



## INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

CHAUSÉE DE HAECHT 55, 1210, BRUXELLES-BRUSSELS, BELGIQUE-BELGIUM

3 May, 2024

COUR D'APPEL DE PARIS

8 Boulevard du Palais

Paris, France 75001, France

### **OPEN LETTER TO THE PARIS COURT OF APPEAL**

The International Association of Democratic Lawyers (IADL), a worldwide NGO of progressive law professionals with consultative status at ECOSOC in the UN, has, for many years, been working to support the Vietnamese victims of the Agent Orange that the US Army sprayed in Vietnam during the wartime. In 2004 the IADL instituted a lawsuit in the US Courts seeking compensation for the victims. In 2009 IADL organized an International Peoples' Tribunal of Conscience to investigate and determine liability of the United States Government and the chemical companies, which manufactured Agent Orange to be used in Vietnam War.

The IADL is of the view that the United States Government had engaged in an illegal war of aggression against Vietnam and was therefore liable to the people for the results of that war and that chemical companies were jointly liable for manufacturing chemicals, most specifically the Agent Orange, which is known to contain high levels of dioxin, one of the most toxic substances known to man. There are currently many children and grandchildren of those exposed who are being born with Agent Orange related birth defects and illnesses.

IADL appreciates the tireless efforts of Ms. Tran To Nga, one of the victims of the Agent Orange, in bringing the lawsuit to the Court against the US chemical companies that produced and supplied Agent Orange to be used in Vietnam War. This lawsuit brings justice to not only Ms. Nga, whose first child died of heart defects and second child suffers from a blood disease, but also to all victims of this dangerous chemical substance in Vietnam and in the world. And it's not only for the current generation, but also for future generations and for a world of peace and justice!



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IADL is not satisfied with the Evry Court Decision made on 10 May 2021 saying it did not have jurisdiction to hear the case on the ground that the companies were acting "on the orders" of the U.S. government, which was engaged in a "sovereign act". IADL considers this ruling untenable, because the US chemical companies were not forced by the U.S. Government but voluntarily joined the bidding and produced the poison, therefore they should be responsible for their production and the court should have the jurisdiction to hear it. IADL believes that Evry Court did not consider the fact that the production of the toxic chemicals for the US military in the Vietnam War was not compulsory for the chemical companies, but they were free to participate in tenders to produce toxic chemicals for profit. The Court also did not consider the fact that the chemical companies had known that dioxin was a highly toxic substance, but still intentionally changed the technical process of synthesizing the two herbicides 2.4-D and 2.4.5-T to shorten the production time of Agent Orange to reduce costs and increase profits while increasing the dioxin content already present in substance 2.4.5-T.

Knowing that upon Ms. Tran To Nga's appeal, on May 7, 2024 the Paris Court of Appeals will open a hearing to decide the rightfulness of the Evry Court Decision, IADL strongly calls the Paris Court of Appeals to reject the unreasonable decision of the Evry Crown Court. We request that the Paris Court of Appeal review this decision carefully and consider all relevant factors thoroughly to issue a fair ruling so that victims of Agent Orange can have a fair compensation for the miserable injuries they have been suffering. This well-deserved justice is long overdue and IADL will be side by side with the victims until they are duly compensated.

IADL also calls for all other outrages of international humanitarian law against innocent civilians be stopped immediately.

Yours very truly,

Edre Olalia

Co-President, International Association of Democratic Lawyers