



IN THIS SECTION:

'Great Barrier Reef will be dead by 2050'

Australia's wonder of the world faces catastrophe as sea temperatures rise
By Elizabeth McMeekin

1000 new spies for MI5
By Neil Mackay, Home Affairs Editor

Bill Hicks: the RIP VIP
Alan Taylor's Diary

Curran in civil service attack
By Douglas Fraser, Political Editor

Death row Scot: 'plea by Blair is my last hope'

Amnesty says Richey held in barbaric conditions
By Neil Mackay, Home Affairs Editor

Gibson's Passion for making money
By Neil Mackay

Highlands and Islands slump triggers EU aid
By Alan Crawford, Political Correspondent

Hope of urban renaissance as public art gets its angel
By Elizabeth McMeekin

Investors upbeat as share prices increase
By Bridget Morris

MMR storm: Wakefield welcomes probe
.EXCLUSIVE.
Health Secretary demands inquiry after doctor who linked triple jab with autism accused of conflict of interest
By Liam McDougall

McLeish to hand over book
By Alan Crawford, Political Correspondent

Lockerbie: CIA witness gagged by US government



A FORMER CIA agent who claims Libya is not responsible for the Lockerbie bombing is being gagged by the US government under state secrecy laws and faces 10 years in prison if herevealsanyinformation about the terrorist attack.

United Nations diplomats are outraged that the US government is apparently suppressing a potential key trial witness. Diplomats are now demanding that the CIA agent, Dr Richard Fuisz, be released from the gagging order. Fuisz, a multi-millionaire businessman and pharmaceutical researcher, was, according to US intelligence sources, the CIA's key operative in the Syrian capital Damascus during the 1980s where he also had business interests.

One month before a court order was served on him by the US government gagging him from speaking on the grounds of national security, he spoke to US congressional aide Susan Lindauer, telling her he knew the identities of the Lockerbie bombers and claiming they were not Libyan.

Lindauer, shocked by Fuisz's claims, immediately compiled notes on the meeting which formed the basis of a later sworn affidavit detailing Fuisz's claims. One month after their conversation, in October 1994, a court in Washington DC issued an order barring him from revealing any information on the grounds of "military and state secrets privilege".

Whencontactedbythe Sunday Herald last night, Fuisz said when asked if he was a CIA agent in Syria in the 1980s: "That is not an issue I can confirm or deny. I am not allowed to speak about these issues. In fact, I can't even explain to you why I can't speak about these issues." Fuisz did, however, say that he would not take any action againstanewspaperwhich named him as a CIA agent.

Congressional aide Lindauer, who was involved in early negotiations over the Lockerbie trial, claims Fuisz made "unequivocal statements É to me that he has first-hand knowledge about the Lockerbie case". In her affidavit, she goes on: "Dr Fuisz has told me that he can identify who orchestrated and executed the bombing. Dr Fuisz has said that he can confirm absolutely that noLibyannationalwas involved in planning or executing the bombing of PanAm 103, eitherinanytechnicalor advisory capacity whatsoever."

Fuisz's statements to Lindauer support the claims of the two Libyan accused who are to incriminate a number of terrorist organisations, including the Popular Front for the Liberation of Palestine-General Command, which had strong links to Syria and Iran.

Lindauer said Fuisz told her he could provide information on Middle Eastern terrorists, and referred to Lockerbie as an "example of an unsolved bombing case that he said he has the immediate capability to resolve".

Lindauer says Fuisz told her CIA staff had destroyed reports he sent them on Lockerbie. Lindauer also refers in her affidavit to speculation that the USA □shifted any connection to Lockerbie away from Syria to Libya in return for its support during the Gulf war.

She added that Fuisz told her: "If the [US] government would let me, I could identify the men behind this attack today. I could do the right thing ... I could go into any crowded restaurant□ and pick out these men□ ... I can tell you their home addresses ... You won't find [them] anywhere in Libya. You will only find [them] in Damascus. I was investigating on the ground and I know."

Memo from your boss:

stop smoking

Companies see advantages in stumping up for therapy to help employees quit cigarettes ... but will they stop at nicotine?
By Liam McDougall, Health Correspondent

Ministers told: we need to have more charities

Decline due to public disillusionment and lack of support, says charities chief
By Stephen Naysmith, Social Affairs Correspondent

Parliament has failed to take action for five years over 'Lobbygate' affair, say MSPs

By Alan Crawford, Political Correspondent

Pressure grows to save Airborne

By Stephen Naysmith, Social Affairs Correspondent

Pressure on McConnell to abandon PR for councils

By Alan Crawford

SNP's Swinney accuses Blair of xenophobia

By Alan Crawford, Political Correspondent

Scottish universities claim top marks in international league

Glowing report may help plea for £102m
By Stephen Naysmith, Education Correspondent

Sea snake will power green electrissssssity

By Rob Edwards, Environment Editor

Spark fingers Lord

Darnley's killer
Controversy as author blames Italian courtier for murder of Mary Queen of Scots' husband
By Elizabeth McMeekin

WHO 'suppressed' scientific study into depleted uranium

cancer fears in Iraq
Radiation experts warn in unpublished report that DU weapons used by Allies in Gulf war

The 1994 gagging order was issued following disclosures by Fuisz during other legal proceedings about alleged illegal exports of military equipment to Iraq. The order claims that the information held by Fuisz is vital to the "nation's security or diplomatic relations" and can not be revealed "no matter how compelling the need for, and relevance of, the information". The submission also makes clear that the government is empowered to "protect its interests in this case in the future", thereby gagging Fuisz permanently.

Details of Fuisz's gagging have been passed to the United Nations, including UN secretary general Kofi Annan, Russia's UN ambassador Sergey Lavrov and the Libyan UN ambassador, as well as representatives of France and China. The report on the Fuisz gagging, containing Lindauer's affidavit, refers to "the history of US interference ... [and] ... sabotage by the United States".

One senior UN diplomat said: "In the interests of natural justice, Dr Fuisz should be released from any order which prevents him telling what he knows of the PanAm bombing." With Fuisz prohibited from speaking, neither the defence nor prosecution can call him as a witness.

A legal source close to Fuisz said: "We want the truth out. The naming of knowledgeable witnesses who can't be called would utterly change the face of this trial. Dr Fuisz obviously cannot claim he has any knowledge because of national security issues and he could face 10 years in jail. However, if he is not allowed to talk the entire case should be dropped.

"Apart from the US government freeing him from the gag, the only way to allow him to speak would be to subpoena him to the Scottish Court, but the court has no power of subpoena in America."

The Sunday Herald will make the Lindauer affidavit and Fuisz gagging order available to both the Crown and defence if they require the documents.

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◀◀ back to previous page

Should there now be an official inquiry into the **MMR Controversy?**

Yes

No

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REPORT