

JOHN KIRIAKOU: Bolton's Long Goodbye

John Bolton's days as national security advisor are apparently numbered—for reasons that have all played out in the press, says John Kiriakou.

By [John Kiriakou](#)

Special to Consortium News



Everybody in America knows that Donald Trump places a premium on what he considers to be “loyalty.” You’re either with him or against him.

The White House staff has been a revolving door from virtually the start of his administration. It’s not unusual for aides to last mere weeks or months, only to then be thrown out on the street.

Trump then inevitably says something about “loyalty.”

The situation isn’t unique to just the White House political and domestic policy staff. It is just as pervasive at the National Security Council. Nobody is sacred. Remember, you’re either with him or against him. Now it’s John Bolton’s turn to find himself in a corner. I believe that his days as national security advisor are numbered—for reasons that have all played out in the press.

I’m one of those people—not at all unique in Washington—who has contacts and friends all over the political spectrum, including in the Trump Administration. After work and over drinks, they like to vent. What they are telling me privately is what other Washington insiders are [telling the conservative press](#). The White House, and especially the National Security Council, are in disarray. And Bolton will

soon be fired.

Bolton-Centric

The right-wing *Washington Examiner* reported this week that Bolton acknowledged these reports, but in a back-handed way. He said in a *Wall Street Journal* podcast that he believes five countries are spreading “lies about dysfunction in the Trump administration.” Those countries are North Korea, Iran, Venezuela, Russia, and China. That’s laughable.

What Bolton is saying is that there is a vast and incredibly well-coordinated international conspiracy that includes some of the most important countries in the world, the main purpose of which is to embarrass him. That sounds perfectly rational, right?

Of course, a *more* rational person might conclude that Bolton has done a terrible job, that the people around him have done a terrible job, that he has aired his disagreements with Trump in the media, and that the President is angry about it. That’s the more likely scenario.

Here’s what my friends are saying. Trump is concerned, like any president is near the end of his term, about his legacy. He said during the campaign that he wanted to be the president who pulled the country out of its two longest wars. He wanted to declare victory and bring the troops back from Afghanistan and Iraq. He hasn’t done that, largely at the insistence of Bolton. Here we are three years later and we’re still stuck in both of those countries.

Second, my friends say that Trump wants to end U.S. involvement in the Yemen war, but that Bolton has been

insistent that the only way to guarantee the closeness of the U.S. relationships with Saudi Arabia and the United Arab Emirates is to keep providing those countries with weapons, aerial refueling planes, and intelligence support.

Obsessed With Iran

That would explain the reason why the White House did not seek to block the recent Congressional vote on Yemen support. Bolton likely talked Trump into vetoing the resolution. Or he talked the Saudis into talking Trump into it. Still, at least in internal deliberations, Trump has said that he simply doesn't see a national security reason to keep the war going. The U.S. gets nothing out of it.

Third, the mainstream media has accused Bolton of being the reason behind the failure of Trump's second summit with North Korean leader Kim Jong-un. Bolton toed a hard line, so much so that the North Korean media called him a "war monger" and a "human defect" once the summit ended.

This week Trump told reporters gathered on the White House south lawn that Kim had "kept his word" on nuclear and missile testing. This was a direct contradiction of Bolton, who had said just hours earlier that the North Koreans had reneged on their commitments to the U.S. Trump said simply, "My people think there could have been a violation. I view it differently."

Most importantly, Bolton has been famous for decades for his irrationally hard line on Iran. He has made no secret of his desire to bomb Iran into the stone age, to smash and overthrow its government, and to let the chips fall where they may. The policy makes literally no sense.

Iran is a country of 80 million people. It has an active and well-trained global intelligence service. It has a robust navy with highly-specialized “swift boats” that are active in the Persian Gulf. And it controls the vital Strait of Hormuz, through which 20 percent of the world’s oil and 33 percent of its liquified natural gas flows.

Trump said just a week ago that he was willing to begin talks with the Iranians “with no preconditions.” This was a major softening of U.S. policy toward Iran and it immediately drew Bolton’s ire. Indeed, *The New York Times* pointed out that the policy directly “overruled a longtime goal of (Trump’s) national security advisor.”

All of this has made Trump angry. He’s constantly being one-upped by one of the Washington swamp monsters he promised to rid the city of. He finally seems to have come to realize that even establishment Republicans dislike and distrust John Bolton. And now he understands why.

Mick Mulvaney, Trump’s chief of staff, has very quietly and discreetly begun informal meetings with a list of a half-dozen possible replacements for Bolton. Let’s hope he finds one that he and Trump both like sooner, rather than later.

John Kiriakou is a former CIA counterterrorism officer and a former senior investigator with the Senate Foreign Relations Committee. John became the sixth whistleblower indicted by the Obama administration under the Espionage Act—a law designed to punish spies. He served 23 months in prison as a result of his attempts to oppose the Bush administration’s torture program.

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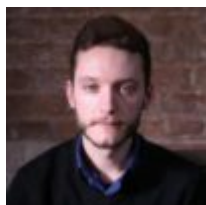
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US Media Spreads False Claims About Purging of North Korean Official

The episode exposes non-existent editorial standards on official enemies, writes Ben Norton.

By Ben Norton

Grayzone



The corporate media's editorial standards for reporting on official enemies of the U.S., especially North Korea, are as low as ever. Blatantly false stories are regularly circulated by leading news outlets without any kind of accountability.

In the latest example, virtually every major media outlet reported that a senior North Korean official named Kim Yong-chol was supposedly forced into a “labor camp,” as part of a larger deadly “purge.”

Two days later, that same official turned up alive at a public art performance, seated next to North Korean leader Kim Jong-un.

Bloomberg kicked off the frenzy on May 30 by publishing a report claiming, “North Korea executed its former top nuclear envoy to the U.S. and four other foreign ministry officials in March after a failed summit between Kim and Donald Trump.”

Bloomberg's source was South Korea's far-right newspaper [Chosun Ilbo](#), which has a long history of fabricating stories about North Korea. [Chosen Ilbo's](#) story was based on a single unidentified source.

That is to say, the false report obediently echoed by the Western press corps was based entirely on the claims of one unnamed person.

This obvious lack of evidence did not stop credulous reporters from jumping on the sensationalist propaganda. The story was circulated by [The New York Times](#), [Reuters](#), [The Wall Street Journal](#), [The Hill](#), [The Daily Beast](#), [Fox News](#), [CNBC](#), [TIME](#), [ABC News](#), [The Financial Times](#), [The Telegraph](#), [VICE News](#), [Rolling Stone](#), [The Independent](#), [The Washington Times](#), [The New York Post](#), [HuffPost](#), [France 24](#), [The Japan Times](#), [Haaretz](#), [The Times of Israel](#), [Democracy Now](#), the U.S. government's [Radio Free Europe/Radio Liberty](#), and many more.

Twitter even went out of its way to create a shareable Moment based on the false report.

North Korea charged and executed multiple government officials involved in February's Trump-Kim summit, South Korean newspaper Chosun Ilbo reports.

<https://t.co/61QbQL0nk0>

– Twitter Moments (@TwitterMoments) [May 30, 2019](#)

Careful readers (only a [small percentage of total readers](#)) might have noticed that Bloomberg [quietly admitted](#) in its original report, “Previous South Korean media reports about senior North Korean officials being executed following the talks have proven false.” But this concession didn't stop

the rest of the corporate media from running with the story.

On June 2, the commentariat's favorite fable fell apart: North Korea's nuclear negotiator Kim Yong-chol showed up on state media, sitting a few seats away from Kim Jong-un at a musical performance.

The [Associated Press](#), [Reuters](#), [The New York Times](#), and [CNN](#) quickly published new reports making light of the news – but none of these contained mea culpas or official retractions.

As of June 3, the vast majority of blatantly false reports published in dozens of outlets remain uncorrected.

[Grayzone](#) [has documented](#) the long history of U.S. corporate media [printing cartoonish lies about North Korea](#) (officially known as the DPRK), especially in the form of execution stories that are quickly debunked. ([The New York Times](#) once even cited an obvious [parody Twitter account](#) as if it were the DPRK's real state media.)

A few actual experts on Korea did raise concerns about the latest hoax. Among them was veteran reporter Tim Shorrock, who has spent decades reporting on Korea, and who joined prominent peace activists [Christine Ahn](#) and [Simone Chun](#) in questioning the story.

Incredible that Bloomberg would run this story based on one source quoted by the completely irresponsible and rarely accurate Chosun Ilbo. I don't care if it is South Korea's largest newspaper, as the Post constantly refers to it. It has a history of false stories. <https://t.co/EU2BKYXi0a>

– Tim Shorrock (@TimothyS) [May 31, 2019](#)

Shorrock cautioned on May 31, "It's important to keep tabs on this one, which if uncorroborated could turn out to be one of the biggest fiascos in journalism history."

As usual, Shorrock was right – but he was an outlier whose critical thinking was drowned out by a mob of mainstream pundits.

