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TEXT OF ALBANIAN SPY TRIAL VERDICT

Tirana, Albanian Home Service, Apr. 13, 1954, 2100 GMT--M

(Verdict of the Military Collegium of the Supreme Court)

(Text)

Decision on behalf of the people:

The Judicial Council of the Military Collegium of the Supreme Court of the People's Republic of Albania, established under the leadership of Shuaip Panariti, President of the Supreme Court, and including Maj. Loni Dimoshi and Captain First Class Ilmi Telegrafi, members; Chief Secretary Sublieutenant Murat Qazimi, their assistant; General Prosecutor Syri Carcani; Cassation Prosecutor Aranit Cela; Defense Counsel Koco Dilo, acting on behalf of the accused Zenel Shehu and Halil Branica; Niko Zoto, acting on behalf of the accused Hamit Matjani; Dhimiter Vangjeli, acting on behalf of the accused Ahmet Kabashi, Fejzullah Sejдини, acting on behalf of the accused Naum Sula and Ibrahim Lamce; and Pandeli Kosturi, acting on behalf of the accused Gani Malushi and Rapush Agolli, held a public court hearing at the Brigades Cinema in Tirana from Apr. 5 to Apr. 13, 1954, and examined the case of the accused:

1--Zenel Shehu, son of Ali and of (Like), born in 1906 at Bulqize Village, Peshkopi Department: Former captain, middle-class peasant, married and has three children, fourth-grade magistrate school education, no previous sentence. Arrested on June 28, 1952.

2--Halil Branica, son of Jusuf and Fatime, born in 1902 at Burgajet Village, Burrel District: Former captain by profession, married and has three children, secondary school education, middle-class peasant, no previous sentence. Arrested on Aug. 4, 1952.

3--Hamit Matjani, son of Hasan and Zylfije, born in 1909 at Garmujes Village, Pegin District: Former gendarme, middle-class peasant, fourth-grade elementary education, married and has two children, no previous sentence. Arrested on May 5, 1953.

4--Naum Sula, son of Vasil and Maria, born in 1921 at Bujaras Village, Elbasan Department: Farmer by profession, middle-class peasant, married and has three children, illiterate, no previous sentence. Arrested on May 1, 1953.

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5--Ahmet Kabashi, son of Agush and of Fatime, born in 1913 at Kabash Village, Kosovo: Middle-class peasant, farmer, no education, married and has two children, no previous sentence. Arrested on Jan. 29, 1953.

6--Gani Malushi, son of Mehmet and of Hajrije, born in 1923 at Tac Village, Erseke District: Middle-class peasant, farmer, fourth-grade elementary school education, bachelor, no previous sentence. Arrested on May 5, 1953.

7--Rapush Agolli, son of Qerim and (Nesije), born in 1889 at Mocan Village, Korce Department: Resident of Mocan, farmer by profession, married, has six children, middle-class peasant, no previous sentence. Arrested on Jan. 29, 1954.

8--Ibrahim Lamce, son of Suleiman and (Hesma), born in 1920 at Shtepanje Village, Elbasan Department: Resident of Shtepanje, poor peasant farmer by profession, married and has five children, no previous sentence. Arrested on Aug. 25, 1953.

Zenel Shehu and Halil Branica are charged with crimes under Arts. 2 and 3--Paras. 1, 2, 7, 8, 12, and 13--of Law No. 372, dated Dec. 12, 1946, on penal crimes against the people the the State.

Hamit Matjani, Ahmet Kabashi, Gani Malushi, and Naum Sula are charged with crimes under Art. 64, 69, 72, and 75 of the penal code. The accused Hamit Matjani and Naum Sula are also charged with crimes under Arts. 67 and 82 of the penal code. The accused Hamit Matjani is also charged with crimes under Art. 70 of the penal code.

Rapush Agolli and Ibrahim Lamce are charged with crimes under Arts. 14, 64, and 69 of the penal code. The accused Rapush Agolli is also charged with crimes under Art. 72 of the penal code.

At the conclusion of the trial and after examining all the (evidence), the court ascertains:

1--In the course of the trial it has been fully proved that the accused Zenel Shehu, Halil Branica, Hamit Matjani, Naum Sula, Ahmet Kabashi, and Gani Malushi were organized into a group of criminals by the American imperialists and were dropped into the territory of the People's Republic of Albania with the aim of organizing an armed uprising. The uprising was to be carried out through remnants of internal reaction. Being well aware of the fact that the overthrow of the people's regime by means of such rubbish would be impossible, American imperialism aimed at exploiting this criminal group as a means of intervening with its armies and thereby overthrowing by force the people's regime, returning to power the feudal and bourgeois regime which had, once and for all, been overthrown by our people.

