



Written by [Joe Wolverton, II, J.D.](#) on September 29, 2009

Gordon Brown Brokered Prisoner-for-oil Deal

The buck (or the pound, in this case) stops at the desk of perpetually embattled British Prime Minister Gordon Brown. According to numerous reports in newspapers in the U.K. and worldwide, a clandestine oil-for-prisoners deal with Libya facilitated the recent “compassionate release” of convicted terrorist Abdul Baset Ali al-Megrahi from the Scottish prison where he was serving a life sentence for having bombed a commercial airliner over Lockerbie, Scotland, in 1988, killing 270 people.



Despite weeks of Brown’s denials and pretended offense at the very suggestion that either his government or the government of Scotland would ever make such a behind-the-scenes deal for al-Megrahi’s freedom, both the son of longtime Libyan dictator Moammar Gadhafi and Britain’s former ambassador to Tripoli tell a different tale. It is a head-shaking story rife with purposeful obfuscations, cleverly worded agreements, and shady wink-and-nod double deals that smell fishier than the cod wrapped up daily with greasy chips in the *News of the World*.

Not surprisingly, given his already tenuous grip on the helm of the ship of state, owing to the several and sundry other scandals and controversies dogging him, Gordon Brown has issued a complete denial of any wrongdoing or questionable behavior regarding the release of Megrahi. While in Birmingham, England, Brown told reporters, as quoted by the BBC: “There was no conspiracy, no cover-up, no double dealing, no deal on oil, no attempt to instruct Scottish ministers, no private assurances by me to Colonel Gadaffi.” This brief article, however, will delineate chapter and verse how the record, official and unofficial, of the events culminating in the “compassionate release” (which under Scottish law is available by application to any inmate with less than three months left to live) of a convicted Libyan terrorist and murderer belies Brown’s denial and, in fact, reveals quite a different and despicable story.

“No Conspiracy”

“Conspiracy” is defined by the *Unabridged Random House Dictionary* as “an evil, unlawful, treacherous, or surreptitious plan formulated in secret by two or more persons.” What follows is irrefutable evidence that Gordon Brown’s actions, taken in concert with those of other Libyan, Scottish, and British officials, were absolutely consistent with every essential element of that definition.

Although the dramatis personae, including supporting roles, is long and distinguished, the scope of this



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article forces us to focus on just the lead actors and those eligible for “best supporting” nominations. First and foremost is Gordon Brown. Gordon Brown, the prime minister of the United Kingdom, is himself a Scot. He has insisted that the decision was solely and constitutionally under the bailiwick of the Scottish government and not that of the greater United Kingdom. Brown sticks by this disavowal despite the daily multiplication of documents proving he was complicit in a furtive deal to arrange the release of Megrahi from Greenock Prison in Scotland, where he had been incarcerated for over eight years.

Another principal player in the scandal is Kenny MacAskill, the Scottish Justice Secretary. Although allegedly originally opposed to the notion of the release of Megrahi under any circumstances, MacAskill changed his mind, and on August 20 announced at a press conference that Megrahi’s application to the Scottish courts to be released on compassionate grounds resulting from his diagnosis of terminal prostate cancer was accepted and that Megrahi would be flying home to Tripoli. As late as August 5, after an in-cell meeting with Megrahi, MacAskill proclaimed that Megrahi would not be released on compassionate grounds. Then, in what the timeline reveals is coincidental with Megrahi’s dropping the appeal of his conviction and the final approval by Libya of lucrative business deals with British multi-nationals, MacAskill reversed his opinion and signed the papers that punched Megrahi’s ticket home. As should be expected, despite MacAskill’s vigorous defense of the legality and humanity of his actions, he has come under immense pressure from his countrymen, and the calls for his ouster are growing louder and coming from very prominent and powerful voices.

On the Libyan side of the equation, the leading figure is Saif Gadhafi, the son of Moammar Gadhafi, the de facto Libyan leader since he led a successful coup d’état in 1969. Gadhafi the younger doesn’t wear the muzzle of the establishment, and therefore much of the surreptitious detail of the meetings and missives leading to the release of the Lockerbie bomber is coming from him and his agents. For example, whereas all the British and Scottish interests in the deal have vociferously asserted that Megrahi’s name was not only not mentioned by them, but specifically eliminated from any list of potential prisoners eligible for release under a Prisoner Transfer Agreement (PTA) worked out and signed by Tony Blair (former U.K. prime minister) and Colonel Gadhafi in 2007, Saif Gadhafi remembers his discussions with British officials this way: “It was obvious we were talking about him [Megrahi]. We all knew that was what we were talking about. People should not get angry because we were talking about commerce or oil. We signed an oil deal at the same time. The commerce and politics and deals were all with the PTA.” Not exactly the tone of the discussions as related by the British.

