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Secret

Libya and the Lockerbie Bomb - Call by British
Ambassador 30 November 1991

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The British Ambassador called on me this afternoon at his urgent request. He said that he had been instructed to convey the following information which is also being conveyed today in Bonn, The Hague, Rome and Paris. He added that he understood that the Foreign Secretary Mr. Hurd is also briefing the Minister for Foreign Affairs today at Nordwijk in The Netherlands where they are both attending the IGC Conclave.

The Ambassador said that after three years investigation the Lord Advocate for Scotland (the equivalent in Scottish law of the Attorney General) will announce tomorrow that arrest warrants are being issued for two Libyan intelligence officers responsible for getting the bomb onto the Pan Am flight which crashed at Lockerbie. A US Federal Grand Jury is also going to hand down indictments tomorrow in respect of the same two people.

The Ambassador said that he had been instructed to convey this information to us in advance and to emphasise its confidential nature until it is made public.

He went on to say that the British Government will be demanding that the two individuals be handed over. The UK has no extradition treaty with Libya and they think that Libyan law has no provision for the extradition of Libyan nationals. They will therefore be demanding that the individuals be surrendered (i.e. simply handed over instead of being formally extradited). The British authorities are also considering urgently what further demands they might make.

The British authorities as a result of their investigation had concluded that the operation could not have been mounted without the approval of the highest levels of the Libyan Government. The Ambassador added that a French magistrate investigating the crash of flight UTA 772 in September 1989 has also issued warrants for Libyans. He did not know if they were for the same people (Comment: according to recent press reports they are not).

The Ambassador said that the British authorities noted what the Minister for Foreign Affairs had said recently in the Dáil (in reply to P.Q.s last week) in regard to his recent meeting with the Libyan Foreign Minister and the assurances he had been given that Libya had ended its support for terrorism. He was instructed to say that in the British view what the Libyan Minister said was "almost certainly pre-emptive". The British authorities know that the Libyans were aware of progress in the Lockerbie inquiry and aware that it was likely to show

Libyan culpability. The British view was that what the Libyan Foreign Minister had told the Minister for Foreign Affairs and what the Libyans had been saying elsewhere, do not indicate a change of heart or a change of policy but rather a wish to avoid the consequences of their actions - what he described as "getting their retaliation in first".

The Ambassador said that the British authorities "have also strong reason to believe that Libyan support for the Provisional IRA continues; and it is clear that PIRA has a continuing expectation of such support."

The Ambassador then handed to me the attached background paper which outlines the evidence against the two Libyans Abdulbaset Al Megrahi and Al Amin (Lamin) Khalifa Fhimah.

In response I first asked the Ambassador if the British authorities were making any request of us? He said no - his instructions were simply to inform us in advance of the outcome of the investigation which is to be announced by the Lord Advocate. He assumed that the instruction to convey this to us resulted in part from the fact that he had reported fully what the Minister had said in the Dáil about the assurances given to him by the Libyan Foreign Minister; and also because of the belief by the UK authorities that Libyan support for the Provisional IRA continues and that the IRA itself has a continuing expectation of such support.

I thanked the Ambassador for the information he had conveyed and assured him that we would respect its confidentiality until it is publicly announced. I said I would report at a high level what he had said to me and I noted that our Minister is also being briefed by Mr. Hurd on similar lines.

I asked if the Ambassador's statement that the British authorities have strong reason to believe that Libyan support for the IRA continues meant support by way of statements and rhetoric or in more concrete ways such as finance and arms? He said he understood it was the latter but he would enquire further about this. I asked in that case if anything had been said about this in discussions at the restricted security sessions of recent Anglo-Irish Conferences? Or if the British side propose to refer to it at the next Conference on 20 November? If confirmed, it would obviously be a matter of concern to the security authorities North and South. The Ambassador said that he did not think the issue had been mentioned at recent security sessions but he would enquire about what I had said in reporting back.