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In order to implement this criminal plan against our country and people, the American imperialists have also engaged in their service Albanian criminals and traitors, criminals who should be handed over. Today, these criminals are maintained, financed, and organized by American imperialism in the territories of Greece, West Germany, and Italy.

Under the names Balli Kombetar, Legaliteti, and others, rallied around the so-called "National Committee for a Free Albania," the American imperialists are trying to vest them with the color of political organizations and thereby to present their activities as having no relation whatsoever with the aggressive policy of the American ruling circles.

In the course of the trial, it was once more verified that the so-called organizations bearing the names Legaliteti, Balli Kombetar, National Committee for a Free Albania--and others which have rallied around themselves all the Albanian criminals of war who yesterday fought, together with the invaders, against our country and people--are nothing but groups of agents in the service of American intelligence.

As leaders of these groups of agents--always for cover purposes--the American imperialists have appointed their old spies, such as Ahmet Zog, Abas Kupa, Hasan Dosti, and other persons of the same nature who throughout all their lives have fought against our people and have attentively seeded all the intelligence services of the imperialist states.

2--It was revealed in the course of the trial that the criminal group composed of the accused was directly organized by officers of the American intelligence. It was proved that the accused Zenel Shehu and Halil Branica were placed in the service of American intelligence through the intervention of Ahmet Zog, the old Yugoslav, Italian, English, and American spy. It was also revealed that this agent placed under American intelligence his loyal servants and former officers of his guard, instructing them to execute precisely the orders issued to them by American intelligence officers.

Greek intelligence officers headed by Gen. Nikolopoulos--whose office under the directives of the American officers John, Michael, Jim, and others has been converted into a recruiting center for spies for the American intelligence--also contributed to recruiting the other members of this group as spies in the service of American intelligence.

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It has been proved that American intelligence officers recruited members of this group in the camps of war criminals established by American imperialists on Greek territory. In order to mask their criminal plan and to prevent the discovery of the espionage centers, the accused Zenel Shehu and Halil Brancia, acting on the instructions of American intelligence officers, took a detour on the way to Greece. Executing the orders of the American intelligence service officers and carrying out the instructions of the spy Ahmet Zog, the accused, accompanied by Ahmet Zog's sisters and the spy Hysen Selmani, left Cairo and went to Paris, where they were received by Hill, officer of the American intelligence who gave Zenel Shehu the false name of "Oscar Frederic" and Halil the false name "Williams." Hill accompanied them to Munich. They crossed the French-German border without documents. From Munich, dressed in American Army uniforms, in an American plane and again without any documents, they departed for Piraeus, Greece, where they were received by American intelligence officers John and Charlie.

In Greek territory, the accused Zenel Shehu, Halil Brancia, Hamit Matjani, and the other criminals Xhelo Tresova and Tahir Preci were sent to special training courses directed by American intelligence instructors John, Michael, Charlie, and others. These courses were held in secret premises at Glifadha near the Hadji Nikolla station, at Kacikas near Ioannina, and at other places in Greece.

In these courses, the accused were taught how to handle various types of weapons in order to commit terroristic acts, given instructions on how to collect information of a military, political, and economic nature, as well as instructions on compass orientation, map reading, parachute use, and on how to operate radio transmitters.

In addition to the above training, the accused Hamit Matjani, Naum Sula, and Gani Malushi were also given training in the use of explosives aiming at destroying roads and bridges. This training was given in other courses directed by the officers mentioned above. Greek intelligence officers, such as Maniakis and others, were assisting in these courses too.

After the end of the training courses and in order to be able to carry out precisely the tasks of the American intelligence, the accused were given special instructions in connection with the activities they had to carry out against the People's Republic of Albania. They were entrusted with committing terroristic acts against the representatives of the

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regime and against activists of the political and social organizations, with collecting information relating to location of military units, military defense works, the numerical strength of the Army and its equipment, and the economic and political situation; with carrying out diversion acts and at the same time doing the utmost by using agitation and propaganda in order to overthrow the people's regime.

It has been proved that the main task of this group, headed by Zenel Shehu, was to organize an armed uprising against the people's regime and to overthrow it forcibly by means of the direct military help of American imperialism. This armed uprising was to be carried out in three phases: In the first phase, the task of this group was to establish secret bases and to disseminate propaganda in favor of the spy Ahmet Zog. After the completion of this task, they were to inform the American intelligence center in Athens with the password "good condition." Later, they were to start rallying around themselves elements who had agreed to place themselves in their service. At the end of the second phase, they were again to inform the American intelligence center in Athens with the password "very good conditions." In this phase they were to be supplied with large quantities of arms, provided by the center in Athens, and they were to start operating radio transmitters. This has been proved by the large quantity of arms with which this group was supplied before it was captured, by means of the letter sent to Zenel Shehu through Ahmet Kabashi, by the American intelligence center in Athens asking the quantity of arms which the group needed, as well as by the 13 radio transmitters which were taken, alone with arms, by the State security forces.

