



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

In: KSC-BC-2023-12
Specialist Prosecutor v. Hashim Thaçi, Bashkim Smakaj,
Isni Kilaj, Fadil Fazliu, and Hajredin Kuçi

Before: Pre-Trial Judge
Judge Marjorie Masselot

Registrar: Dr Fidelma Donlon

Filing Participant: Specialist Prosecutor's Office

Date: 30 May 2025

Language: English

Classification: Public

Public redacted version of 'Prosecution notification pursuant to Decision F00198'

Specialist Prosecutor's Office

Kimberly P. West

Specialist Counsel for Hashim Thaçi

Sophie Menegon

Specialist Counsel for Bashkim Smakaj

Jonathan Elystan Rees

Specialist Counsel for Isni Kilaj

Iain Edwards

Specialist Counsel for Fadil Fazliu

David A. Young

Specialist Counsel for Hajredin Kuçi

Alexander Admiraal

1. The Specialist Prosecutor's Office ('SPO') hereby notifies the Pre-Trial Judge that the SPO does not seek further retention of the SD card¹ seized from Isni KILAJ (the 'KILAJ SD Card') pursuant to Decision F00198.² Accordingly, and for the reasons detailed below, the SPO will take immediate steps to return the KILAJ SD Card.

2. As previously reported,³ on 11 March 2025, the SPO transferred the KILAJ SD Card to the [REDACTED] in order to create a forensic copy of the device. The [REDACTED] subsequently reported to the SPO that the KILAJ SD Card is damaged such that its contents (if any) could not be copied or accessed through standard means, and that the [REDACTED] could not confirm what, if any, content exists on the device. The [REDACTED] further reported that additional, more complex forensic processing would be required (i) to determine if any content on the KILAJ SD Card could be copied/accessed, and (ii) to conduct such copying if possible.

3. On 26 May 2025, the [REDACTED] informed the SPO that based on its further examination of the KILAJ SD Card and its assessment of the extent of existing damage to the device, it would take the [REDACTED] approximately 100 hours of additional forensic work to be able to recover any data (if any exists) from the KILAJ SD Card. The [REDACTED] further reported that given its current workload, this process would take approximately six (6) months. Finally, the [REDACTED] reported that given the extent of the damage, the additional procedures, if performed, would not guarantee the successful recovery of any data from the device, or that any recovered data would be comprehensible.

¹ Evidence bag #[REDACTED].

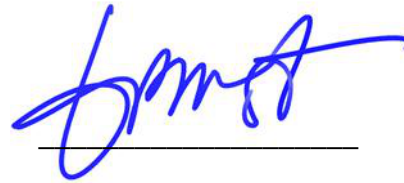
² Public Redacted Version of 'Decision Authorising Search and Seizure', KSC-BC-2023-12/F00198/RED, 27 February 2023 ('Decision F00198').

³ See Public redacted version of 'Prosecution report pursuant to Decision F00198 with confidential and *ex parte* Annexes 1 and 2', KSC-BC-2023-12/F00215/RED, 14 March 2025, para.8.

4. In light of these facts, the SPO assesses that the return of KILAJ SD Card to KILAJ is now appropriate. The SPO has so informed KILAJ's counsel and will arrange for the device's return.

5. This filing is classified as confidential pursuant to Rule 82(4) of the Rules.⁴ A public redacted version will be filed.

Word count: 391



Kimberly P. West

Specialist Prosecutor

Friday, 30 May 2025

At The Hague, the Netherlands

⁴ Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020, ('Rules').