱۹، ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه در انتهای جلسه مورخ ۳۰ بهمن ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۳ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفی عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفی در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفی دعوت بعمل آورده است. لازم به ذکر است با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است که نماینده سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران به همراه مترجم در جلسه مذکور حضور داشته باشد. با عنایت به این دعوت، درخواست می‌گردد، جهت تسهیل برای حضور

شماره : ۶۴۱/۱۵۰۷۱۱۸
تاریخ : ۱۴۰۱/۱۲/۰۱
پیوست : دارد (بادداشت)



نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.
وزارت امور خارجه، تجارت و توسعه کانادا



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744956	Farsi	K.Speijer	27/03/2023

[page 1]

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1507118
Date: 20/02/2023
Enclosures: Yes (note)

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 722 / 970140 dated 17/11/2021, Note No. 641 / 1429225 dated 13/12/2022, Note No. 641 / 1433311 dated 17/12/2022, Note No. 641 / 1445927 dated 28/12/2022, Note No. 641 / 1471993 dated 21/01/2023, Note No. 641 / 1474974 dated 23/01/2023, Note No. 641 / 1481092 dated 28/01/2023, Note No. 641 / 1482730 dated 30/01/2023, Note No. 641 / 1487548 dated 01/02/2023, Note No. 641/1490083 dated 06/02/2023, Note No. 1494466 dated 08/02/2023, and Note No. 641/1499140 dated 14/02/2023, following the legal proceedings for the defendants in the Ukrainian airplane crash incident, which is an ongoing and constant process involving all parties, including the defendants, avengers of blood, attorneys of the victims' families and subject matter experts, and **according to the presiding judge's decision at the end of the session on February 19, 2023, the next court session will be held on Wednesday, February 22, 2023, at 8:30 a.m. at the Judiciary Organization of the Armed Forces.**

With emphasis on the necessity of carrying out fair criminal investigations on this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and in accordance with the demand and will of the Islamic Republic of Iran to secure the interests and observe the rights of the honourable families of the victims of the incident in question, including the Canadian victims' families, **it is kindly requested that avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.**

In the spirit of goodwill towards the countries that have lost their citizens in this tragic incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, **the court involving the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe the criminal proceedings.** It should be noted that since there is no Canadian diplomatic

representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session with an interpreter. Considering this invitation, in order to facilitate the participation of that country's honourable representative in the court session, it is requested that correspondences will be done with the Ministry of Foreign Affairs (International Legal Department).

[page 2]

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1507118

Date: 20/02/2023

Enclosures: Yes (note)

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

2

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 91

Номер: 641/1507119
Дата: 20 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот №722/969276 від 16.11.2021, №722/970240 від 17.11.2021, №641/1429221 від 13.12.2022, №641/1433309 від 17.12.2022, №641/1445923 від 28.12.2022, №641/1471990 від 21.01.2023, №641/1474974 від 23.01.2023, №641/1481088 від 28.01.2023, №641/1482727 від 30.01.2023, №641/1487551 від 01.02.2023, №641/1490081 від 06.02.2023, №641/1494455 від 08.02.2023, №641/1499136 від 14.02.2023, у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, згідно з оголошенням судового засідання від 19.02.2023, чергове судове засідання у зазначеній справі відбудеться у середу, 22.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, були б вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

In coming note from MFA

Note no. 641/1507122

Date: Feb. 20, 2023

Received: Feb. 21 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 2023, and note no. 641/1487552 dated Feb.1, 2023, note no. 641/1494443 dated Feb. 8, 2023, and note no. 641/1499138 dated Feb 14, 2023, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Wednesday Feb. 22, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasis on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۵۰۷۱۲۰
تاریخ : ۱۴۰۱/۱۲/۰۱
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت شماره ۱۴۸۱۰۹۱ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۸، یادداشت شماره ۱۴۸۲۷۴۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۰، یادداشت شماره ۱۴۸۷۵۴۹ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۲، یادداشت شماره ۱۴۹۰۰۸۰ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۷، یادداشت شماره ۱۴۹۴۴۵۲ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۱۹ و یادداشت شماره ۱۴۹۹۱۳۷ مورخ ۱۴۰۱ / ۱۱ / ۲۵ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر و پیوسته با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه در انتهای جلسه مورخ ۳۰ بهمن ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۳ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

شماره: ۶۴۱/۱۵۱۰۷۰۶
تاریخ: ۱۴۰۱/۱۲/۰۳
پیوست: دارد (یادداشت)



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت‌های منتهی به یادداشت شماره ۱۵۰۷۱۱۸ / ۶۴۱ مورخ ۱۴۰۱ / ۱۲ / ۰۱ به اطلاع می‌رساند در ادامه فرآیند رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان تخصصی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه در انتهای جلسه برگزار شده مورخ ۱۴۰۱ / ۱۲ / ۰۳، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۷ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تأمین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و همچنین با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است تا نماینده ای از سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران در جلسه یاد شده شرکت نماید. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

وزارت امور خارجه، تجارت و توسعه کانادا

27 FEB 2023



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10744961	Farsi	K.Speijer	27/03/2023

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1510706
Date: 22/02/2023
Enclosures: Yes (note)

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Please be advised that pursuant to Note No. 641 / 1507118 dated 20/02/2023, following the legal proceedings for the defendants in the Ukrainian airplane crash incident, which is an ongoing process involving all parties, including the defendants, avengers of blood, attorneys of the victims' families and subject matter experts, and **according to the presiding judge's decision at the end of the session on February 22, 2023, the next court session will be held on Sunday, February 26, 2023, at 8:30 a.m. at the Judiciary Organization of the Armed Forces.**

With emphasis on the necessity of carrying out fair criminal investigations on this case in light of applicable laws and regulations, considering the importance of finding out the truth about the Ukrainian airplane crash incident, and in accordance with the demand and will of the Islamic Republic of Iran to secure the interests and observe the rights of the honourable families of the victims of the incident in question, including the Canadian victims' families, it is kindly requested that avengers of blood (heirs) and their attorneys or legal representatives be informed of their right to attend the court sessions.

In the spirit of goodwill towards the countries that have lost their citizens in this tragic incident and with emphasis on the Islamic Republic of Iran's clarity throughout the criminal investigations within the laws, the court involving the defendants has voluntarily invited the honourable representative of the Government of Canada to attend the court session and observe the criminal proceedings. Considering there is no Canadian diplomatic representation in Tehran, it will be arranged for an officer from the section of the embassy of the Italian Republic in Tehran representing the interests of Canada in the Islamic Republic of Iran to attend the above-mentioned court session. To facilitate the participation of that country's honourable representative in the court session, it is requested that correspondences will be done with the Ministry of Foreign Affairs (International Legal Department).

