



## **Vietnam Seeks US Reparations for the Chemical Agent Orange**

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### **Abstract**

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Vietnam is seeking US reparations for chemical weapons used during the war that continue to poison the food supply and cause birth defects/disease for millions of people. From 1962 to 1971, the US military's Operation Ranch Hand was a scorched-earth policy that dropped Agent Orange and other chemical defoliants over Vietnam, Cambodia and Laos, to strip the terrain of foliage and food supplies in an effort to defeat the Viet Cong. Given the effectiveness of other chemicals such as CS gas and napalm used to fight tunnel warfare against the North Vietnamese, and the increasing use of “terror tunnels” by present-day jihadists in the Middle East, Western leaders face a modern dilemma on weighing the balance between ethics and efficacy of chemical warfare in anti-terror operations.

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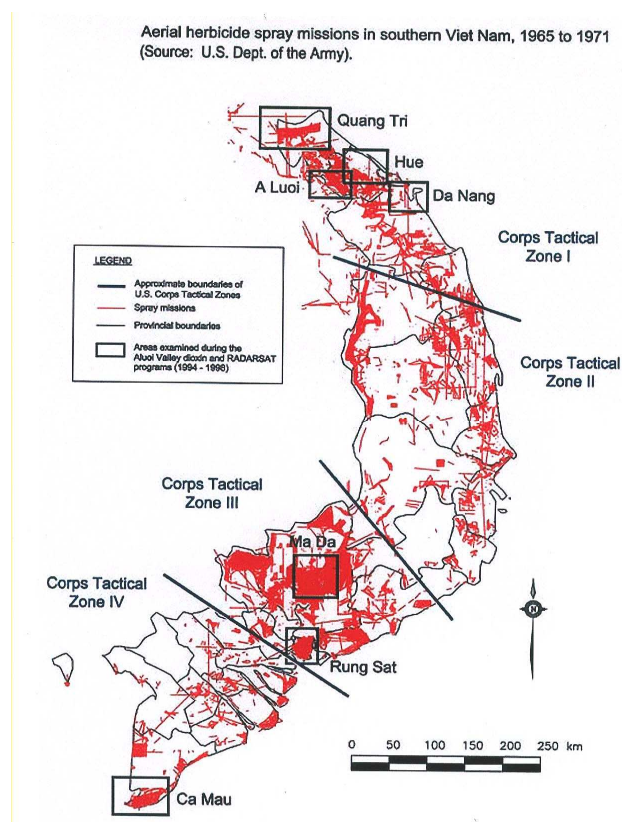
## Analysis

Hanoi is demanding compensation from US manufacturers of the chemical<sup>1</sup> Agent Orange, as a last resort to help its citizens still trapped in a time warp of trauma and suffering almost 50 years after the end of the Vietnam war has ended.

On Thursday, the Foreign Ministry demanded that Monsanto<sup>2</sup> and other US companies pay damages to victims of Agent Orange, a defoliant that contains the poisonous dioxins.<sup>3</sup>

From 1961 to 1971, the US dropped more than 75 million liters of Agent Orange and other herbicides over Vietnam, Cambodia and Laos in what was then called Operation Ranch Hand, in a scorched-earth policy to strip the terrain of foliage and food supplies in an effort to defeat the Viet Cong.

During the 10 years of this operation, more than 2 million hectares of forest and 200,000 hectares of crops were heavily damaged or destroyed. The US Air Force sprayed about 95% of the chemical using the call sign "Hades," and the remaining 5% was sprayed by the US Army's 266th Chemical Platoon.



<sup>1</sup> David Biggs, "Vietnam: The Chemical War", *New York Times*, November 24, 2017, <https://www.nytimes.com/2017/11/24/opinion/vietnam-the-chemical-war.html>

<sup>2</sup> Ralph Jennings, "Vietnam's Latest Demand for Agent Orange Compensation Described as Last Resort", *Voice of America*, August 29, 2018, <https://www.voanews.com/a/vietnam-agent-orange/4548788.html>

<sup>3</sup> "Chlorine Gone Wild", Agent Orange Record, [http://www.agentorangerecord.com/information/what\\_is\\_dioxin/](http://www.agentorangerecord.com/information/what_is_dioxin/)



Dioxins are highly persistent in the environment, seeping into the soil, water supply, and food chain, contaminating fish, mollusks and fowl. As such, although the war has ended, new generations of the Vietnamese population continue to suffer from prolonged effects of the poison through the food supply as well as deformed children<sup>4</sup> from genetic mutations passed on by the parents.