In the meantime the press, controlled and financed by American imperialism, was to extend the campaign of slanders and fabrications against the People's Republic of Albania. This campaign aimed at presenting the situation of our country as insecure, and thereby was to justify the intervention of military forces of American imperialism. This became clear from the disclosures of Zenel Shehu and Hamit Matjani. The latter admitted that while he and other criminals and spies were staying in public places in Greece, the Greek press--financed by the American imperialists--was reporting that the so-called fighting that was carried out in Albania by Hamit Matjani was supported by thousands of men.

After the completion of these preparations and after the setting up of the armed uprising, they were again to inform the American intelligence center in Athens with the password "situation in our favor."

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It has been proved that in order finally to coordinate all the operations the accused Zenel Shehu was instructed by the American intelligence to return to Greece. There he was to report on the activities carried out by his bank and to receive final instructions in connection with the armed uprising, as well as on the intervention of the armed forces of American imperialism. This was the general plan of this band organized by the American intelligence. On the members of this band, under the penal code, rests responsibility for all the criminal activities they committed, as well as for those they had planned to commit. They had agreed to this plan and had become members of the band.

In order to execute this plan, the accused criminals, after being armed with automatic weapons, revolvers, amunitions, bombs, daggers, poison pills, radio transmitters of an American brand, and provided with ... arms, issued false documents, and dressed in American army uniforms were sent into Albania by the American intelligence.

From Athens to Kastoria they traveled by an American military aircraft, accompanied by officers of the American intelligence. In Kastoria they were recieved by an officer of the Greek Army, who accompanied them with a squad of soldiers as far as the border of the People's Republic of Albania. After the crossing of the border by the accused, he was, in case of a clash with Albanian border guards, entrusted with the task of supporting them with fire. The activities of this criminal band becomes clear not only from the general plan entrusted to them but also from the separate and special activities of each of the accused.

In the course of the trial, it was proved that the accused Zenel Shehu, a captain in rank, had, in 1933, placed himself at the disposal of the sisters of former King Zog, and on Apr. 5, 1939, together with them, had left Albania, thus betraying the people and the Fatherland at a time when the Fascist armies were depriving the Fatherland of its freedom and independence.

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Throughout the period of his stay abroad he faithfully served the agent of imperialism Zog in executing his plans against the people and their struggle. After the liberation of Albania, he became a member of the Legaliteti, which has now been converted into a group of agents in the service of American imperialism. It has been proved that in November 1951 the accused was, through the intervention of spy Zog, placed in the service of the American intelligence. After being trained in special courses and after being equipped with arms and other material, the accused Zenel Shehu was sent into Albania on Apr. 30, 1952, at the head of an American intelligence band with the aim of organizing an armed uprising against the people's regime.

Zenel Shehu, as leader of the criminal band during the period before his capture, sought to win people to his side in order to organize the uprising, and collected information of a military, political, and economic nature, which was transmitted by them by radio to the American intelligence center in Athens. During the same period he requested arms, radio transmitters, and other propaganda material from the American intelligence. He carried out propaganda and agitation against the people's regime and tried to commit terroristic and diversionist acts, but he could not because he was captured by the State security forces and the people.

The acts of the accused Zenel Shehu have been proved by his full disclosures, his capture, together with the arms and the means of contact, the letters sent to him by the American intelligence center in Athens, the disclosures of Ahmet Kabashi and Halil Branica, the notes relating to general plans for the armed uprising which were found among his documents, and by the statements submitted by the other accused.

In a similar way it has been proved that the accused Halil Brancia, an officer of Zog's personal security guard, left Albania on Apr. 5, 1939, in order to accompany members of his master's family and his gold which had been stolen from the people. This accused, too, became a member of the Legaliteti during his stay abroad, and in 1951 through the intervention of the spy Zog, was placed in the service of the American intelligence.

