



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
Date: 3 November 2023
Language: English
Classification: Public

**Public redacted version of 'Prosecution report on arrest of Isni KILAJ
with strictly confidential and *ex parte* annexes 1 and 2'**

Specialist Prosecutor's Office
Kimberly P. West

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Iain Edwards

I. INTRODUCTION

1. On 2 November 2023, the Specialist Prosecutor's Office ('SPO') notified the President and Registrar of the arrest of Mr Isni KILAJ¹ pursuant to Rule 52 of the Rules.² The SPO hereby reports to the Single Judge on the arrest.

II. REPORT

2. On 2 November 2023, at 23:09, Mr KILAJ was placed under arrest by an SPO Operational Security Officer, accompanied by other SPO staff and an interpreter.³ The arrest took place at Mr KILAJ's residence [REDACTED], and was conducted pursuant to an order of the Specialist Prosecutor.⁴

3. The SPO Operational Security Officer, with the assistance of an interpreter, confirmed Mr KILAJ's identity and informed him that an order had been issued for his arrest by the Specialist Prosecutor. Mr KILAJ was also informed of his right to silence. A security search was conducted at 23:16.⁵

4. Mr KILAJ was then transported to [REDACTED] where the Operational Security Officer served Mr KILAJ with a certified copy of the Arrest Order, in English. The Arrest Order was read aloud to Mr KILAJ translated into Albanian. Mr KILAJ confirmed with his signature service of the Arrest Order.⁶

5. The SPO Operational Security Officer informed Mr KILAJ of his rights, which were read out loud to him in English and translated into Albanian by the interpreter. Mr KILAJ was informed, *inter alia*, that he has: the right to legal assistance of Specialist

¹ Rule 52(1) notification of arrest of Isni KILAJ, KSC-BC-2018-01/F00489.

² Rules of Procedure and Evidence Before the Kosovo Specialist Chambers, KSC-BD-03/Rev3/2020, 2 June 2020 ('Rules'). All references to 'Rule' or 'Rules' herein refer to the Rules, unless otherwise specified.

³ Annex 2: Arrest Report.

⁴ Annex 1: Arrest Order.

⁵ Annex 2: Search report.

⁶ Annex 1: Memorandum of Service.

Counsel of his choice and to have Specialist Counsel assigned free of charge if he does not have sufficient means to pay for it; the right to notify or have notified a family member or another appropriate person of his choice about his arrest; and the right to remain silent and that any statement he makes shall be recorded and may be used in evidence.⁷ The SPO Operational Security Officer also provided Mr KILAJ with a hardcopy of Articles 21 and 41(4) of the Law,⁸ which were additionally read aloud to him. At 00:22, on 3 November 2023, Mr KILAJ confirmed with his signature that he had been provided information about his rights.⁹

6. Mr KILAJ remained in the custody of the SPO [REDACTED]. [REDACTED]. [REDACTED], Mr KILAJ was transferred to the custody of the Registry.

7. No handcuffs or other restraints were used while Mr Kilaj was in SPO custody.

III. CLASSIFICATION

8. This filing is submitted as strictly confidential and *ex parte* in accordance with Rule 82(4).

⁷ Annex 2: Information about rights.

⁸ Law no.05/L-053 on Specialist Chambers and Specialist Prosecutor's Office, 3 August 2015 ('Law'). Unless otherwise indicated, all references to 'Article(s)' are to the Law.

⁹ Annex 2: Information about rights.

Word count: 526



Kimberly P. West

Specialist Prosecutor

Friday, 3 November 2023

At The Hague, the Netherlands