Perhaps the most interesting actor in this real-life drama is a man whose influence straddles the miles separating the U.K. from Libya. This man’s name is David Garro Trefgarne, 2nd Baron Trefgarne. Lord Trefgarne is a member of the House of Lords. In fact, he is one of only 92 hereditary peers left in the House of Lords after enactment of the House of Lords Act of 1999, which eliminated hundreds of the members of that House who had inherited their seats.

Besides his familial influence and his seat in Parliament, Trefgarne has other interests that touch and concern the matter at hand. Namely, he is the chairman of the Libyan British Business Council (LBBC), an organization established in 2004 that describes itself as a group that “promotes business relations and commercial activity between the British and Libyan business communities.” Furthermore, the organization’s website boasts that “we work with and enjoy the support of both the U.K. and Libyan governments.” It is this organization, whose leadership is drawn from British seats of power, that may have brokered the deal that not only gave Abdul Megrahi his freedom, but gave British Petroleum (BP)



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a chance to take a long, rewarding dip into the pool of Libyan oil. More on the dynamic between oil contracts and prisoner releases and the role Trefgarne and LBBC played in it follows later in this piece.

“No Cover-up”

Even those with a mere cursory understanding of the machinations of a conspiracy know that concealment is the most important element of the accomplishment of a plot. In the present case, all the deals, handshakes, letters, and secret confabs that combined to free oil and prisoners were hidden for months and perhaps years, taking into consideration the first meeting by British Foreign Office officials with Moammar Gadhafi in Libya in 2002, as well as the negotiations carried on in 2004 by Gadhafi and Tony Blair. While it may be difficult, as with any coverup, to identify the precise moment the obfuscation began, it is easy to point to several covert operations that occurred before the lights were turned on and the rats began scrambling for cover.

Given the controversial nature of the decision to release Megrahi and its worldwide impact in light of the fact that many of Megrahi’s victims were American, it is no wonder that so many worked so hard to keep so much secret. David Cameron, the leader of the Conservative Party in the U.K. Parliament, has outright accused Downing Street of “double dealing” and told the *Times* of London, “For weeks he’s [Gordon Brown] been refusing to say publicly what he wanted to happen to al-Megrahi, yet we now learn apparently privately the message was being given to the Libyans that he should be released.” Brown, it seems, was ably covering up any concessions, tacit or explicit, given to the Libyans regarding the release of Megrahi.

While, if true, this is certainly damning, Cameron and his lot are not guiltless in this mess, as the aforementioned Lord Trefgarne is a former chairman of the Association of Conservative Peers, a group intimately connected with the larger Conservative Party. Interestingly, Trefgarne himself participated in the coverup. Letters he wrote to Kenny MacAskill urging the judge to consider releasing Megrahi for the greater British good just came to light thanks to the investigative work of reporters from the *Guardian* newspaper in the U.K.

“No Deal on Oil”

This facet of this sordid and sorrowful story is perhaps the most distasteful, as it essentially represents an exchange of blood (that of American, English, and Scottish victims of Megrahi’s terrorist attack on Pan Am Flight 103) for oil (specifically the untold barrels in rich reserves found under Libyan soil, so passionately desired by BP and others). As the headline in the *Sunday Times* of August 30, 2009 so succinctly declares: “Lockerbie bomber set free for oil.” As investigators, legislators, and journalists from around the world have perused the documents recently released by London and Edinburgh, there is little doubt among most of them that the key that unlocked Abdul al-Megrahi’s prison cell was being turned by British commercial interests, chiefly BP.

In letters leaked to the *Times*, the British government and its agents in Libya decided that it was “in the overwhelming interests of the United Kingdom” to let Megrahi go free. Those interests are identified as a multi-billion-dollar oil exploration contract that would have been rejected by the Libyan government had a promise of granting freedom to the infamous Libyan terrorist not sweetened the pot. The British were anxious to make a deal, even a shoddy one, as it had for years been actively engaged in trying to find alternative sources for oil, seeing as how the North Sea reserves it relies on so heavily are drying up and any other source of oil in the eyes of the U.K. is better than the more obvious provider: Russia.

As Edward Davey, a spokesman for the Liberal Democrats, declared, “This is the strongest evidence yet



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that the British government has been involved for a long time in talks over al-Megrahi in which commercial considerations have been central to their thinking.” The strong evidence to which Davey refers is the leaked letters exchanged between Jack Straw, the U.K. Justice Secretary, and Kenny MacAskill, the man who stands with Gordon Brown in the eye of the hurricane.

The correspondence between Straw and MacAskill began around July 2007. A couple of months earlier, BP had announced that an exploration deal with Libya worth over £15 billion was in the works. As of November of that same year, the Libyan government was still sitting on the deal, refusing to ratify it without some crucial amendments. Paramount among the desired codicils was a PTA between Libya and the U.K. that was originally initiated by Tony Blair and Colonel Moammar Gadhafi. Since the agreement’s inception, Gadhafi had insisted that Abdul al-Megrahi’s name be included on the list of potential exchangees. For years, British officials refused to permit Megrahi’s freedom to be part of the deal. That all changed, however, when the huge BP deal was still sitting on Gadhafi’s desk unsigned in December of 2007.