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After being trained in espionage courses he, together with Zenel Shehu, departed for Albania, but because of illness he did not cross the border and was returned to Athens. Then, on Aug. 4, 1952, equipped with arms, poison pills, and false documents and transported by means of an American military plane from Athens airfield, he was parachuted into the territory of the People's Republic of Albania. He was sent into Albania with the aim of cooperating with Zenel Shehu in organizing an armed uprising, in committing terroristic acts, and in disseminating propaganda and agitation against the people's regime. Besides, he was to substitute for Zenel Shehu at the time when the latter was to return to Greece in order to receive final instructions in connection with the armed uprising. On his departure from Athens, he received a letter concerning Zenel Shehu from the American officer Jim, a letter in which instructions on how to collect information and on recruitment of men for the uprising were outlined. The letter also sought information relating to the quantity of arms to be sent by the American intelligence center in Athens for arming the bands.

The accused Halil Branica could not carry out the tasks entrusted to him, because he was captured by the State security forces. The guilt of Halil Branica has been proved by his full disclosures, by his capture, together with all the material he had in his possession, and by the statements submitted by the rest of the accused.

The acts of the accused Zenel Shehu and Halil Branica consist of crimes of treachery against the Fatherland, through their participation in an armed band and taking part in a criminal, terroristic, diversionist, agitation, and propaganda organization against the people's regime.

Considering that the above-mentioned acts were committed by the accused Zenel Shehu and Halil Branica before the coming into force of the penal code, which cannot be applied--although it is rather more unfavorable for them than the previous law--they should be charged on the bases of Arts. 2, and 3--Paras. 1, 2, 7, 8, 12, and 13--and of Art. 4 of Law 372, dated Dec. 12, 1946, dealing with penal crimes against the people and the State.

It has been proved that the accused Hamit Matjani started his criminal activities against the people at the time of the occupation and after the liberation of Albania. From 1930 until 1939 he served in the (Greek) gendarmerie and later in the Fascist gendarmerie. From 1940 until 1943, as commander of a band of criminals and in collaboration with the bandit Isa Toska, he committed murder and plunder among the people. It has been proved that in July 1943 he murdered Ibrahim Grecen and a female member of his family, and wounded Riza Greccenj.



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At this time he had become a member of the treacherous organization Balli Kombetar, being appointed commandant of this organization in the district of Pegin. Leading his band, he actively fought against the forces of the national liberation movement and committed murder against the defenseless people of Pegin District.

He took part in operations, together with the invaders, carried out against the national liberation Army, and during the operations murdered men of the movement, plundered and set fire in the districts of Pegin, Lushnje, and so forth.

It is proved that he murdered Zini Magaj, Harif and Musa Sallaj, Mec Zibraka, Zenun Karaj, Aoco and Xoi Permeti, and two unidentified peasants. Besides these, other murders have been committed by members of his band. These murders were committed with the purpose of obstructing and weakening the national liberation war in our country. Besides the pillaging and fire-setting committed by the members of his band, it is proved that he set fire to two houses at Kaziaj Village and one house at Vrap Village, Pegin, and plundered the inhabitants of Mamullaj Village.

After the liberation of Albania and the establishment of the people's regime, the accused Hamit Matjani continued to commit terroristic and diversionist acts while carrying out propaganda and agitation against the people's regime. Thus, in the summer of 1946, under his orders, Naum Mata, member of the People's Council of Shenpremta Village, Lushnje District, was murdered. During the same year, Gani Collaj from Pekisht Village, Elbasan, was murdered by his band. In the summer of 1946, in cooperation with the criminal Alush Leshanjaku, he murdered Sabri Sinani, Abdullah Sinani, and Ibrahim Bequri, all members of the People's Councils of Muriqan Village, Elbasan. The accused murdered them because of their official activities, or because of their social activities, and with the aim of weakening the people's regime.

In April 1947 he plundered and destroyed the State dairy hut at Bodo Lushnje. In May 1947, in clashes with the State security force, he killed a lieutenant. At the same time he murdered (Rexh Gjishmin) and wounded his nephew. In November 1947--for he could not continue to stay in our territory since he was being chased by the State security forces and the people--the accused Hamit Matjani, together with Naum Sula, Nuri Plaka and others, escaped to Greece where he became a member of the Legaliteti organization, placed himself in the service of American intelligence, and was trained in special courses.

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Under the orders of the American intelligence center in Athens, he entered the territory of the People's Republic of Albania seven times, committing terroristic acts and carrying out agitation and propaganda against the People's Republic of Albania.

Executing the orders of the American intelligence center in Athens, in cooperation with Naum Sula and others, he killed the chairman of the executive committee of the people's councils of Gramsh District, Comrade Thoma Prifti and the district official collector Laze Dolani at Dushku Tekke, in August 1951.

