UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH ROTH; DANIEL FROOMKIN; BEVERLY GAGE; PETER SCHMIDT-NOWARA; BENJAMIN WITTES; and ETHAN YOUNG, Plaintiffs, v. DONALD J. TRUMP, in his official capacity as President of the United States; STEVEN CHEUNG, in his official capacity as Assistant to the President for Communications; SEAN M. CURRAN, in his official capacity as Director of the Secret Service; and SUSAN WILES, in her official capacity as White House Chief of Staff, Defendants.	Civil Action No.

DECLARATION OF KENNETH ROTH

I, Kenneth Roth, declare and state as follows:

1. I am a plaintiff in this matter and am submitting this declaration in support of a motion for a preliminary injunction.

2. I am over the age of eighteen. I have personal knowledge of the facts stated in this declaration, and, if called to testify, I could and would competently do so under oath.

3. I am a resident of New York, N.Y., and a citizen of the United States.

4. I received a B.A. in History from Brown University and a J.D. from Yale Law School.

5. I am a human rights advocate, legal scholar, and expert on U.S. foreign policy and the rule of law. I am currently a Lecturer in Law, Senior Research Scholar in Law, and Oscar M.

Ruebhausen Visiting Scholar at Yale Law School and lecturer at the Yale Jackson School of Global Affairs, where I teach courses on international human rights, foreign policy, and global affairs. From 1993 to 2022, I was the executive director of Human Rights Watch, a leading non-governmental organization dedicated to investigating and reporting on human rights abuses around the world. Previously, I served as a federal prosecutor in New York, N.Y. and Washington, D.C.

6. I publish and comment widely on international human rights and U.S. foreign policy, including in the New York Times, the Washington Post, the New York Review of Books, Foreign Policy, and Foreign Affairs. I am currently a columnist for the Guardian U.S., in which I publish a roughly biweekly analysis of contemporary issues in international human rights and U.S. policy. I also appear regularly on major domestic and international news programs, including on CNN, the BBC, and Al Jazeera. In 2025, I published a book titled *Righting Wrongs: Three Decades on the Front Lines Battling Abusive Governments*, which is a memoir of the nearly three decades that I led Human Rights Watch and an account of how human rights advocacy can be effective in battling abusive and repressive governments.

7. As part of my work, I use multiple social media platforms to follow current events, provide commentary, and communicate daily with journalists, government officials, and members of the public. I comment especially about matters relating to human rights, democracy, foreign affairs, war, and international humanitarian law—all spheres in which the U.S. president is a central actor. I have active accounts on Bluesky, Facebook, LinkedIn, and X (formerly known as Twitter). On X alone, I have over 600,000 followers.

8. I read news, including White House reporting, from a wide range of media organizations, including the New York Times, the Guardian, the Washington Post, the Financial Times, the Wall Street Journal, the Economist, Reuters, the Associated Press, Al Jazeera, Foreign

Policy, and Foreign Affairs. I personally subscribe to the New York Times, the Economist, Foreign Policy, the Atlantic, the New Yorker, and the New York Review of Books. I have access to the Wall Street Journal, the Financial Times, and Foreign Affairs through my institutional affiliations.

9. As a columnist for the Guardian U.S., I write about U.S. foreign and domestic policy. I frequently rely on reporting from members of the White House press corps to stay informed of the U.S. government's actions and policies and source ideas for my articles, which often focus on President Trump and U.S. policy. For example, on June 30, 2026, I published a column about generational shifts in the U.S.-Israel relationship in which I cited White House reporting by Eric Cortellessa, a political correspondent for TIME Magazine who just last month interviewed President Trump at the White House. **Exhibit 1** (Guardian column) (available at https://perma.cc/FG67-RMUM); **Exhibit 2** (Cortellessa TIME article) (available at https://perma.cc/9VRF-E5S6). On July 23, 2026, I published a column about President Trump's motivations for agreeing to a nuclear deal with Saudi Arabia, relying on reporting by David Sanger, a White House reporter for the New York Times. **Exhibit 3** (Guardian column) (available at https://perma.cc/95D7-ZUWU); **Exhibit 4** (Sanger New York Times article) (available at https://perma.cc/QH4D-C6XX). And on September 23, 2026, my column discussed President Trump's speech at the United Nations, citing White House reporting on Trump's past military threats to Iran by Collin Binkley, a White House reporter for the Associated Press. **Exhibit 5** (Guardian column) (available at https://perma.cc/VE2T-XKFQ); **Exhibit 6** (Binkley PBS News article) (available at https://perma.cc/U8EL-EYZC).