Below is a list of some of the top journalists in the U.S. corporate media and political class, including ostensible "progressives," who spread this blatantly false story. Many of these self-styled progressives promoted the hoax in hopes of embarrassing President Donald Trump for embarking on a historic peace process with the DPRK.

Journalists and Activists Who Spread the Story

-Chris Hayes, a media celebrity and MSNBC host who used the fake news to get in a cheap joke about Trump

Good God. <https://t.co/BF1LIZwLXu>

– Chris Hayes (@chrishayes) [May 30, 2019](#)

Anxiously hoping the President doesn't tweet something about how the DPRK's envoy deserved what he got and Kim Jong Un is great.

– Chris Hayes (@chrishayes) [May 30, 2019](#)

-Julia Ioffe, a prominent journalist, *GQ Magazine* correspondent, and so-called Russia expert

"He speaks and his people sit up at attention. I want my people to do the same." Trump on Kim Jong Un <https://t.co/PUDNn8GveP>

– Julia Ioffe (@juliaioffe) [May 31, 2019](#)

-Yashar Ali, a contributor to *New York Magazine* and *The Huffington Post* and liberal mini-celebrity

NEW: Kim Hyok Chol, who led working-level negotiations for the summit between Kim Jong Un and President Trump, was executed with four other foreign ministry officials in March

Kim Jong Un's top aide Kim Yong Chol is reportedly undergoing hard labor <https://t.co/W7xKvbAczi>

– Yashar Ali ? (@yashar) [May 30, 2019](#)

-Peter Baker, chief White House correspondent for *The New York Times* and an analyst for MSNBC

North Korea executed its special envoy to the US by firing squad in March and put four other Foreign Ministry officials to death as part of a purge following the failure of Kim Jong-un's summit with Trump in Hanoi, South Korean paper reports. @choesanghun <https://t.co/eZalCusUo6>

– Peter Baker (@peterbakernyt) [May 31, 2019](#)

-Jon Cooper, the chairman of the Democratic Coalition Against Trump, which proudly boasts, “We help run #TheResistance”

OUCH: North Korea has reportedly executed its special envoy to the U.S. and four other Foreign Ministry officials after the February U.S.-North Korea summit in Hanoi didn't work out. <https://t.co/kzppQNkzKC>

– Jon Cooper (@joncoopertweets) [May 31, 2019](#)

-Katie Phang, a legal contributor for NBC and MSNBC

? Trump's bestie, Kim Jong Un, has "executed [his] former top nuclear envoy with the U.S. along with four other foreign ministry officials in March after a failed summit" with Donald Trump in Vietnam.

<https://t.co/30e95ZUpkr>

– Katie Phang (@KatiePhang) [May 31, 2019](#)

-David Roberts, a reporter for Vox

"North Korea executed its former top nuclear envoy to the U.S. and four other foreign ministry officials in March after a failed summit between Kim Jong Un and Donald Trump, South Korea's Chosun Ilbo newspaper reported."

<https://t.co/bjUBz7AmDt>

– David Roberts (@drvox) [June 2, 2019](#)

-Caroline Orr, a neoliberal "Resistance" influencer who rose to prominence by pumping up the Russia-gate narrative

Holy crap. North Korean envoy Kim Hyok Chol was reportedly executed over the failed summit between Kim Jong Un & Trump. Four other NK foreign ministry officials were reportedly executed, too, and a top aide for Kim Jong Un was punished with hard labor. <https://t.co/4r8Xfu1RSf>

– Caroline Orr (@RVAwonk) [May 30, 2019](#)

-Oz Katerji, a rabid pro-military intervention regime-change activist dedicated to [harassing anti-imperialists online](#)

A North Korea official was executed in March over the Trump-Kim summit, Chosun Ibo newspaper reports <https://t.co/SFuTIKnBfL> via [@bpolitics](#)

– Oz Katerji (@OzKaterji) [May 30, 2019](#)

-Josh Smith, a Reuters senior correspondent covering North and South Korea

South Korean newspaper Chosun Ilbo reports that North Korea has executed several officials involved in working level talks before the Hanoi Trump-Kim summit, including Kim Hyok Chol the former ambassador to Spain who (briefly now it seems) served as Steve Biegun's counterpart

– Josh Smith (@joshjonsmith) [May 30, 2019](#)

-Vivian Salama, a White House reporter for *The Wall Street Journal*, who previously worked as AP's Baghdad bureau chief

???? North Korea executed Kim Hyok Chol, its special envoy to the United States, and foreign ministry officials who carried out working-level negotiations for the second US-North Korea summit in February, holding them responsible for its collapse. <https://t.co/4LAaQDJuME>

– Vivian Salama (@vmsalama) [May 30, 2019](#)

-Matt Bevan, the host and writer of ABC News Australia's "[Russia, If You're Listening](#)" podcast

Kim Jong-in executed the officials who organised his failed summit with Trump in Hanoi.

Interested to see what Trump says about his good friend Kim after this. <https://t.co/zTm74Jwdn6>

– Matt Bevan ? (@MatthewBevan) [May 30, 2019](#)

-Kaitlan Collins, a CNN White House reporter

"North Korea executed Kim Hyok Chol, its special envoy to the United States, and foreign ministry officials who carried out working-level negotiations for the second U.S.-North Korea summit, a South Korean newspaper reported on Friday." <https://t.co/NgsQaMnRyv>

– Kaitlan Collins (@kaitlancollins) [May 30, 2019](#)

-Geoff Bennett, a White House correspondent for NBC News

Bloomberg: North Korean envoy executed over failed Trump-Kim summit <https://t.co/ifXP2bFbk6>

– Geoff Bennett (@GeoffRBennett) [May 30, 2019](#)

-Andrew Desiderio, a political reporter at *Politico*

New reporting tonight – that North Korea’s top US envoy was executed after the Hanoi summit & Kim’s top aide is undergoing hard labor – comes as Trump continues to heap praise on Kim and excuse his recent sanctions violations.

<https://t.co/f86bMiMfvf>

– Andrew Desiderio (@desiderioDC) [May 31, 2019](#)

-David Nakamura, a *Washington Post* reporter

South Korean paper reports Kim Jong Un has executed top envoy in wake of Hanoi summit collapse. If true, another stark reminder of brutality of the North Korean leader Trump has sided with over Biden, US intel agencies, Bolton, Shinzo Abe and Warmbier. <https://t.co/ImcDC20khL>

– David Nakamura (@DavidNakamura) [May 30, 2019](#)

-Amy Siskind, a prominent liberal anti-Trump activist and former Wall Street executive

Trump buddy – and we knew this, Pompeo was asked about it weeks ago:

“Kim Hyok Chol, North Korea's special envoy to the U.S., was executed in March along with four other North Korean foreign ministry officials involved in the Hanoi, Vietnam, summit.” <https://t.co/GMUaJoJ3yU>

– Amy Siskind ???? (@Amy_Siskind) [May 30, 2019](#)

-Steve Silberman, longtime writer for *Wired* magazine

This is the monster whose ass Trump kisses to mock Joe Biden. If a Democratic president did this to mock a GOP opponent, [@FoxNews](#) pundits would be invoking the 2nd Amendment. <https://t.co/A7xjqhHWgV>

– Steve Silberman (@stevesilberman) [May 30, 2019](#)

Rare Exceptions

There were a few exceptions to the norm. Some reporters who specialize on Korea did raise concerns, pointing out South Korean media outlets have a long history of publishing false stories about the DPRK.

These warnings, however, were ignored.

Ben Norton is a journalist and writer. He is a reporter for *Grayzone*, and the producer of the “[Moderate Rebels](#)” podcast, which he co-hosts with Max Blumenthal. His website is [BenNorton.com](#), and he tweets at [@BenjaminNorton](#).

This article is from [Grayzone](#).

Impatient for Peace on the Korean Peninsula

Ann Wright reports on the launch earlier this month, in D.C. and New York, of the worldwide “Korea Peace Now” campaign.

By [Ann Wright](#)

Special to Consortium News



While U.S.-North Korean contact is stalled, relations between North Korea and South Korea continue to increase.

One sign of that came earlier this month when a consortium of four international women's groups launched a worldwide campaign for peace on the Korean peninsula, "Korea Peace Now – Women Mobilizing to End the War," during the United Nations' Commission on the Status of Women, held during the week of March 10.

With launch events in Washington, D.C., and New York City, representatives of Women Cross DMZ, Nobel Women's Initiative, Women's International League for Peace and Freedom and the Korean Women's Movement for Peace hosted three female parliamentarians from the South Korean National Assembly. These legislators spoke with many U.S. representatives about supporting South Korean initiatives for peace on the Korean peninsula. They also met with members of the public, academics and think tankers at the Council on Foreign Relations.

Kwon Mi-Hyuk, the leader of the South Korean National Assembly, said that she has been perplexed by how little people in the U.S. – politicians as well as citizens – know about the important developments between North and South Korea in the past year, since the first summit between South Korean President Moon Jae-In and North Korean leader Kim Jung Un on April 27, 2018, in the Joint Security Area of the demilitarized zone. She added that 80 million Koreans on the Korean peninsula, in both the North and South, are depending on the cooperation of the United States to help

finally end the 70-year-old hostilities.

