

## APPENDIX II

### PRESIDENT MBEKI'S ADVISORY PANEL AND THE DISSIDENTS' EXPERIMENTS

As is well known at the first meeting of the President's AIDS Advisory Panel, it was proposed to perform experiments and a committee was formed consisting of Peter, Harvey, Helen Gayle and William Makgoba. The experiments were to be funded by the South African government. We were not present at that meeting but heard that the dissidents proposed two experiments: (i) antibody tests performed in South African patients with AIDS and non-AIDS indicator diseases. If there were patients with AIDS with negative antibody tests and, conversely non-AIDS patients with positive tests, the conclusion was going to be that no relationship exists between HIV and AIDS; (ii) Follow-up positive and negative military recruits and haemophiliacs. It was predicted that the same frequency of AIDS indicator disease will develop in both the negative and positive groups. This is because, although a positive test proves "HIV" infection, "HIV" is a harmless passenger virus.

We emailed Harvey Bialy and said that there are many studies from Africa similar to the first of the proposed experiments but none made the slightest difference in regard to the cause of AIDS. We also predicted that the second experiment will be proven wrong. (In fact during a conversation with Harvey Bialy in New York City in 1993, one of us explained to Harvey why, in our view, positive antibody tests would distinguish between haemophiliacs otherwise healthy and those with or who develop AIDS. Hence this experiment would fail). This is because although there is no proof the antibody tests prove infection with "HIV", they do indicate a propensity to develop particular diseases. In his response, without any explanation, he said that we will do anything to keep ourselves at the top of the dissident side. (In NYC in 1993 he was somewhat hostile to the notion the experiment with haemophiliacs would not "work".) Later when we drew his attention to the problems associated with his proposed "Beacon" experiment he levelled a similar accusation at us: "You continue to prefer being right to eliminating the terror of AIDS." At the Johannesburg meeting we gave evidence and explained to Harvey (Peter declined to talk to E P-E) the reasons for our views regarding the experiments they proposed. We also proposed two experiments: a pre-absorption experiment and "HIV" isolation/purification.

After lengthy explanations, Harvey ultimately agreed that our two proposed experiments were very important. At the morning session where the experiments were to be discussed he said he would include our two experiments and propose E P-E a member of the committee. At the meeting he did not mention E P-E and we do not know if he had time to discuss our proposed experiments with Peter. However, at the press conference which was chaired by Harvey, Helen Gayle and William Makgoba, it was announced that among the experiments to be performed would be the pre-absorption and purification experiments; "we will start from basics". At this point Peter walked out of the room.

We repeatedly told Harvey that the pre-absorption experiments had to be done in conjunction with the purification experiment. On its own it would be of little value and that a similar experiment, but using only one antigen, had been performed and published six years previously by Kashala and Essex.

Immediately after we returned from South Africa we received an email from Harvey asking us to write the protocol for the pre-absorption experiments as quickly as we can and show it to no one, not even other members of the Perth Group, or Sam Mhlongo, sending it only to Peter. Next thing he asked for was Kashala's paper, which we sent. Then we received numerous emails asking us to tell him what antigens to use.

In Johannesburg we repeatedly said to Harvey: (i) the pre-absorption experiment must be done in conjunction with the purification experiment; (ii) for the test to have an impact they must be done in collaboration with the “HIV” experts; (iii) any dissident who is interested may take part. (Etienne de Harven was very interested in the purification experiment. Although one of the members of the Perth Group is an experienced electron microscopist, we promised him that he will definitely be involved in the electron microscopy examination.)

Below are some extracts from a few of the email exchanges with Harvey.

Email from Harvey to us (his responses are in CAPITALS).

Val F Turner wrote:

Dear Harvey,

We are very impressed with your hard work and enthusiasm in regard to the experiments. But we have a few problems.

1. Our misunderstanding is this: These experiments are going to be performed under the auspices of the SA Government including President Mbeki. This means that they must have a protocol including a detailed experimental design, to enable them to approve or modify as they see fit. As has been agreed we are doing exactly that for the absorption and co-culture experiments. **SO THAT IS WHAT WE ARE DOING WRITING PROTOCOLS.**
2. The experiments are meant to be a collaborative effort between the two sides. This means that whatever experiments are done, every detail must be approved beforehand including Helen Gayle and William Makgoba. **WE ARE WRITING PROTOCOLS FOR THEM TO LOOK AT THEY WILL APPROVE THEM**
3. ...As you know, the absorption and co-culture experiments were proposed by us. And this proposal dates from 1983. And was included yet again in the Internet debate and at the end of our presentation to the meeting on day one. In fact we (Eleni) spent two sleepless nights convincing you that these experiments are essential. And we are extremely grateful for your forbearance and acceptance in relation to this matter. This is the reason we call these particular experiments “our” experiments and because of this, not unexpectedly, we need to be in control of the design and interpretation. Is that a lot to ask? Naturally, anyone from both sides may contribute and we all must be fair to each other. It is our view that, although you refer to these experiments in both your press conference and release as being yours, Peter’s and David’s, the fact that Peter walked out from the room when we started discussing them suggests he is reluctant to be involved with them. **GOOD. WHAT EXPERIENCE DO YOU HAVE IN DESIGNING AND CARRYING OUT IMMUNOASSAYS. PLEASE TELL ME WHAT ANTIGENS TO USE. I HAVE REAL EXPERTS DOING THE DESIGN. WE WILL CHECK EVERYTHING OUT HERE IN MEXICO**

AND TAKE THE SHOW TO CAPETOWN. WHAT DOES IT MEAN TO BE IN CONTROL OF THE INTERPRETATION?

