

ON THE RECORD

“Eris is the Greek goddess of discord and strife.”

Astronomer Mike Brown on choosing the official name of the dwarf planet formerly known as Xena.



“Fang Zhouzi and I should carry out a civilized duel to the death.”

Philosopher Li Ming suggests a novel way of solving a disagreement over the four-colour theorem.

“I hate to say we told you so, but we told you so.”

Climatologist Mark Serreze on the finding that Arctic sea ice shrank 14% between 2004 and 2005.

SCORECARD

Academic freedom
The Russian cabinet has replaced the word ‘Russian’ in the name of the Russian Academy of Sciences with ‘State’ — a seemingly subtle change that gives President Vladimir Putin the right to approve its choice of president.

Chemists’ nights out
Japanese police have launched a desperate search for three bottles of potentially deadly hydrofluoric acid, after an official from Shimonoseki Mitsui Chemicals who was carrying them one night got so drunk he couldn’t remember what he did with them.

NUMBER CRUNCH

A group of scientists have got together to defend researcher Thomas Walsh against a *Los Angeles Times* article that suggested he may have biased clinical trials towards drugs owned by the companies who were paying him (page 252).

109 is the number of authors who signed the editorial in *Clinical Infectious Diseases*.

554 is the number of potential conflicts of interest they declare.

Lawyers call for science to clear AIDS nurses in Libya

Lawyers defending six medical workers who risked execution by firing squad in Libya have called for the international scientific community to support a bid to prove the medics’ innocence. The six are charged with deliberately infecting more than 400 children with HIV at the al-Fateh Hospital in Benghazi in 1998, so far causing the deaths of at least 40 of them.

On 28 August, when the prosecution was scheduled to close its case, the Libyan prosecutor called for the five Bulgarian nurses and a Palestinian doctor to be sentenced to death. Attorneys from Lawyers Without Borders, who are handling the defence of the six, have responded by calling for the international community to request that the court order an independent scientific assessment, by international AIDS experts, of how the children became infected.

The medics were condemned to death in May 2004, but the Supreme Court quashed their convictions last December, following international protests that the first trial had been unfair. It ordered a retrial, which has run intermittently since 11 May at the Criminal

Court of Benghazi, based in Tripoli. A verdict is expected within weeks.

But the scientific community has so far shown relatively little interest in the case, says Emmanuel Altit, a member of the Paris bar and a volunteer with Lawyers Without Borders, who has in the past defended inmates at Guantanamo Bay. “We have knocked on a lot of doors, but we have not had much help; we hope this will change.”

One reason for the lack of interest, he says, is the widespread notion that the trial is a sideshow, and that the “real decisions” will be made by diplomats (see page 245). Altit argues that diplomacy has so far failed to secure results, and that the medics’ release will only be secured by using scientific evidence to fight the case in the Tripoli courtroom. He hopes that exposing the “emptiness” of the prosecution case will ramp up enough international pressure to force governments to take action.

At present, the case has been sidelined by broader geopolitical interests in the opening of oil-rich Libya to international relations, says

L. LARBY/REUTERS



Five Bulgarian nurses and a Palestinian doctor stand accused of infecting hundreds of children with HIV.

Antoine Alexiev, another defence lawyer on the case. The United States decided in May to re-establish diplomatic relations with Libya. And Muammar Gaddafi, the Libyan leader, has been given red-carpet treatment at the European Union's headquarters in Brussels — without mention of the medics' situation.

First report

During the first trial, the Libyan government did ask Luc Montagnier, whose group at the Pasteur Institute in Paris discovered HIV, and Vittorio Colizzi, an AIDS researcher at Rome's Tor Vergata University, to examine the scientific evidence. The researchers carried out a genetic analysis of viruses from the infected children, and concluded that many of them were infected long before the medics set foot in Libya in March 1998. Many of the children were also infected with hepatitis B and C, suggesting that the infections were spread by poor hospital hygiene. The infections were caused by subtypes of A/G HIV-1 — a recombinant strain common in central and west Africa, known to be highly infectious.

But the court threw out the report, arguing that an investigation by Libyan doctors had reached the opposite conclusion. Montagnier believes the judgement was based at least partly

on mistranslation from English to Arabic of the term 'recombinant' — instead of referring to natural recombination of wild viruses, as intended, it was interpreted to mean genetically modified, implying human manipulation.

According to Alexiev, the decision to throw out the report removed all scientific content from the case, leaving a series of prejudgements, and confessions extracted under torture. "It's scandalous," he says. "This is a complex scientific affair, and it is impossible to judge it without a scientific basis."

Montagnier, whose efforts helped secure a retrial in the first place, says he too is upset by how events in Tripoli are progressing. "It's a rerun of the first trial," he says. "It's embarrassing politically for Gaddafi, but there is the pressure of the parents, who absolutely need to find a scapegoat. Of course this can't be the Libyans, so it falls on the medics."

The defence is scheduled to plead on 21 September, but Altit is not convinced that the science will be fairly heard. All

"It's scandalous. This is a complex affair, and it is impossible to judge it without a scientific basis."

attempts by the defence to present its arguments have been "systematically blocked", he claims, for example by switching the schedule. "The trial should be fair and equitable; until now it has been anything but."

Legally, the Montagnier/Colizzi report cannot be reinstated after having been thrown out, so the defence is pinning its hopes on persuading the court to appoint an independent science panel to produce a new report. The Tripoli court has resisted all such calls, says Alexiev. "We are hitting a wall, and that is unlikely to change before the end of this trial."

The defence is therefore resigned to probably losing the current trial, he says, and is setting its sights on the six's last chance: a final appeal in the Supreme Court, which could convene immediately after the Tripoli verdict, currently expected in November. "We need to convince the Supreme Court to nominate that international scientific assessment," he says.

"If international pressure isn't stronger before the appeal, the risk is large that they will be condemned to death," predicts Michel Taube, co-founder of Together Against the Death Penalty, a French non-governmental organization. "To avoid that outcome, diplomacy is not enough. We need international mobilization."

Only a combined pressure from lawyers and scientists as well as politicians will make a difference, agrees Altit. If the Supreme Court refuses a scientific assessment, then the international community will be able to ask: "What has it got to hide?" he says. "And if it agrees to a scientific investigation, then we will win." ■

Declan Butler