Only Reason to Meet

During the same week, the U.S.-based Korea Peace Network held its annual Korea Advocacy Days on March 13-14 in Washington, D.C. Speakers at the conference from all political alignments consistently agreed that meetings now underway – both the high-profile North-South and U.S.- North Korea contacts as well as those rumbling along between the Washington and Seoul– must produce a peace agreement.

Doug Bandow of the libertarian CATO Institute and Harry Kazianis, senior fellow at the Center for National Interest, both said military operations on the Korean peninsula have no place in today's thinking about national security. Kazianis said that the Hanoi summit in late February between President Donald Trump and Chairman Kim Jong Un, which ended abruptly, was not a failure, but one of the to-be-expected slowdowns in negotiations. He noted that statements of "fire and fury" have not erupted from the White House since the Hanoi summit, nor has there been a resumption of North Korea nuclear or missile testing. North Korean ICBM missile tests, Kazianis said, were the trigger point for the Trump administration. With no restart of those tests by North Korea, the White House is lower-keyed than it was in 2017. Kazianis added that North Korea, with a population of 30 million and an economy the size of that of Vermont, poses no economic threat to the U.S.

After the Hanoi meeting, the Trump administration said North Korea demanded that U.S. lift all sanctions. The North

Korean side responded by saying it had asked only for the lifting of some, specific sanctions – not all – as a confidence building measure after it had suspended nuclear weapons and ballistic missile testing.

38 North-South Meetings

In 2018, North and South Korean government officials met 38 times in addition to the three summits between South Korean President Moon Jae-In and North Korean Chairman Kim Jung Un. These contacts occurred while sentry towers in the DMZ were being dismantled, while part of the DMZ was getting demined and while liaison offices between North and South were opening. Train tracks linking the two Koreas have been closely inspected. By opening a way through North Korea and China and Central Asia they are expected, ultimately, to link South Korea with Europe.

Parliamentarian Kwon said the South and North governments hope to be able to reopen the Kaesong Industrial complex in North Korea, which will restart the economic project halted in 2014 by the conservative South Korean Park Geun-hye administration. The complex, which provides a nexus for workers from the North and foreign currency from the South, is an hour's drive from the South Korean capital Seoul and has direct road and rail access to South Korea. In 2013, 123 South Korean companies in the Kaesong complex employed approximately 53,000 North Korean workers and 800 South Korean staff.

Kim Young Soon of the Korea Women's Associations United said three meetings between civil society groups in South Korea and North Korea occurred in 2018, all aimed at

reconciliation. In a recent poll, 95 percent of young people in South Korea favor of dialogue with North Korea.

Nobel Peace Laureate Jodie Williams, chair of the Nobel Women's Initiative, noted that the United States is one of the few countries that refused to sign the Landmine Treaty, claiming that landmines are needed to protect U.S. and South Korean military in the DMZ.

Williams, who visited the DMZ many times in the 1990s in her work to ban landmines, returned there in December 2018 while South Korean soldiers were dismantling sentry posts and removing landmines as a part of the North-South cooperative agreements. Williams said that one soldier told her, "I went to the DMZ with hate in my heart, but the more we interacted with North Korea soldiers, the hate went away. I thought of North Korean soldiers as my enemy, but now that I have met them and talked with them, they are not my enemy, they are my friends. We as Korean brothers just want peace, not war."

On the theme of women, peace and security, Williams added, "When only men lead peace processes, the main issues that are addressed are guns and nukes, neglecting root causes of conflict. Guns and nukes are important to address, but this is why we need women at the center of peace processes – to discuss the impact of wars on women and children."

Resolution 152

U.S. Rep. Ro Khanna spoke to the spoke to the Korean Advocacy group about House Resolution 152, which asks Trump to declare an end to war with North Korea, the longest state of war in U.S. history. Member organizations of the Korea

Peace Network will be asking their members to press their members of Congress to sign onto the resolution. The resolution currently has [22 co-sponsors](#).

“We Koreans, in both the North and the South, have deep scars from the World War II war and the division of our country after World War II,” said Mimi Han of the Young Women’s Christian Association and the Korean Women’s Movement for Peace. “Korea had nothing to do with the war. We were occupied by Japan for decades before the war and yet our country was divided, not Japan. My mother was born in Pyongyang. Seventy years later, trauma is still living in us. We want peace on the Korean peninsula-finally.”

Fifteen of the 17 countries that comprised the “UN Command” during the Korean War have normalized relations North Korea and have embassies there now. The United States and France are the only exceptions.

The [unification communique](#) signed in 2018 by Moon, the president of the South, and Kim, the leader of the North, refers to a moment of “great historic transformation.” It goes on to itemize specific steps for confidence building and underscores a vision of peace, trilateral meetings with the U.S., the reunification of families, joint economic-development and regular contacts between the leaders of the two countries.

This all goes far beyond general concepts Trump was willing to sign in the communique following his first meeting with North Korea leader Kim. Their second abruptly ended without a communique and cross talk.

Several speakers at the Korean Advocacy Days conference

noted that the influence of war hawk John Bolton, Trump's national security advisor, dramatically changed the dynamic of the summit in Hanoi. As long as Bolton and his long-standing group of regime-change allies in the Contract for a New American Century remain in the White House, Trump's goal of reaching an agreement with North Korea will be stymied.

Ann Wright served 29 years in the U.S. Army/Army Reserves and retired as a colonel. She was a U.S. diplomat for 16 years and served in U.S. Embassies in Nicaragua, Grenada, Somalia, Uzbekistan, Kyrgyzstan, Micronesia, Afghanistan and Mongolia. She resigned from the U.S. government in March 2003 in opposition to President George W. Bush's war on Iraq. She is co-author of "Dissent: Voices of Conscience."

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PATRICK LAWRENCE: It Was Kim That Walked Away

There are two sides to the story about why the second North Korea peace summit fell apart last week, writes Patrick Lawrence.

By [Patrick Lawrence](#)



The abrupt and unexpected failure of the second Trump–Kim summit last week raises many questions. Let’s get one out of the way before addressing the others: No, the collapse of talks between President Donald Trump and Kim Jong-un, the North Korean leader, does not scuttle the most promising chance for peace on the Korean Peninsula since the 1953 signing of the armistice ending the Korean War. There is more to come. This was plain within hours of the summit’s end.

At this point it’s still difficult to discern even what transpired between the two leaders. The U.S. and North Korean accounts of the proceedings in Hanoi are widely at variance on key points. With history in view, it is very likely that the North Korean version comes closer to the truth than what the Trump administration is putting out and what the U.S. press is dutifully reporting.

By Trump’s account, Kim agreed to dismantle his most important nuclear production facility, at Yongbyon, roughly 60 miles north of Pyongyang. In exchange, Kim asked for all sanctions now in force against North Korea—some passed at the UN, others imposed by Washington alone—to be lifted.

Here is Trump talking to correspondents after the bust-up Thursday morning:

“Basically, they wanted the sanctions lifted in their entirety, and we couldn’t do that. They were willing to de-nuke a large portion of the areas that we wanted, but we couldn’t give up all the sanctions for that... They

wanted sanctions lifted but they weren't willing to do an area we wanted."

The "large portion" Trump mentioned is Yongbyon: There is no dispute about this. Pyongyang has shut down the reactor at Yongbyon twice in the past, in 1994 and in 2007. In 2008 Kim Jong-il, the reigning Kim's father, ordered the cooling tower at Yongbyon demolished—a televised event many readers will remember. The site was reactivated in succeeding years following a series of multi-sided talks that went nowhere.

Kangson Facility

The "area we wanted" appears to refer to an alleged nuclear facility at Kangson, also near the North Korean capital. What the North actually does at Kangson has never been verified, but it was one of a number of sites the U.S. side also insisted Pyongyang close.

Translation of the U.S. version of events in Hanoi: Kim offered us only one item on our list while demanding we give him everything he wanted. Who could possibly agree to such a deal?

North Korean officials tell a different story. After Trump offered his post-summit description of events, the North's foreign minister, Ri Yong-ho, gave his own press conference; a rarity among North Korean officials. Kim had agreed to shutter the North's main nuclear facility, by Ri's account, if the U.S. consented to lift only the five sets of sanctions imposed by the U.N. Security Council in 2016 and 2017.

Unlike restrictions on weapons and nuclear-related

equipment, these covered entire export sectors, including minerals, metals, coal, agriculture and seafood. These, Ri said, were the measures that directly hurt the lives and livelihoods of ordinary North Koreans. Layer upon layer of other sanctions would remain in effect.

What's Wrong?

Translation of the North Korean position in Hanoi: We will take a considerable step toward denuclearization providing you take one of corresponding magnitude. Now the question changes: What exactly is wrong with such a deal?

You have to go back to Trump's early months in office to understand what appears to have transpired in Hanoi. The administration's initial position was simple but ridiculous: The North had to completely disarm before Washington would even begin talks.

