Pan Am Flight 103: Trial opens of Libyans accused of Lockerbie bombing

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On May 3, the trial began of the two Libyans accused of blowing up Pan Am Flight 103 over Lockerbie, Scotland in December 1988.

Abdelbaset Ali Muhammad Al-Megrahi and Al Amin Khalifa Fhimah are charged with planting a Semtex-packed cassette recorder on board the Boeing 747, which destroyed the plane killing its 259 passengers and crew, as well as 11 Lockerbie residents.

For years it was assumed that no legal proceedings into the Lockerbie tragedy would ever be held, as Libya would be unlikely to give up the accused individuals. That the case has come to court is the outcome of a significant shift in political and economic relations internationally. The European Union (EU) has led efforts to normalise relations with Libya in order to gain access to the country's considerable oil resources.

The accession of Blair's Labour government to office in 1997 provided a means for Britain—concerned that French and Italian oil companies were reaping the benefits of the USA-UK embargo on Libya—to develop its interests in the country. After protracted negotiations with South Africa's Nelson Mandela and UN General Secretary Kofi Annan, Libyan leader Colonel Gadhaffi agreed to hand over Al-Megrahi and Fhimah last year—provided they would not be tried on US or British soil. They have been held in the Netherlands ever since.

Once the suspects were handed over, the EU lifted its sanctions against Libya, and a considerable trade in oil, natural gas, and machinery has opened up, from which the US remains largely excluded. A steady stream of EU ministers have also visited the Libyan capital Tripoli. Only the awkward business of Flight 103 remained to be resolved for business as usual to be resumed.

For the purposes of the trial, Camp Zeist, a former US military base in the Netherlands, was designated as Scottish territory. The proceedings, expected to last many months, are being held in accordance with Scottish law and will involve hearing thousands of witnesses. It is the first time that a British court has sat outside British territory. This arrangement was agreed after protracted negotiations between the Libyan, British, US and Dutch governments, and also involved Scottish legal officials and the families and friends of those killed in the crash. Four Scottish judges, sitting without a jury, are hearing the case. The prosecutor is Scotland's Lord Advocate, Colin Boyd.

The trial began with the indictment against the two men being read out. They are charged with murder, conspiracy to murder, and a breach of the 1982 Aviation Security Act. The two pleaded not guilty and the clerk to the court read out a list of Arabic names of people he said the defence would allege were the real Lockerbie bombers. This included members of the Popular Front for the Liberation of Palestine—General Command (PFLP—GC) and the Palestine Popular Struggle Front (PPSF)—the two groups originally suspected of the bombing.

The Pan Am jumbo *Maid of the Seas* blew up on December 21, 1988, shortly after taking off from London's Heathrow airport. The plane disintegrated in mid-air, shedding debris over a wide area. The bulk of the wreckage impacted on and around the small Scottish town of Lockerbie, also killing 11 local residents.

Early investigations into the atrocity by Dumfries and Galloway police pointed to the bomb having been a reprisal for the US navy's shooting down of an Iranian Airbus in the Persian Gulf six months earlier. On July 3, 1988 the US warship the *Vincennes* was operating within Iranian waters, providing military support for Iraq in the ongoing Iran/Iraq war. During a one-sided battle against a small number of lightly armed Iranian gunboats, the *Vincennes* fired two missiles at the Airbus, which was on a routine civilian flight. All 290 civilians onboard were killed.

This act of mass murder by the US has never resulted in any court case. The captain and crew of the *Vincennes* were militarily decorated. Attempts by relatives of the victims to bring legal action against the American government were rejected by the US Supreme Court in 1993. Despite the fact that the vast majority of victims were Iranian, the US paid $2.9 million in compensation only to non-Iranian victims of the shooting.

The Iranian government promised revenge attacks at the time and it is alleged that it reached an agreement with the PFLP to this end, which was led by ex-Syrian army captain, Ahmed Jibril and had links with the Syrian government.

Discussion between Dumfries and Galloway police and the

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West German police revealed that members of the PFLP had already been arrested in West Germany in possession of a bomb similar to the one blown up over Lockerbie. It was also discovered that four other bombs, disguised in cassette players, had been made but were unaccounted for. The suspicion grew that the PFLP had planted the bomb on Flight 103, or arranged for it to be planted, and that it was intended to blow up over Atlantic.