The Vietnam Association of Victims of Agent Orange/Dioxin (VAVA) says that more than 4.8 million<sup>5</sup> people have been exposed to the herbicide and 3 million of them have suffered from deadly diseases. Washington finally began to help Vietnam with cleanup efforts in 2012,<sup>6</sup> starting with Danang International Airport, which used to be a US airbase that stored Agent Orange.

However, the Vietnamese are not the only ones demanding compensation – American veterans of the Vietnam War suffering from the poison have also sought compensation from the US government.

Almost 30 years ago, then-US senator Tom Daschle sponsored the Agent Orange Act of 1991 to study the linkage between diseases and exposure to dioxins and other chemical compounds in herbicides. In 2015, the Department of Veterans Affairs paid US\$24 billion in disability compensation<sup>7</sup> to 1.3 million Vietnam War veterans.

However, Vietnam itself has not received compensation for similar damages. Despite the fact that its government purposely filed its claim against a company (Monsanto) rather than proceeding with a state-to-state filing, in order to preserve the stable bilateral ties between Hanoi and Washington in recent years, the legacy of Agent Orange remains a thorny issue.

It is likewise a thorny issue between Washington and Vientiane, as Laos<sup>8</sup> was also a target of chemical spraying in Operation Ranch Hand. While the US has established programs to address the Agent Orange issue in Vietnam, there have not been similar programs to aid the people of Laos, though when then-US president Barack Obama visited Vientiane in September 2016, Washington did offer aid for the cleanup of unexploded cluster bombs – another legacy of America’s “secret war” in Laos.

As covered in a previous *Asia Times* article,<sup>9</sup> Laos holds the record for being the “most heavily bombed country per capita” wherein between 1964 to 1973, the US dropped more than 270 million<sup>10</sup> cluster bombs on the country.<sup>11</sup>

<sup>4</sup> <https://www.youtube.com/watch?v=kMzJvwG2rsQ>

<sup>5</sup> Damir Sagolj, “Vietnamese Families Still Battling the Aftermath of Agent Orange”, *The Independent*, April 4, 2017, <https://www.independent.co.uk/life-style/health-and-families/agent-orange-vietnam-war-us-damir-sagolj-a7664491.html>

<sup>6</sup> “U.S. starts its first Agent Orange cleanup in Vietnam”, *Reuters*, August 8, 2012, <https://www.reuters.com/article/us-vietnam-usa-agentorange/u-s-starts-its-first-agent-orange-cleanup-in-vietnam-idUSBRE87803K20120809>

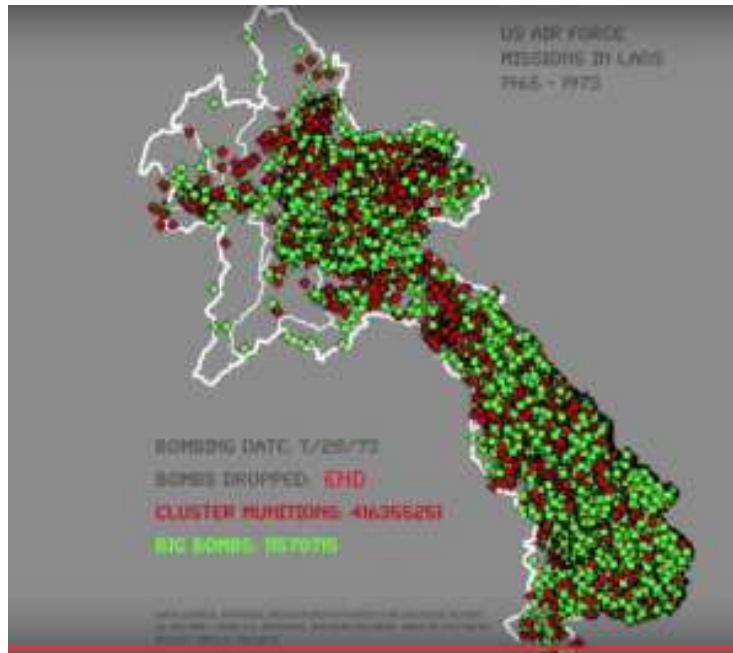
<sup>7</sup> Nicole Fisher, “The Shocking Health Effects of Agent Orange Now A Legacy of Military Death”, *Forbes*, May 28, 2018, <https://www.forbes.com/sites/nicolefisher/2018/05/28/the-shocking-health-effects-of-agent-orange-now-a-legacy-of-military-death/#74df1d6521c6>