Only when the absurdity of this maximalist demand became too obvious to sustain—"give us everything we will negotiate before we negotiate"—did the Trump administration alter its demands, if reluctantly and slightly.

Moon Jae-in, South Korea's president, countered this as soon as Trump agreed last year to meet Kim, as they did in Singapore last June. The way ahead was "action for action," in Moon's phrase. Pyongyang's term for the same thing is "corresponding measures." Elsewhere the concept is called "sequencing." Whatever one calls it, a gradual, step-by-step process is the only logical way forward after nearly seven decades of mutual distrust.

Trump's Refusal

In effect, Kim proposed a sequenced approach when he met Trump last week. And in effect, Trump refused it. It is no wonder John Bolton, Trump's national security adviser and the administration's hyper-hawk on North Korea, has been assuring like-minded colleagues not to fret about the Trump-Kim summits because they are guaranteed to fail.

"This kind of opportunity may never come again," Ri, the North's foreign minister, said at his late-night press conference. This is not where the odds lie.

First, Moon Jae-in pledged to help mediate between the North and the U.S. as soon as the Hanoi summit collapsed. And it has been clear since Moon was elected South Korea's president in May 2017 that control of the agenda on the Korean Peninsula has gradually passed from the U.S. to Seoul and those working with it, notably China and Russia.

Second, Moon enjoys a trustful rapport with Kim. And the latter is unquestionably serious about shifting the North's priorities from nuclear capability to economic development. Kim wants a deal, in short.

The primary danger to future advances toward a lasting settlement in Northeast Asia lies in Washington. It has been the spoiler on the Korean question before, let us not forget. In the early 2000s, the U.S. never delivered two light-water reactors it had promised the North in exchange for its cessation of its nuclear program. After Yongbyon was shuttered in 2007, the U.S. failed to supply promised shipments of heating fuel, citing "an understanding between the parties" about which neither China nor Russia, who were also signatories to the agreement, had ever heard.

This time around, there is little question that Bolton and other hawks in the Trump administration intend to block progress as long as they can. They have just succeeded in scuttling Moon's long-gestating plans to develop a series of cross-border economic projects. The South Korean leader had hoped that a planned communiqué to be issued at the summit's end in Hanoi would have opened the way for these ventures to proceed. Trump and Kim never signed it.

"We had to walk away," Trump said at his press conference in the Vietnamese capital. It is more likely that Kim is the one who walked away first.

"It occurs to us that there may not be a need to continue," Choe Son-hui, Kim's vice-foreign minister, said later. "We're doing a lot of thinking." It is difficult to blame Pyongyang for this, given the outcome in Hanoi.

Patrick Lawrence, a correspondent abroad for many years, chiefly for the *International Herald Tribune*, is a columnist, essayist, author, and lecturer. His most recent book is "Time No Longer: Americans After the American Century" (Yale). Follow him @thefloutist. His web site is www.patricklawrence.us. Support his work via www.patreon.com/thefloutist.

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Second-Round Stakes Higher for Trump and Kim

The North Korea leader obviously wants a deal, writes Patrick Lawrence, which gives the U.S. a historic opportunity next month.

By Patrick Lawrence

Special to Consortium News



President Donald Trump's announcement late last week that he will meet North Korea's Kim Jong-un next month promises a significant result whether the encounter succeeds or fails. In the intervening weeks, we have two questions to ponder.

No. 1: what will this second summit accomplish? The first Trump–Kim meeting last June in Singapore was about establishing rapport and can by this measure be counted a success. Something of substance, however modest, needs to get done this time.

No. 2, and just as important, will Trump's foreign policy minders undermine this encounter before it takes place? The record suggests this is a serious possibility.

A month ago, Trump announced the withdrawal of U.S. special forces from Syria. The howls of protest, Capitol Hill Democrats often the shrillest, have not ceased. And troops have not started to pack their duffle bags.

But the Syria decision may prove a turning point, given that Trump directly confronted the policy clique – segments of the Pentagon and State Department bureaucracies, as well as

members of the National Security Council –who have been sabotaging his objectives since his first day in office two years ago.

Steve Bannon, once and briefly Trumps' strategic adviser, put it this way after the withdrawal announcement: "The apparatus slow-rolled him until he just said enough and did it himself. Not pretty, but at least done."

Will the second Trump–Kim summit prompt another such showdown with "the apparatus" around Trump?

It could. John Bolton, Trump's national security adviser, is a hyper-hawk on North Korea. Behind him, the Pentagon finds the prospect of lasting peace on the Korean Peninsula a threat to its immense presence in Northeast Asia. Be wary in coming weeks of vaguely sourced press reports citing newly discovered North Korean treachery, betrayals, and deceits.

More For, Than Against

On balance, however, Trump and Kim appear to have more going for them than against them this time.

Now that the policy cliques and the press have run out of playground epithets for Kim—monster, merciless murderer, and so on—it is generally acknowledged that however autocratic, he is a young but capable statesman. In his new year's message, he confirmed that national policy has now shifted decisively toward economic development as the North's top priority.

While Washington and its clerks in the corporate press give Kim no credit, he has already made numerous gestures intended to appease American hawks such as Bolton, build

confidence, and signal his desire to be, in effect, a modernizing dictator somewhat in the mold of China's former leader, the late [Deng Xiaoping](#).

Kim has halted all nuclear and missile testing, [destroyed a nuclear-testing site](#), offered to pull back artillery from the 38th parallel, which now divides North and South Korea, and returned the remains of some American soldiers killed in the 1950–53 war. North and South have also [demilitarized a "truce town."](#)

Kim wants a deal—there are no serious grounds to question this—and is surely smart enough to know he has to bring something impressive to the table next month. Just what this will be is not clear. It is easier to anticipate what he will not concede: the reciprocal diplomatic process that Moon Jae-in, South Korea's president, calls "action for action." It is the only rational, workable way to go forward after almost seven decades of mutual distrust and animosity.

Development Planning

Moon has remained remarkably energetic in behalf of a North–South settlement. His country, along with Russia and China, have drawn up development plans to connect the North and its neighbors – rails, roads, airports, seaports, power plants, refineries, and so on – that has something for everybody: The North acquires the foundation for a modern economy, South Korea gains land routes to Chinese, Russian, and European markets, Russia develops its Far East, and China can do more business with both North and South. A [map](#) of this plan shows three development belts: Two are to run

down the Korean Peninsula's western and eastern coastlines from the Chinese and Russian borders respectively. The third will run west to east across the 38th parallel. Moon wants these links eventually to connect South Korea to the Trans-Siberian Railway.

The numbers bandied about are extraordinary. While Seoul has allocated a modest \$260 million to improve cross-border rail links this year, that is merely the beginning. The Korea Rail Network Authority, a government agency, estimates that upgrading the North's roads and rails alone will cost roughly \$38 billion before it is done. At the time of the first Trump–Kim summit, Citicorp put the cost of rebuilding all of the North's infrastructure at \$63 billion.

These plans have advanced steadily since the first Trump–Kim meeting. But coverage in the mainstream American press is far from abundant.

By all appearances, the U.S. is simply not interested in a constructive settlement in Northeast Asia, even as other nations proceed to develop one. This is a perfect illustration of what happens when a nation is intent only on the projection of its power.

It is anyone's guess what Trump will bring to his summit with Kim. But it is clear what would produce a breakthrough if Trump truly wants one. First, he can exempt some of Moon's cross-border development plans from sanctions that now inhibit them. Second, he can relax the ridiculous demand that the North completes its denuclearization before Washington concedes anything. "Give us all we want and then we negotiate" is not a position from which to expect any

gains.

Given Kim's aspirations and the diplomatic efforts of Seoul, Moscow, and Beijing, the opportunity for a settlement of the Korean question has not been this promising since the [1953 armistice](#). At the same time, Washington has rarely been so uncertain of its power—and hence so eager to display it—and we have a president surrounded by advisors given to neutralizing his better policy objectives.

If Trump and Kim get something done a month from now, we could be on the way to peace in Northeast Asia after 66 years of high tension. If they fail, or if Trump gets the Syria treatment, many years are likely to pass before a moment this propitious comes again.

Patrick Lawrence, a correspondent abroad for many years, chiefly for the International Herald Tribune, is a columnist, essayist, author and lecturer. His most recent book is "Time No Longer: Americans After the American Century" (Yale).

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The Media's Brazen Dishonesty About North Korean Nuclear Violations

In its reporting of supposed North Korean “violations”, the corporate media is once again found to be pushing a political agenda, as Gareth Porter explains.

By Gareth Porter



In late June and early July, NBC News, CNN, and *The Wall Street Journal* published stories that appeared at first glance to shed a lurid light on Donald Trump's flirtation with Kim Jong-un. They contained satellite imagery showing that North Korea was making rapid upgrades to its nuclear weapons complex at Yongbyon and expanding its missile production program just as Trump and Kim were getting chummy at their Singapore summit.

In fact, those media outlets were selling journalistic snake oil. By misrepresenting the diplomatic context of the images they were hyping, the press launched a false narrative around the Trump-Kim summit and the negotiations therein.