In April 1952, the accused Hamit Matjani, as a member of the band headed by Zenel Shehu, accompanied him and entered the territory of the People's Republic of Albania. After accomplishing his task he returned to Greece. Then, in May 1953, after being trained as a parachutist by American intelligence, together with Naum Sula and Gani Malushi he was dropped into our territory by an American military aircraft. This time he was assigned to accompany the leader of the band, Zenel Shehu, to the American intelligence center in Athens.

The accused Hamit Matjani, throughout all his smugglings into Albania, collected secret information of a military, political, and economic nature, tried to establish bases against the people's regime, carried out agitation and propaganda, and delivered antiregime pamphlets. The acts of the accused Hamit Matjani have been proved by his own disclosures, by his capture immediately after being parachuted by the material and gold gains--by the statements of a series of witnesses heard before the court, and by the attributions of the other accused.

His behavior forms a treacherous crime against the Fatherland through his terroristic acts, participation in armed band of diversionist, agitation, and propaganda against the people's regime, and the taking part in a criminal organization with the aim of committing crimes against the State, and his hostile activities before the liberation--under Arts. 64, 67, 69, 70, 72, 75, and 82 of the penal code.

In the course of the trial, it was proved that in 1944 the accused Ahmet Kabashi, being a collaborator of the Nazi-Fascist invaders, escaped to Greece where he became a member of the Legaliteti criminal group. In 1949, he departed for Italy where, through the intervention of the war criminal Xhafer Dega, he placed himself in the service of Italian intelligence, having attended an espionage training course at Bitanto, a course which later was attended by him in Rome.

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On July 25, equipped with a radio transmitter, together with some other criminals he was dropped in Mirdite District by an Italian aircraft for the purpose of collecting secret information of a military, economic, and political nature. Pursued by the State security forces and the people, the accused could not fulfill his task and thus was obliged to escape to Greece. From 1951 to 1953 he remained in secret premises created by the American intelligence in Greece. Through the intervention of spy Asim Jakova, he placed himself in the service of American intelligence. Thereafter, under the guidance of American officers, he attended different types of espionage training courses.

In June 1951, as leader of a band which included Hamit Matjani, he was sent to Albania by the American intelligence center in Athens. In July of the same year, heading another band, he was again dropped in Albania. In both cases, he and his band were dropped in Albania by American military aircraft, entrusted with the task of collecting secret information of a military, economic, and political nature, of carrying out agitation and propaganda against the people's regime, and, for this same purpose, of delivering propaganda material.

The last time he was smuggled into Albania by the American intelligence was in January 1953. Equipped with arms and a radio transmitter and by means of an American military aircraft, he was parachuted in our territory in order to place himself at the disposal of the armed band headed by Zenel Shehu, in order to take part in carrying out the armed uprising, to commit terroristic, diversionist, and espionage acts, and to carry out propaganda against the People's Republic of Albania.

At the time of the arrest of accused Ahmet Kabashi, important documents were received which were sent to Zenel Shehu by the American intelligence center in Athens, documents which clearly expose the criminal plan of the American imperialists against the People's Republic of Albania.

The guilt of the accused Ahmet Kabashi has been proved by his own disclosures, by the capture of the arms, radio sets, and the letters addressed to Zenel Shehu, by the poisonous pills and gold coins in his possession, and by the attributions of the other accused. They form a crime against the Fatherland, through his taking part in an armed band, by his agitation and propaganda, and his participation in a criminal organization against the People's Republic of Albania. These acts are under Arts. 64, 69, 72, and 75 of the penal code.

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It has been proved that during the occupation the accused Naum Sula was a member of the criminal band of Balli Kombetar and thereby took an active part in the war against the national liberation movement. After the liberation of Albania, he joined the criminal band of Emin Lamce, and in 1947, together with Hamit Matjani, escaped to Greece. In May 1949, through the intervention of Hamit Matjani, he placed himself in the service of American intelligence, thereby becoming its agent and attending special espionage training courses. In Greece he became a member of the Legaliteti group of agents. Executing the orders of the American intelligence center in Athens, as a member of the band headed by Hamit Matjani, he entered Albania several times, collected information of a military, political, and economic nature, committed terroristic acts, carried out agitation and propaganda against the people's regime, and distributed pamphlets bearing anti-State contents.

In cooperation with Hamit Matjani, he killed Thoma Prifti and Laze Dolani, both representatives of the people's regime for Gramsh District, in August 1951.

He last came into Albania in May 1953, having been parachuted by an American military aircraft. According to the orders of the American intelligence center in Athens, he was to meet the band headed by Zenel Shehu, and thereby cooperate with him in implementing the plan dealing with the organization of the uprising against the people's regime. He could not fulfill this task because he was captured by the State security forces.

