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CENTRAL INTELLIGENCE AGENCY
SOURCES/METHODS/EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2008

SECRET

TO: Chief, SB
FROM: Chief of Station, [] *21*
SUBJECT: DMLET
BERISHA Case: Request for Translation
of Decision
REFERENCE: EYBA-2033, 26 February 1968 []

1. Transmitted herewith are three copies of the final decision in the BERISHA case. (We are forwarding three copies of different exposures in the hopes that this will facilitate reading the attachment: the original, supplied to the Station by [] was extremely poor and had to be returned to BERISHA's lawyer.)

2. [] has requested that the Station have the decision -- which is written in Shiptar -- translated because LNGOLD lacks the facilities/funds. He also indicated that it would be desirable to have the translation done by a person familiar with legal terminology, if that is at all possible. [] has an urgent need to have this translation within a couple of weeks; therefore he and the Station would greatly appreciate anything that can be done to expedite this request.

[]
[]
Attachments: h/w
3 copies of decision

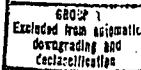
Distribution:
Orig. & 2 - Chief, SB
1 - COS, []

SB/YA Action
Answered by: []
Dated: 6 MAY 1968
Filed: EPGS - 1066

CS COPY

EYBA-2087 22 April 1968

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P. No. 3/67

1/14 p. 2

IN THE NAME OF THE PEOPLE

The judicial body of the district court in Prizren, consisting of judge Durmish Koqine, as chairman of the body, judge delegate, Imer Goran, and members of the jury: Shaqir Shaqiri, Ojorgjeviq Marku, and Gjavid Kapimaku, as members of the judicial body, and ~~Katinka Vujo~~ Katarina Vujo, workers in the court, in the penal case of the accused Dostan Berisha - Billusha, from the village of Billusha, defended by Asan Kryeni, Pristina lawyer, because of his penal activity of espionage under Article 105, line 2 of the Penal Code and because of penal activity organized against the people and against the state under Article 117, line 2 of the Penal Code, accused by the public prosecutor in Prizren, by indictment No. 121/67, dated 16 December 1967, after the holding of the main public trial on 29 and 30 January 1968, in the presence of assistant public prosecutor Vehap Hashani and of the accused and his defense counsel, has publicly, on 1 February 1968, proclaimed and issued this

JUDGEMENT

I. The accused, DOSTAN BERISHA - Billusha, born in the village of Billusha on 31 May 1922, of father Sahi and mother Zama, whose maiden name was Itamedani, now lives in the USA in the state of Massachusetts, in Northampton, Albanian, citizen of the Socialist Federated Republic of Yugoslavia, married, no children, he only knows how to read and write, he did not complete his military service, he has not been sentenced, he has been in prison under investigation [burgun hetues] since 16 September 1967.

HE IS GUILTY

Since, during 1962 he was a member of the "League of Prizren" in exile, which has its headquarters in New York, in the USA and since from 27 November 1966, as a member of the Higher Council, he has been active in this hostile

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organization which has as its purpose the execution of penal activities stimulated under articles 100 and 101 of the Penal Code and he has ~~been~~ been directing his own activity so that he might carry out an attack to separate the Autonomous Province of Kosovo-Metohija from the territory of the RSFJ, in order to achieve an Ethnic Albania; for this purpose, he has been gathering together Albanian emigres from Yugoslavia who are enemies of our country and organizing them in a struggle against the state and social system of the RSFJ, thus achieving the aims set forth in his program.

Since he has carried on penal activities, organizing against the people and the state under Article 117, line 2 of the Penal Code, for this reason, the court

SENTENCES HIM

To 3 (three) years and 6 (six) months hard labor, which includes the time spent in prison under investigation beginning 16 September 1967.

No new dinars are to be paid for expenses of the trial in the name of [one word illegible.]

II

In regard to ~~[redacted]~~ the accused DEDTAN BERISHA-Billusha and under [article] I. of this judgment.

THE INDICTMENT IS REFUSED

After fleeing from our country, he joined the US intelligence service in Italy in 1949; this service is closely connected with the National Committee. While carrying on the mission of this foreign agency, he carried on espionage and sabotage activities in Bari, Italy, together with, Ahmet Kabashi, Bajgora, Shaqir Kabashi, Hajredin Vuqitrena [?], and Kaputon Aliriza-- all exiles from Yugoslavia. With these he acted in favor

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o. The Service against the interests of the NDPRJ, to establish bases on the territory of Prizren and Suhareka, mainly, to organize the reaction personally it is and, if necessary, to mobilize for the purpose of separating the Autonomous Province of Kosovo and Metohija from the territory of the Socialist Federated Republic of Yugoslavia in order to create an Ethnic Albania and, in order to achieve this aim, he went, in the fall of 1950, together with/persons mentioned above with the "Mission of the Kossovarë" group, as a spy, armed and equipped with a supply of firebrands [?], into Yugoslavia, into the village of Billusha near Prizren; he worked secretly several days collecting information of an espionage nature for the purpose of achieving the above-mentioned goal.

[Reasons for ?]
Because of the withdrawal of the indictment for the penal activity of espionage under Article 105, line 2 of the Penal Code, Article 320, Point 3 of the LPP [Law on Penal Procedures ?]

