

French Court Hears Case Against Chemical Corporations Over Agent Orange Use in Vietnam

"I'm not fighting for myself, but for my children and the millions of victims," explained plaintiff Tran To Nga.

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A court in France on Monday heard a case brought by a French-Vietnamese woman against over a dozen multinational corporations she accuses of causing grievous harm by selling the defoliant Agent Orange to the United States government, whose use of the deadly chemical during the Vietnam War has killed, maimed, or seriously sickened hundreds of thousands of people to this day.

Agence France-Presse [reports](#) the suit was brought by **Tran To Nga**, 78, an activist and journalist who was working in Vietnam when she was exposed to Agent Orange. Tran suffers from diabetes and a blood disorder she transmitted to her second daughter; her first daughter [died](#) of a heart defect when she was 17 months old. Tran also contracted tuberculosis twice, had cancer, and suffers from an extremely rare insulin allergy.

Initially, Tran blamed herself for the afflictions that have plagued her and her children.

“I asked myself, what have I done to transmit this incurable disease to my children?” she [said](#) in a 2015 France 24 interview.

“Now I know that I am not at fault,” she said. “We can identify the culprit of my children’s illnesses... It’s these dioxins.”

In 2014, Tran sued 14 companies that made or sold Agent Orange, including Monsanto—[now owned](#) by the German firm Bayer—and Dow Chemical for their roles in selling the chemical to the U.S. government.

[#JusticePourTranToNga](#) et toutes les victimes de l’Agent Orange-dioxine. Depuis 45 ans, ni le gouvernement américain, ni les fabricants de l’Agent Orange-dioxine n’ont reconnu leur responsabilité vis-à-vis des victimes vietnamiennes. Un procès historique. <https://t.co/pDHrNLSCrO>

— LDH France (@LDH_Fr) [January 25, 2021](#)

Agent Orange contains [TCDD dioxin](#), a [known carcinogen](#) and one of the most toxic chemicals ever invented. In addition to numerous cancers, research has shown that Agent Orange exposure causes severe birth defects, diabetes, [spina bifida](#), cardiovascular, digestive, [neurological](#), respiratory, [skin](#), and other ailments.

The U.S. government knew about the dangers of Agent Orange when the John F. Kennedy administration approved [Operation Ranch Hand](#) (pdf) in 1961 as part of a growing counterinsurgency operation in Vietnam.

“When we initiated the herbicide program in the 1960s, we were aware of the potential for damage due to dioxin contamination in the herbicide,” **Dr. James R. Clary**, a former senior scientist at the Chemical Weapons Branch of the U.S. Air Force Armaments Development Laboratory, later [admitted](#).

“We were even aware that the military formulation had a higher dioxin concentration than the civilian version due to the lower cost and speed of manufacture,” added Clary. “However, because the material was to be used on the enemy, none of us were overly concerned.”

The communist Viet Cong insurgency against the oppressive U.S.-backed Ngo Dinh Diem dictatorship was proving more difficult to defeat than anticipated by U.S. planners, who sought novel ways to combat the resistance. In a bid to deny fighters the cover provided by the dense jungle foliage, the U.S. sprayed [an estimated 76 million liters](#) (20 million gallons) of Agent Orange over Vietnamese, Laotian, and Cambodian rainforests.

Agent Orange was also [sprayed over farmland](#), as U.S. planners sought to eradicate the crops that were feeding Viet Cong and North Vietnamese fighters, their families, and supporters.

The effects on the people of Vietnam have been devastating. As many as 4.8 million Vietnamese were exposed, with the country’s government claiming [400,000 deaths](#) and millions of cancer cases caused by the decadelong spraying. More than 50,000 babies over three generations have suffered [severe birth defects](#), which will continue to affect future generations.

Soil and water contamination due to Agent Orange continue to sicken and kill to this day. [Around 800,000 Vietnamese](#) currently require medical and other assistance due to the lingering effects of exposure.

Tens of thousands of U.S., South Vietnamese, South Korean, and Australian troops were also exposed to Agent Orange, which has caused serious health problems for many of them, and [some of their children](#).

While U.S. victims of Agent Orange were [awarded \\$180 million](#) in a class-action lawsuit in 1984, nearly all attempts by the people of Vietnam to gain desperately needed direct compensation have been [rejected](#) by the U.S. government and American courts.

This, despite a [U.S. promise](#) as part of the 1973 Paris Peace Agreement to pay \$3.25 billion over a five-year period, plus an additional \$1.5 billion, in reparations to Vietnam. Not a penny was paid.

Vietnamese also [watched with great interest](#) as Monsanto was ordered to pay \$289 million in damages to an American man who said that its Roundup weed killer caused his cancer.

Since 2007, the U.S. Congress has [appropriated](#) (pdf) nearly \$60 million for dioxin cleanup and related healthcare services in Vietnam as relations between Washington and Hanoi have improved, but victims' advocates say this is nowhere near enough, as some 6,000 children are diagnosed with congenital deformities each year due to Agent Orange.

Tran says her lawsuit is meant for these and other victims who have been denied relief over the decades.

"I'm not fighting for myself, but for my children and the millions of victims," she told *AFP*.

Vietnam is not the only place the U.S. has used toxic weapons in recent decades. The firing of depleted uranium rounds in Iraq during the 1991 [Gulf War](#), the 1999 NATO air war against [Yugoslavia](#), and during [2003-2011 Iraq War](#) have been blamed for a rise in birth defects and other often deadly ailments.

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