I said that presumably the Libyan authorities would not surrender the two named individuals when the British demanded it. Did the British Government then envisage some action to follow-up and were they proposing to raise the matter within the Twelve with a view to some further action in relation to Libya? The Ambassador did not know. He did know that in

discussions within the Twelve the UK had been most opposed to any easing of the provision in relation to Libya.

In further discussion the Ambassador touched on the shooting of police woman Yvonne Fletcher from the Libyan Diplomatic Mission in London some years ago and a recent Libyan offer through a British M.P. of money to the Police Federation as a clumsy way of making reparation. I mentioned reports which suggested that the M.P. had been acting indirectly for the British Government. The Ambassador rejected this strongly and said that he could confirm that what the M.P. had done had been a major embarrassment for the Foreign Office.

In a general discussion on Libya I recalled to the Ambassador that following the Eksund affair in November 1987 we had deferred indefinitely a meeting of the Joint Economic Commission with Libya (which has not yet taken place) and instructed our Ambassador based in Rome not to go to Libya. For a number of years our relations with Libya had been more or less "frozen". At the same time we have a very considerable economic/commercial interest in sales of cattle and beef to that country which are blocked for the moment for veterinary reasons. As he knew the Minister for Agriculture had gone there last year and our Ambassador had also gone there recently to try to promote beef/cattle exports. I myself had been with the Minister for Foreign Affairs in New York in September when he met the Libyan Permanent Representative, a former Foreign Minister. Our Minister had vigorously pressed two issues - the need to end all support for terrorism and our own interest in beef/cattle sales. At that meeting and more recently at the meeting between our Minister and the Libyan Foreign Minister, which the Minister spoke about in the Dail, the Libyans had, given very strong assurances that they have ended all support for terrorism. Incidentally, they had also mentioned to the Minister that Libya still buys a great deal from the UK through a purchasing mission in London and that there has been substantial indirect involvement by US construction firms in recent major projects in Libya. The Ambassador said he did not know anything about this latter point.

I said that, as our actions in 1987 showed, we were prepared even at some cost to take appropriate action when it was clear that the Libyans were supporting the IRA through supplies of weapons. On the other hand we had now been explicitly and formally assured that all such support has ended; and we do have substantial economic interests at stake. This, I thought, puts a considerable weight on the point he had made to me that there is "strong reason" to believe that Libyan support for the IRA still continues. If, as he had suggested, this was concrete and not merely rhetorical support then I thought that it was something to discuss in the appropriate security channels - perhaps at the next Conference meeting.

I said that these were general comments evoked by what he had said. Insofar as he was reporting back the reaction to his approach he could simply say that I had undertaken to have the approach brought to attention at a high level and that we would ensure that it is kept confidential until the information is publicly released.



N. Dorr
Secretary
13 November, 1991

C.C. PSM
Mr. Nally
Mr. Brosnan
A/Sec Ó hUigin
A/Sec Murphy
A/Sec Barrington

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Destruction of Flight No. PAN AM 103 over Lockerbie: 21 December 1988

Main Points

Shortly after 7 pm on 21 December 1988, Pan American Airways Flight PA 103 bound from London to Detroit via New York, blew up above Lockerbie. All 259 people on board the aircraft and a further 11 in Lockerbie were killed.

Forensic analysis showed that:

(a) the explosion had occurred in the forward cargo hold, within baggage container AVE 4041;

(b) the origin of the explosion was on the second level of luggage in that container - luggage on that level originated not at London but elsewhere, probably at Frankfurt;

(c) the explosion had been caused by an improvised explosive device (IED) concealed within a Toshiba radio cassette recorder and using high performance plastic explosive, like Semtex;

(d) the Toshiba recorder was concealed within a hardshelled, copper-coloured Samsonite suitcase;

(e) the same suitcase contained a number of items of clothing.