The guilt of the accused Naum Sula has been proved by his own disclosures, arms, poisonous pills, and the gold coins found in his possession at the time of his arrest, and by the attributions of the other accused. The acts committed by him constitute crimes under Arts. 64, 67, 69, 72, 75, and 82 of the penal code.

In the course of the trial, it was proved that the accused Gani Malushi during 1949 provided shelter and assisted the band of diversionists headed by his brother Safet Malushi. Later, together with other persons, he escaped to Greece. Here, through the intervention of Safet Malushi, he placed himself in the service of the American intelligence center in Athens, and thereafter attended courses on espionage training directed by American officers.

He, together with his brother and others, entered Albania several times and collected secret information of a military, political, and economic nature for American intelligence, carried out agitation and propaganda against the people's regime, and distributed pamphlets bearing anti-State contents.

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During his stay in Greece, he became a member of the Legaliteti criminal organization. In May 1953, together with Hamit Matjani and Naum Sula, by means of an American military aircraft he was parachuted in the territory of the People's Republic of Albania in order to cooperate with the band headed by Zenel Shehu, a band whose aim was to organize an armed uprising against the people's regime. The accused could not accomplish this task because he was captured by the State security forces right after his landing.

The guilt of the accused Gani Malushi has been proved by his full disclosures, by false documents in his possession, by the captured arms, poisonous pills, and the gold coins, and by the attribution of the other accused. The acts of the accused constitute crimes under Arts. 64, 69, 72, and 75 of the penal code.

It has been proved that the accused Rapush Agolli, after the liberation of Albania, converted his house into a shelter and supply base at the disposal of the diversionists who were within our territory, as well as of those coming from Greece in order to commit terroristic and diversionist acts. The accused Rapush Agolli assisted, sheltered, and supplied the criminal band headed by Zheladin Tresova and Hamit Matjani, and passed to them secret information of a military, political, and economic nature, and connected them with men opposed to the people's regime.

In May 1952, the accused sheltered and helped the band headed by Zenel Shehu, and he was entrusted by Zenel Shehu with forming an armed band. He accepted, and was compensated with some gold coins, arms, and clothing and footwear. He was informed about the criminal plan headed by Zenel Shehu and agreed to it.

The accused Rapush Agolli collected secret information for Zenel Shehu's band, purchased various articles in Korce town, placed his son at the disposal of the band as a guide to various places, and collected, among men of his ilk, materials to supply the band. In September 1952, he provided shelter in his house to the criminal band of Xheladin Tresova for a period of 5 days in succession. To this band, the accused passed information of a secret character which was transmitted to the American intelligence center in Athens over a radio set up in his house.

The guilt of the accused Rapush Agolli has been proved by his own disclosures, by the statement of Hamit Matjani and Zenel Shehu, and by the attributions of the other accused. The acts of the accused constitute crimes under Arts. 14, 64, 69, and 72 of the penal code.

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In the course of the trial, it was determined that the accused Ibrahim Lamce has, since 1946, cooperated with the criminals Hamit Matjani, Naum Sula, Fetah Gjuka, and others. He sheltered and supplied them with food, carried out tasks entrusted to the diversionists band, thereby aiding them, and then escaped to Greece. So that they could avoid capture, he informed them about the movements of pursuing forces. For his criminal activities he was compensated with money by Hamit Matjani.

It has not been proved that the accused Ibrahim Lamce was aware of the general plan of the criminal band headed by Zenel Shehu, and as a consequence he should not be charged with the act, according to Art. 64 of the penal code.

The guilt of the accused Ibrahim Lamce has been proved by his own full disclosures and by the attributions of the other accused. The act committed by him forms crimes under Arts. 14 and 69 of the penal code.

The guilt of the accused Zenel Shehu, Halil Branica, Ahmet Kabashi, Hamit Matjani, Naum Sula, and Gani Malushi has also been proved by the findings and the disclosures of the experts submitted before the court.

The findings of the auditing experts show that the seized arms are all workable and that some of them have been used. It was determined that the clothing and the footwear are of American make and of the kind used by the American Army. Likewise, it was disclosed that the radio transmitters are American of the following types: Rc-3, Rb-2B, and Ssb-5, having various operating bands. They are American military sets.

From the findings of the auditing experts it was learned that all the documents issued to the accused were false. According to the analysis, it has been proved that the poisonous pills in the possession of the accused were of bromide methyl and (chanul), the use of which in very small doses results in immediate death.

In determining the punishment against each of the accused, the court has taken into consideration particularly the significant danger presented by their band, as well as the aim for which it was sent into Albania.