Reasons

district
The/public prosecutor in Prizren , in indictment No. 121/67, dated 16 March 1967, accused the above-mentioned Destan Barisha - Billusha of carrying on the penal activity of espionage under article 105, line 2 of the Penal Code and of carrying on the penal activity of organizing against the people and state under article 117, line 2 of the Penal Code.

During the trial, in his concluding speech, the representative for the prosecution, Vehap Hashmi, assistant public prosecutor for the district, withdrew the indictment against the accused for the penal activity of espionage under Article 105, line 2 of the Penal Code but ~~upheld~~ upheld the indictment for carrying on the penal activity of organizing against the people and the state under Article 117, line 2 of the Penal Code,

GREJ

pronouncing that the accused be found guilty of this activity and be sentenced according to the Penal Code.

Examining every piece of evidence separately and everything as a whole, the court has found that:

The accused had a disagreement with Sefer Berzati, of Biliusha village; ~~and~~ ~~in~~ ~~the~~ ~~country~~ ~~the~~ ~~accused~~ shot Berzati with a rifle and Sefer Berzati tried to kill the accused. The accused and Sefer Berzati were put into prison by the government. In 1943, the accused broke out of prison and fled secretly over the mountains of Biliusha village.

He remained hidden here until the liberation of the country. He did not want to return at this time so he went to Albania. In Albania, he joined Muharem Rajraktar's group, a reactionary group, and in 1946, the accused left Albania and emigrated to Greece. From Greece, he went to Italy and then he returned to Greece. He left Greece for the US and settled in New York City.

While he was in New York, the "League of Prizren" in Exile organization was founded in 1962 upon the initiative of the Kossovar group living in the New York area, a group which is hostile to our country; the accused was a member of this group at this time.

In November 1967, the Congress of the "League of Prizren" in Exile was held and the accused was invited since he had been secretary of this organization. The accused took part in the work of the Congress of this organization. He was familiar with the aims, program, and statute of this organization which is hostile to our country and with its ~~other~~ political objectives. In addition, the accused agreed to take an important position as a functionary of this organization and became a member of its higher council.

The court verified these facts, partly from the testimony of the accused Dastan Berisha-Biliusha and from the contents of the review of the First

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Complaint by the "League of Prizren" in Exile, of 26-27 November 1966.

examination

The accused, Dusko Perisic, in the preliminary ~~xxxi~~ before the investigating judges of the Prizren district court, admitted that he became a member of the "League of Prizren" in Exile in 1962, when this organization was founded and then he learned about the goals of this organization and the actions which it must take in the future. In the main trial, he denied what he had said, saying that he did not tell those things to the investigating judge. He denied these things without any reason since the court disregarded this information since the accused might have been made responsible for this penal activity [?].

There are other proofs of what was said. In the main trial, the accused admitted that he had been invited to take part in the first congress of the "League of Prizren" in Exile and admitted that he answered the invitation and took part in this congress. He took part and listened to the program, aims, and statute of this organization, whose president was Gjafa Deva, who was the enemy of our people in our state during the second world war. Then, during the proceedings of the Congress, the accused heard about the hostile activity of this organization towards our country.

Not only did the accused become a member of this hostile organization but, during this Congress, he agreed to become a member of the Higher Council.

The fact that the accused was a member of the Higher Council of this ~~xxxix~~ organization which was hostile to our country is proven not only by testimony by the ~~xxxix~~ of the accused but also by a photograph and list of members of the Higher Council, including the accused, published in the review of the first congress of the "League of Prizren" in Exile, held in New York on 26-27 November 1966.

The accused is protected by the fact that he learned that he had become a member of the Higher Council of this organization during the dinner at the

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Sheraton Atlantic Hotel, saying that he did not take part in the proceedings of the Congress on the day elections to this council were held. However, nevertheless, the accused agreed to become a member of the Higher Council. Why did he not agree to this for months [?] This means that the accused not only wanted to become a member of this organization which is hostile to our country but also wanted to be a member of its Higher Council.

This organization, of which the accused was a member and a member of the Higher Council, is hostile to our country as one can see by the contents of the review of the first Congress of the "League of Prizren" in Exile on 26-27 November 1960. This hostile organization has gathered together Albanian emigrés from Yugoslavia who are enemies of our people and organized them in the struggle against the socialist and state system of the RSFSR and directed its activity toward the separation of the Autonomous Province of Kosovo and Metohija from the territory of the RSFSR to create an Ethnic Albania "which is seen on the map of the review-- Ethnic Albania".

This organization established all these aims in its plan, program, and statutes whose hostile objectives in regard to our country are known by and subscribed to by the accused.

Therefore, these activities of the accused contain all the elements of the penal activity of organizing against the people and state under Article 117, item 2 of the Penal Code and of the penal responsibility of the accused for the execution of this penal activity and therefore, the court has found him guilty.

During the rendering down of the sentence, the court took into consideration the fact that the accused, in addition to being a member of this organization and knowing about the hostile aims in regard to our state, agreed to take an important position in this organization, and also took into consideration

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The fact that he had not been sentenced up to now, and has a family [?], and, therefore, sentenced him to three years and 6 months of hard labor, for carrying on the penal activity of organizing against the people and the state under Article 117, line 2 of the Penal Code, while finding that with this sentence for the accused, the sentence achieved its aim under Article 3 of the Penal Code and, therefore, the court made its decision according to Article 1 of this judgment.