The headline of the June 27 NBC News story revealed the network's political agenda on the Trump-Kim negotiations. “If North Korea is denuclearizing,” it asked, “why is it expanding a nuclear research center?” The piece warned that North Korea “continues to make improvements to a major nuclear facility, raising questions about President Donald Trump's claim that Kim Jong Un has agreed to disarm, independent experts tell NBC News.”

CNN's coverage of the same story was even more sensationalist, declaring that there were “troubling signs” that North Korea was making “improvements” to its nuclear facilities, some of which it said had been carried out *after* the Trump-Kim summit. It pointed to a facility that had produced plutonium in the past and recently undergone an upgrade, despite Kim's alleged promise to Trump to draw down his nuclear arsenal. CNN commentator Max Boot cleverly spelled out the supposed implication: “If you were about to demolish your house, would you be remodeling the kitchen?”

But in their determination to push hardline opposition to the negotiations, these stories either ignored or sought to discredit the careful caveat accompanying the original source on which they were based—the analysis of satellite images published on the website 38 North on June 21. The three analysts who had written that the satellite images “indicated that improvements

to the infrastructure at North Korea's Yongbyon Nuclear Research Center are continuing at a rapid pace" also cautioned that this work "should not be seen as having any relationship to North Korea's pledge to denuclearize."

If the authors' point was not clear enough, Joel Wit, the founder of 38 North, who helped negotiate the 1994 Agreed Framework with North Korea and then worked on its implementation for several years, explained to NBC News: "What you have is a commitment to denuclearize—we don't have the deal yet, we just have a general commitment." Wit added that he didn't "find it surprising at all" that work at Yongbyon was continuing.

A Willful Misreading of Images

In a briefing for journalists by telephone on Monday, Wit was even more vigorous in denouncing the stories that had hyped the article on 38 North. "I really disagree with the media narrative," Wit said. "The Singapore summit declaration didn't mean North Korea would stop its activities in the nuclear and missile area right away." He recalled the fact that, during negotiations between the U.S. and the Soviets over arms control, "both sides continued to build weapons until the agreement was completed."

Determined to salvage its political line on the Trump-Kim talks, NBC News turned to Jeffrey Lewis, director of the East Asia Nonproliferation Program at the Middlebury Institute of International Studies at Monterey, who has insisted all along that North Korea won't give up its nuclear weapons. "We have never had a deal," Lewis said. "The North Koreans never offered to give up their nuclear weapons. Never. Not once." Lewis had apparently forgotten that the October 2005 Six Party joint statement included language that the DPRK had "committed to abandoning all nuclear weapons...."

Another witness NBC found to support its view was James Acton, co-director of the Nuclear Policy Program at the Carnegie Endowment for International Peace, who declared, "If [the North Koreans] were serious about unilaterally disarming, of course they would have stopped work at Yongbyon." That was true but misleading, because North Korea has always been unambiguously clear that its offer of denuclearization is conditional on reciprocal steps by the United States.

On July 1, a few days after those stories appeared, the *Wall Street Journal* headlined, "New satellite imagery indicates Pyongyang is pushing ahead with weapons programs even as it pursues dialogue with Washington." The lead paragraph called it a "major expansion of a key missile-manufacturing plant."

But the shock effect of the story itself was hardly seismic. It turns out that

the images of a North Korean solid-fuel missile manufacturing facility at Hamhung showed that new buildings had been added beginning in the early spring, after Kim Jong-un had called for more production of solid-fuel rocket engines and warhead tips last August. The construction of the exterior of some buildings was completed “around the time” of the Trump-Kim summit meeting, according to the analysts at the James Martin Center of the Middlebury Institute of International Studies.

So the most Pyongyang could be accused of was going ahead with a previously planned expansion while it was just beginning to hold talks with the United States.

The satellite images were analyzed by Jeffrey Lewis, the director whom had just been quoted by NBC in support of its viewpoint that North Korea had no intention of giving up its nuclear weapons. So it is no surprise that the Martin Center’s David Schmerler, who also participated in the analysis of the images, told the *Journal*, “The expansion of production infrastructure for North Korea’s solid missile infrastructure probably suggests that Kim Jong Un does not intend to abandon his nuclear and missile programs.”

But when this writer spoke with Schmerler last week, he admitted that the evidence of Kim’s intentions regarding nuclear and missile programs is much less clear. I asked him if he was sure that North Korea would refuse to give up its ICBM program as part of a broader agreement with the Trump administration. “I’m not sure,” Schmerler responded, adding, “They haven’t really said they’re willing to give up ICBM program.” That is true, but they haven’t rejected that possibility either—presumably because the answer will depend on what commitments Trump is willing to make to the DPRK.

Distortion is the Norm

These stories of supposed North Korean betrayal by NBC, CNN, and the *Wall Street Journal* are egregious cases of distorting news by pushing a predetermined policy line. But those news outlets, far from being outliers, are merely reflecting the norms of the entire corporate news system.

The stories of how North Korea is now violating an imaginary pledge by Kim to Trump in Singapore are even more outrageous, because big media had previously peddled the opposite line: that Kim at the Singapore Summit made no firm commitment to give up his nuclear weapons and that the “agreement” in Singapore was the weakest of any thus far.

That claim, which blithely ignored the fundamental distinction between a brief summit meeting statement and past formal agreements with North Korea that took

months to reach, was a media maneuver of unparalleled brazenness. And big media have since topped that feat of journalistic legerdemain by claiming that North Korea has demonstrated bad faith by failing to halt all nuclear and missile-related activities.

A media complex so determined to discredit negotiations with North Korea and so unfettered by political-diplomatic reality seriously threatens the ability of the United States to deliver on any agreement with Pyongyang. That means alternative media must make more aggressive efforts to challenge the corporate press's coverage.

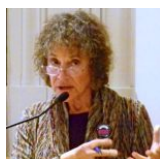
This [article](#) originally appeared at The American Conservative.

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Supreme Court Ignored International Law in Upholding Muslim Ban

The Supreme Court majority ignored two treaties and customary law in upholding Donald Trump's latest travel ban, which the president himself said targeted Muslims, reports Marjorie Cohn.

By Marjorie Cohn



The Supreme Court's opinion last month in *Trump v. Hawaii*, [affirming Donald Trump's Muslim ban](#), has permitted the United States to act in flagrant violation of international law.

Under the guise of deferring to the president on matters of national security, the 5-4 majority disregarded a litany of Trump's anti-Muslim statements and held that the ban does not violate the First Amendment's Establishment Clause, which forbids the government from preferring one religion over another. Neither the majority nor the dissenting opinions even mentioned the U.S.'s legal obligations under international human rights law.

The travel ban violates two treaties to which the United States is a party:

the International Covenant on Civil and Political Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination. It also runs afoul of customary international law.

Both of these treaties and customary international law prohibit the government from discriminating on the basis of religion or national origin. Trump's Muslim ban does both.

Trump v. Hawaii "signals strongly that international law in general, and international human rights law in particular, no longer binds the United States in federal courts," Aaron Fellmeth, professor at Sandra Day O'Connor College of Law, wrote me in an email. "Fortunately, it does not squarely hold that, but the effect may prove to be the same. For now, the Supreme Court appears determined to be complicit in U.S. human rights violations and cannot be relied upon as a check on the Executive Branch."

The case that the Supreme Court ruled on involved the legality of Trump's third travel ban. Issued by Trump in a "Proclamation" on September 24, 2017, the third iteration of the ban restricts travel by most citizens of Libya, Syria, Iran, Yemen, Chad, Somalia and North Korea. The ban forbids everyone from Syria and North Korea from obtaining visas. Nationals from the other six countries have to undergo additional security checks. Iranian students are exempted from the ban. The ban also forbids Venezuelan government officials and their families from traveling to the U.S.

More than 150 million people, roughly 95 percent of them Muslim, are affected by the ban.

Two prior iterations of the ban restricted travel of citizens from only Muslim-majority countries. After federal courts struck them down, Trump appeared to cosmetically add Venezuela and North Korea to avoid charges of religious discrimination.

As Justice Sonya Sotomayor, joined by Ruth Bader Ginsburg, wrote in her dissent, "it is of no moment" that Trump included "minor restrictions" on North Korea and Venezuela – two non-Muslim-majority countries. Travel by North Korean nationals was already restricted and the ban only bars travel by Venezuelan officials and their families.

Court Never Addressed International Law

All of the justices on the Supreme Court ignored significant international law arguments in their majority and dissenting opinions in spite of an amicus brief signed by 81 international law scholars, including this writer, and a dozen non-governmental organizations. The amicus brief drew attention to the travel ban's

violation of the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, both of which the United States has ratified.

Ratification of a treaty not only makes the United States a party to that treaty, its provisions also become part of U.S. domestic law under the Supremacy Clause of the Constitution, which says treaties “shall be the supreme law of the land.”

