



SPECIALIST PROSECUTOR'S OFFICE
ZYRA E PROKURORIT TË SPECIALIZUAR
SPECIJALIZOVANO TUŽILAŠTVO

In: KSC-BC-2018-01
Before: Single Judge
Judge Nicolas Guillou

Registrar: Dr Fidelma Donlon
Filing Participant: Specialist Prosecutor's Office
Date: 24 April 2024
Language: English
Classification: Public

Public redacted version of 'Prosecution request for retention of evidence (F00611)'

Specialist Prosecutor's Office
Kimberly P. West

Duty Counsel for Isni Kilaj
Iain Edwards

1. Pursuant to Decision F00611,¹ the Specialist Prosecutor's Office ('SPO') hereby requests the Single Judge's authorisation for the SPO's further retention of the Pending Items² seized from Isni KILAJ.
2. The Pending Items remain at the forensic institute pending the completion of the forensic examination/reporting by the external forensic institute.³ The SPO thus has not yet been able to assess the Pending Items' contents for relevant material. The further retention of the Pending Items' is therefore necessary.⁴
3. The SPO anticipates that the forensic imaging/copying of two of the items (the [REDACTED] and the [REDACTED]) will be completed and returned to the SPO from the forensic institute during the week of 29 April 2024, whereupon the SPO will promptly begin the required relevance analysis in accordance with the Search and Seizure Decision⁵ and the Rules.⁶
4. The forensic imaging/copying of the other two remaining digital items – the [REDACTED] and the [REDACTED] – remains pending at the forensic institute because, [REDACTED]. Once the forensic images/copies are returned to the SPO from

¹ Confidential Lesser Redacted Version of Decision on Request on Variation of Time Limits concerning Retention of Evidence, KSC-BC-2018-01/F00611/CONF/RED2, 12 March 2024, Confidential ('Decision F00611').

² [REDACTED].

³ See Prosecution request for retention of evidence (F00484), KSC-BC-2018-01/F00566, 2 February 2024, Confidential, para.7.

⁴ See Decision F00611, KSC-BC-2018-01/F00611/CONF/RED2, para.24 ('The Single Judge clarifies that a request for further retention of items is necessary when the SPO has not been able to assess their relevance to its investigation at the time the afforded period for extraction and review of items has elapsed').

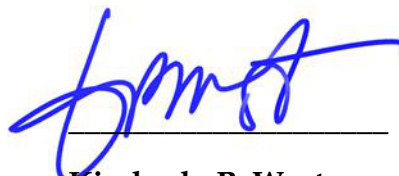
⁵ Confidential Redacted Version of Decision Authorising Search and Seizure [REDACTED], KSC-BC-2018-01/F00484/CONF/RED, 20 October 2023, Strictly Confidential and *Ex Parte* ('Search and Seizure Decision'), para.50.

⁶ See also Rules 32 and 33 of the Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules').

the forensic institute, the SPO will promptly assess their contents for relevance in accordance with the Search and Seizure Decision⁷ and the Rules.⁸

5. This filing is submitted as confidential given the status of the case.

Word count: 428



Kimberly P. West

Specialist Prosecutor

Wednesday, 24 April 2024

At The Hague, the Netherlands.

⁷ Search and Seizure Decision, KSC-BC-2018-01/F00484/CONF/RED, para.50.

⁸ See also Rules 32 and 33 of the Rules.