During the main trial, in his concluding speech, the representative of the indictment [of the prosecution ?] withdrew the indictment against the accused Destan Birishu-Billusha for the penal activity of espionage under Article 105, line 2 of the Penal Code since the court refused the indictment for this penal activity on the basis of Article 320, point 3 of the LPP, putting this under Article 117 of this judgment.

The decision on expenditures for the penal procedure was made according to Article 71, line 1 of the LPP.

THE PILOZHEN DISTRICT COURT, 1 February 1968, P. No. 35/67.

Prosecuting Attorney,

Katarina Vuaj. [or Vuje]

Chairman of the Body

Durmish Koqinaj

APPEAL: RECOMMENDED: The dissatisfied party has the right to appeal this judgment, either 6 days from the day on which this judgment is issued, to the Supreme Court - Pristina Branch, by means of this court.

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P. No 35/67

THE SUBJECT MUST

PRIZREN

THE JUDGMENT OF THE COURT OF SINGIDA — PRISTINA BRANCH

PRISTINA

In regard to the judgment of Prizren District Court, P. No. 35/67
of 1 February 1968, within the legal time limit, the defense attorney for
the accused Denjan Brizba registers this:

COMPLAINT

- 1) Because of the basic violations of the regulations for penal procedures;
- 2) Because of the violation of the Penal Code;
- 3) Because of the hasty and incomplete examination of the actual situation;
- 4) Because of the decision in regard to the sentence.

Reasons

By the judgment of the Prizren District Court P. No. 35/67 of 1 February
1968, the accused Denjan Brizba was found guilty of carrying on penal activity,
organizing against the people and state, on the basis of Article 117, line 2
of the Penal Code, an activity which is described in detail in the provision
(dispositiv) of the judgement mentioned above.

This judgement is illegal for the following reasons:

- 1) According to the reasoning of the judgement mentioned above, the court
of the first instance did not bring up any decisive facts and this was the
major violation of the regulations for penal procedures. These are the
decisive facts: the accused is illiterate, self-taught, and, therefore,
he reads with great difficulty and can only sign his name. This means that
the accused Brizba was not able to read and become acquainted with the

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Statute and Program of the "League of Prizren" in Exile organization. He does not know what "Ethnic Albania" means and she has not been able to learn about and understand the Statute and Program of the above-mentioned organization. Recently, the accused Destan has been working as a cleaning man in a hospital in his place of residence in America and, in this position, he has not been able to have any influence and authority over those who have been the leaders and organizers of the "League of Prizren" in Exile.

In the judgement of the court of the first instance, there is no mention of these facts about which the court was silent.

2)The Penal Code is violated in the above-mentioned judgement, since, in the concrete situation, there was no reason [?] to accuse Destan Berisha of penal activity under Article 117, line 2 of the Penal Code. In the concrete situation, it went to apply the provisions of Article 4, line 2 of the Penal Code since the activity of the organization in question involves social danger to a rather small extent. I would like to emphasize that this organization cannot carry out its program to achieve its aims in these political-military constellations which currently exist in the world. This organization has hostile intentions not only in regard to the RSFJ but also in regard to the Albanian People's Republic. Therefore, in order to carry out the Program and Statute of this organization -- to ~~take~~ remove Kosovo and Metohija by force from our country and to unite this province with "Ethnic Albania" -- it is necessary to have a certain strength [?] so that it will not be necessary to explain the unfulfilled dream of circles which established the above-mentioned organization.

On this occasion it should be stressed that our state, under these circumstances, regards the problem quite differently from the way it was presented in the judgement under attack. Emphasis should be placed on the case of Dr. Krinoslav Dragovich, a priest from Sarajevo, who had a very

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important position in the Ante Pavelich government during the time of the occupation and then was the head of the espionage center in Austria while working intensively on an extremely broad and dangerous volume. This priest went to Yugoslavia and was sent [?] to our organs— now he moves freely in our country. I believe that this attitude was taken in regard to Father Draganovich on the basis of those constellations which we mentioned earlier.

If you should compare these two cases, a cleaning man in a hospital is quite different from a doctor of theological sciences like Father Draganovich. There was a court trial in this case and the court was given articles from the daily newspapers: "Vecherniya Novosti", of 11 November 1967, and "Politika", page 10. of 11 November 1967.

In the judgement under attack, there is no mention of these things. The application of the laws in our state should be the same everywhere since our state has the same jurisdiction over all of Yugoslavia.

We believe that the organs of the prosecution in Prizren intended to take penal measures against Destan Berisha for penal activity under Article 105, line 2 of the Penal Code until the final days of the preliminary investigations but Destani ~~impostor~~ was not called for questioning in connection with the crime for which he was later sentenced. Certainly, these organs felt that this activity of Berisha's did not have any bad results. Therefore, Destan Berisha was sentenced for penal activity under Article 117, line 2 of the being given Penal Code without proper consideration by the court to the social danger of such activity.

