ARCHIVAL POST

The Treatment of Executed Persons and Those Who Died in State Custody, 1944–1960: The Normative Framework, Typology and Procedural Chain



SECTION

Shkodra Border

PERIOD

1944 - 1944

The Treatment of Executed Persons and Those Who Died in State Custody, 1944–1960: The Normative Framework, Typology and Procedural Chain” , by S. Mara, O. Besho, L. Ismaili and J. Hibo , examines how the Albanian state in the first post-World War II years regulated, at the legal and administrative levels, the death penalty, executions, and the treatment of persons who died in state institutions. The study draws on archival documents, judicial decisions, normative acts, administrative correspondence, and internal regulations, reconstructing the procedural chain from sentencing to the responsible implementing authority. Particular attention is given to the absence of documentation concerning executions and the fate of the bodies, examining whether this absence may be linked to administrative practices and to the rules governing the preservation and destruction of records.

CONTENT #1

Treatment of Persons Executed and Those Who Died at the Hands of the State, 1944–1960: The Normative Framework, Typology and Procedural Chain

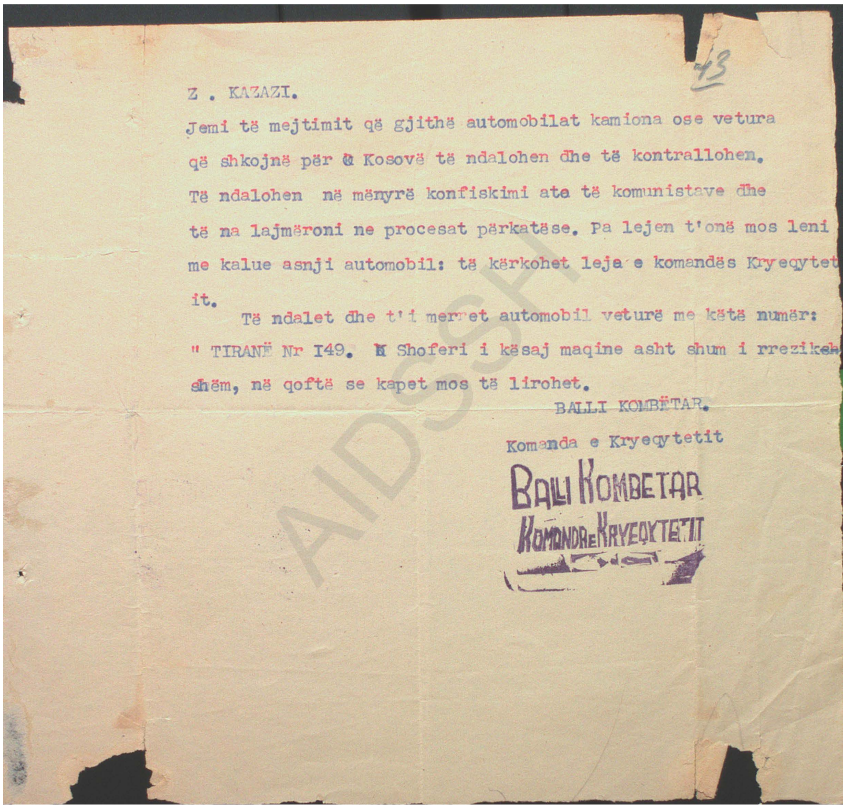
The study “Treatment of Persons Executed and Those Who Died at the Hands of the State, 1944–1960: The Normative Framework, Typology and Procedural Chain” , prepared by S. Mara, O. Besho, L. Ismaili and J. Hibo , examines one of the most complex issues in documenting state repression in post-war Albania: the way in which state institutions regulated, documented and administered death sentences, executions, and the fate of persons who lost their lives at the hands of the state during the period 1944–1960. The first part of the study analyses the normative framework of 1944–1960 , focusing on the legal acts that established the new judicial and punitive structure following the establishment of the new political order. Particular attention is given to Law No. 21, dated 15 December 1944, “On Saboteurs of the War and of People’s Power”; Law No. 41, dated 23 January 1945, “On the Organization and Functioning of Military Courts”; and Law No. 372, dated 12 December 1946, “On Crimes against the People and the State”. These acts, together with the provisions of the Criminal Code and the Code of Criminal Procedure, defined categories of offences, the jurisdiction of the courts, types of punishment, and the procedures followed in cases involving capital punishment. A central element of the analysis is the reconstruction of the procedural chain . The documents examined show that a death sentence was not an isolated judicial act, but passed through several institutional stages: from the court issuing the sentence, to the Supreme Military Court and, where applicable, to the highest political level, before the decision was forwarded to the body responsible for its execution. Documentation from 1946, for example, makes it possible to trace this process through Prosecutor’s Office orders, the judicial decision, its submission for approval, the approval radiogram, and subsequent communications. The study also pays particular attention to the information requested following the approval of a death sentence . Radiograms from 1946 and 1947 required the authorities to report the date of execution and the condemned person’s “last will”. However, no response to this request has been found in the archival units examined, creating a clear interruption in the documentary chain between the decision to carry out the execution and the documentation of its actual implementation. Another issue addressed is the fate of documentation and of the bodies following execution or death in penal institutions . The study identifies a provision in Regulation No. Prot. 01-68, dated 16 October 1965, which prohibited the handover of the deceased prisoner’s body to the family or relatives, except in cases where innocence was declared after death. The same regulation stipulated that medical examination records and the report drawn up at the place of execution were to be retained for three years from the date of execution. In this context, the study makes an important distinction between what is directly established by the archival files and what may be inferred by analogy from later regulations . The regulations of 1965 and 1977 cannot be used as direct evidence of all practices during the period 1944–1960; however, they provide important information concerning the existence of specific documents associated with executions and the manner in which they were administered. The documents from 1946–1947 themselves, through repeated requests for the date of execution and the “last will”, demonstrate that a reporting procedure was already in place during that period. Through this documentation, the study also examines the typology of persons sentenced to death , focusing on cases documented in the decisions of the Special Court of Tirana and the Military Court of Shkodër. In the case of the Special Court of 13 April 1945, 19 persons sentenced to death are documented, while the documents from Shkodër show that the same procedural structure was applied in other cases and at different social levels. The material also includes identification photographs of some of the defendants, demonstrating that administrative documentation was detailed during the identification and judicial stages of the process. In conclusion, the study points out that the judicial files examined establish

