

H.E. Ambassador Daniel Kritenbrink
U.S. Embassy
Hanoi, Vietnam

December 26, 2018

Dear Ambassador Kritenbrink,

We are writing to brief you on what we observed during the Vietnam launch this Fall of the Vietnamese version of our book *From Enemies to Partners- Vietnam, the U.S. and Agent Orange*. We have also written to Deputy Prime Minister Pham Binh Minh.

We wrote *From Enemies to Partners* to call for accelerated action on Agent Orange/dioxin and as a ready reference and guide for policy makers and leaders in both Vietnam and the United States. Several hundred people attended our book events in Hanoi, Ho Chi Minh City and Da Nang and Vietnam Television VTV1 and VTV4 broadcast a 45 minute interview focusing on the book and the progress so far. The book has also been well received in the United States, Belgium and Germany.

However, like yourself, we are acutely aware of how much remains to be done. While the U.S. and Vietnam have begun a partnership on Agent Orange/dioxin, the two countries are still not of one mind on how to address the needs of the victims of Agent Orange. We talked with many people about how the U.S. and Vietnam could improve, or even perfect, their partnership. We are aware that as long as the story of Agent Orange /Dioxin has not been closed, the relationship between the two countries is not really normal in the mind of the Vietnamese.

In the attached note we make six recommendations-- two of the recommendations require joint action, three require action by the U.S. and one requires action by Vietnam. We would like to draw your attention in particular to the two recommendations requiring joint action:

- Vietnam and the U.S. should make cooperation on health/disability assistance to Agent Orange victims a top priority in their comprehensive partnership. Both sides need a common vision and a common policy in this area.
- The U.S. and Vietnam should set up a joint commission on Agent Orange/Dioxin. Such a commission, with appropriate powers and responsibilities, would establish best practices for effective disability assistance and regularly assess progress.

We thank you for your support and leadership on this issue and wish you every success.

Sincerely,

Charles R. Bailey

Le Ke Son

How Can the U.S. & Vietnam ‘Perfect their Partnership’ on Agent Orange?

Charles R. Bailey & Le Ke Son¹
December 11, 2018

The last decade has seen remarkable progress on Agent Orange in Vietnam but we have not yet reached the end of this issue. What needs to happen now to make the U.S.-Vietnam joint work on Agent Orange/dioxin a more perfect partnership?

In October 2018 Vietnam and the U.S. agreed to clean up some 495,300 cubic meters of dioxin-contaminated soils and pond sediments at the Bien Hoa Airbase near Ho Chi Minh City. Vietnam has pledged \$90 million. The U.S. has pledged \$300 million, half of which is to be provided by the Department of Defense and half by the U.S. Agency for International Development (USAID). The project is expected to take ten years. This agreement follows a joint project at the Da Nang Airport which successfully remediated 90,000 cubic meters of dioxin-contaminated soils. The Bien Hoa agreement publicizes and endorses further U.S.-Vietnam cooperation on Agent Orange/dioxin and it further normalizes military-to-military relations.

But it is one thing to decontaminate soil and sediment and quite another to build Vietnamese organizations and systems which can sustain severely disabled people over their lifetimes. The U.S. needs to expand assistance for the severely disabled Vietnamese who are likely Agent Orange victims. A successful cleanup of Bien Hoa by itself will not lessen nor bring to an end Vietnamese concerns about the human legacy of Agent Orange in their country.

Vietnamese people believe the Americans should help all victims of Agent Orange. Thus, Vietnamese government leaders have sought to include more aspirational language for the long term in the joint communiqués of recent high level visits, only to be rebuffed by the American side. Vietnamese diplomats and officials who follow U.S. affairs closely recognize how annual congressional appropriations have permitted the U.S. to deal with its own political and bureaucratic sensitivities and contradictions. They are resigned to dealing with the U.S. on a year-to-year basis: “This year we have this amount of funding, and this amount of work to do.”

From the American side, the partnership has these features:

- USAID is supporting health/disability programs targeting Agent Orange victims in addition to the dioxin remediation projects at Da Nang and Bien Hoa.
- Under the leadership of Senator Patrick Leahy, every year Congress appropriates funds for both dioxin remediation and Agent Orange health/disability programs to overcome the fact that successive U.S. Administrations have not, until recently, included funds for this purpose in the President’s annual budgets.

¹ Authors, *From Enemies to Partners- Vietnam, the U.S. and Agent Orange* (G. Anton Publishing, Chicago 2017 & NXB Thế Giới, Hanoi 2018)

- USAID currently uses these funds to provide in-kind assistance to severely disabled people in six sprayed provinces and to improve the capacity of local support services by providing training and equipment. USAID channels the funds through local and American NGOs; it does not provide grants to Vietnamese government social service agencies. Annual congressional appropriations stipulate that,

“Funds...shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment and/or cognitive or developmental disabilities.” (From Enemies to Partners, p. 160)

How can the two governments further narrow the gap between them and perfect their partnership?

1. The U.S. and Vietnam should make cooperation on health/disabilities assistance a top priority in their comprehensive partnership.
2. Vietnam and the U.S. should create a bi-national commission with co-chairs from each government, for the purpose of focusing increased attention on the needs of the severely disabled who are likely Agent Orange victims. The commission would meet annually. It would strive for a model implementation, beginning in Tay Ninh province, so people see what good practice looks like. Tay Ninh province was heavily sprayed, has large numbers of people living with severe disabilities, and it is already the focus of major USAID attention. The commission would be composed of people with provincial or local knowledge and some authority from among families, community organizations, provincial and local agencies, donors and knowledgeable outsiders.
3. USAID needs to extend the reach of its health/disability programs to all severely disabled people in the sprayed provinces, positively impact their lives, and leave behind enhanced social services and community support for the affected families.
4. The U.S. should define and describe its war legacies assistance to Vietnam to include both health/disability assistance and environmental remediation of dioxin. Further perfecting the partnership will not be possible until the U.S. clearly informs the public of the connection between its health/disability assistance and the spraying of Agent Orange. USAID will then find its current challenges with health/disability assistance become fewer and Vietnamese understanding and enthusiasm for its work become greater.
5. U.S. diplomats and officials at every appropriate public and private opportunity should take the initiative and talk openly about Agent Orange: “This is a story we want to tell. Yes, Agent Orange happened. Here’s what we’re doing about it. This is the progress since 2007, when we first began working with Vietnam on Agent Orange, and this is what we plan for the future.”
6. The Government of Vietnam should issue one decree that applies equally to all victims of Agent Orange and provides benefits to them that are comprehensive, consistent and long-

term. The decree should define Agent Orange victims as people with diseases and disabilities attributable to dioxin and who live, or have lived, in sprayed or dioxin-contaminated areas. This definition would include both those who have been directly exposed to Agent Orange/dioxin as well as their children, grandchildren and great grandchildren. This approach is approximate and humanitarian, but it is still the best approach in light of current scientific understanding and practical realities. It is also the approach the U.S. government uses toward its veterans.