3)The facts which have been mentioned above also show that the judgement of Prizren District Court was handed down on the basis of a completely erroneous examination of the actual situation. ~~Except for~~ the confession of the accused, which has not been evaluated correctly and advantageously, and

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the review of the "League of Prizren" in Exile, there are no other facts in this case. It is not allowable for the court to accept the testimony of the accused only on those points where the testimony hurts the accused and not on those points where it is in his favor. Destan said that the organization of the "League of Prizren" was established in 1966 and not in 1962, as was stated in the provision [dispositiv] of the judgement. Destan said that he was not consulted by the other members of the "League of Prizren" when he was proposed as a member of the Higher Council. Destan said that he was informed later, by a participant in this meeting, that his name had been on the list of members proposed and that he protested because he didn't want this job. There was no mention of these things in the judgement under attack.

Therefore, the judgement is based on erroneous and untrue information. For this reason, the judgement of the district court should be abrogated and returned for re-evaluation.

4) The decision to sentence Destan Berisha to hard labor for three years and six months is too severe. The Penal Code stipulates that the sentence for [this ?] crime should be a year of hard labor. The court could find reasons to lessen this sentence by sending the person to prison for several months, or, as in the case of the accused Berisha, to preliminary prison [paraburgim].

The Prizren District Court could do this because of the reasons mentioned above, and especially, because of the hostile activity of a group of Albanian emigres has been developing several thousand kilometers from our country and the danger of their activity is more symbolic than it is real since the ideas of this group do not have the support of all the Albanian people.

Therefore, I propose that the Supreme Court of Serbia-- Pristina Branch, first of all, change the judgement of the court and release Destan from the indictment or give him a much lighter sentence, no more than he had in

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the preliminary prison ['paroburgim].

Pristina, 15 March 1968

Attorney for the accused

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F. nr. 3/67

Aff. to EYBA-2087 22 Apr 68

B'EMMA TE MURJUHAT

Trupi gjykes i gjigjet te qarkut e Prizren, i përbashqet prej gjykatesit Durimis Kocinis, si kryetar trupi, gjykatesi i cili te delegues Ismet Serrmit dhe gjykateseve porotrik: S. Ngiz, Shogiri, Gjorajeviq Marinkat dhe Gjavid Kacanakut, si oshtari te tregjet gjykes, dhe prokurorja e Katerine Vuqes, punitore e gjigjet, ne landin penale te shumicur Bashka Berisha - Billushes, ne a katin e Billushit, te cilin e marrte neen Kryesori evropian ne Vrightimes, pike euk te vegres penale te sprijnemishit nej heri loj el.2 te KP, te përveprer penale organixin kundre popullit ne shtetit nej heri 117 e. 2 e KP, i shumecit nej prokurori i Shtetit te Prizren, ne akt-kushtet e P. m. 121/67, te datte 16.III.1967, me shajtje e procesit kryesor publik ne daten 29. III.1968, ne presencen e zvicerit te prokurorit Vehap Hashani, te shumicur dhe shrojtshet te tij, publikuar ne daten 1.II.1968, ka shpell me marr ket

A K T E J I A I M

I. I shumonej BESIM KADILIA-Billush, lind ne katin e Billushit ne 11. maj 1922 nej i sti sahit dhe e mor Zemra, ne lindun Ramaçani, tosh j-tan ne SHBA ne shqetin vjençaret ne Kujkoy Bayran, Shqiptar, zemblaçteta i KSFJ, i marturuar, po feni, veteri din shkrira dhe lexira, shemburia ne terak e ne Krye, nek e akt i denave, gjendet ne burgu betwee qe nej date 16. shtator 1967.

A S H T F A D T C R

Për shak e qejt vitit 1962 acht te entari i "Klubjes e Prijenuit" ne Margina, e cilis e ka qendrat ne Njyrjeq te SLLD, dhe qe nej date 27. mendor te vitit 1966 si entari i ne fillit e përveprer ne kete organizat emisionore, ne kufij qe krye vegres penale te parashikues ne meset loj te loj te KP, ne e drejtoren aktivitetin e vet qe ne sulzi me a nda kua lura vjençare te Kosove te Metohia ne territori i SLLD, pike ne e realisuar njeqimin e Shqipëri, ne ket qallin ajo i mbledh emigrantet shqiptar ne Jugosllavija, qe janë amriq te vendit tonj, ato i organizon te lura te kunder rendit shftetar dhe neqmor te kufij, ne realizuar qallinet e parashikuese ne programin e vet.

qe ka krye vegres penale - organixin kundre popullit, dhe qe akti i cili nej 117. el. 1 e KP, qe për ket arava e kryer i e

S C D I A O M

Ne 3 (tre) vjet dhe 6 (gjigjet) nej burgi te mund, ne te cilin denia i llogorit te qe koha e kohave ne burim betwee projekti i 16. shkurtit te vitit 1967.

II pagaj shpresinat e procedures penale the n.I emri te peshallit 50. dinare t'rij.