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 95

Номер: 641/1510709
Дата: 22 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот, попередня з яких датована від 20.02.2023 №641/1507119, у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, згідно з оголошенням судового засідання від 22.02.2023, чергове судове засідання у зазначеній справі відбудеться у неділю, 26.02.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, були б вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

شماره : ۶۴۱/۱۵۱۰۷۰۹
 تاریخ : ۱۴۰۱/۱۲/۰۳
 پیوست : ندارد



آبسی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت‌های منتهی به یادداشت شماره ۶۴۱ / ۱۵۰۷۱۱۹ مورخ ۱۴۰۱ / ۱۲ / ۰۱ به اطلاع می‌رساند در ادامه فرآیند رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان تخصصی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه در انتهای جلسه برگزار شده مورخ ۱۴۰۱ / ۱۲ / ۰۳، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۷ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان اوکراینی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و همچنین با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان، از نماینده محترم سفارت اوکراین در تهران جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران

Note 96 to be
provided at a later
date



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۵۱۰۷۱۱
تاریخ : ۱۴۰۱/۱۲/۰۳
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت‌های منتهی به یادداشت شماره ۶۴۱ / ۱۵۰۷۱۲۰ مورخ ۰۱ / ۱۲ / ۱۴۰۱ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه در انتهای جلسه برگزار شده در تاریخ ۳ / ۱۲ / ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز یکشنبه ۷ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

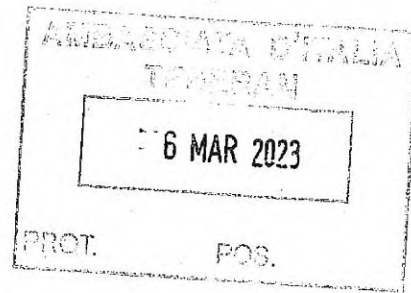
موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

شماره : ۶۴۱/۱۵۱۴۴۲۸
تاریخ : ۱۴۰۱/۱۲/۰۷
پیوست : ندارد



جمهوری اسلامی ایران
وزارت امور خارجه



آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می دارد:

پیرو یادداشت های منتهی به یادداشت شماره ۶۴۱ / ۱۵۱۰۷۱۲ مورخ ۱۴۰۱ / ۱۲ / ۰۳ به اطلاع می رساند در ادامه فرآیند رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، نماینده دادستان (مدعی العموم)، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان تخصصی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه صلاحیت دار در انتهای جلسه برگزار شده در تاریخ ۷ اسفند ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۰ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می گردد.

با تاکید بر لزوم رسیدگی کیفری عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هواپیمای اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان کانادایی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفری در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم دولت کانادا به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفری دعوت بعمل آورده است. با توجه به عدم استقرار نمایندگی دیپلماتیک آن دولت محترم در تهران، این امکان مهیا است تا نماینده ای از سفارت جمهوری ایتالیا در تهران به عنوان حافظ منافع دولت کانادا نزد جمهوری اسلامی ایران در جلسه یاد شده شرکت نماید. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10747678	Persian - English		

Number: 641/1514428

[An illegible stamp dated Mar 06, 2023]

Date: 1401/12/07 [Feb 26, 2023]

Attachment: None

[Emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

In the name of God
Note

Ministry of Foreign Affairs of Islamic Republic of Iran, with its complements to the Ministry of Foreign Affairs, Trade and Development Canada, declares that:

Following the notes leading to the note number 641/1510712 dated 1401/12/03 [Feb 22, 2023], announces that in continuation of the judicial process of the case of the accused in the Ukrainian plane crash which is being held continuously with the presence of all litigants, including the accused, the representative of the prosecutor, the people in charge, and the lawyers of the families of the deceased, as well as the specialized experts of the case. According to the announcement of the competent court judge, at the end of the hearing held on 7 Esfand 1401 [Feb 26, 2023], continuation of the hearing on handling of this issue will be held at 8:30 am on Wednesday, Esfand 10, 1401 [Mar 01, 2023], at the judicial organization of the armed forces.

By emphasizing the need for a fair criminal investigation of the aforementioned case within the framework of the applicable laws and regulations and the necessity of finding the truth in the case of the Ukrainian plane crash and considering the demand and determination of the Islamic Republic of Iran to secure the interest and rights of the respected families of the victims of the aforementioned accident, including the families of the Canadian deceased, it is a cause of gratitude to inform the heirs and lawyers and legal representatives of these people that they have the right to attend and participate in the court hearing.

In line with the declaration of goodwill to the governments that have lost their citizens in this heartbreaking tragedy and by re-emphasizing the transparency of the Islamic Republic of Iran in criminal proceedings within the framework of the laws, the court, hearing the case of the defendants, voluntarily invited the honorable representative of the Canadian government along with his translator to attend the court session and learn about the criminal proceedings. Due to the absence of a diplomatic representation of that respected government in Tehran, it is possible for a representative of the Italian embassy in Tehran to participate in the aforementioned hearing as the protector of the interests of the Canadian government in the Islamic republic of Iran. It would be appreciated if the necessary coordination with the Ministry of Foreign Affairs (General Directorate of International Legal Affairs) would be done to facilitate the presence of the honorable representative of that government in this court session.

With best regards to the Ministry of Foreign Affairs, Trade and Development Canada

Ісламська Республіка Іран
Міністерство закордонних справ

NOTE 99

Номер: 641/1514460
Дата: 26 лютого 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити таке:

На додаток до нот, попередня з яких датована від 22.02.2023 №641/1510709, у контексті продовження судового розслідування у справі звинувачених в авіакатастрофі українського літака, яке регулярно проходить за присутністю всіх сторін судового процесу, включаючи звинувачених, рідних (спадкоємців), адвокатів сімей загиблих, а також технічних експертів, згідно з оголошенням судового засідання від 26.02.2023, чергове судове засідання у зазначеній справі відбудеться у середу, 01.03.2023, о 8.30 ранку за місцем розташування судової організації збройних сил.

Наголошуючи на необхідності справедливого кримінального розслідування зазначеної справи у рамках застосування відповідних законів та нормативних актів, враховуючи необхідність досягнення правди у справі щодо катастрофи українського літака, враховуючи рішучість Ісламської Республіки Іран для забезпечення інтересів і прав шанованих сімей жертв зазначеної катастрофи, в тому числі сімей загиблих українців, були б вдячні за повідомлення рідних (спадкоємців), адвокатів чи їх законних представників, що вони мають право бути присутніми та брати участь у судовому засіданні.

Засвідчуючи добру волю державам, які втратили своїх громадян внаслідок цієї катастрофи, вчергове наголошуючи на прозорості Ісламської Республіки Іран у процесі кримінального провадження звинувачених у межах закону, суд запрошує шановного представника Посольства України в Тегерані із перекладачем для участі в судовому засіданні та ознайомленні з ходом кримінального провадження. Для спрощення процедури участі у судовому засіданні просимо контактувати з міжнародно-правовим департаментом МЗС ІРІ.