<sup>8</sup> Jacqui Chagnon, “Obama Visit to Laos Offer Opportunity to Address Agent Orange Legacy”, *CogitASIA*, Center for Strategic and International Studies, September 5, 2016, <https://www.cogitasia.com/obama-visit-to-laos-offers-opportunity-to-address-agent-orange-legacy/>

<sup>9</sup> Christina Lin, “US apologizes to Laos over cluster bombs, then sells them to pound Yemen”, *Asia Times*, September 8, 2016, <http://www.atimes.com/us-cluster-bombs-obama-apologizes-to-laos-sells-more-to-pound-yemen/>

<sup>10</sup> J. Weston Phippen, “Cleaning up the Bombs from the Secret U.S. War in Laos”, *The Atlantic*, September 6, 2016, <https://www.theatlantic.com/news/archive/2016/09/laos-obama-bombs/498761/>

<sup>11</sup> [https://www.youtube.com/watch?time\\_continue=82&v=4UM2eYLbzXg](https://www.youtube.com/watch?time_continue=82&v=4UM2eYLbzXg)



Caption: Bombing Missions Over Laos from 1965-1973, <https://www.youtube.com/watch?v=cLwrrvaCvCY><sup>12</sup>

Additionally, between 1965 and 1970, the US dropped at least 2 million liters of Agent Orange on southern Laos to defoliate the Ho Chi Minh Trail – the north-to-south supply route enabling North Vietnam to conduct its war in the South – and to deny food supplies to local Lao supporters along the Annamite mountain range.

Although the Vietnam War did not end until 1975, the US stopped using Agent Orange in 1971. Because of growing international opprobrium over the use of “poisonous spray”<sup>13</sup> during the war, the new Richard Nixon administration announced a partial ban on the precursor 2,4,5-T on April 15, 1970, and the Pentagon shortly followed suit by banning all Agent Orange missions in Vietnam.

Today, Operation Ranch Hand and the Vietnam War are over, but Laos remains a poor country while Vietnam has fared better economically. In Laos, the number of unexploded land mines and other ordnance strewn throughout exceeds 80 million, which have continued to kill, maim, and tragically keep the country in an impoverished state decades after the war.

Farmers are not able to use fertile land for agriculture nor develop the land for infrastructure, industry, or residential needs, while Vietnam faces similar problems in some parts of its country, with an estimated<sup>14</sup> 350,000 tons of live bombs and mines remaining. It would take 300 years to clear them from the Vietnamese landscape at the current rate.

Thus for many people in these countries, the war is not yet over. And whether Hanoi will finally win compensation from Monsanto or prompt further US assistance to both Laos and Vietnam remains to be seen.

<sup>12</sup> Photos by Jerry Redfer; Text by Fatima Bhojani, “Watch the U.S. Drop 2.5 Million Tons of Bombs on Laos”, *Mother Jones*, March 26, 2014, <https://www.motherjones.com/politics/2014/03/laos-vietnam-war-us-bombing-uxo/>

<sup>13</sup> David Biggs, “Vietnam: The Chemical War”, *New York Times*, November 24, 2017, <https://www.nytimes.com/2017/11/24/opinion/vietnam-the-chemical-war.html>

<sup>14</sup> Ariel Garfinkel, “The Vietnam War is Over: The Bombs Remain”, *New York Times*, March 20, 2018, <https://www.nytimes.com/2018/03/20/opinion/vietnam-war-agent-orange-bombs.html>



Finally, given that other chemical agents such as CS gas and napalm were very effective in fighting tunnel warfare<sup>15</sup> during the war, and the increasing use of tunnels by jihadists in the Middle East, this may also prompt renewed debate on the balance between ethics and efficacy of chemical warfare in modern anti-terror operations.

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**Remarks:** Opinions expressed in this contribution are those of the author. This article was first published in *Asia Times* on August 31, 2018.

### About the Author of this Issue

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<sup>15</sup> Arthur Herman, "Notes from the Underground: The Long History of Tunnel Warfare", Hudson Institute, August 26, 2014, <https://www.hudson.org/research/10570-notes-from-the-underground-the-long-history-of-tunnel-warfare>