II

Bunar t'ej akuzant DOSTAN MELIKA BILLUHESI si men I. t'ej dispositivit t'ej ketij aktu jiyikmit

REPUBLIKAT AYTAQOLI

Te zebu arzinjas nja vendi i yrs, n.I Itali ejet vitit 1949 kya n.I sherbinia infotatif Amerikan, i cill ejet i lichenq mquaut ne Komitetin komitejtar due tue i krye detyret e kovej agjente t'ej meej, n.I Beri n.I Itali kryes kusten e diversionit, due shpi uasshit bushi me Ahmet Lebasin, Regu Rejgoron, Shaqiq Lebasin, Hajredin Vugitron, due Kapiten Alirizan, - t'ej qidha t'ej arziam nja Jugoslavija, ne keta marr detyre of faver t'ej sherbinis bunar interesvet t'ej R.S.J., qd n.I teritorian e urrikadit due subversive do t'ej forsol benn. Gjedjejiet do t'i er misoi p'resor re aktionar, the n.I raet qd nevoje nevoje ne i solidita. Ne gallim p'er ne e nse Kroatien Autonomie t'ej Kosovos e pettien nja territori i Republikas Sozialiste Federative t'ej Jugoslavije t'ej ne kriju. Shqipciq blinika the p'er realizimin e ketij jallini, benni ne p'rasmat e p'rasundam ne grupin "Misionari i Kosovarve" si diversioni i arzatumos due i pejjeq ne nji nati ura, n.I vjeti t'ej vitit 1950 kya n.I tokem e Jugoslavija due h5 fentet Billur's offr Prietenit, esht fawef dina diti tue m'hadda informate ne karakter spijuneshi p'er realizimin e qallimit t'ej p'rasundam.

p'er shuk t'ej terhekkjes si akt-akunes p'er v'prem penale spijuneshi nja nomi les al. 2 t'ej KP- nsej 320 pika 3 t'ej KP.

A N S I S T I M

Prokureori i jekkat of Prieten, ne aktakusen Pt. nr. 121/67, t'ej datta 16.XII.1967, ne akunes t'ej punie t'ej Bunten Darishos - Billuhes, p'er kryenja e vegres penale t'ej spijuneshi nja nomi les al. 2 o KP, due p'er kryenja e vegres penale organin humra popullit due shtrati nja nomi 117 al. 2 o KP.

Ejet processit kryenja, n.I dhanjen e fjalas p'trfundintere p'trfundament i aktakuses Volej Hashani, sevende i Prokureosit t'ej qarkut, ka he terhekken e aktakuses kundet t'akunat p'er v'prem penale spijuneshi nja nomi les al. 2 t'ej KP, kures ne nsej n.I aktakus p'er kryenja e vegres penale - organin humra popullit due shtrati nja nomi 117 al. 2 t'ej KP, tue propozus qf i aktakus p'er kote vezet t'ej shpallet fajtor due t'ej derrohet nimbas Kodit renal.

Tue vlerasse qdo provo n.I vedi due kete t'ej ejitha n.I bunru kijek ka ejeti:

1 aktakusi p'er shuk t'ej nji roe-merventje qf ka oses ne ofer Beratin, n.I kustendil Billur's, Segjil i jet p'er shuk qf qloja i aktakusi ka esht n.I kete ne p'aktariche t'ej s'ad se k'kast seferi ka he tentativ-vrasije n.I t'ej aktakusin, i aktakus t'ej

Bernat Soferti nra ame o governis of et-heretek shyllen nf burg.
I chassandit nf vitin 1943 them burdin dha of i eretikan rin i maha-
num nsej valut o katemnit Billuchs.

Keddu rin i eretikan deri nf salirind o vendit, nf t8
ellen kodj pferari min darsset dha halon nf dngipni. I8 dngipni
i bshkohot grupit nf Mihnev Dajrakurit, grupit realistick dha
bshk no ket grup nf vitin 1946 i aknunni o leton jngipni dha
halon nf Margia nf Grech. Prej Gregije ohom nf Itali the prej Ita-
lijas pferari kethaket nf Grech. Mu prej Gregije halon nf Sotjet
o bishnus t8 Amerikas, the vandent nf qytetin Ajyork.

Qjet hokos nf Ajyork, nf vitin 1962 me inicjativen
o grupit Komites na hobbie nf Ajyork dha frrehs, t8 ollas jess
anrik t8 vendit kodj, buhet themlimi i ewaniestes "Lidhja o Pri-
renit" nf Margia, unter i of ciles nf keto kodj kethet dha i ak-
nuni.

Nf aknuni nsej t8 vitit 1967, buhet Kongresi "i lichjes
o Prirenit" nf Margia, of i8 ollin thret dha i aknuni me qandje
ishtu entar i keej organizante. I aknuni nerf pjan nf punon e
Kongresit t8 keej organizante. Hifet me selliset, programma dha
Statutin o keej organizante ammoco teqaj vendit ton dha me go-
llinet politike t8 nf nsejtos. Mervaq keej i aknuni pranon qf
t8 nsej adhe nji vend me rendidai ai funkcioneer i keej organizante
the keepta buhet entar i Lehillit opor 1 t8 s8 nsejtos.

Ket giedje faktike gyci e ka vettutu pjerdrift
na poħidha e t8 aknunni Dostan Berisha - Billuchs, the aga
pierhaġtja e rrevistes nf Kongresit t8 part t8 "Lidhja o Prirenit"
nf Margia, t8 datu 26-27.11.1966 t8 vitit 1966.

I aknuni Dostan Berisha, nf procedura paraprake pran
glyatañit hoxix t8 qiegħi t8 għixx nf Priren, pranon se entar
i "Lidhja o Prirenit" nf Margia ukt be qiegħ nf vitin 1962, għ-
għażiex sther kien aktar biex thammi i keej organizante, ne-
ndaj se aktar ujsoft me selliset dha aktar qf idher i "i nsejnej
kko organizat nf t8 erdhha. I8 proċessi tħrexx nha kien kien t8
thamra, tux deklarju se t8 qiegħi aktar kien kien kien t8
kien. Kien t8 thamra nf proċessi tħrexx i-nsejha ja kien fu
għixi si t8 pihha i-kien qedd pprest, pifx arxu nf i aknuni nf
ket metixx mandeket ha i u qiegħi porgżejha s-senjal i
keej vepre penale.