LOOK WE NEED TO GET GOING ON THE PREABSORPTION AS I THOUGHT I MADE SO PLAIN. THE CO-CULTIVATION ETC CAN WAIT FOR NOW. WHAT ANTIGENS? IN WHAT ORDER?

At present we are deeply involved in the protocol design but we firmly believe it is better to be accurate rather than rush and risk making mistakes. Rest assured we will “respond with utmost haste commensurate with the utmost accuracy”.

Best wishes

Eleni & Val

21/7/2000

Email from us to Harvey

Dear Harvey,

In your email of 19<sup>th</sup> July you wrote:

*“do you know a damned thing about designing these protocols”.*

Why then did you ask Eleni to design them?

*“we did not agree Eleni would design the protocols only that she would do the first draft and then everybody else would have a say”.*

If this was the agreement then why are you not following it” (In fact, you asked Eleni to design the protocols and show them to nobody not even members of the Perth Group, Sam or you but send them only to Peter).

*“we and I repeat not doing a damn thing yet in SA but if you think I would go there with untried protocols you are mad”.*

What protocols are you trying in Mexico when we have not written them and we have not seen any from you? At least tell us how we are going to apply them in SA.

*“to look at the basic premise (which by the way is not so brilliant, it’s obvious, and most definitely not your unique contribution to the world of science)”*

You are accusing us of something which is totally false. We have never even dreamt to claim the basic premise, that is, pre-

adsorption experiments being our idea. However, we have repeatedly asked for experiments, similar to the ones done by Essex et al, to be performed in order to prove the specificity of the “HIV” antibody test long before they did them. It is you who called our idea to apply them to the “HIV” antibody test as our “brilliant idea” (your email dated 8<sup>th</sup> July).

*“I have asked you now three damn times for a list of the important antigens.”*

They will be included in the draft protocol which we intend to send to you as soon as we have written it.

*“or done a few experiments yourself in thirteen years. After all if you know so well how to design pre-absorptions why haven’t you before!”*

There are a few reasons for that including:

1. Lack of money
2. Lack of access to patients (In Australia AIDS patients are the “property” of immunologists and retrovirologists)

*“I have been killing myself to try coordinate this and at every turn you and Eleni keep introducing completely unnecessary complications, as though you trust none but yourself to make any ‘politically correct’ decisions or understand anything at all about the way science is conducted.”*

We know Harvey that you have been working very hard, and please believe us we greatly admire you for it. We are very sorry if you interpret our genuine interest in these experiments as unnecessary complications. We are the first to accept that we are the least likely to make ‘politically correct’ decisions.

Sincerely

Eleni & Val

Before we finished writing the protocols we received some material from Harvey which was said to be the results from his pilot experiments conducted in Mexico and asked to comment. Unfortunately what we were sent made no sense and we could not comment.

Subsequently, we found out, long after the event, that a meeting took place in Johannesburg, (28 October, 2001) to discuss the experiment which was attended by Harvey, David Rasnick and a collaborator from Mexico.

Most importantly:

- (i) Harvey collaborated with William Makgoba in his effort (unsuccessfully) to convince us to withdraw the purification experiment;

- (ii) Harvey convinced the South African authorities that it is not necessary to conduct the experiments proposed by any other dissidents, his pre-adsorption, Beacon and Quality assessment of “HIV” testing are sufficient to accomplish the mandate the President has set us.

We wrote to Harvey:

Harvey,

...For some unknown reason when you went back to Mexico you took upon yourself to be in charge of the pre-adsorption experiment and form your own team. Furthermore, you tried apparently successfully, to convince the important people in South Africa that “Stages 4 and 5, which have to do with co-cultivation, ‘isolation’ and electron microscopy, we do not think are necessary to discuss at this point, as they become too complicated too quickly, and we will never accomplish the mandate President Mbeki has set us. I think that if we concentrate on Stages 1 [Quality assessment of HIV testing: Establishing a Baseline validating HIV ELISA testing in South Africa], 2 [Pre-adsorption] and 3 [Molecular Beacons], that we will have reached a point at which all sides can agree that something productive has been achieved and we can re-examine what future activities might be pursued.”

Regarding the pre-adsorption experiment, it is still our view that even “Assuming the results are as well as we all would predict” this test is not going to “accomplish the mandate President Mbeki has set us” unless it is done in conjunction with the isolation experiment. This is because:

- “Assuming the results are as well as we all would predict”, the conclusion cannot be different from those of Kashala et al. As we all know nobody took any notice of their findings, not even the authors of the Nelson Mandela/HSRC Study of HIV/AIDS
- We would explain our predicted results as proof that the antibodies in TB patients which give a positive “HIV” antibody test are in fact antibodies directed against *Mycobacterium tuberculosis* antigens which cross-react with “HIV” antigens and we may be right. However, the HIV experts would claim that our “predicted” findings are the result of the cross-reaction of the “HIV” antibodies with the same antigens. And they may very well be right.

The question then is why should they or anybody else believe us and not the other way around? We have stressed in our Western blot paper, published with your help, that the only way to determine the specificity is to use HIV isolation as a gold standard. That is, the results from the pre-adsorption experiment by itself can only cast doubts on the specificity of the ELISA test but never prove or disprove the specificity.

Furthermore, since the vast majority of the HIV experts agree that the ELISA test is non-specific (William Makgoba accepted this at the meeting and he said that this is the reason why the ELISA is confirmed with the Western blot), this experiment by itself then becomes a fruitless exercise”.

Harvey went ahead and performed the experiments, this time in Johannesburg. The results were sent to us (not by Harvey) for comments. Although it was a big improvement compared to the pilot experiment in Mexico, it was obvious that the study left a lot to be desired from the point of view of design, execution and interpretation. Harvey asked us to join him. We thanked Harvey for the invitation, as well as helping us with the publication of the WB paper, but declined to join him.