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15 years after the murder of the Bytyqi brothers: responsible individuals still above the law

On July 9th, 2014 it will be 15 years since brothers Mehmet (21), Agron (23), and Ylli (25) Bytyqi were murdered by members of the Serbian Ministry of the Interior (MUP). The failure of institutions to punish this crime points to the fact that justice in Serbia is selective and that the individuals responsible for the execution of the Bytyqi brothers are above the law.

Members of the MUP arrested the Bytyqi brothers on June 26th, 1999 at the administrative border between Serbia and Kosovo while they were helping a Roma family cross the border to Serbia. They were taken to the District Court in Prokuplje where they were sentenced to imprisonment because of the illegal border crossing. After they served this sentence, on July 8th, 1999, the members of the MUP, Miloš Stojanović and Sreten Popović, arrested the Bytyqi brothers at the exit from the prison building. They took them by the duty vehicle to the Serbian MUP Special Police Unit's education centre in Petrovo Selo and locked them inside one small room. The following day unidentified members of the MUP took them to a place within the education centre where there had already been a mass grave site with remains of killed Albanian civilians transported from Kosovo. Police officers shot them in the back of the head beside the grave site that had been already dug up, while their hands were tied at their backs and they were blindfolded. Their bodies were found in spring 2001.

The Office of the War Crimes Prosecutor (OWCP) filed an indictment on August 23rd, 2006 against the former members of the 124th Riot police brigade of the Special Police Units, Sreten Popović and Miloš Stojanović, because of the war crime against prisoners of war. The District Court in Belgrade rendered a judgment on September 22nd, 2009 acquitting the accused due to the lack of evidence. Upon the appeal filed by the Prosecution, the Court of Appeals in Belgrade quashed the judgment on November 1st, 2010 and ordered a new trial before the court of the first instance. The Higher Court in Belgrade, in the repeated trial, rendered an acquittal again on May 9th, 2012, and on January 18th, 2013, the Court of Appeals in Belgrade confirmed the acquittal. The trial was marked by obstructions by the MUP and threats addressed to police officers who testified during the main hearing.

According to the evidence presented during the trial and publicly available information, the murder of Agron, Ylli and Mehmet was ordered by the then Minister of the Interior, Vljako



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Stojiljković. The order was relayed through the chain of command to the executors. The then Head of the Public Security Department, Vlastimir Đorđević, who was convicted before the ICTY, as well Goran Radosavljević Guri, the then commander of the Special Police Units and the education centre in Petrovo Selo and at the moment a businessman and a member of the Serbian Progressive Party Main Board, had been part of this chain of command.

The murder of Mehmet, Ylli and Agron has been subject to the investigation by the OWCP and MUP for ten years now. The continuity of the failure to clarify the case at hand points to the fact that in Serbia perpetrators of crimes in nineteen nineties are still stronger than institutions and the rule of law.