Kienek kien t8 thammeva egħiżtiekin dha provit t8 tħarr
i aknuni nf proċessi tħrexx i-nsejha ja kien qedd i tkiru wa' korr
pjed nf Kongresin o part t8 "Lidhja o Prirenit" nf Margia, i
pranha se i aktar pħiġiex minnha dha keepta ja mri pjan qiegħ nf ket
żon, res. Ja mri pjan qiegħi dha kien nsejje programma, qollha dha stat-
utin o keej organizante, kryoter 1 of ciles aktar s-sjell sunnha
i nsejftu qiegħi luu i sill odha qiegħi luu tħallix t8 dikt kien
geni ssejik i-popolli dha aktar tħalli. Mandu, qjet nsejha nf Kong-
resit i aknuni kien nsejje dha vepiistarix amm夸re t8 keej
organizate ndaj vendit ton.

I aknuni jo vetteq of buhet entar i keej organizante
sunċċo, pote nf Kongresin o keej pranon dha q8 t8 qiegħi ill-
entar i Lehillit opor.

Dekkha, i aknuni buhet entar i Lehillit opor t8

kohaj organizant, emigrantët nesër vendit ton c varetet janë vjetëm
poenit i të akuzuarit pos pë mërtësiaqët dha ngr fotografje që
listë e këshillit eparor të cilën emigrantët dha i shumëzoi e që
shifron ngr rravista e Kongresit të parë të "Lidhjes së Kryerit"
në Njësia i mbajtur në qytetin Zürich, datës 26-27. nëntor të
viti 1962.

I shumëzoi shërohet se gjaja ka kuptur se asht bë antar
i këshillit eparor të kusaj organizante me rastin e shtrumjes së dër-
kes në hotelin Shansoni Atlantic, tue thes se se diten që asht bë
njellja e ketij këshilli nuk ka marr pjesë më punën e Kongresit.
Mirëpar, përsë pos përsë i shumëzoi pranor të babet antar i këshillit
eparor, edhe pos ka marrë të mes pranor ose edhe të domosdoli kët gjë.
Pra, kjo do t' është që i shumëzoi këtë qëndrë i deshira që jo veta
të babet antar i kusaj organizante emigrantët nesër vendit ton, pos
edhe të babet antar i këshillit eparor i të njajtarëve.

Kjo organizat, antar i të cilës asht bë i shumëzoi dhe
antar i këshillit eparor, asht emigrantët nesër vendit ton c që shif-
ron ngr përmesitje e rravistës të Kongresit të parë të "Lidhjes së
Pritëzit" në Njësia të datës 26 deri 27. nëntor 1966. Kjo organi-
zat emigrantët ka të akuzuar e emigrante shqiptar ngr Jugosllavisë
të cilët janë emigruar të popullit që dëshira i organizon së luftë
kundër rendit shqiptar dhe së vjetër të HSPJ, dhe së drejtton aktivitetin
e vjet që ne sulm me a ndë Kosovës së bashku me qëndrën e kësaj organi-
zatit së rravistes "Shqipëri i lindur".

Të gjitha keto qallime kjo organizat i ka çaktuar me plati-
ninin, programin dhe Statutin e vjet, se të cilat qallime emigrantët
nesër vendit ton asht njëjtë dha pajtues edhe i shumëzuar.

Pra, se keto veprime të shumëzuit formohen të gjitha
elementet të vepreve penale të organizimit kundër popullit dhe
shkatit ngr numri 117 al. 2 të L.P., dhe përgjegjësia penale e të
shumëzuit për kryenjën e kusaj vepre penale, dhe përfundimisht qyqi e
ke shpall faktor.

Me rastin e marrjes së dënimit, qyqi si asht bë antar i kusaj organizante
ka marrë se i shumëzoi përviq se asht bë antar i kusaj organizante
dhe fortës ne qallimet emigrantët e të njajtarëve, marrë shëtitësin,
i shumëzoi ka pranë që të saj edhe një funksion ka rindësi ngr
ket organizat, kurse si emë lëshuesine ka marrë se dari tash mëk
ka qendrë i gjykuar, mandaj i ngarkmen me familje, dhe përfundimisht qyqi
marrë dënimin me tri vjet dhe 6 muaj burgin të rastit, përfundimisht
e vepreve penale organizat kundër rendit që dëshirat që numri 117
al. 2 të L.P., taa qjet se edhe se ket dënim të marrur nesër të shum-
ëzuarit, dënim që ka arritur qallimid e vjet ngr numri 3 të L.P., përfundimisht
qyqi ka vendos sëmundje numri I. të ketij akt gjykimi.

Gjat përcasit kryesues, ngr dhanjen e fjalës përfundimisht
përfasuesit i akt-akuzave e ka terheq aktakusoren, kundër të shumë-
zuit Dostan Berishës-Millashës, për vepren penale spikimtari ngr
numri 103 al. 2 të L.P., përfundimisht qyqi i vepren sëmundje gjyqi
e ka refuzuar, që bësht të numrit 320 pikë 3 të L.P., tue vendos si num-
ri II të ketij akt gjykimi.