Customary international law arises from the general and consistent practice of states. It is part of federal common law and must be enforced in U.S. courts, whether or not its provisions are enshrined in a ratified treaty. Courts have a duty to rein in federal executive action, which conflicts with a ratified treaty.

In *Trump v. Hawaii*, the high court concluded that the ban did not violate the Immigration and Nationality Act. The international law scholars argued in their amicus brief:

The Immigration and Nationality Act and other statutes must be read in harmony with these international legal obligations pursuant to the Supremacy Clause of the Constitution and long established principles of statutory construction requiring acts of Congress to be interpreted in a manner consistent with international law, whenever such a construction is reasonably possible.

But the Court did not construe the legality of the travel ban in light of U.S. treaty obligations and customary international law.

The the scholars argued that the primary thrust of the ban is to prohibit Muslims from entering the United States and thus constitutes religious discrimination. By singling out specific countries for exclusion, the ban also makes a prohibited distinction on the basis of national origin.

The International Covenant on Civil and Political Rights prohibits distinctions based on religion or national origin, which have “the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing of human rights and fundamental freedoms,” the United Nation Human Rights Committee, which monitors compliance with the International Covenant on Civil and Political Rights, has said.

Although the Covenant does not generally “recognize a right of aliens to enter or reside in the territory of a State party ... in certain circumstances an alien may enjoy the protection of the Covenant even in relation to entry or residence,

for example, when considerations of non-discrimination, prohibition of inhuman treatment and respect for family life arise,” the Human Rights Committee opined.

The Covenant also prohibits discrimination against the family: “The family is the natural and fundamental group of society and is entitled to protection by society and the State.” Immigrants and refugees who flee their countries of origin and come to the United States to reunify with their families are protected by the Covenant against discrimination based on religion or national origin. They need not be physically present in the United States to enjoy these protections.

The non-discrimination provisions of the Covenant on Civil and Political Rights also constitute customary international law. In 1948, the United States approved the Universal Declaration of Human Rights, which is part of customary international law. The declaration forbids discrimination based on religion or national origin, guarantees equal protection of the law, and shields family life against arbitrary interference.

The International Convention on the Elimination of All Forms of Racial Discrimination also prohibits discrimination based on religion or national origin and doesn’t confine its non-discrimination provisions to citizens or resident non-citizens. While the Convention “does not speak specifically to restrictions on entry of nonresident aliens,” the scholars’ amicus brief states, “The general language of [the Convention Against Racial Discrimination] expresses a clear intention to eliminate discrimination based on race or national origin from all areas of government activity.”

States parties to the convention “shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.” Parties are required to outlaw speech that stigmatizes or stereotypes non-citizens, immigrants, refugees and people seeking asylum.



Even though the Supreme Court majority held that the ban did not violate the Establishment Clause of the First Amendment, much evidence exists to the contrary.

The Establishment Clause says, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." That means "one religious denomination cannot be officially preferred over another," according to Supreme Court case law.

After quoting a few of Trump's anti-Muslim statements, Chief Justice John Roberts noted, "the issue before us is not whether to denounce the statements" but rather "the significance of those statements in reviewing a Presidential directive," that is "neutral on its face" because he text doesn't specifically mention religion. Roberts said the Court was "addressing a matter within the core of executive responsibility," adding, "We must consider not only the statements of a particular President, but also the authority of the Presidency itself."

Roberts wrote that the Court could consider the president's statements "but will uphold the policy so long as it can reasonably be understood to result from a justification independent of unconstitutional grounds." Courts must give great deference to the president in immigration matters and will uphold his policy if it has any legitimate purpose, Roberts argued. "The entry suspension has a legitimate grounding in national security concerns, quite apart from any religious hostility," he said.

Sotomayor spent seven of the 28 pages of her dissent listing more than a dozen statements by Trump denigrating Muslims. She cited, in Trump's words, the policy's initial purpose as a "total and complete shutdown of Muslims entering

the United States.” But that policy “now masquerades behind a façade of national security concerns,” Sotomayor wrote.

She quoted a Trump adviser who said, “When [Donald Trump] first announced it, he said, ‘Muslim ban.’” Sotomayor also listed Trump’s declarations that “Islam hates us,” “we’re having problems with Muslims coming into the country,” and “Muslims do not respect us at all.”



Trump said President Franklin D. Roosevelt “did the same thing” with his internment of Japanese Americans during World War II, Sotomayor noted. Trump told a story about General John J. Pershing killing a large group of Muslim insurgents in the Philippines with bullets dipped in pig’s blood. When he issued his first ban, Trump explained that Christians would be given preference for entry as refugees into the United States. He also retweeted three anti-Muslim videos.

“Taking all the relevant evidence together,” Sotomayor wrote, “a reasonable observer would conclude that the Proclamation was driven primarily by anti-Muslim animus, rather than by the Government’s asserted national security justifications.” The Proclamation, she added, “is nothing more than a ‘religious gerrymander.’”

Looking Ahead

There is hope that the most abhorrent effects of this case can be mitigated. Yale law professor Harold Hongju Koh wrote on Scotus blog that transnational actors – including nation-states, international organizations, non-governmental organizations, multinational enterprises and private individuals – will

invariably file litigation in international fora based on international law to lessen the impact of the ruling in *Trump v. Hawaii*:

[Als they have done against other Trump policies, other transnational actors will invoke what I have called “transnational legal process” to contest and limit the impact of the court’s ruling. As they did after losing the Haitian interdiction case at the Supreme Court 25 years ago, litigants will surely seek out international fora to make arguments against the travel ban based on international law.

The Constitution’s Take Care Clause requires the president to “take care that the laws be faithfully executed.” Trump has a constitutional duty to comply with U.S. legal obligations under both treaty and customary international law.

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Marjorie Cohn is professor emerita at Thomas Jefferson School of Law, former president of the National Lawyers Guild, deputy secretary general of the International Association of Democratic Lawyers and an advisory board member of Veterans for Peace. An updated edition of her book, Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues, was recently published. Visit her website: <http://marjoriecohn.com>.

North Korea Agreed to Denuclearize, But US Refuses Despite Treaty Obligation

After North Korea agreed in principle to get rid of its nukes, the U.S. continues to ignore its obligation under the NPT to also eliminate its nuclear weapons, as Marjorie Cohn explains.

By Marjorie Cohn



A powerful economic incentive continues to drive the nuclear arms race. After the Singapore Summit, the stock values of all major defense contractors – including Raytheon, Lockheed Martin, Northrop Grumman, Boeing and General Dynamics – declined.

Given his allegiance to boosting corporate profits, it’s no surprise that Donald Trump is counterbalancing the effects of the Singapore Summit’s steps toward denuclearization with a Nuclear Posture Review that steers the US toward

developing leaner and meaner nukes and lowers the threshold for using them.

The United States has allocated \$1.7 trillion to streamline our nuclear arsenal, despite having agreed in the Nuclear Non-Proliferation Treaty in 1968 to work toward nuclear disarmament.

Meanwhile, the US maintains a stockpile of 7,000 nuclear weapons, some 900 of them on “hair trigger alert,” according to the Union of Concerned Scientists.

“If weapons are used they need to be replaced,” Brand McMillan, chief investment officer for Commonwealth Financial Network has argued. “That makes war a growth story for these stocks, and one of the big potential growth stories recently has been North Korea. What the agreement does, at least for a while, is take military conflict off the table.”

Moreover, economic incentives surrounding conventional weapons also cut against the promise of peace on the Korean Peninsula. Eric Sirotkin, founder of Lawyers for Demilitarization and Peace in Korea, has pointed out that South Korea is one of the largest importers of conventional weapons from the United States. If North and South Korea achieve “a lasting and stable peace regime on the Korean Peninsula,” as envisioned by the agreement between Trump and Kim Jong Un, the market for US weapons could dry up, according to Sirotkin.

Even so, US defense spending will continue to increase, according to Bloomberg Intelligence aerospace expert George Ferguson. “If North Korea turns from a pariah state to being welcomed in the world community, there are still enough trouble spots that require strong defense spending, supporting revenue and profit growth at prime defense contractors.”

The US Lags Behind on Denuclearization

Last year, more than 120 countries in the UN General Assembly approved the Treaty on the Prohibition of Nuclear Weapons, which requires ratifying countries “never under any circumstances to develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices.” It also prohibits the transfer of, use of, or threat to use nuclear weapons or nuclear explosive devices.

Since the treaty opened for signature on September 20, 2017, 58 countries have signed and 10 have ratified it. Fifty countries must ratify the treaty for it to enter into force, hopefully in 2019.

The five original nuclear-armed nations – the United States, Britain, France, Russia and China – boycotted the treaty negotiations and the voting. North Korea, Israel, Pakistan and India, which also have nuclear weapons, refrained

from participating in the final vote. During negotiations, in October 2016, North Korea had voted for the treaty.

In advance of the Singapore Summit, dozens of Korean American organizations and allies signed a statement of unity, which says:

“Denuclearization of the Korean Peninsula means not only eliminating North Korea’s nuclear weapons but also denuclearizing the land, air, and seas of the entire peninsula. This is not North Korea’s obligation alone. South Korea and the United States, which has in the past introduced and deployed close to one thousand tactical nuclear weapons in the southern half of the peninsula, also need to take concrete steps to create a nuclear-free peninsula.”

