

United States Senate

WASHINGTON, DC 20510

August 19, 2010

The Right Honorable David Cameron MP
10 Downing Street
London SW1A 2AA
United Kingdom

Dear Prime Minister Cameron,

We appreciate the letter dated August 18 from Mr. Dominick Chilcott, Charge d' Affaires at the British Embassy in Washington DC.

On August 20, 2010, the world will observe the one year anniversary of the release of an unrepentant terrorist, Abdelbaset Ali Mohmed al-Megrahi. You have rightly said that the Scottish decision to release al-Megrahi was "*completely and utterly wrong*."¹ The families of the 270 victims, and those of us who represent them in their respective governments, could not agree more.

You have been firm in your resolve to correct this error of fact and judgment, saying that "*the time has come for an independent inquiry led by a former permanent secretary or former judge*"² Indeed, the time has come. We support your commitment to the full disclosure of all facts surrounding the release of al-Megrahi.

Yet, it is with deep regret that we note the passage of nearly one year since you made your demands for such an inquiry with no result, save for the release of some heavily redacted documents.

While the families in 21 countries wait for your independent inquiry to be launched, more questions arise as to the merits of al-Megrahi's release. For instance, the prospective role of commercial concerns influencing the UK and Scottish Governments has only become more pronounced. We certainly know that BP lobbied the UK Government in 2007 regarding the Prisoner Transfer Agreement (PTA), fearing that delay in ratification could have a "*negative impact*" on BP's exploration agreement with Libya.³ Then-UK Ministers Miliband and Straw have both gone on the record stating that trade – most especially the BP / Libya deal – was a major consideration as they and the UK government negotiated the particulars of the PTA with Libya.^{4 5} Based on these public statements alone, the families of the victims are quite right to

¹ <http://www.cbsnews.com/stories/2010/07/19/world/main6692558.shtml>

² <http://www.guardian.co.uk/world/2009/sep/01/gordon-brown-lockerbie-megrahi-libya>

³ <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/7892770/US-senators-demand-BP-records-on-Libya-lobbying.html>

⁴ <http://www.telegraph.co.uk/news/newstopics/politics/6140801/Jack-Straw-admits-Lockerbie-bombers-release-was-linked-to-oil.html>

⁵ <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091012/debtext/91012-0005.htm>

question the merits and motivation of releasing al-Megrahi and call for an independent investigation.

Additionally, UK Secretary William Hague has said that during the time of negotiations with Libya on the PTA, BP held three discussions with Foreign Secretary Jack Straw between October and November 2007 and had at least two contacts between BP and Prime Minister's Foreign Policy Advisor during the same period. Secretary Hague also mentioned contacts between BP and the UK Ambassador to Tripoli.⁶ Unfortunately, we have yet to receive exhaustive, unredacted copies of documents, notes, and correspondence that fully disclose who was involved, what was discussed, and what was promised during these meeting. Thus, we again ask for your government to expedite our continuing request to publically air all documentation around meetings, discussions, or correspondence between the UK and all commercial entities or representatives that were seeking business in Libya from 2003 forward.

In addition to the above request, there are several specific examples from publically released documents that call for disclosure on an expedited basis. On June 22, 2009, Scottish Deputy Director of Criminal Justice Directorate George Burgess wrote the unnamed head of the North Africa Team for the Foreign and Commonwealth Office requesting clarification regarding whether the UK made an agreement with the US that al-Megrahi would serve his entire sentence in the Scotland. The letter is partially redacted.

We ask that your government authorize the Scottish Government to release this letter in an unredacted format. We also ask that you provide us your government's version of the letter to ensure we have received the same document without alterations.

There is a second letter, dated July 16, 2009, which notes an exchange between Scottish Cabinet Secretary for Justice Kenny MacAskill and the UK Secretary for Foreign and Commonwealth Affairs. Secretary MacAskill wrote to ask for clarification regarding whether the UK made an agreement with the US that al-Megrahi would serve his entire sentence in Scotland. While the UK wrote a letter on July 3rd saying no such agreement existed, Secretary MacAskill noted that the Foreign and Commonwealth Office did not provide any documentation to support this view. The letter in question is heavily redacted.

We ask that your government authorize the Scottish Government to release this letter in an unredacted format. We also ask that you provide us your government's version of the letter to ensure we have received the same document without alterations.

In closing, we again make clear our goals for our inquiries: first, the families of the victims must have full disclosure of all of the facts surrounding al-Megrahi's release. The UK should release or authorize the release of all primary documents, notes, and correspondence that fully disclose the meetings, discussions, or correspondence between the UK, Libyan officials, and UK commercial entities or representatives that were seeking business in Libya from 2003 forward.


⁶ Letter from William Hague to Senator John Kerry, dated 22 July 2010

Second, we again call for a comprehensive, independent investigation with subpoena authority into al-Megrahi's release, fully supported by the UK and Scottish Governments. As you rightly noted nearly one year ago, *"I don't think we can now trust the Government to get to the bottom of this so I think the time has come for an independent inquiry led by a former permanent secretary or former judge to find out what more papers need to be released so we can see what the British Government was doing in our name."*⁷

We thank you for your continued consideration as we faithfully and doggedly represent the interests of the 189 American victims killed by al-Megrahi's actions.

Sincerely,


ROBERT MENENDEZ
United States Senator


FRANK R. LAUTENBERG
United States Senator


CHARLES SCHUMER
United States Senator


KIRSTEN E. GILLIBRAND
United States Senator

⁷ <http://www.guardian.co.uk/world/2009/sep/01/gordon-brown-lockerbie-megrahi-libya>