Vëdemë së përkushtuar e procedurës penale që marr
simbus numri 91. al. 1 të L.P.,
Gjyqi i kujtës së përfundimit, më lartë 1968, f.s. 35/67.
Prokurorët,
Këshiri: *[Handwritten signature]* Durrësi, Kozmaq,

- 4 -

liror nega oktakusa, ose dest nit tia coktoje zii denim shum me 13
liror e ju mi tipoc do mi kane ne perburim.

Prishtine, me 13. mars 1968

Mbrojtci i t'okvuzemit

Hiror nega oktakusa, ose Dest nit tia
coktoje nji denim shum mo te
lehte e je mo teren qe ko bene ne
perburim.

Prishtine, me 15. mars 1968

Mbrojtci i t'okvuzemit

(signature)

O J Y E I T . P S - Q A H A U T

pōr

P I Z R E

O J Y - I N . S U P R E M U S S E R B I S B - D E C A N E P R I M A R I Z

P R I S H T I N T

Kundör aktgjy init tō Ojyqit tō q. rkut nō Priaren P.nr. 35/67 proj. l. fror 1968, abrona afetit lagjer, abrojtsei i t'aksu
momin Dantam Berisha, uehtren kōt

A N K E S E

- 1) pōr shkak tō shkelja e esenciale tō dispositif ve tō procedurë penale;
- 2) pōr shkak tō shkelja tō Kodit Penale;
- 3) pōr shkak tō konstitutivit għibiciex dha ja plottedi tō għandjeen f-kritika;
- 4) pōr shkak tō vendimit mbi denim.

A R R A Y E T I M

He aktgjixxin o Ojyqit tō q. rkut nō Priaren P.nr.35/67 proj l. fror 1968 iekusumi Dantam Berisha sħi t-empali f-jtor pōr kryemjen e veprje penale; org-nisim kundör popullit dha r-xtetit tō p. rarru ne nemin 117 minn 2 tō KP, sic sħi e pōrelkuu me holl għażiex nō dispositiwin o aktgħixxinit tō n-135 pērmendum.

Ki aktgħixxim sħi i-kun Urli: jid-ka ngu k-ktō arayonni.
1) M3 sejeti minn o aktgħixinit tō n-117 pērmendum u jipar
o akt. 118 u pōr minn is-saek f-faktet vendimtar, o no k-ktō sħi
be shkelja esenciale o dispositif ve tħodda tħalli. Kto f-że
vendimtar jidu se i-kuzuemi sħi hal-leyet, u tol-likuk dha sħi i
tillel-vetħindu as-lewne dha. It-tieze kien idher, kura me skarue
vetħem din u u n-ñash rre. Je kija do tħi thotxi se i-kuzuemi berisha
muk k-ko muijt. Me leżu dha se u njo tħi ja tħalli dha kroġġ minn o
org-nisett "Lidhja o Priarenit" n-ñew. Li ukk din se jidu do me
tha 5 fjalha "Miqipnija Ethnike" għeq-ix-pi k-ko u il-ix-xi tħalli dha
u kruptu u 3t-tutin dha. Programma o org-nis tħo tō k-ktō pērmendum.

I aktuelitet Dosten nō kohën e fundit ka qenë shifroitor-pastrues nō
RJ spital tō vendbanimit të tij n'anshik, e si i tillë nuk ka
mjuqtë me përsurje influence dhe autoriteti ndaj tynë që kemi qenë
nëntohetje e organizimeve të "Ministres së Pritorit" përgjithëse.

Në aktigjinian e gjykutës së shekullit të tretë babet mësi
fjali është këto faktë, ndaj të cilave gjyki bëhet kështu ka kalat.

2) Në aktigjinian e multëpërfunduar e shkollë Kodit Penal,
mbasi nō rastin konkret nuk ka përfunduar se e humes Dosten Merititë
për vepërën penale nga nomi 117 art. 2 të KP. Në rastin konkret ka
qenë dashjtë se e abdhesë dispozitat e nomin 4 art. 2 KP, mbeci vepur
tarija e organizatës së fjali përgjegjëzuese shqipëror nō nemi fare të
veçula. Dua tif thesajtë se nje organizatë programë e qillimet e
veta nuk mundet se i realizojë nō këto konstelacione politike mëtarë
që ekzistojnë sot në botë. Ajo organizacioni tif e ka qillimet emigjencore jo
vetëm ndaj ASRJ por edhe ndaj Republikës Popullore të Shqipërisë.
Prindjej për se mjuqtë se i realizon Programin e Statutit e sësaj
organisacionit për se shqiptarët nuk e cekinë e ketë këtë yll
shkakun e kësaj se "Shqipëri Zgjedhor". Duhet tif ket e si faj faj
se se që nuk ka nevojë se opjigne madrimin e pi realisueshëm të qenë
një e kënd Përmes organizatorëve n-100 përfundim.