Prospects for a Denuclearized Peninsula

Denuclearization of the Korean Peninsula means not only eliminating North Korea’s nuclear weapons but also denuclearizing the land, air, and seas of the entire peninsula. This is not North Korea’s obligation alone. South Korea and the United States, which has in the past introduced and deployed close to one thousand tactical nuclear weapons in the southern half of the peninsula, also need to take concrete steps to create a nuclear-free peninsula.

The jury is out on whether the statement signed by Trump and Kim after months of hurling incendiary nuclear threats at each other will prevent future nuclear threats and pave the way for global denuclearization.

On April 27, 2018, the Panmunjom Declaration, a momentous agreement between South Korea and North Korea, set the stage for the Singapore Summit. It reads, “The two leaders [of North and South Korea] solemnly declared before the 80 million Korean people and the whole world that there will be no more war on the Korean Peninsula and thus a new era of peace has begun.”

The Trump-Kim statement explicitly reaffirmed the Panmunjom Declaration and said North Korea “commits to work towards complete denuclearization of the Korean Peninsula.”

However, when the summit was in the planning stages and before Trump anointed John Bolton as National Security Adviser, Bolton skeptically predicted the summit would not deter North Korea from acquiring nuclear weapons.

Bolton wants regime change in North Korea. His invocation of the Libya model – in which Muammar Qaddafi relinquished his nuclear weapons and was then viciously murdered – nearly derailed the summit. Bolton cynically hoped the summit would provide “a way to foreshorten the amount of time that we’re going to waste in negotiations that will never produce the result we want.”

Sirotkin said in an interview, “Sadly, [the summit] may be set up in this way to please the John Bolton neocon wing as this offers nothing but the peace we agreed to after World War II for all countries of the world in the UN Charter.”

Meanwhile, Trump claims he has achieved something his predecessors – particularly his nemesis Barack Obama – were unable to pull off. “There is no longer a Nuclear Threat from North Korea,” Trump tweeted upon landing in the United States after the summit. Five minutes later, he again took to Twitter, declaring, “Before taking office people were assuming we were going to War with North Korea. President Obama said that North Korea was our biggest and most dangerous problem. No longer – sleep well tonight.”

In an analysis shared via Facebook, H. Bruce Franklin, professor emeritus at Rutgers University, pointed out that – in a sideways fashion – Trump was correct when he tweeted there is no longer a nuclear threat from North Korea:

“[Trump] of course omitted the simple fact that there never was a realistic nuclear threat from North Korea, which has been frantically building a nuclear capability to act as a deterrent against U.S. aggression. If the U.S. stops threatening North Korea, North Korea will have no motive to threaten the U.S. with retaliation. The United States never faced any nuclear threat until we forced the Soviet Union to create one in 1949 to serve as a deterrent against our aggression.”

The significance of the Singapore Summit should not be underestimated. Trump is the first U.S. president to meet with the leader of North Korea. Trump showed Kim respect, and Kim responded in kind. Trump and Kim made a major commitment to peace. We should applaud and support it, and encourage Trump to sit down with Iran’s leaders as well.

The joint agreement signed by the two leaders in Singapore was admittedly sketchy, and denuclearization will not happen overnight. But the agreement was a critical first step in a process of rapprochement between two countries that have, in effect, been at war since 1950.

Indeed, the United States has continued to carry out military exercises with South Korea, which North Korea considers preparation for an invasion. In a critical move, Trump stated at the post-summit press conference that the United States would suspend its “very provocative” war games.

Trump also announced a freeze on any new US sanctions against North Korea and indicated that the United States could lift the current harsh sanctions even before accomplishing total denuclearization. Kim promised to halt nuclear

testing and destroy a testing site for ballistic missile engines.

Ultimately, however, it is only global denuclearization that will eliminate the unimaginable threat of nuclear war.

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Marjorie Cohn is professor emerita at Thomas Jefferson School of Law, former president of the National Lawyers Guild, deputy secretary general of the International Association of Democratic Lawyers and an advisory board member of Veterans for Peace. An updated edition of her book, *Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues*, was recently published. Visit her website: <http://marjoriecohn.com>.

An Elite Coalition Emerges Against a Trump-Kim Agreement

Media coverage of the Trump-Kim summit has highlighted a political reaction that threatens to torpedo any possible U.S.-North Korean agreement on denuclearization of the Korean peninsula, says Gareth Porter.

By Gareth Porter

Special to Consortium News



An implicit coalition of corporate media, Democratic partisans and others loyal to the national security state are actively hostile to any agreement that would endanger the continuation of the 70-year-old Cold War between the United States and North Korea.

The hostility toward Donald Trump on the part of both corporate media (except for Fox News) and the Democratic Party establishment is obviously a factor in the negative response to the summit. Trump's dysfunctional persona, extremist domestic strategy and attacks on the press had already created a hyper-adversarial political atmosphere that surrounds everything Trump says or does.

But media coverage of the Singapore summit shows that something much bigger and more sinister is now in play: a consensus among foreign policy and national security elites and their media allies that Trump's pursuit of an agreement with Kim on denuclearization threatens to undo seventy years of U.S. military dominance in Northeast Asia.

Those elites are determined to resist the political-diplomatic thrust of the

Trump administration in negotiating with Kim and have already begun to sound the alarm about the danger Trump poses to the U.S. power position. Not surprisingly Democrats in Congress are already aligning themselves with the national security elite on the issue.

The real concern of the opposition to Trump's diplomacy, therefore, is no longer that he cannot succeed in getting an agreement with Kim on denuclearization but that he will succeed.

The elite media-security framing of the Trump-Kim summit in the initial week was to cast it as having failed to obtain anything concrete from Kim Jong-un, while giving up immensely valuable concessions to Kim. Almost without exception the line from journalists, pundits and national security elite alike compared the joint statement to the texts of previous agreements with North Korea and found that it was completely lacking in detail.

Ignoring Kim's Concessions

Thus *The Washington Post* quoted a tweet by Richard Haas, chairman of the über-establishment Council on Foreign Relations, that the summit "changed nothing" but "makes it harder to keep sanctions in place, further reducing pressure on North Korea to reduce (much less give up) its nuclear weapons and missiles."

The New York Times cited the criticism of former CIA official Bruce Klingner, now at the Heritage Foundation, that the joint statement failed to commit North Korea to do as much as promised in agreements negotiated in 1994 and 2005. And CNN reported that the Joint Declaration "did not appear to make any significant progress" in committing the North Koreans to complete denuclearization, citing the use of the word "reaffirmed" in the document, which it opined "highlighted the lack of fresh commitments."

Those criticisms of the joint statement conveniently ignored the fact that Kim had already made the most significant concession he could have made in advance of detailed negotiations between the two states when he committed North Korea to ending the testing of both nuclear weapons and long-range missiles in April following meetings with then CIA Director Mike Pompeo earlier in the month. That commitment by Kim meant that North Korea was entering negotiations with the United States before it had achieved a credible threat to hit the United States with an ICBM armed with a nuclear weapon.

The fact that no mention of Kim's centrally important concession can be found in any of the reports or commentaries on the summit underlines the scarcely hidden agenda at play. Mentioning that fact would have pointed to understandings that Pompeo had already reached with Kim and his envoy to Washington before the

summit and were not reflected in the brief text. Pompeo actually confirmed this in remarks made in Detroit on June 18, which only Bloomberg news reported.

Furthermore, the trashing of the summit also employed the politically motivated trick of deliberately ignoring the vast difference between a joint statement of the first ever meeting between the two heads of state and past agreements on denuclearization reached after weeks or months of intensive negotiations.

What really alarmed and even outraged the media and their elite national security allies, however, was that Trump not only announced that he would suspend U.S.-South Korean joint exercises or "war games" as long as the North Koreans were negotiating in good faith on denuclearization, but even called the exercises "very provocative."

One journalist and commentator after another, including CNN and the *Times'* Nicholas Kristof, denounced that description as "adopting" his adversary's "rhetoric" about the exercises. In a podcast with former National Security Council spokesperson Tommy Vietor, former NSC official Kelley Magsamen, now at the Democratic Party's Center for American Progress, rather than acknowledging that a vital principle of diplomacy is to put oneself in the position of one's opponent, charged that Trump had "internalized the language of our adversaries."

The media and critics deploring Trump's willingness to suspend the joint U.S.-South Korean war games have portrayed it as a betrayal of the security alliance with South Korea. But that claim merely dismisses the desires of South Korean President Moon and betrays ignorance of the history of U.S.-South Korean war games.

Been Called 'Provocative' Before

When Trump called the drills "provocative," he was merely expressing the same view that some U.S. officials adopted as long ago as the mid-1980s. These officials also called the exercises "provocative," according to a State Department official interviewed by historian Leon Sigal for his authoritative account of U.S. nuclear diplomacy with North Korea.