For these reasons, the Military Collegium of the Supreme Court, on the basis of Arts. 276, 277, and 282 of the penal code, decided to pronounce the following accused guilty: Zenel Shehu, Halil Branica, Hamit Matjani, Ahmet Kabashi, Gani Malushi, Naum Sula, Rapush Agolli, and Ibrahim Lamce.

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On the basis of Arts. 2 and 3, Paras. 1, 2, 7, 8, 12, 13, and on the basis of Art. 4 of Law No. 372, dated Dec. 12, 1946, on penal crimes against the people and State, and in connection with Art. 28 of the penal code, it condemns Zenel Shehu to death by the firing squad, losing the electoral right forever, and confiscation of all his movable and immovable property.

On the basis of Arts. 2 and 3, Paras. 1, 2, 7, 8, 12, 13, and Art. 4 of Law 372, dated Dec. 12, 1946, on penal crimes against the people and the State, and in connection with Art. 23 of the penal code, it condemns Halil Branica to death by the firing squad, losing the electoral right forever, and confiscation of all his movable and immovable property.

On the basis of Art. 64 of the penal code and in connection with Arts. 75 and 23 of the penal code, it condemns Hamit Matjani to death by hanging, losing the electoral right forever, and full confiscation of his movable and immovable property: On the basis of Art. 67 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 69 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 70 of the penal code, it condemns him to 20 years' imprisonment; on the basis of Art. 72 of the penal code, it condemns him to 10 years' imprisonment; on the basis of Art. 82 of the penal code, it condemns him to 25 years' imprisonment; and finally, on the basis of Art. 48 of the penal code, it condemns him to death by hanging, losing the electoral right forever, and the full confiscation of all his movable and immovable property.

On the basis of Art. 64 and in connection with Arts. 75 and 23 of the penal code, it condemns Ahmet Kabashi to death by the firing squad, losing the electoral right forever, and the full confiscation of his movable and immovable property: On the basis of Art. 69 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 72 of the penal code, it condemns him to 10 years' imprisonment; and finally, on the basis of Art. 48 of the penal code, it condemns him to death by the firing squad, losing the electoral right forever, and the full confiscation of his movable and immovable property.

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On the basis of Art. 64 of the penal code and in connection with Arts. 75 and 23 of the penal code, it condemns Naum Sula to death by firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property; on the basis of Art. 67 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 69 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 72 of the penal code, it condemns him to 10 years' imprisonment; on the basis of Art. 82 of the penal code, it condemns him to 25 years' imprisonment; and finally, on the basis of Art. 48 of the penal code, it condemns him to death by firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property.

On the basis of Art. 64 of the penal code and in connection with Arts. 75 and (23) of the penal code, it condemns Gani Malushi to death by firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property; on the basis of Art. 69 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 72 of the penal code, it condemns him to 10 years' imprisonment; and finally, on the basis of Art. 48 of the penal code, it condemns him to death by the firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property.

On the basis of Art. 14 and 64 of the penal code and in connection with Art. 28 of the penal code, it condemns Rapush Agolli to death by firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property; on the basis of Arts. 14 and 69 of the penal code, it condemns him to 25 years' imprisonment; on the basis of Art. 72 of the penal code, it condemns him to 10 years' imprisonment; and finally, on the basis of Art. 48, it condemns him to death by firing squad, losing his electoral rights forever, and the full confiscation of his movable and immovable property.

On the basis of Arts. 14 and 69 of the penal code and in connection with Art. (28) of the penal code, it condemns Ibrahim Lamce to 10 years' imprisonment, losing his electoral rights for a period of 5 years. As he does not possess any property, there is no basis for its confiscation. The sentence of imprisonment is to be counted from the date of his arrest. It declares him relieved from the accusation on the basis of Arts. 14 and 64 of the penal code because of lack of proof.



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It orders confiscation of all the materials captured from the accused.

This decision is final but cannot be executed until the accused Zenel Shehu, Halil Branica, Hamit Matjani, Ahmet Kabashi, Naum Sula, Geni Malushi, and Rapush Agolli receive the reply of their appeal for pardon from the Presidium of the People's Assembly.

SIXTH SESSION OF SPY TRIAL CONTINUED

(Continued from Page LL 35 of the Apr. 20 DAILY REPORT)

Tirana, Albanian Home Service, Apr. 10, 1954, 2000 GMT--M

All the identification papers of the accused bear the seal of the Directorate of the Ministry of Interior in Tirana. Five of these documents (bear the signature) of employee of the civil registry Themistokli Kacilej, while identification paper 364,456 of series SSS of the accused Halil Branica, and the identification paper of Hamit Kabashi, have signatures of unknown persons. It was found unnecessary to examine them further. In order to compare the seal and the signatures, it was necessary to observe the photograph of a seal of the Directorate of the Ministry of Interior in Tirana found in the authentic document of citizen Hatixhe Bodini, and the authentic signature of Themistokli Kacilej.

