

*Prosecutor v Uhuru Muigai Kenyatta*

Case No. ICC-01/09-02/11

## W A I V E R

I, **Uhuru Muigai Kenyatta**, hereby declare as follows:

- 1) I acknowledge that I am aware that I have a right under the ICC Statute to be present during my trial;
- 2) In order to enable me reasonably to attend to the functions of my office as the President of Kenya, while remaining in my individual capacity within the jurisdiction of the ICC for purposes of the trial against me in my individual capacity, I instructed my counsel to make an application to the Trial Chamber, requesting that I be excused from continual presence during the trial; and I hereby confirm that the request that my counsel made to the Chamber in that regard was indeed made pursuant to my instructions as indicated;
- 3) For purposes of that request, I hereby restate and confirm that I voluntarily, knowingly and unequivocally and without reservation waive my right to my own presence during my trial: by doing so, I hereby forego every complaint and every appeal against any natural consequence of my own voluntary absence from the courtroom as requested; and, that remains the case notwithstanding the existence or non-existence or proper functioning of any alternative means (including the Court's External Parties Network, video-streaming of any kind, telephony, etc) that could have facilitated my ability to follow the trial and/or instruct my counsel from a remote location.

Done in Nairobi this \_\_\_\_\_ October 2013.

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**Uhuru Muigai Kenyatta**