Donald Gregg, the U.S. Ambassador to South Korea from 1989 to 1993, observed in an interview with Sigal that the North Koreans mobilized their forces at great expense every time the drills, called "Team Spirit," were held in the 1980s and early 1990s.

Former Director of National Intelligence James Clapper, who was an Army general and chief of U.S. military intelligence in Korea in the early 1990s, later confirmed to Sigal that the North Koreans would "go nuts" during the annual Team Spirit exercises. Part of the reason for that extreme North Korean anxiety about

the drills was that the United States routinely flew nuclear capable B-52s over South Korea as part of the exercises – a practice resumed in recent years after a long hiatus and no doubt reviving the trauma of the U.S. devastation of North Korea from 1950-53.

Ambassador Gregg had supported the idea of suspending the annual Team Spirit exercise in 1992 as part of a proposed effort to get North Korea to change its mind about wanting nuclear weapons. Furthermore the South Korean government itself formally announced in January 1992 that the Team Spirit exercises were being suspended in light of “progress” on North-South nuclear issues. Furthermore, the Clinton administration cancelled Team Spirit drills each year from 1994 to 1996 in an effort to demonstrate the U.S. seriousness in pursuing an agreement with North Korea for an end to its production of plutonium for nuclear weapons.

The provocative character of the joint U.S.-South Korean military drills became even more pronounced after North Korea began testing nuclear weapons and then intercontinental ballistic missiles. In 2015, the U.S. and South Korea adopted a new war plan codenamed OPLAN 5015, which calls for surgical strikes on North Korea’s nuclear and missiles sites and command-and-control facilities, as well as “decapitation” raids targeting senior North Korean leaders, according to the South Korean Yonhap News Agency.

Although the U.S. Command in South Korea has always insisted that all joint exercises are defensive in nature, press reports said that the war plan, which could only be based on a first strike strategy, would be the basis of the publicly announced Ulchi Freedom Guardian war games scheduled for August 2017.

What the national security elite and their media allies are really upset about is the real possibility that Trump will succeed in negotiating a denuclearization deal with North Korea that includes a formal end to the Korean War. That could complicate the Pentagon’s continuing strengthening of the U.S. military posture vis a vis China.

Fareed Zakaria, CNN’s establishment foreign policy pundit, recalled the Pentagon’s aim during the Clinton administration to maintain at least 100,000 U.S. troops in Northeast Asia, and worried that, if the U.S. military alliance with South Korea is deemphasized, the U.S. would “fall below that threshold.”

Ian Bremmer, the CBS News national security pundit, explained that Trump’s willingness to suspend military exercises means that “the United States is probably going to be a much more marginal player at the end of the day in this region.”

Magsamen suggested a similar concern about Trump weakening the alliance with South Korea in an interview with Vietor, commenting that “a lot of us...see the North Korean challenge in a broader context vis a vis our adversaries, like China and Russia.”

These are early indications of a showdown between Trump and the elite alliance arrayed against him. Senate Democrats can be expected to push back against any agreement that portends possible withdrawal from South Korea, as indicated by the bill proposed by Senators Chris Murphy and Tammy Duckworth to forbid troops withdrawal without Pentagon approval.

If his opponents are dissatisfied with the agreement Trump negotiates, the Senate probably wouldn't ratify a treaty to end the Korean War that Pyongyang would certainly demand. The most promising diplomatic development in East Asia in seven decades could thus be nullified by the shared interests of the loose coalition in preserving a status quo of tension and possible war.

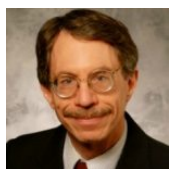
Gareth Porter is an independent investigative journalist and winner of the 2012 Gellhorn Prize for journalism. He is the author of the newly published *Manufactured Crisis: The Untold Story of the Iran Nuclear Scare*.

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Why Americans (and Koreans) Can Sleep Better After the Summit

The summit has already relaxed tensions but the reason is not because of a lessened threat from Pyongyang, as Jonathan Marshall explains.

By Jonathan Marshall *Special to Consortium News*



Scads of analysts and pundits have weighed in on the Trump-Kim summit talks in Singapore, parsing the brief agreement and presidential tweets for signs of just how strongly it actually commits North Korea to total, verifiable “denuclearization.”

Most of them are missing the point. The real threat to U.S., Korean, and Japanese security of late has come not from North Korean nukes, but from threats by President Donald Trump and his closest advisers to launch a regional war to

preempt any further North Korean progress on warhead and missile technology. Some experts were giving even odds of a U.S.-initiated war as recently as a few months ago.

So even if the spectacle in Singapore was more theater than substance, even if the president's effusive praise for a totalitarian leader was hard to swallow, we should applaud Trump for belatedly making good on his 2016 campaign promise to sit down with Kim Jong-un over a hamburger in search of peace.

Throughout most of 2017, the Trump administration instead issued a steady stream of pronouncements warning that it was ready to go to war to stop Pyongyang from perfecting long-range missiles capable of hitting the United States with nuclear weapons.

"Our president has been really clear about this," said then National Security Adviser H. R. McMaster. "He is willing to do anything necessary to prevent that from happening . . . and so, all of our armed forces are getting to really a high, high degree of readiness for this mission." U.S.-South Korean war games reportedly included "rehearsals of surgical strikes on North Korea's main nuclear and missile facilities and 'decapitation raids' by special forces targeting the North's leadership."

Trump himself warned last summer that he would meet any further North Korean nuclear advances "with fire and fury like the world has never seen." He added in a tweet that "military solutions are now fully in place, locked and loaded, should North Korea act unwisely."

Trump's close foreign policy adviser (and golfing partner), Sen. Lindsey Graham of South Carolina, strongly advised the president to launch a preemptive war sooner rather than later, before North Korea could put the U.S. homeland at risk. He also insisted that Trump wasn't bluffing about preparing an all-out first strike. "He has told me that. I believe him," Graham said. "If thousands die, they're going to die over there. They're not going to die here. And he has told me that to my face."

Graham predicted that if North Korea conducted another nuclear bomb test, the odds that "we use the military option" would rise to "70 percent." Richard Haass, president of the Council on Foreign Relations, put the odds as high as 50/50. Trump's selection of John Bolton, an outspoken advocate of regime change in North Korea, as his national security adviser further stacked the odds in

favor of war.

Trump's Path to War

Trump's path toward war—with almost no push-back from Congress—promised unimaginable destruction. “There easily could be a million deaths on the first day,” said Stanford University international security expert Scott Sagan. Former Secretary of Defense William Perry advised that a war with North Korea would be “catastrophic, possibly destroying the societies of both Koreas as well as causing large casualties in the U.S. military.”

It would certainly kill a substantial fraction of North Korea's 25 million people. Before then, however, Pyongyang's hair-trigger military would likely annihilate millions in Seoul, Tokyo, and other major cities with massed artillery, chemical weapons, and atomic bombs many times the size of those that devastated Hiroshima and Nagasaki in 1945.

And that's not even counting what might happen if China or Russia entered the fray—or if North Korea smuggled an atomic bomb into one of our major port cities aboard a freighter.

This threat of war originated almost entirely from the U.S. side. As the CIA's own analysts reported, North Korea's leadership has never shown any inclination to commit collective suicide by using its nuclear weapons offensively. Like every other nuclear power—aside from the United States in 1945—it developed nuclear weapons as a deterrent.

After decades of insecurity, North Korea's new status as a nuclear power with long-range missiles means “The United States can never fight a war against me and our state,” Kim said in a New Year's Day broadcast. “This is just a reality, not a threat. . . . These weapons will be used only if our security is threatened.”

Kim added, “The North and the South should no longer do anything that would aggravate the situation, and must exert efforts to ease military tensions and create a peaceful environment.” Starting with the Winter Olympics, Seoul and ultimately Washington accepted his olive branch, setting the stage for a breakthrough in relations.

Much of what the critics say is true. The 397-word Singapore agreement is mostly platitudes, not the “very, very comprehensive document” Trump claimed. It

doesn't specify when or how North Korea will get rid of its nuclear weapons. It doesn't specify a timetable for easing economic sanctions. It doesn't address human rights in North Korea. Raised expectations could lead to disappointments, recriminations, and renewed political conflict.

But by addressing the cycle of provocations (including missile tests and military exercises) that were accelerating our countries to the brink of war, and setting the stage for a peace treaty ending the Korean War, the summit talks have at least temporarily made every American, and every resident of North Asia, a good bit more secure.

Jonathan Marshall is author or co-author of five books on international relations and history. His articles on Korea include "Who's Afraid of Talking With Kim Jong Un," "No Time for Complacency over Korea War Threat," "America Isn't on the Brink of Nuclear War—It Just Looks That Way," "What's Wrong with Talking to North Korea?," "Trump's North Korea Delusions," "The New Trump: War President," "Hurtling Toward Fire and Fury," "Risk to US from War on North Korea," "North Korea Fears 'Regime Change' Strike," "The Negotiation Option With North Korea," and "Behind the North Korean Nuke Crisis."

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