10. At Yale, I teach and assign topics related to the president and his administration. I teach the law school course "Enforcing Rights Without Courts," which examines the political methods that the international human rights movement has developed to enforce and defend rights

around the world. I also teach the undergraduate course "Global Perspectives," which treats U.S. foreign policy in the context of that of other major powers. Every week, I assign a variety of news articles for students to read in preparation for class, including articles that rely on White House reporting. This semester, for example, I assigned a New York Times article titled "The Nobel Prize and a Testy Phone Call: How the Trump-Modi Relationship Unraveled," co-authored by White House reporter Tyler Pager, for a unit on India's relationship with the United States. **Exhibit 7** (available at https://perma.cc/7BRP-H9GN). For a unit on Japanese foreign policy vis-à-vis the United States, I assigned the Reuters article, "Trump's Kim Gambit Deepens Doubts over U.S. Reliability at a Key Moment for Asia," which discusses White House reporting regarding President Trump's relationship with North Korean leadership and his decision to withdraw from military drills with South Korea. **Exhibit 8** (available at https://perma.cc/PZ7J-LR6V).

11. In addition to my writing and teaching, I provide daily commentary on X about U.S. foreign and domestic policy, democracy, and human rights. I follow a number of outlets and journalists that report from the White House, including the individual accounts of Peter Baker, Jonathan Swan, and Maggie Haberman of the New York Times and the institutional accounts of the Associated Press, MS NOW, POLITICO, and others. Not only do I receive information from White House reporters on X, but I also frequently engage with, share, and comment on their work. For example, I posted on September 26, 2026, about Trump's refusal to agree to a ceasefire with Iran, sharing and citing an article by Zolan Kanno-Youngs, a White House reporter for the New York Times. **Exhibit 9** (available at https://perma.cc/M9MH-TVYA). I posted on September 28, 2026, critiquing President Trump's baseless boasts about the U.S. economy, sharing and citing a Guardian article that relied on White House reporting. **Exhibit 10** (available at https://perma.cc/C2RP-GCHD). And on, October 7, 2026, I posted my commentary on an article

about the Iran war co-authored by David Sanger, a White House reporter for the New York Times. **Exhibit 11** (available at https://perma.cc/QL2F-4HS5).

12. It is important to me, personally and professionally, that I receive information about the White House from a variety of news sources that I consider to be trustworthy. This is important both because different outlets and reporters cover different topics and offer different perspectives and because I need to verify the information that I receive by comparing multiple sources. A diverse press corps helps ensure that the information I receive about the president and his activities is reliable and complete.

13. I rely on White House reporters to serve as my eyes and ears in spaces that I cannot personally access. It is only because a diverse group of independent reporters is permitted to ask sharp questions, probe assertions by White House officials, and follow up on vague or contradictory statements that I can feel reasonably confident I am receiving a full and reliable account of the president's actions and decisions.

14. President Trump's ideologically motivated ban on members of the White House press significantly impairs my ability to access the information I require to write, teach, offer public commentary, and stay informed as a citizen. The exclusion of outlets from certain facilities or events—including, currently, the Associated Press and CNN—of course means that I will be deprived of the reporting and perspectives of those outlets. Other news outlets may tone down their questions and temper their reporting for fear of being expelled—in which case I will be deprived of the full benefit of their reporting as well.

15. Much of my daily work relates to, and requires, an accurate and up-to-the-minute understanding of, the actions and policy of senior White House officials, including the President. The news I receive from the White House press is useful to me only because it is independent. The

expulsion of news organizations will deprive me of access to the independent, reliable, and comprehensive reporting that the White House press corps provides, and on which I rely to write my columns, comment on matters of public concern, and teach my students. I no longer personally interview government officials, and I rely on members of the media to be proxies for me in Washington, D.C., and in the halls of power. If the White House continues its policy and practice of denying disfavored journalists the access they require to do their jobs, it will be harder for me to learn of and understand the government's policies and decisions.

16. As a human rights expert, I have seen how authoritarian governments abuse and consolidate their power by undermining checks and balances on executive power, including civil society and the media. Democracy depends on free debate about government policy and action, which can occur only with reliable access to information about what the government is doing. A press corps with access to the head of state is essential for keeping the public informed so they can use their voices and periodic votes to influence their government. The Trump administration's practice of retaliating against and excluding independent journalists reminds me of repressive tactics deployed by autocratic governments around the world, including Hungary, Turkey, Russia, and Egypt.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 23, 2026



Kenneth Roth