**Користуючись нагодою, поновлюємо свою вельми високу повагу.
Посольство України - Тегеран**

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت های منتهی به یادداشت شماره ۱۵۱۰۷۰۹ / ۶۴۱ مورخ ۰۳ / ۱۲ / ۱۴۰۱ به اطلاع می‌رساند در ادامه فرآیند رسیدگی قضایی به پرونده متهمان سانحه هوایی اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، نماینده دادستان (مدعی العموم)، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان تخصصی پرونده در حال برگزاری است، حسب اعلام قاضی دادگاه صلاحیت‌دار در انتهای جلسه برگزار شده در تاریخ ۷ اسفند ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۰ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

با تاکید بر لزوم رسیدگی کیفی عادلانه به پرونده مذکور در چارچوب قوانین و مقررات قابل اعمال و ضرورت دستیابی به حقیقت در پرونده سانحه هوایی اوکراینی و با عنایت به مطالبه و عزم جمهوری اسلامی ایران برای تامین منافع و حقوق خانواده های محترم جان باختگان سانحه مذکور از جمله خانواده های جان باختگان اوکراینی، موجب امتنان است به اولیاء دم (وراث) و وکلا یا نمایندگان قانونی این افراد اعلام شود که از حق حضور و شرکت در جلسه دادگاه برخوردار هستند.

در راستای اعلام حسن نیت به دولت هایی که اتباع خود را در این سانحه دلخراش از دست داده اند و با تاکید مجدد بر شفافیت جمهوری اسلامی ایران در روند رسیدگی کیفی در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان از نماینده محترم سفارت اوکراین در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفی دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن دولت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران



جمهوری اسلامی ایران
وزارت امور خارجه

شماره : ۶۴۱/۱۵۱۴۴۲۵
تاریخ : ۱۴۰۱/۱۲/۰۷
پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت های منتهی به یادداشت شماره ۶۴۱ / ۱۵۱۰۷۱۱ / مورخ ۰۳ / ۱۲ / ۱۴۰۱ و با عنایت به جدیت و حسن نیت جمهوری اسلامی ایران برای انجام کلیه اقدامات لازم در خصوص سانحه دلخراش سقوط هواپیمای اوکراینی در چارچوب قوانین، به اطلاع می‌رساند در ادامه رسیدگی قضایی به پرونده متهمان سانحه هواپیمای اوکراینی که به صورت مستمر با حضور کلیه اصحاب دعوا از جمله متهمان، نماینده دادستان (مدعی العموم)، اولیاء دم و وکلای خانواده های جان باختگان و همچنین کارشناسان فنی پرونده در حال برگزاری است، حسب اعلام مرجع قاضی دادگاه صلاحیت‌دار در انتهای جلسه برگزار شده در تاریخ ۷ اسفند ۱۴۰۱، ادامه جلسه رسیدگی به این موضوع در ساعت ۰۸:۳۰ صبح روز چهارشنبه ۱۰ اسفند ماه سال ۱۴۰۱ در محل سازمان قضایی نیروهای مسلح برگزار می‌گردد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران، جان باخته ای از کشور بریتانیا در این پرواز حضور نداشته است، مع‌الوصف در راستای اعلام حسن نیت جمهوری اسلامی ایران و تاکید مجدد بر شفافیت در روند رسیدگی کیفی در چارچوب قوانین، دادگاه رسیدگی کننده به پرونده متهمان به صورت داوطلبانه از نماینده محترم سفارت بریتانیا در تهران به همراه مترجم ایشان جهت حضور در جلسه دادگاه و اطلاع از روند رسیدگی کیفی دعوت بعمل آورده است. موجب امتنان خواهد بود جهت تسهیل برای حضور نماینده محترم آن سفارت در این جلسه دادگاه، هماهنگی لازم با وزارت امور خارجه (اداره کل حقوقی بین المللی) انجام پذیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

In coming note from MFA

Note no. 641/1514427

Date: Feb. 27, 2023

Received: Feb. 27, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

Following the Ministry's note no. 641/1429224 dated December 13, 2022, note no. 641/143308 dated Dec.17, 2022, note no. 641/1445929 dated Dec.28, 2022, note no. 641/1471988 dated Jan. 21, 2023, note no. 641/1474972 dated Jan.23, 2023, and note no. 641/1481090 dated Jan.28, 2023, note no. 641/1482732, dated Jan.30, 2023, and note no. 641/1487552 dated Feb.1, 2023, note no. 641/1494443 dated Feb. 8, 2023, note no. 641/1499138 dated Feb 14, 2023, and note 641/1510712 dated Feb 22, 2023, in continuation of the ongoing judicial proceedings of the defendants' cases in the Ukrainian plane crash, by the announcement of the Judicial Authorities, the next court session of the defendants will take place on Wednesday March 1, 2023, at 08:30 am, at the Judicial Organizations of the Armed Forces.

To respect and to protect the right of the victims' families, it will be highly appreciated if their Swedish next of kin or legal representatives are informed that they have the right to be present at the court session.

To show good will to the Governments who have lost their citizens in this accident and to re-emphasis on the transparency of the Islamic Republic of Iran in this criminal investigation within the framework of laws, the court in charge of this case (second branch of the First Military Court of Tehran Province) voluntarily invites the Representative of the Embassy of Sweden in Tehran along with an interpreter to attend the court session and to gain information on the process of criminal investigation in this case.

To facilitate your attendance to the court, it will be appreciated that that the necessary coordination be done with the Ministry of Foreign Affairs, (the General Department of International Legal Affairs).

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden



Ministry
of Foreign Affairs
of Ukraine

NOTE 102

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/22-620-42925

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry of Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honor to inform the Ministry of Foreign Affairs of Iran of the following:

Canada, the Kingdom of Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland (hereinafter known as the “Four Countries”) remind the Islamic Republic of Iran of their joint note no 72/05-620-106210 dated 22 December 2022 in which the Four Countries requested that the dispute in relation to the Islamic Republic of Iran’s breaches of its international legal obligations under the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation involving the unlawful downing of Flight PS752 be submitted to arbitration in accordance with Article 14 paragraph 1 of this Convention. A copy of the note is attached.

The Four Countries reiterate their offer to meet with the Islamic Republic of Iran in The Hague, The Netherlands, during the week of 24 April 2023 on a mutually agreed upon agenda, to discuss the organization of arbitration.

In response to the Islamic Republic of Iran’s Note Verbale no. 641/1482867 sent to the Department of Foreign Affairs, Trade and Development of Canada on 29 January 2023; its Note Verbale no. 641/1482024 sent to the Embassy of Sweden in Tehran on 30 January 2023; its Note Verbale no. 641/1482024 sent to the Embassy of Ukraine in Tehran on 29 January 2023;

**Ministry of Foreign Affairs of the
Islamic Republic of Iran**

Tehran

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and its Note Verbale no 641/1482024 sent to the Embassy of the United Kingdom of Great Britain and Northern Ireland in Tehran on 29 January 2023, the Four Countries reject the Islamic Republic of Iran's proposal to engage only in bilateral negotiations with Ukraine, without recognizing the legal standing and claims of the other three countries' in respect to the downing of Flight PS752.

The Four Countries also note with concern the Islamic Republic of Iran's mischaracterization of the first round of joint negotiations that were held on 30 July 2020. Indeed, all parties present at this meeting agreed to several modalities, including that all negotiations were to be conducted jointly with the Four Countries and that they be held in English.

Recalling our Note Verbale no. 72/23-620-1872 dated January 11, 2022, we reiterate that a dispute between the Four Countries and the Islamic Republic of Iran in relation to the application and interpretation of the Convention on International Civil Aviation and the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation continues to exist, and that further attempts to seek negotiations in this matter continue to be futile.