Originally the investigation's attention focussed on the Popular Front for the Liberation of Palestine - General Command (PFLP-GC), a cell of which had been arrested in Germany on 26 October 1988. However, no evidence was found to link them with PA 103. On the contrary, three major trails of evidence point to a Libyan action.

The Timer

Scientists at the Royal Armaments Research and Development Establishment (RARDE) recovered a fragment of printed circuit board embedded in a piece of a blast-damaged shirt. The investigation showed that the circuitry in this fragment was similar to circuitry in a timing device recovered in Togo in September 1986. There were also similarities between this Togo timer and a model recovered in February 1988 from two Libyans arrested as they attempted to enter Dakar carrying weapons, explosives and other components of a bomb.

The manufacturer of the 'Togo' and 'Senegal' timers was a Swiss firm, Meister and Bollier (MEBO AG). The principals of MEBO positively identified the fragment recovered from PA 103 as part of the circuitry used in the Senegal version. A small number of timers had been designed and built to an exclusive order from Libyan intelligence officers towards the end of 1985. No other timers of this type were manufactured for any other customer.

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The Clothing

RARDE produced a list of blast damaged clothing that had been inside the IED suitcase. After they had identified the maker of two items, it was possible to identify the shop in Malta to which the clothes had been delivered. The shopowner remembered selling these and other clothes on the RARDE list to a man he described as Libyan. Evidence suggests the sale was on 7 December 1988.

The investigation examined Maltese immigration records for visiting Libyans. On 7 December 1988, Abdulbaset Al Megrahi, Director of the Centre for Strategic Studies, arrived in Malta from Tripoli. The shopkeeper identified Megrahi, from photographs, as looking similar to the man who purchased the clothes packed with the explosive device. On 9 December, Megrahi went to Zurich, flying to Tripoli on 17 December. On 20 December, Megrahi returned to Malta.

The Suitcase

A computerised baggage handling list from Frankfurt Airport for 21 December 1988 showed that an unaccompanied piece of baggage originating from Air Malta Flight KM 180 was transferred onto PA 103A, the feeder flight to London. Investigation of baggage on flights BA 103A and PA 103 indicated that the Samsonite suitcase was the piece of baggage.

When Megrahi returned to Malta on 20 December, he was accompanied by Al Amin (also known as Lamin) Khalifa Fhimah. Fhimah had been employed as Libyan Arab Airlines (LAA) station manager at Luqa Airport Malta between October 1982 and October 1988. But he remained based in Malta and retained his 'airside' pass which was valid until 31 December 1988. Fhimah was seen to remove a dark-brown-coloured, hardshelled suitcase from a luggage carousel. Fhimah was then seen to walk the case past customs.

Loading the Suitcase

The investigation concluded that the Samsonite suitcase containing the bomb was introduced into the baggage system at Luqa Airport on the morning of 21 December while Megrahi was checking in for a flight to Tripoli. At the same time, Air Malta Flight KM 180 to Frankfurt was being checked in. The suitcase was tagged as unaccompanied baggage (rush tag or interline) on Flight KM 180 to Frankfurt, thereafter to be transferred to Flight PA 103 to New York. Fhimah's diary shows he stole luggage labels from Luqa Airport, essential to enable luggage to travel unaccompanied.

There was no x-ray examination of checked-in baggage for European flights from Malta at that time. At Frankfurt it was handled through the system agreed between Airlines to move rush or interline baggage by the fastest possible means.

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A rush tag to New York, leaving Malta on that Air Malta flight, would connect with PA 103A from Frankfurt and in turn with PA 103 at Heathrow. The targeting appears to have been deliberately directed against an American carrier. The incident was probably intended to occur over the Atlantic to prevent recoverable wreckage. But PA 103 was about 25 minutes late and took the longest possible overland route from Heathrow. At the time of the explosion, therefore, flight PA 103 was over Lockerbie.

The investigation has not suggested that any persons other than Libyan nationals were involved in the crime. It concluded that this operation would not have been mounted without approval at the highest levels of the Libyan Government.

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