Në këtë rast duhet tif themeljet se shteti ylli nō raste është e
mëdha, shikon problemin kryetarit ndryshe se e që shtet be nō eku-
aktivizm e atakuves. Duhet tif themeljet shteti i Dr. Krushcevit Dragom-
oviqit, përfshir nga Sarajevo, i cili ka pasqë qendritë shumë tif e mëdha
në qëndrueshëm e Ante Pavelicit gjatë kohës së komisionit, e mëdha
ka qenë mëdhaqësi i qendritës së spionazhit nō austri, tia vepruar se
shtet i interesat e nō vëluar tapër tif gjallë sështë prezidentit, - e ky përf-
shesi ka arritur që Jugosllavi e është këtë dërmave organave tona - sot shtet
liriqit nuk vëndin tash. Kësaj se kësaj far qëndrueshëm ndaj pop
"Dragomovicit" shtet mëdha, dash tue gjeni ato konstelacione që i keni
përmesit n. 117 KP. Në qartë se nō këtë dy pëste duhet diskutohuar tif krahë
në shtetës-shtetës që e ka pop Dragomovicit. Për këtë gjëna nō përf-
shin gjykoqor shtet be fjali që gjykit i shtetit shtetit që tif e qashtë
ve të përditshme: "Popujtës nesëti", pëqj. ll. numri 1967, që e
veçlitas - f. q. e 10 prill ll. numri 1967.

Në aktigjinian e atakuves përfshigj gjëna nuk e mësi fjali.
Shtetit tif ligjëve së shtetit e shtetit i buribart, mbeti shteti ylli
përgjegjëzueshëm jurisdikcionin unik për shtet Jugosllavi.

Secjoni se organet e ndryshëm nō Prindjej e kësaj
qillim për se marrë nesë mëdhaqëzur zanafishtë shtetit që
në përvje nga nemi 109 art. 2 të Kodit Penal, mbeti jashtë së shtetit.

fundit ej ketinove Darstellung, dala mak mali svedi na systola Poston
per fajin pesal qm tif adilimme vond eht darsse. "Sigurament, edhe
kito org-nati e kam e kiti reprintari tif Karibbe si nji ejn qm
muk te lodd mbaa vedit hawfard pessos ne kigija. Prusia; denand 1.
dertan Poston per reprint pesale nja nenti llyt aline tif KP, eht be
nja ejn qm ne e pese miri irraikan aboqay nja reprintari tif Karibbe.

3) Pjektor qm janf pfermondj nn n.17 njikobheit tregad
ne aktgjykimli Gjyritt qorut tif Prusien eht marr mif budi iman
simi: għandha tħalli qed-piex tħalli tħalli faktika. Kifver pohiha mif
ekremmat, e oħra mif mikt qed-piex krijtnejt mif e viċżejha, edhe pħi-
pax tif rovistie "Makija & Prusien" mif Mikiel. Kifver fakku qjura
muk kam kċċiex. Duk mikt b-laparha qm il-ġeju pohiha e tħalli
met e pprova u tif idha pika of a mannejha tħalli minn, e jo edhe
idha pika qm shikpjiet tif fuvar tif tif. Postu li
m-imbazzu u mikt makt konsultas se jekk nja antarid tħalli tif "Makija &
Prusien" kien ka qed i proċessu per entek tif-
mabillit eror. Postu li tkomx se ja vuu ka qed i informaciun proj
u li aktgħixxha tif-nejnejha, ne edhe idha pħalli qm tif bixx
e antarid qm janf mif proposun, edhe se Postu li paska kundibek
oll-miex mifti per stiż-żorr, kif kito għidha mif aktgħixxha e tħalli
muk boket minni fjejjha.

Prusien, aktgħixha ukti t-tħalli mif fekket tif ġużeppu
Għan je tif vixxata. Kif kito shikuk duhet aktgħixha i Għixi tif qarret
u tħareġha tħalli tħalli mif aktgħixxha.

4) Ventid id-dominiekk e tgħixha kieni kieni mif bixxha tif
ruuđi mif aktgħaxx proj tre vjet - ejn qm tħalli - eht tappi t-i malha,
M. Hodin Postu per faj appti paropx dominiekk edhe pif-nji vjet bixxha
tħalli. Għixi ka mnejt tħalli tħalli aktgħixha kieni kieni
li qed dennej, ne e aktidha se bixxha pif-nji mnejt, oħra u qm tħalli tħalli
mif aktgħixha mif parroġġiha.

Kif kien Għixi i-egħix tif Prusien k-nejnejha ne e lu ja
swixx - tif sali p-ixx-xewha, e sistaxx p-ixx-hu se reprintari tħalli
sej - e gruppi tif emigranti u magħistek eht abvillu dinha minn
metu luu proj vixxit tħalli, kienha qm roċċiha nja reprintarija e
tyxa se tappi eht sibekk se s-saq, minn idejni e stiġġ
muk kam kħaddha tħalli tħalli mif aktgħixha mif parroġġiha.

Prusien, proposu qm Għixi opressi k- 22-11-18 - jaġi mif aktar
M. I. - tħalli tif-pax ta' s-sugħġaq aktgħixha e-kbissi u kien

QALIMAN JUGDILAK: Palas pe kasaqan ka t8 rejt enkass
Kunder ketij oktyabrini og arit prei. Saitteva tros deneq as surries
og ketij oktyabrini, Otyaqst Supra-Dokta of Privaltink neftfajet
og ketij givqi.

(Signature)

9/-III-68

Arapess "ofat" 16/-III-68