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Annex: as stated.

Kyiv, 17 April 2023



شماره : ۶۴۱/۱۵۶۸۴۶۴
تاریخ : ۱۴۰۲/۰۱/۳۰
پیوست : ندارد



NOTE 103

آئی

به نام خدا یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

بازگشت به یادداشت شماره ۴۲۹۲۵-۶۲۰-۲۲ / ۷۲ مورخ ۱۴۰۲ / ۰۱ / ۲۸ وزارت امور خارجه اوکراین، که طی یادداشت شماره ۴۳۰۱۳-۰۱۲-۲۲ / ۶۱۶۶ / سفارت اوکراین در تهران مورخ ۱۴۰۲ / ۰۱ / ۱۴۸۲۰۲۴ / ۶۴۱ مورخ ۱۴۰۱ / ۱۱ / ۰۹ معتقد است که انجام مذاکرات دوجانبه جداگانه با کشورهای مرتبط با سانحه هواپیمای اوکراینی شیوه مناسبی برای بررسی کلیه مسائل مربوطه می‌باشد. همچنین لازم به یادآوری است که جمهوری اسلامی ایران هیچ‌گاه انجام مذاکره دو جانبه با اوکراین را رد نکرده است و همچنان بر انجام مذاکره سازنده و همراه با حسن نیت و با دستورکار از قبل تعیین شده، تصریح و تاکید می‌نماید.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین‌الملل از جمله اصل برابری حاکمیت دولت‌ها، بر این باور است که اراده چند دولت نمی‌تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی یا صریح آن دولت صورت پذیرفته باشد و لذا همانگونه که قبلاً اعلام گردید، جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را برسمیت نمی‌شناسد. بر این اساس جمهوری اسلامی ایران مجدداً آمادگی کامل خود را برای تداوم انجام مذاکره دوجانبه با دولت اوکراین با دستور کار توافق شده قبلی اعلام می‌دارد.

همچنین یادآوری می‌نماید ملاقات مجازی انجام شده در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی‌یف با نمایندگان کشورهای سوئد، کانادا و بریتانیا در حاشیه اولین دور مذاکرات دوجانبه بین جمهوری اسلامی ایران و اوکراین، صرفاً با پیشنهاد طرف اوکراینی برگزار گردید و همانطوریکه قبلاً نیز عنوان شد این ملاقات تنها برای نشان دادن حسن نیت هیئت ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران صورت گرفت. بدیهی است برگزاری چنین ملاقات حاشیه ای و فاقد دستور کار توافق شده را به هیچ وجه نمی‌توان به منزله انجام مذاکرات جمعی محسوب نمود.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می‌نماید.

سفارت اوکراین - تهران



TRANSLATION BUREAU
MULTILINGUAL TRANSLATION SERVICES

BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
10764875	Farsi		

[emblem]
Islamic Republic of Iran
Ministry of Foreign Affairs

Number: 641/1568464
Date: 1402/01/30 [corresponding to
April 19, 2023]
Enclosure: None

Immediate

In the Name of God
Memorandum

The Ministry of Foreign Affairs, Islamic Republic of Iran, extends its compliments to the Ukrainian Embassy in Tehran, and would like to inform you of the following:

In reference to the Memo number 72 / 22-620-42915 of Ministry of Foreign Affairs of Ukraine dated on 1402/01/28 [corresponding to April 17, 2023], which was received through Memo number 6166 / 22-012-43013 of the Embassy of Ukraine in Tehran on 1402/01/28 [corresponding to April 17, 2023], the Ministry of Foreign Affairs of the Islamic Republic of Iran - following the memos led to the memo number 641 / 1482024 dated on 1401/11/09 [corresponding to January 29, 2023] - believes that conducting separate bilateral dialogue and negotiations with the countries related to the Ukrainian plane crash is a suitable way to examine all related issues. It should also be noted that the Islamic Republic of Iran has never rejected the conduct of bilateral negotiations with Ukraine, and has still specified and stressed on conducting constructive negotiations along with goodwill and with a pre-determined agenda.

The Islamic Republic of Iran, emphasizing the principles and rules of International Law, including the principle of equality of sovereignty of states, believes that the will of several states cannot create legal effects for a third state without the consent of that state, unless the aforementioned will is done with the written or explicit consent of that government, and therefore, as previously announced, the Islamic Republic of Iran does not recognize the self-proclaimed group known as "Coordination and Response". Based on this, the Islamic Republic of Iran again declares its full readiness to continue bilateral dialogue and negotiations with the government of Ukraine with a pre-agreed agenda.

It should also be reminded that the virtual meeting held on Mordad 9, 1399 [1399/05/09 corresponding to July 30, 2020] in Kiev with the representatives of Sweden, Canada and the United Kingdom was held on the sidelines of the first round of bilateral dialogue and negotiations between the Islamic Republic of Iran and Ukraine only at the suggestion of the Ukrainian side, and as it was mentioned before, this meeting took place only to show the goodwill of the Iranian delegation, to express sympathy and to state the principled positions of the Islamic Republic of Iran. It is obvious that holding such a peripheral meeting without an agreed agenda cannot be considered as collective negotiations.

I would like to take the opportunity to renew the assurances of our highest consideration.

Ukrainian Embassy – Tehran



جمهوری اسلامی ایران

وزارت امور خارجه

شماره : ۶۴۱/۱۵۶۸۴۶۷

تاریخ : ۱۴۰۲/۰۱/۳۰

پیوست : ندارد

آنی

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

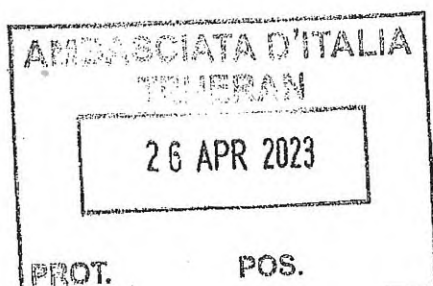
بازگشت به یادداشت شماره ۴۲۹۲۵-۶۲۰-۲۲ / ۷۲ مورخ ۲۸ / ۰۱ / ۱۴۰۲ وزارت امور خارجه اوکراین، که طی یادداشت شماره ۴۳۰۱۳-۰۱۲-۲۲ / ۶۱۶۶ سفارت اوکراین در تهران مورخ ۲۸ / ۰۱ / ۱۴۰۲ واصل شده است، وزارت امور خارجه جمهوری اسلامی ایران پیرو یادداشت های منتهی به یادداشت ۱۴۸۲۸۶۷ / ۶۴۱ مورخ ۱۰ / ۱۱ / ۱۴۰۱ معتقد است که انجام مذاکرات دوجانبه جداگانه با کشورهای مرتبط با سانحه هواپیمای اوکراینی شیوه مناسبی برای بررسی کلیه مسائل مربوطه می باشد. همچنین لازم به یادآوری است که جمهوری اسلامی ایران هیچ گاه انجام مذاکره دو جانبه با کانادا را رد نکرده است و همچنان بر انجام مذاکره سازنده و همراه با حسن نیت و با دستور کار از قبل تعیین شده، تصریح و تاکید می نماید.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین الملل از جمله اصل برابری حاکمیت دولت ها، بر این باور است اراده چند دولت نمی تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی یا صریح آن دولت صورت پذیرفته باشد و لذا همانطور که قبلا اعلام شد، جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را برسمیت نمی شناسد. بر این اساس جمهوری اسلامی ایران مجدداً آمادگی کامل خود را برای انجام مذاکره دوجانبه با دولت کانادا با دستور کار از قبل توافق شده اعلام می دارد.

