

# Megrahi was framed

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## The trial of the "Lockerbie bomber" was worse than a travesty of justice. Evidence that never came to court proves his innocence

The hysteria over the release of the so-called Lockerbie bomber reveals much about the political and media class on both sides of the Atlantic, especially Britain. From Gordon Brown's "repulsion" to Barack Obama's "outrage", the theatre of lies and hypocrisy is dutifully attended by those

who call themselves journalists. "But what if Megrahi lives longer than three months?" whined a BBC reporter to the Scottish First Minister, Alex Salmond. "What will you say to your constituents, then?"

Horror of horrors that a dying man should live longer than prescribed before he "pays" for his "heinous crime": the description of the Scottish justice minister, Kenny MacAskill, whose "compassion" allowed Abdelbaset Ali Mohamed al-Megrahi to go home to Libya to "face justice from a higher power". Amen.

The American satirist Larry David once addressed a voluble crony as "a babbling brook of bullshit". Such eloquence summarises the circus of Megrahi's release.

No one in authority has had the guts to state the truth about the bombing of Pan Am Flight 103 above the Scottish village of Lockerbie on 21 December 1988, in which 270 people were killed. The governments in England and Scotland in effect blackmailed Megrahi into dropping his appeal as a condition of his immediate release. Of course there were oil and arms deals under way with Libya; but had Megrahi proceeded with his appeal, some 600 pages of new and deliberately suppressed evidence would have set the seal on his innocence and given us more than a glimpse of how and why he was stitched up for the benefit of "strategic interests".

"The endgame came down to damage limitation," said the former CIA officer Robert Baer, who took part in the original investigation, "because the evidence amassed by [Megrahi's] appeal is explosive and extremely damning to the system of justice." New witnesses would show that it was impossible for Megrahi to have bought clothes that were found in the wreckage of the Pan Am aircraft - he was convicted on the word of a Maltese shopowner who claimed to have sold him the clothes, then gave a false description of him in 19 separate statements and even failed to recognise him in the courtroom.

The new evidence would have shown that a fragment of a circuit board and bomb timer, "discovered" in the Scottish countryside and said to have been in Megrahi's suitcase, was probably a plant. A forensic scientist found no trace of an explosion on it. The new evidence would demonstrate the impossibility of the bomb beginning its journey in Malta before it was "transferred" through two airports undetected to Flight 103.

A "key secret witness" at the original trial, who claimed to have seen Megrahi and his co-accused, al-Aim Khalifa Fahimah (who was acquitted), loading the bomb on to the plane at Frankfurt, was bribed by the US authorities holding him as a "protected witness". The defence exposed him as a CIA informer who stood to collect, on the Libyans' conviction, up to \$4m as a reward.

Megrahi was convicted by three Scottish judges sitting in a courtroom in "neutral" Holland. There was no jury. One of the few reporters to sit through the long and often farcical proceedings was the late Paul Foot, whose landmark investigation in *Private Eye* exposed it as a cacophony of blunders, deceptions and lies: a whitewash. The Scottish judges, while admitting a "mass of conflicting evidence" and rejecting the fantasies of the CIA informer, found Megrahi guilty on hearsay and unproven circumstance. Their 90-page "opinion", wrote Foot, "is a remarkable document that claims an honoured place in the history of British miscarriages of justice". (His report, *Lockerbie - the Flight from Justice*, can be downloaded from [www.private-eye.co.uk](http://www.private-eye.co.uk) for £5.)

Foot reported that most of the staff of the US embassy in Moscow who had reserved seats on Pan Am flights from Frankfurt cancelled their bookings when they were alerted by US intelligence that a terrorist attack was planned. He named Margaret Thatcher the "architect" of the cover-up after revealing that she killed the independent inquiry her transport secretary Cecil Parkinson had promised the Lockerbie families; and in a phone call to President George Bush Sr on 11 January 1990, she agreed to "low-key" the disaster after their intelligence services had reported "beyond doubt" that the Lockerbie bomb had been placed by a Palestinian group, contracted by Tehran, as a reprisal for the shooting down of an Iranian airliner by a US warship in Iranian territorial waters. Among the 290 dead were 66 children. In 1990, the ship's captain was awarded the Legion of Merit by Bush Sr "for exceptionally meritorious conduct in the performance of outstanding service as commanding officer".

Perversely, when Saddam Hussein invaded Kuwait in 1991, Bush needed Iran's support as he built a "coalition" to expel his wayward client from an American oil colony. The only country that defied Bush and backed Iraq was Libya. "Like lazy and overfed fish," wrote Foot, "the British media jumped to the bait. In almost unanimous chorus, they engaged in furious vilification and open warmongering against Libya." The framing of Libya for the Lockerbie crime was inevitable. Since then, a US defence intelligence agency report, obtained under Freedom of Information, has confirmed these truths and identified the likely bomber; it was to be the centrepiece of Megrahi's defence.

In 2007, the Scottish Criminal Cases Review Commission referred Megrahi's case for appeal. "The commission is of the view," said its chairman, Graham Forbes, "based upon our lengthy investigations, the new evidence we have found and other evidence which was not before the trial court, that the applicant may have suffered a miscarriage of justice."

The words "miscarriage of justice" are entirely missing from the current furore, with Kenny MacAskill reassuring the baying mob that the scapegoat will soon face justice from that "higher power". What a disgrace.