The suitcase containing the explosive device had been loaded at the Frankfurt airport. The bomb's timing mechanism was pressure activated and set to explode four hours after it first reached 8,000 feet. But Flight 103 was delayed at Heathrow before embarking on its transatlantic journey. As a result, the plane blew up over Lockerbie.

Several warnings were forwarded to American embassies and intelligence staff that a Pan Am flight from Frankfurt to New York would be attacked in December 1988. US intelligence staff based in Moscow and elsewhere scheduled to fly on Pan Am flights over that period cancelled their seats due to the warning. Many students took advantage of the cheap flights this made available. Flight 103 was only two-thirds full a mere four days before Christmas.

Crash investigators subsequently found more evidence indicating a possible link between the explosion and the PFLP. Clothing found in the case that had contained the bomb was identified as having been bought in Malta. A PFLP associate, Abu Talb, recently returned from Malta was later identified in the shop where the clothes were bought. By 1990, Dumfries and Galloway police announced they were on the brink of arrests. Talb is one of the individuals named by the Libyans' defence team.

Allegations have been made that what happened subsequently points to an attempt by the US government to divert police investigations away from Iran and Syria. According to the British journalist Paul Foot, in March 1989 US President George Bush rang the then British Prime Minister Margaret Thatcher to ask her to "cool it" on the Lockerbie case. Foot, in a 1994 review of the book *Trail of the Octopus* by Donald Goddard and ex-US intelligence agent Lester Coleman, noted that Paul Channon, the British Transport Minister, had briefed journalists that arrests were imminent just hours before Bush's call. Channon was sacked shortly after and no arrests were made. A US commission of inquiry into Lockerbie did not mention the PFLP.

In 1990, a timer fragment was belatedly recovered from the wreckage by US investigators. They identified this as coming from a batch of timers sold by the Swiss makers MEBO to Libya. MEBO subsequently insisted that the timer in question was part of a batch, which had never been electrically connected, sold to the East German secret police, the Stasi.

Goddard and Coleman's book outlined a scenario in which the US government was not only politically responsible for the Lockerbie bomb, vis-à-vis the *Vincennes* incident and their long-standing domination of the region, but were *practically* responsible for it having been placed on Flight 103.

According to Coleman, America's Defence Intelligence Agency, Central Intelligence Agency and Drug Enforcement Agency were all active around the region looking for information on Middle Eastern factions, drug trafficking, and spying on each other. Coleman suggests that the CIA, on the assumption that it contained heroin, identified the bag with the bomb as being safe for transit. Goddard and Coleman suggest that PFLP members, who switched some drugs for the bomb, had infiltrated the drug-running operation.

Coleman and others, including an investigator Juval Aviv employed by the now defunct Pan Am, have subsequently been vilified, framed for petty misdemeanours, and/or generally harassed by the US state.

Coleman's allegations were repeated in a 1994 British TV programme, the "Maltese Double Cross", produced by Channel 4. In 1997, the Libyan government showed the Channel 4 film at a hearing it had won before the UN International Court of Justice to protest against the sanctions imposed by the US in 1992. The impact of sanctions on Libya between 1992 and 1995 had been drastic, causing many deaths through lack of medical supplies and costing the country $6 billion in lost agricultural exports alone.

It is alleged that blame for the bombing was pinned on Libya in order to turn attention away from the Iranian regime, which the US was now developing as its ally in the Middle East as a counterweight to Iraq. By the late 1980s, longstanding US plans for a major escalation of their military involvement in the Persian Gulf, the world's leading oil-producing area, were coming to fruition. Iraq's invasion of Kuwait in 1990 gave the US the pretext it required. The US and NATO were able to assemble a broad coalition of support for the intervention—from the Soviet Union, Europe and most of the bourgeois nationalist regimes in the Middle East.

Libya opposed the bombardment of Iraq and was defined by the US as a "pariah" state. The US had bombed Tripoli in 1986, killing Libyan leader Gadhaffi's daughter, and had severed diplomatic relations with the country, accusing it of sponsoring international terrorism.

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