همچنین یادآوری می نماید ملاقات مجازی انجام شده در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی یف با نمایندگان چند کشور از جمله کانادا در حاشیه اولین دور مذاکرات دوجانبه بین جمهوری اسلامی ایران و اوکراین، صرفاً با پیشنهاد طرف اوکراینی برگزار گردید و همانطوریکه قبلا نیز عنوان شد این ملاقات تنها برای نشان دادن حسن نیت هیئت ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران صورت گرفت. بدیهی است برگزاری چنین ملاقات حاشیه ای و فاقد دستور کار توافق شده را نمی توان به منزله انجام مذاکرات جمعی محسوب نمود.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

وزارت امور خارجه، تجارت و توسعه کانادا





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BUREAU DE LA TRADUCTION
SERVICES DE TRADUCTION MULTILINGUE

Request No. \ N° de la demande	Language \ Langue	Originator file no. \ Référence du demandeur	Date
005-230525-008	Farsi		

[emblem]

Islamic Republic of Iran
Ministry of Foreign Affairs

No.: 641/1568467

Date: 19/04/2023

Enclosures: None

Urgent

In the Name of God

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Department of Foreign Affairs, Trade and Development of Canada and respectfully states the following:

Pursuant to Note No. 72 / 22-620-42925 dated 17/04/2023 Ukrainian Ministry of Foreign Affairs, which has been delivered in Tehran following Note No. 6166 / 22-012-43013 Ukrainian Embassy dated 17/04/2023, the Ministry of Foreign Affairs of the Islamic Republic of Iran, following the previous notes ending in Note No. 641 / 1482867 dated 30/01/2023, believes that separate bilateral negotiations with the countries involved in the Ukrainian airplane incident are the proper way to address all the related issues. Additionally, it should be noted again that the Islamic Republic of Iran has never rejected the bilateral negotiations with the Government of Canada, and is still emphasizing the importance of constructive negotiation based on goodwill and a pre-determined agenda.

The Islamic Republic of Iran, while emphasizing the principles and rules of international laws, including the principle of sovereign equality of states, believes that the will of a few states cannot create legal effects for a third state without the consent of that state unless the will in question has been accepted through the said state’s written or explicit consent. Hence, as previously stated, the Islamic Republic of Iran does not recognize the so-called, self-proclaimed “Coordination and Response Group”. To this end, the Islamic Republic of Iran reiterates its full readiness for bilateral negotiations with the Government of Canada according to the pre-determined agenda.

It is reminded that the virtual meeting with the representatives of a few countries, including Canada on 30 July 2020 in Kyiv on the sidelines of the first round of bilateral negotiations between the Islamic Republic of Iran and Ukraine, was held only as per the Ukrainian delegation’s suggestion. And as previously stated, participating in this meeting was merely a token of the

Iranian delegation's goodwill, expression of sympathy, and statement of the Islamic Republic of Iran's fundamental positions. It is obvious that such a marginal meeting without an agreed agenda cannot be regarded as collective negotiation.

The Ministry avails itself of this opportunity to renew to the Department of Foreign Affairs, Trade and Development of Canada the assurances of its highest consideration.

[Stamp] Italian Embassy – Tehran
26 April 2023



Ministry
of Foreign Affairs
of Ukraine

NOTE 105

Mykhailivska square, 1
Kyiv, 01018, Ukraine

Nº 72/22-620-44438

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry of Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform the Minister of Foreign Affairs of Iran of the following:

In response to the Islamic Republic of Iran's announcement that the criminal trials have concluded and that verdicts were pronounced, Canada, the Kingdom of Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland (hereinafter known as the "Four Countries") state that in view of current circumstances, they cannot recognize the legitimacy of the judicial proceedings held at the military court of Tehran Province in the criminal case against the alleged perpetrators of the downing of Flight PS752. In particular, based on the available information, both the investigation and the judicial proceedings are inconsistent with the applicable requirements under international law, namely that such investigation and judicial proceedings be effective, independent and impartial, and transparent.

The Four Countries recall the ongoing dispute between them and the Islamic Republic of Iran with regards to the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation involving the unlawful downing of Flight PS752, and as such reiterate their request for transparent investigation and prosecution in accordance with the rule of law.

**Ministry of Foreign Affairs of the
Islamic Republic of Iran**

Tehran

mfa.gov.ua

Lastly, the Four Countries wish to remind the Islamic Republic of Iran of their joint note no 72/05-620-106210 dated 22 December 2022, and their joint note no 72/22-620-42925 dated 17 April 2023, in which the Four Countries requested that the dispute in relation to the Islamic Republic of Iran's breaches of its international legal obligations under the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation involving the unlawful and intentional downing of Flight PS752 be submitted to arbitration in accordance with Article 14 paragraph 1 of the Convention. We note that to date the Islamic Republic of Iran has not responded to our request to organize arbitration.

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.



Kyiv, 20 April 2023

(UNOFFICIAL TRANSLATION)

Islamic Republic of Iran
Ministry of Foreign Affairs

Note Verbale

Ref. No. 641/1575607

Date: 27 April 2023

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honour to inform that:

In reference to the Ukrainian flight incident and following the Ministry's note verbales ending to note 641/1482869 dated 30 January 2023, the Ministry of Foreign Affairs believes that separate bilateral negotiations with the respective countries to the Ukrainian flight incident would be a proper mean to study all related issues. Also, it needs to be reminded that the Islamic Republic of Iran has never rejected bilateral negotiations with Sweden, and therefore insists on constructive talks with good faith and with pre specified agenda.

The Islamic Republic of Iran, by highlighting on the principles and rules of the international law, including sovereign equality of state, believes that the will of several states cannot create legal consequences for a third state without the consent of the state, unless the said will is accepted by the state in written or explicitly.

Therefore and as stated earlier, the Islamic Republic of Iran does not recognize the self-proclaimed group entitled "Coordination and Response". Subsequently, the Islamic Republic of Iran would like to express its full readiness one more time to sustain the implementation of bilateral negotiations with the government of Sweden with the earlier agreed agenda.

The Ministry would like to also remind that the online meeting on 30 July 2020 in Kiev with the representatives of some countries including Sweden and on the sideline of the first round of bilateral negotiations between the Islamic Republic of Iran and Ukraine, was merely held by the proposal of the Ukrainian side. As stated earlier, the meeting was solely held to express the good will of the Iranian delegation, express sympathy and to inform the basic positions of the Islamic Republic of Iran. It is clear that holding such controversial meeting and without any agreed agenda is not interpreted the implementation of group talks.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails itself of this opportunity to renew to the Embassy of Sweden in Tehran.