the imposition of death sentences, their approval at the relevant levels, and their transmission for execution, but do not directly establish that the executions were actually carried out, nor their date, location, or the fate of the bodies . According to the material analysed, this documentary gap is linked to the fact that documents recording executions and medical examinations were kept separately and were subject to limited retention rules. Consequently, the documentary gap concerning the fate of executed persons should not be viewed merely as an accidental absence from the files, but as an issue requiring further research in the records of the bodies that had competence for carrying out and documenting executions.

MEDIA #1

Order of the Capital Command of Balli Kombëtar concerning the control of traffic towards Kosovo

MEDIA ITEMS #1



Z . KAZAZI.

Jemi të mejtimit që gjithë automobilat kamiona ose vetura
që shkojnë për @ Kosovë të ndalohen dhe të kontrallohen.
Të ndalohen në mënyrë konfiskimi ata të komunistave dhe
të na lajmëroni ne procesat përkatëse. Pa lejen t'onë mos leni
me kalue asnji automobil: të kërkohet leja e komandës Kryeqytet
it.
Të ndalet dhe t'i merret automobil veturë me këtë numër:
" TIRANË Nr I49. N Shoferi i kësaj maqine asht shum i rrezikeh
shëm, në qoftë se kapet mos të lirohet.
BALLI KOMBËTAR.
Komanda e Kryeqytetit
BALLI KOMBETAR
KOMANDA E KRYEQYTETIT

Order of the Capital Command of Balli Kombëtar concerning the control of traffic towards Kosovo

INFORMATION

Order of the Capital Command of Balli Kombëtar concerning the control of traffic towards Kosovo

TRANSCRIPT

No transcript is available for this media.