

THE BYTYQI BROTHERS

Justice delayed. Justice denied.

The ICTY is closing, but its mandate is far from over. Through [Security Council resolutions](#), the United States has repeatedly supported its successor, the Mechanism for International Criminal Tribunals, in its mission to encourage national governments to investigate and prosecute suspected war criminals. Serbia harbors one such criminal, likely responsible for the murders of three American citizens.

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. Both [Serbian prosecutors](#) and the [Humanitarian Law Center](#) accused Goran “Guri” Radosavljevic of intimidating witnesses and interfering in the case. Radosavljevic was likely to have had command responsibility over the murders. Evidence also suggests that he directly relayed orders to execute the brothers from the most senior officials within the MUP.

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 Prime Minister Vucic and 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, including Senators Cardin, McConnell, and McCain, have [publicly called](#) for justice in the case. Many more have done so in private. In the 115th Congress, Rep. Lee Zeldin and other members of the House Foreign Affairs Committee have introduced [H. Con. Res. 20](#), a concurrent resolution regarding the case.

U.S. State Department: Numerous U.S. ambassadors and diplomats have [publicly decried the lack of action](#) in the case, including the ambassadors to Serbia and the OSCE. The State Department sees progress in the Bytyqi case as a significant factor holding back bilateral relations.

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.

GORAN “GURI” RADOSAVLJEVIC

Born: 1957 in Arandelovac, Serbia. **Profession:** Police/special forces; businessman; politician

Rank and position during Kosovo conflict: At the onset of the Kosovo conflict, Radosavljevic was Assistant Head of Special Operations Staff and member of the MUP Staff in Pristina. Later, he became Commander (overall head) of elite “counter-terrorism” units known as the Operational Pursuit Groups (“OPG”) within the Public Security Department of the MUP. At the end of the Kosovo conflict, Radosavljevic was the Commander of a police training center in Petrovo Selo and retained the rank of Lieutenant-Colonel within the MUP.

Crimes committed during the conflict: Radosavljevic admits to being in charge of the police/military [operation in Racak](#) on January 15, 1999, which would later be judged a war crime and crime against humanity by the ICTY. Additionally, OPG units he supervised are suspected of killing dozens of ethnic-Albanian civilians in [the Cuska massacre and are also implicated in the massacre of 176 prisoners outside of Istok](#). Some witnesses have asserted Radosavljevic’s direct involvement in these massacres.

Involvement in “[clean-up operations](#)”: During Radosavljevic’s command of the Petrovo Selo training center, senior MUP officials oversaw at least 75 bodies being dug up in Kosovo and transported in refrigerator trucks to Petrovo Selo for reburial and to hide evidence of prior civilian massacres. These cover-up operations have been deemed war crimes and crimes against humanity by the ICTY. The ICTY ruled that MUP officials were operating as part of a “joint-criminal enterprise” during these actions, which required planning and coordination between all relevant actors. Given his positions, it is hard to believe Radosavljevic’s claims that he had no role in the clean-up operations. Several witnesses have supported this view. Among them:

- Former police officer Radomir Djeric testified that he was present in Petrovo Selo with Radosavljevic when one of the trucks unloaded bodies in Petrovo Selo. Djeric recalls one conversation with Radosavljevic: “‘Guri, are you familiar with this?’ He said yes, all this is known to me... The boss knew everything.”
- Former General Radomir Markovic, now serving a 40-year sentence for a number of crimes, stated that police general Dragan Ilic: “told me that police colonel Goran Radosavljevic helped him significantly with his men, who helped him directly to implement this task.”

Bytyqi case: Radosavljevic remained the Commander of the Petrovo Selo facility when the Bytyqis were transported, detained, murdered, and buried there. The Bytyqis were buried atop the same mass grave where the 75 bodies had been previously buried during clean-up operations. Radosavljevic claims to have been on annual leave and absent from the facility during the Bytyqi crimes.

However, his claims are [contradicted by other evidence](#), including:

- Requisitions for the receipt of goods at Petrovo Selo signed by Radosavljevic during operative dates.
- Records indicating that his adolescent daughter visited Petrovo Selo during operative dates.

- Witnesses who have stated that Radosavljevic was not only present in Petrovo Selo, but actually received and passed on orders to execute the Bytyqis from Assistant Minister of the MUP and Chief of the Public Security Department, Vladimir Djordjevic. Djordjevic is serving 18 years in prison for war crimes and crimes against humanity committed during the Kosovo conflict.

Over the last several years, Serbian prosecutors have suspected that Radosavljevic has [actively interfered](#) in the Bytyqi case, both intimidating and instructing witnesses.

Positions after Kosovo conflict: Radosavljevic later became Chief of the PJP. In 2001, the PJP was renamed the Gendarmerie and Radosavljevic retained leadership over it, with the [rank of General](#). In this position, Radosavljevic was responsible for the outside security of the U.S. Embassy in Belgrade and began a [close relationship](#) with Ambassador William Montgomery. Radosavljevic is now retired from the MUP and operates a [security firm](#) in Belgrade, where he provides training and security around the world.

Political career: Since 2009, Radosavljevic has been a member of the ruling SNS party. He has been on the SNS' [Executive Board](#) and has been seen [publicly celebrating](#) party milestones with then Prime Minister Aleksandar Vucic and President Tomislav Nikolic.

Significant accomplishments after the Kosovo conflict: In October 2000, Radosavljevic, as PJP Commander, declined President Slobodan Milosevic's orders to deploy troops against protesters in Belgrade who were rallying against Milosevic's efforts to steal Yugoslavia's presidential election.

In the early 2000's, Radosavljevic reportedly [received a medal](#) from NATO for showing restraint against ethnic Albanians who had taken up arms against the government in southern Serbia.

In 2004, after fourteen months in hiding following the assassination of Prime Minister Zoran Dindic, Milorad Ulemek "Legija" [turned himself in](#) to Radosavljevic, now head of the Gendarmerie.

Consequences of involvement in war crimes: Around 2003, the U.S. military and NATO [considered approving Serbian troops](#) for missions in Afghanistan. Radosavljevic was to lead these troops, but was essentially blocked from direct involvement after record of his complicity in war crimes in Kosovo were raised.

After the 2004 election of Serbian President Boris Tadic, Radosavljevic was removed from his position in the Gendarmerie and made "adviser" in the MUP. Several months later, Radosavljevic resigned and left Serbia, living abroad and operating a security firm training foreign troops in Libya and other countries. Observers believe that his ouster and flight were partially caused by concerns over his involvement in war crimes in Kosovo, but [mostly due to his political affiliations](#).

Bottom line: Despite ample evidence of involvement in the murder of three U.S. citizens, other war crimes and crimes against humanity, and cover-up operations, Goran "Guri" Radosavljevic has never been seriously investigated or prosecuted. He remains politically protected by President Aleksandar Vucic and the Serbian government he controls.