Embassy of Sweden, Tehran

Translated by Bahareh

شماره : ۶۴۰/۱۵۷۵۶۲۴
تاریخ : ۱۴۰۲/۰۲/۰۷
پیوست :



به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

در خصوص سانحه هواپیمای اوکراینی، وزارت امور خارجه جمهوری اسلامی ایران پیرو یادداشت های منتهی به یادداشت ۱۴۸۲۸۶۲ / ۶۴۱ مورخ ۱۰ / ۱۱ / ۱۴۰۱ معتقد است که انجام مذاکرات دوجانبه با کشورهای مرتبط با سانحه هواپیمای اوکراینی شیوه مناسبی برای بررسی کلیه مسائل مربوطه می باشد. همچنین لازم به یادآوری است که جمهوری اسلامی ایران هیچ‌گاه انجام مذاکره دو جانبه با بریتانیا را رد نکرده است و همچنان بر انجام مذاکره سازنده و همراه با حسن نیت برای بررسی ابعاد مختلف موضوع با دستورکار از قبل تعیین شده تصریح و تاکید می نماید.

جمهوری اسلامی ایران با تاکید بر اصول و قواعد حقوق بین‌الملل از جمله اصل برابری حاکمیت دولت‌ها، بر این باور است اراده تعدادی از دولت‌ها نمی تواند برای دولت ثالث بدون رضایت خود آن دولت آثار حقوقی ایجاد نماید مگر آنکه اراده مذکور با رضایت کتبی یا صریح آن دولت صورت پذیرفته باشد. لذا مجدداً اعلام می‌شود، جمهوری اسلامی ایران گروه خودخوانده موسوم به «هماهنگی و پاسخ» را برسمیت نمی شناسد.

اگرچه براساس قوانین و مقررات جمهوری اسلامی ایران و همچنین گذرنامه های ارائه شده به پلیس فرودگاه امام خمینی (ره) از سوی مسافران پرواز پی. اس. ۷۵۲، جان باخته ای از شهروندان دولت بریتانیا در این سانحه حضور نداشته است، با این حال در راستای اعلام حسن نیت و شفافیت، جمهوری اسلامی ایران مجدداً آمادگی کامل خود را برای انجام مذاکره دوجانبه با دولت بریتانیا با دستور کار از قبل توافق شده اعلام می‌دارد.

همچنین یادآوری می نماید ملاقات مجازی انجام شده در تاریخ ۹ مرداد ۱۳۹۹ در شهر کی‌یف بین نمایندگان کشورهای سوئد، کانادا و بریتانیا در حاشیه اولین دور مذاکرات دوجانبه بین جمهوری اسلامی ایران و اوکراین، صرفاً با پیشنهاد طرف اوکراینی برگزار گردید و همانطوریکه قبلاً نیز عنوان شد این ملاقات تنها برای نشان دادن حسن نیت هیئت ایرانی، اظهار همدردی و بیان مواضع اصولی جمهوری اسلامی ایران صورت گرفت. بدیهی است برگزاری چنین ملاقات حاشیه ای و فاقد دستور کار توافق شده را نمی توان به منزله انجام مذاکرات جمعی محسوب نمود.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

Islamic Republic of Iran
Ministry of Foreign Affairs

No: 640/1575624

Date: 27 April 2023

Attachment: Included

The Ministry of Foreign Affairs of the Islamic Republic of Iran would like to extend greetings to His Majesty's Ambassador of the United Kingdom to Tehran and declare that:

Regarding the incident that happened to the Ukrainian plane [PS752], the Ministry of Foreign Affairs of the Islamic Republic of Iran believes that - further to NVs culminating to the one with the registration number 641/1482862 dated 30 January 2023 – the bilateral or multilateral negotiations with the countries whose nationals were involved in the incident would be the right approach to study all issues involved. Also, the Ministry of Foreign Affairs of the Islamic Republic of Iran would like to recall that Iran has never rejected the idea to engage in bilateral talks with Britain and still insists on a constructive negotiation which would be based on goodwill gestures to study the different aspects of the incident with a pre-agreed agenda.

Although based on the laws of the Islamic Republic of Iran and also the passports presented by passengers to the police at Imam Khomeini International Airport there were no citizen from the British government on board PS752, the Islamic Republic would like to announce its full willingness - out of its goodwill and its obligation to transparency – to engage in bilateral negotiations with the British government based on a pre-agreed agenda.

Also, the Ministry of Foreign Affairs of the Islamic Republic of Iran would like to recall that the online meeting on 30 July 2020 in Kiev in which the representatives of Sweden, Canada, and Britain participated on the side-line of the first round of talks between Iran and Ukraine was only carried out upon the proposal of Ukraine. Further, as announced before, this meeting was simply meant to show the goodwill of the

Iranian delegation and to express sympathy [with the families of those on board the plane] and to express Iran's basic positions [regarding the incident]. Please note that holding such meetings which are held on the side-line of a bigger event without any pre-agreed agenda cannot be considered as a format of a collective negotiation.

We would like to use the opportunity to refresh our greetings to you.

شماره : ۶۴۱/۱۶۱۷۳۶۲
تاریخ : ۱۴۰۳/۰۳/۰۹
پیوست : ندارد



جمهوری اسلامی ایران
وزارت امور خارجه

NOTE 108

فوری

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اعلیحضرت پادشاه بریتانیا در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت های وزارت امور خارجه جمهوری اسلامی ایران منتهی به یادداشت شماره ۶۴۱ / ۱۵۷۵۶۲۴ مورخ ۷ اردیبهشت ۱۴۰۲، اگرچه جمهوری اسلامی ایران بر این باور است موضوعات و مسائل مرتبط با چهار کشور اوکراین، کانادا، سوئد و بریتانیا در قبال سانحه هواییمای اوکراینی متفاوت بوده و مبنای واحدی ندارد، اما به منظور نشان دادن حسن نیت خود، و با عنایت به درخواست چهار دولت یادشده برای انجام مذاکرات جمعی، از انجام و پیشبرد مسیر مذاکرات استقبال می نماید.

جمهوری اسلامی ایران همانند گذشته تاکید می نماید بهترین شیوه برای رفع هر گونه ابهام و اعتماد سازی در موضوعات مرتبط با سانحه هواییمای اوکراینی، انجام مذاکره توأم به حسن نیت با دولت های ذیربط است. براین اساس، جمهوری اسلامی ایران با تاکید بر تحقق اصل حسن نیت و بصورت داوطلبانه، آمادگی خود را برای انجام مذاکرات با چهار دولت اوکراین، کانادا، سوئد و بریتانیا در قالب مذاکرات جمعی برای رسیدگی به کلیه ابعاد مرتبط با سانحه مذکور اعلام می دارد.

