

# French politicians on trial for mass Aids infection

Jon Henley in Paris

**I**T IS the trial with everything: a new court, set up to try public officials for crimes in office; a former prime minister and two of his cabinet charged with manslaughter; a claim that politicians, faced by a frightening new disease, put big business above public health; and, worst of all, a horrifying death toll.

An estimated 600 people in France, the majority of them haemophiliacs, have now died of Aids from transfusions of batches of blood contaminated with the HIV virus donated during a few lethal months from late 1984 to August 1985, before universal screening was introduced.

According to Edmond-Luc Henri of the French Association of Haemophiliacs, of about 2,500 registered haemophiliacs in France in 1985, 1,348 were infected.

French fatalities during "l'affaire du sang contaminé" account for a breathtaking 56 per cent of all transfusion-related Aids deaths in Europe.

Four senior health officials, including the directors of the national transfusion and public health services, have received prison sentences of up to four years for knowingly permitting the use of potentially infected blood stocks.

But their trial only raised another question, voiced in court in 1992 by a lawyer for the victims' groups.

"Where the hell," she asked, "are the politicians?"

Next week, in a landmark case — the first to be heard by the new Court of Justice of the Republic — Laurent Fabius, Georgina Dufoix and Edmond Hervé, respectively

prime minister, social affairs minister and health minister from 1984 to 1986, will try to answer that question.

All three are charged with deliberately delaying the universal screening of all donated blood in France — at a time when an American-made HIV test was available — in order to allow the French Pasteur Institute to develop its own test.

Mr Hervé is also accused of failing to ensure the implementation of a 1983 circular recommending that blood donors should be pre-selected to rule out those in high-risk categories, such as heroin addicts and homosexuals. He and Ms

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Dufoix are charged with postponing the obligatory heat treatment of all donated blood and allowing non-treated blood to be used until October 1985.

All three face a maximum of five years in jail.

Lawyers representing the victims and public prosecutors appear convinced that the government paper trail of minutes, memos and white papers will prove conclusive.

But according to the former ministers — who reject all the charges — the case is not quite so clear-cut.

Mr Fabius, 37 at the time and one of France's youngest ever prime ministers, is now the Speaker of the national assembly. He insists that he acted responsibly and in record

time. In 1985, he argues, knowledge of Aids was patchy at best. Researchers were still far from clear about how the virus was transmitted.

Some experts still believed that HIV protected patients against the full-blown version of the syndrome. Then, there were just eight cases of transfusion-related Aids in France.

Alerted by his advisers in April 1985 to the technical feasibility of universal screening but not, he swears, to the urgent need for it, Mr Fabius announced it in June — to cries of parliamentary horror at the expense — and implemented it in August.

It was thanks to him, he says, that France became only the fifth country in the world to do so, ahead of Britain, Germany and the United States.

While the Pasteur Institute lobbied furiously for the procedure to be delayed so its test would be ready, the ministers say they did not heed it.

When screening was introduced, in August rather than Pasteur's target of October, the French firm's test was only one of three used.

The ministers also claim that doctors were reluctant to jeopardise France's tradition of generosity in blood donation by asking donors embarrassing questions or insisting that blood already collected should be heat-treated — and this accounts for the large number of transfusion-related victims.

So, is this a scandalous witch hunt, as some are claiming, or a triumph for justice?

A poll in France this week showed that more than 84 per cent think the trial should go ahead. Tellingly, however, only 56 per cent think it will get anywhere near the truth.