On December 19, 2007, Straw sent a letter to MacAskill informing him that London was dropping its insistence that Megrahi’s name be excluded from the PTA list. The reason: oil. Not just a drop or two, but millions and millions of barrels and the money to be made from it. According to the *Times* of London, Straw’s fateful letter to MacAskill read in salient part, “The wider negotiations with the Libyans are reaching a critical stage and, in view of the overwhelming interests for the United Kingdom, I have agreed that in this instance the [PTA] should be in the standard form and not mention any individual,” thus tacitly throwing Megrahi’s name into the mix and pleasing the Libyan government interests that the British were now desperate to appease.

Like night following day, in less than two months after Straw surrendered his opposition to the exclusion of Megrahi’s name from the PTA, Libya relented and signed the documents necessary to give BP access to its untapped oil reserves. As mentioned above, this version of the story is confirmed by Saif Gadhafi. He isn’t the only witness for the prosecution, however. Perhaps even more credible is the testimony of Sir Richard Dalton, a former British ambassador to Libya and a member of the board of directors of the LBBC. Dalton told the *Times*, “Nobody doubted Libya wanted BP and BP was confident its commitment would go through. But the timing of the final authority to spend real money was dependent on politics.” This is convincing, indeed, given Dalton’s experience and familiarity with Libya, the LBBC, and the overall gives and takes of modern political wheeling and dealing.

For its part, executives at BP have remained silent except to assure the world that politics played no part whatsoever in the negotiation and ratification of its deal with Libya. Furthermore, it denies that negotiations were ever in jeopardy over whose name was or was not excluded from the PTA. BP does not deny, however, that it is thrilled at the prospect of cashing in on the U.K. government’s capitulation to its new, placated Libyan business partners.

“No Attempt to Instruct ?Scottish Ministers”

In what to the Scottish people must be the ultimate insult, it seems that Scottish authorities, specifically Kenny MacAskill, crumbled under the considerable pressure exerted on them by English parties determined to secure acceptance of the BP-Libyan oil contract. There were many high-placed officials, government and corporate, using all their combined powers of persuasion in an effort to sway MacAskill. Of particular note is the fact that one of those interested in flipping MacAskill may have been his own brother, Allan, who has worked as a senior executive at BP. Admittedly, Allan MacAskill no longer works for BP, but he worked for the petroleum giant for over 20 years.



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Although his efforts were unaided by consanguinity, one of the Englishmen leaning heaviest on Kenny MacAskill to sign Megrahi's release papers was the aforementioned aristocrat, Lord Trefgarne. Adding his contribution to MacAskill's already-full mailbox, Trefgarne wrote a letter to MacAskill in July reminding him that there were many Scottish interests to be served by the passage of the BP oil exploration deal, and the fulcrum on which all these deals turned was the release of convicted terrorist Abdul al-Megrahi. Trefgarne informed MacAskill that the LBBC, Scottish businesses with ties to Libya, Scotland herself, and the U.K. at large would all suffer immediate and irreparable harm if minds weren't changed and changed quickly regarding Megrahi's future.

In case MacAskill didn't get the point, Trefgarne, according to the *Guardian* newspaper, closed his message to MacAskill by saying, "May I end by emphasizing that speed is of the essence, principally, of course, for humanitarian reasons, but also because of the shadow which may otherwise fall over the UK-Libyan relations — and especially the interests of LBBC Scottish members and indeed others." That was undoubtedly Trefgarne's refined way of putting the iron fist of raw commercial considerations inside the velvet glove of humanitarianism and Scottish patriotism. Curiously, despite MacAskill's response to Trefgarne that he would not be swayed by commercial, economic, or political concerns, on August 20, 2009, he set Megrahi free.

Black and Red

The message, or perhaps "instruction" as Gordon Brown would call it, was apparently received loud and clear. For despite the vaunted walls around Scottish sovereignty and the independence that Scotland claims to have in such matters from the government of the greater United Kingdom, on August 21, 2009, convicted terrorist and murderer Abdul al-Megrahi walked out of a Scottish prison after serving only eight years of a life sentence. He then flew home to Libya and was greeted as a hero by throngs of his cheering countrymen.

This scene, so revolting and unfathomable to the families of those murdered by Megrahi, was played out as part of a larger production performed solely for the purpose of putting Libyan oil money in the hands of British corporations. Those corporations must now justify to themselves and the world the probity of trading a murderer for money, money exchanged with a nation whose own hands are stained crimson with the blood of British subjects, thus proving that although blood may be thicker than water, blood, even the blood of one's own countrymen, is sometimes not thicker than oil.

— *Photo of Gordon Brown with Moammar Gadhafi: AP Images*



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