بدیهی است انجام مذاکرات جمعی با دستور کار مشخص و در زمان و مکان مورد توافق صورت می

گیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اعلیحضرت پادشاه بریتانیا - تهران

Islamic Republic of Iran
Ministry of Foreign Affairs

No: 641/1617362

Date: 30 May 2023

Attachment: None

The Ministry of Foreign Affairs of the Islamic Republic of Iran would like to extend greetings to His Majesty's Ambassador of the United Kingdom to Tehran and declare that:

Further to the NV number 641/1575624 dated 27 April 2023, although the Islamic Republic of Iran believes that the issues related to Ukraine, Canada, Sweden and the UK, regarding the crash of the Ukrainian plane [PS752] are different, in order to show its goodwill and considering the request of the four governments for a collective negotiation, Iran welcomes the idea for talks and pushing ahead discussions on this issue.

The Islamic Republic of Iran, as always, insists that the best way to eliminate ambiguity and create trust in relation to the Ukrainian plane crash is to hold talks with the related governments based on good intentions. Therefore, the Islamic Republic of Iran, based on the principle of goodwill, voluntarily announces that it is ready to negotiate with the governments of Ukraine, Canada, Sweden and the UK in a collective discussion to investigate all the dimensions of the above mentioned incident.

Obviously, such a collective discussion would be carried out based on a clear agenda and at a time and in a venue to be agreed by all parties.

We would like to use the opportunity to refresh our greetings to you.

In coming note from MFA

Note no. 641/1617359

Date: May 30, 2023

Received: May 30, 2023, via fax

Enclosure: no

Unofficial translation

URGENT

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Sweden in Tehran and has the honor to inform that:

In reference to the earlier notes sent by the Ministry of Foreign Affairs of the Islamic Republic of Iran, leading to the Ministry's latest note no. 641/1575607 dated April 27, 2023, and even though the Islamic Republic of Iran believes that the related issues of the four countries of Ukraine, Canada, Sweden and UK, in regard to the Ukrainian plane crash incident are different and do not have a single basis, but in order to show goodwill and by taking into consideration the request of the four mentioned Governments to carry out collective discussions, Iran welcomes the suggestion and the path of progress in talks.

As in the past, the Islamic Republic of Iran, emphasizes that discussions in good faith with the relevant Governments, are the best way to resolve any ambiguity and to build confidence in matters related to the Ukrainian plane crash. Based on the principle of showing goodwill, and in order to be able to deal with all aspects related to the Ukrainian plane crash incident, the Islamic Republic of Iran, declares its volunteer readiness with the four Governments of Ukraine, Canada, Sweden, and UK, to conduct collective discussions.

It is clear that these collective discussions would only occur with a clear agenda and in a mutually agreed place and time.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to Embassy of Sweden the assurances of its highest consideration.

To: Embassy of Sweden

Translation: Atoussa

شماره: ۶۴۱/۱۶۱۷۳۵۴
تاریخ: ۱۴۰۳/۰۳/۰۹
پیوست: ندارد



جمهوری اسلامی ایران
وزارت امور خارجه

NOTE 110

فوری

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به سفارت اوکراین در تهران احتراماً اشعار می‌دارد:

پیرو یادداشت های وزارت امور خارجه جمهوری اسلامی ایران منتهی به یادداشت شماره ۱۵۶۸۴۶۴ / ۶۴۱ مورخ ۳۰ فروردین ۱۴۰۲، اگرچه جمهوری اسلامی ایران بر این باور است موضوعات و مسائل مرتبط با چهار کشور اوکراین، کانادا، سوئد و بریتانیا در قبال سانحه هوایی اوکراینی متفاوت بوده و مبنای واحدی ندارد، اما به منظور نشان دادن حسن نیت خود، و با عنایت به درخواست چهار دولت یادشده برای انجام مذاکرات جمعی، از انجام و پیشبرد مسير مذاکرات استقبال می نماید.

جمهوری اسلامی ایران همانند گذشته تأکید می نماید بهترین شیوه برای رفع هر گونه ابهام و اعتماد سازی در موضوعات مرتبط با سانحه هوایی اوکراینی، انجام مذاکره توأم به حسن نیت با دولت های ذیربط است. براین اساس، جمهوری اسلامی ایران با تأکید بر تحقق اصل حسن نیت و بصورت داوطلبانه، آمادگی خود را برای انجام مذاکرات با چهار دولت اوکراین، کانادا، سوئد و بریتانیا در قالب مذاکرات جمعی برای رسیدگی به کلیه ابعاد مرتبط با سانحه مذکور اعلام می‌دارد.

پدیهی است انجام مذاکرات جمعی یا دستور کار مشخص و در زمان و مکان مورد توافق صورت می‌گیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

سفارت اوکراین - تهران

Ісламська Республіка Іран
Міністерство закордонних справ

Номер: 641/1617354
Дата: 30 травня 2023 р.
Додаток: немає

ТЕРМІНОВО

В ім'я Бога

НОТА

Міністерство закордонних справ Ісламської Республіки Іран засвідчує свою повагу Посольству України в Тегерані та має честь повідомити про таке.

На додаток до нот МЗС ІРІ, попередня з яких датована від 19.04.2023 №641/1568464, Ісламська Республіка Іран, не зважаючи на те, що питання та проблеми чотирьох країн, України, Канади, Швеції та Великою Британії щодо катастрофи українського літака є різними та не мають спільної основи, погоджує проведення переговорів з метою демонстрації своєї доброї волі та прихильності до прохання чотирьох згаданих урядів з проведення колективних переговорів.

Як і раніше Ісламська Республіка Іран наголошує, що найкращий спосіб з усунення будь-якої неясності та встановлення довіри у питаннях, пов'язаних з катастрофою українського літака, полягає у проведенні переговорів з відповідними урядами в атмосфері доброзичливості. Виходячи з цього, Ісламська Республіка Іран, на основі істинної доброзичливості та добровільно, заявляє про готовність до проведення переговорів з чотирма урядами України, Канади, Швеції та Великої Британії у форматі колективних переговорів для врегулювання усіх вимірів, пов'язаних із згаданою катастрофою.

Очевидно, що колективні переговори проводитимуться відповідно до визначеного порядку денного, за погодженим місцем та часом.

Користуючись нагодою, поновлюємо свою вельми високу повагу.

Посольство України - Тегеран

Переклав: В.Лапай (+9809050806839)



جمهوری اسلامی ایران
وزارت امور خارجه

شماره: ۶۴۱/۱۶۱۷۳۶۰
تاریخ: ۱۴۰۲/۰۳/۰۹
پنوس: ندارد

فوری

به نام خدا

یادداشت

وزارت امور خارجه جمهوری اسلامی ایران با اظهار تعارفات خود به وزارت امور خارجه، تجارت و توسعه کانادا احتراماً اشعار می‌دارد:

پیرو یادداشت های وزارت امور خارجه جمهوری اسلامی ایران منتهی به یادداشت شماره ۱۵۷۵۶۰۶ / ۶۴۱ مورخ ۷ اردیبهشت ۱۴۰۲، اگرچه جمهوری اسلامی ایران بر این باور است موضوعات و مسائل مرتبط با چهار کشور اوکراین، کانادا، سوئد و بریتانیا در قبال سانحه هواپیمای اوکراینی متفاوت بوده و مبنای واحدی ندارد، اما به منظور نشان دادن حسن نیت خود، و با عنایت به درخواست چهار دولت یادشده برای انجام مذاکرات جمعی، از انجام و پیشبرد مسیر مذاکرات استقبال می نماید.