Our laboratory has conducted special experiments on all the above-mentioned documents, and the signs of falsification of these documents are clearly shown on the charts and in the photographs handed over by our laboratory to the competent organs. At any rate these are, in short, the characteristics of these documents.

Concerning the identification papers, as we told you, all of them bear numbers of identification papers issued in our country ... because in our country identification papers bearing identical numbers cannot be issued and have not been issued. The type of paper of the identification papers of the accused was not the same as that of authentic identification papers: The thickness of the paper was not the same--it was quite different. The place for figures and for letters did not coincide in the false and the authentic documents. The construction and the form of the letters in the falsified and the authentic documents were not alike.

The seal of the identification papers of the accused was not like the seal of the authentic identification papers, having defective letters. Some of the seals did not have the same form as ours. Some others did not have the same letters. Some had different lines compared with ours--the authentic ones. In addition, there was other evidence of falsified identification papers, such as form and writing and composition into groups.

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The seal--the other side of the position of the ... of the identification papers of the accused was not the same as the authentic one ... the position of the hand and the way the letters were placed was not like the authentic one. The construction of some letters--their beginning and ending--and other characteristics were different in the falsified and the authentic documents.

Comrade Judges, for this reason, as I told you previously, and based on the conclusions of the experiments of these documents, entirely convinced, I draw the following conclusions: 1--the identification papers of the six accused in question are completely falsified; 2--the seals of these documents are falsified and are not authentic; 3--the signature of the name of the employee of the civil registry, Themistokli Kacilej, is falsified; 4--the documentation in the form of code is written by the accused Zenel Shehu.

President--Pandeli Kika, what have you ascertained in your experiments?

A. According to our experiments, the radio sets are of two types. Seven of these radio sets are of the Shpr-5 type, which work with (portable) batteries and are of the American (Burgess) make. Six other radio sets are of the Rp-3 type, and some of them of the Rp-2 type. There were 13 radio sets of the above-mentioned type. They were American made and have American serial numbers and labels.

Comrade judges, this was verified in the experiments we made in the radio technical laboratory. Each of the radio sets had ... frequencies, which are used according to the wavelength and to specify meters in accordance with the work and characteristics for which they are intended. Experiments on these radio sets showed that the 13 were in good working condition and ready for operation in connection with their planned use. As to the working characteristics of these radio stations, it has been ascertained that the Rp-3 type and the Rp-2 type--six of them--have a range of 1,000 kilometers. This type is worked by means of generators and is the best all-round type--in the daytime as well as at night. These sets, as I said previously, work by means of generators.

According to experiments, it was stated that these have a "USA" label. That means that they are of the type used in the American Army. The range of the seven radio sets of the first group of the Shpr-5 radio is 500 kilometers. This type of radio is worked by means of dry batteries--as those there--of the American (Burgess) type. This type of radio set is small and very easy to use.

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Comrade Judges, the experiments ascertained that the 13 radio sets of the two types mentioned above not only are ready for operation and to be used at any time, but also they are of the type and marking of the United States, and above all of the American Army.

President--Veronika Tirana, what do you know from your experiments?

A--Some time ago our laboratory received two bottles for examination. These were bottles which were given to the accused who were sent to Albania. One of the bottles contained an ampoule which was well wrapped. The ampoule was wrapped with rubber and each of its ends were tied with a piece of wire. This was to protect the ampoule from being destroyed. The second ampoule contained a thick liquid. According to the analysis of these two ampoules, we ascertained that they contained poison. The first ampoule contained about one gram or ... because there was liquid inside.

The poison of the first ampoule is a (bromide liquid) as proved by our experiments. This liquid has a particular characteristic. If it comes into contact with the temperature of the outside atmosphere, it explodes at once because its (temperature) is very low. This means that if it comes in contact with a higher temperature, as our atmosphere in Albania, this liquid evaporates immediately and nothing can be seen of it. If it comes in contact with human organisms, it immediately attacks the brain, respiratory system, and causes immediate death.

The second, according to our analysis, was a composition of (cyanides), which are considered the strongest poisons because they dissolve in the blood very quickly. The first poison is very powerful and it needs only 0.05 centigrams to cause death while the ampoule contained one gram--20 times more.

The second poison is powerful too. It takes only between 0.15 to 0.20 centigrams to cause death, while the bottle contained only about five grams. On the basis of the analysis, we conclude that these are poisons which would cause immediate death.