

# THE BYTYQI BROTHERS

*Until Justice is Served*

## Basic Facts

Ylli, Agron, and Mehmet Bytyqi (the “Bytyqi Brothers”) were born outside of Chicago, IL and later moved with their parents and other siblings to Hampton Bays, NY, who still live there.

**April 1999:** The Bytyqi Brothers became members of the Atlantic Brigade of the Kosovo Liberation Army (“KLA”), departing with nearly four hundred other U.S. residents for Kosovo to help stop Slobodan Milosevic’s ethnic cleansing plan in Kosovo. At the time, the United States government provided various forms of support, including military, to the KLA.

**23 June 1999:** After the war, the Bytyqi Brothers agreed to escort Roma neighbors to a safe zone. The neighbors had sheltered the Bytyqi family during the war and were now facing persecution in the chaotic post-war environment in Kosovo. The brothers strayed over the unmarked border and were arrested and detained by Serbian police for illegally entering the Federal Republic of Yugoslavia (“FRY”). They were in plain clothes and unarmed, carrying personal documentation showing their New York and U.S. residence and identity.

**8 July 1999:** Following their conviction and two week sentence, a judge ordered the Bytyqis’ release. Upon release, the brothers were immediately detained by plain-clothes Interior Ministry (“MUP”) officers and taken in an unmarked car to a remote police training site in Petrovo Selo.

**10 July 1999 (approx):** The brothers were taken to a nearby pit housing a mass grave of Albanian citizens whose bodies had been brought from Kosovo to Serbia in cold-storage trucks for reburial and concealment. The brothers were bound, blindfolded, and shot in the back of their heads and dumped on top of the mass grave.

**14 July 2001:** Reports first surface that the remains of the Bytyqi Brothers had been found.

**Spring 2002:** Serbian and U.S. authorities opened separate investigations in the case.

**2006-2012:** Two low-level suspects are tried and acquitted, in part due to the two suspects’ marginal role in the crimes. Goran “Guri” Radosavljevic and Vlastimir Djordjevic were each likely to have had responsibility over the murders. Radosavljevic was the commander of the facility where they were murdered and Djordjevic both coordinated the mass grave where the brothers’ bodies were found and ordered them to be kidnapped to this location.

**17 June 2019:** Vlastimir Djordjevic becomes eligible for early release from his ICTY-imposed sentence for war crimes and crimes against humanity committed during the war. Importantly, he has never been indicted for the Bytyqi murders because the murders occurred after the period it was statutorily authorized to investigate. As of 26 June 2019, he has not yet been released.

## Current Context

**Broken promises:** Numerous high-ranking Serbian officials have pledged and failed to deliver progress on the case. This includes current President Aleksandar Vucic and Foreign Minister Ivica Dacic. In the presence of U.S. officials, then Prime Minister Vucic previously promised and failed to secure progress by the end of Summer 2014 and again by the end of March 2015. In June 2015, he called it Serbia's "duty" and pledged resolution "very soon or much sooner than anybody might expect". He then made similar promises to Vice President Joe Biden and other U.S. leaders.

**Radosavljevic & the current government:** Since 2009, Radosavljevic has been a member of President Vucic's political party, the SNS (or "Progressive Party"). Radosavljevic has been in leadership positions of the SNS, including its Executive Board and has publicly celebrated party milestones with then President Vucic and (then) President Tomislav Nikolic. When U.S. Ambassador Kyle Scott and Fatose Bytyqi questioned this close relationship, Mr. Vucic responded: "You should be ashamed of yourself, what do you think, that I will allow someone to kick me in the head?"

**U.S. Congress:** Many members of Congress have publicly called for justice in the case. In the 116th Congress, Rep. Lee Zeldin and other members of the House Foreign Affairs Committee have introduced H.Con.Res. 32, a concurrent resolution regarding the case. In February, several congressmen confronted President Vucic over the case. President Vucic responded by suggesting the United States should extradite members of NATO to Serbia.

**U.S. State Department:** Numerous U.S. ambassadors and diplomats have publicly decried the lack of action in the case. The State Department sees progress in the Bytyqi case as a significant factor holding back bilateral relations. In December 2018, the State Department authorized travel restrictions against Radosavljevic and his family for Radosavljevic's involvement in "gross human rights violations".

**NGO's:** Amnesty International, Human Rights Watch, the Humanitarian Law Center, and other NGO's cite the Bytyqi case as a prime example of the lack of accountability for war crimes in Serbia. Dozens of experts have penned an open letter demanding justice in the Bytyqi case.

**European Union:** Serbia has opened E.U. accession chapters on the justice sector and fundamental rights, which now requires them to fulfill many obligations before these chapters will close. One such obligation is prosecuting high-level suspects and those with command responsibility, like the main suspect in the Bytyqi case.

**Systemic problems:** The Bytyqi case is just one example of a broken system. To date, Serbian authorities have not prosecuted a single high-level war crimes suspect. This is in part due to the Serbian government's failure to cure a political environment where high-level suspects are protected, arguably even poisoning the environment. For example:

- SNS parliamentarians accused the Serbian War Crimes Prosecutor of "espionage" for sharing information about the Bytyqi case with the U.S. Embassy in Belgrade.
- War Crimes Prosecutor Vuckevic claimed that he was being forced to resign for going after high-level war crimes suspects.
- Then Prime Minister Vucic, President Nikolic, and Foreign Minister Dacic's falsely accused the Humanitarian Law Center of trying to "bring down" the government and country for accusing the current Army Chief of Staff of war crimes.