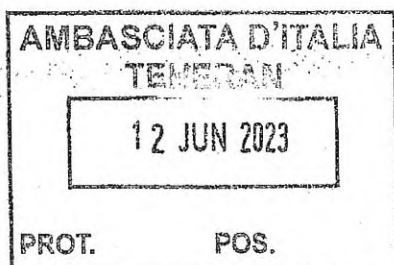
جمهوری اسلامی ایران همانند گذشته تاکید می نماید بهترین شیوه برای رفع هر گونه ابهام و اعتماد سازی در موضوعات مرتبط با سانحه هواپیمای اوکراینی، انجام مذاکره توأم به حسن نیت با دولت های ذیربط است. براین اساس، جمهوری اسلامی ایران با تاکید بر تحقق اصل حسن نیت و بصورت داوطلبانه، آمادگی خود را برای انجام مذاکرات با چهار دولت اوکراین، کانادا، سوئد و بریتانیا در قالب مذاکرات جمعی برای رسیدگی به کلیه ابعاد مرتبط با سانحه مذکور اعلام می دارد.

بدیهی است انجام مذاکرات جمعی با دستور کار مشخص و در زمان و مکان مورد توافق صورت می

گیرد.

موقع را مغتنم شمرده، احترامات فائقه را تجدید می نماید.

وزارت امور خارجه، تجارت و توسعه کانادا



UNOFFICIAL TRANSLATION

Islamic Republic of Iran
Ministry of Foreign Affairs

No: 641/1617360

Date: 09/03/1402 (30 May 2023)

Enclosure: No

Urgent

Note

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Ministry of Foreign Affairs, Trade and Development of Canada and has the honour to inform:

In reference to the earlier notes sent by the Ministry of Foreign Affairs of the Islamic Republic of Iran, leading to the Ministry's latest note no. 641/1575606 dated 27 April 2023, and even though the Islamic Republic of Iran believes that the related issues of the four countries of Ukraine, Canada, Sweden and UK, in regard to the Ukrainian plane crash incident are different and do not have a single basis, but in order to show goodwill and by taking into consideration the request of the four mentioned Governments to carry out collective discussions, Iran welcomes the suggestion and the path of progress in talks.

As in the past, the Islamic Republic of Iran emphasizes that the best way to resolve any ambiguity and to build confidence in matters related to the Ukrainian plane crash is to conduct discussions in good faith with the relevant Governments. Therefore, the Islamic Republic of Iran, based on the principle of showing goodwill, declares its voluntary readiness with the four Governments of Ukraine, Canada, Sweden, and UK, to conduct collective discussions in order to deal with all aspects related to said incident.

It is clear that these collective discussions would only occur with a clear agenda and in a mutually agreed place and time.

We avail of the opportunity to renew our highest consideration.

Ministry of Foreign Affairs, Trade and Development of Canada.



Ministry
of Foreign Affairs
of Ukraine

Mykhailivska square, 1
Kyiv, 01018, Ukraine

№ 72/22-620-72387

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, presents its compliments to the Islamic Republic of Iran and has the honor to inform the Ministry of Foreign Affairs of Iran of the following:

In response to the Islamic Republic of Iran's Note Verbale no. 641/1617360 sent to the Department of Foreign Affairs, Trade and Development of Canada on 30 May 2023; its Note Verbale no. 641/1617359 sent to the Embassy of the Kingdom of Sweden in Tehran on 30 May 2023; its Note Verbale no. 641/1617354 sent to the Embassy of Ukraine in Tehran on 30 May 2023; and its Note Verbale no. 641/1617362 sent to the Embassy of the United Kingdom of Great Britain and Northern Ireland on 30 May 2023, Canada, the Kingdom of Sweden, Ukraine and the United Kingdom of Great Britain and Northern Ireland (hereinafter the "Four Countries") have taken note of the Islamic Republic of Iran's acceptance, after nearly 3 years, that negotiations pertaining to the downing of Flight PS752 should proceed through collective discussions with the Four Countries.

The Four Countries refer to their correspondence with the Islamic Republic of Iran from January 2020 to present, and wish to reiterate the following:

1) there is a dispute between the Islamic Republic of Iran and the Four Countries relating to the interpretation and application of the Convention for the Suppression of Unlawful

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Islamic Republic of Iran**

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Acts against the Safety of Civil Aviation and the Convention on International Civil Aviation;

2) for over two years, following the transmission of our Notice of Claim in June 2021, the Four Countries have consistently sought in good faith to resolve their dispute with the Islamic Republic of Iran by collective negotiations pertaining to Iran's breaches of international law in regards to the downing of Flight PS752, and the consequences of these breaches, including full compensation and other forms of reparation;

3) the Islamic Republic of Iran has refused to engage in collective negotiations with the Four Countries following the transmission of our Notice of Claim in June 2021, and has maintained its position that all relevant matters related to the downing of Flight PS752 have already been addressed. This is in direct opposition to the claims put forward by the Four Countries in all our communications. There are therefore no reasonable prospects of reaching a settlement of this dispute through negotiations;

4) the Four Countries notified the Islamic Republic of Iran of their determination that further attempts to engage in negotiations concerning its international responsibility for the downing of Flight PS752 and reparations were futile;

5) on 28 December 2022, the Four Countries requested that the aspects of the dispute pertaining to the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation, be submitted to arbitration pursuant to Article 14 of this Convention;

6) the Four Countries proposed that discussions pertaining to the organization of arbitration take place during the week of 1 February 2023 in The Netherlands;

7) a further request by the Four Countries to discuss arbitration was sent on 17 April 2023 reiterating our offer to meet with the Islamic Republic of Iran in The Netherlands on the matter of arbitration, this time during the week of 24 April 2023; and

8) the Islamic Republic of Iran has not acknowledged the Four Countries' request to organize arbitration and has ignored the Four Countries' specific requests to meet to discuss this matter.

The Four Countries note that the Islamic Republic of Iran, in its recent Notes Verbales, once again refused to acknowledge the claims made by the Four Countries. Although it proposes collective discussions, the Islamic Republic of Iran has not proposed a place or time, nor has it proposed an agenda, which

it states are conditions to any collective discussions with the group. If the Islamic Republic of Iran is willing to engage with the Four Countries in a good faith discussion on the organization of arbitration or on other matters pertaining to our other dispute related to the Convention on International Civil Aviation, it should demonstrate its seriousness by acknowledging our request and responding to our offers.

This Note Verbale is without prejudice to the right of the Four Countries to refer the aspects of the dispute pertaining to the Convention on the Suppression of Unlawful Acts against the Safety of Civil Aviation to the International Court of Justice once the period of 6 months has expired and there is no agreement on the organization of arbitration pursuant to Article 14 of that Convention.

The Ministry of Foreign Affairs of Ukraine, on behalf of the Department of Foreign Affairs, Trade and Development of Canada, the Ministry for Foreign Affairs of the Kingdom of Sweden, and the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland, avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Islamic Republic of Iran the assurances of its highest consideration.

Kyiv, 21 June 2023

