



Weekly Briefing

Slovakia Political briefing:

**The investigation of the murder of Ján Kuciak and Martina Kušnírová,
Marián Kočner's possible involvement and new information on some
political scandals**

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The investigation of the murder of Ján Kuciak and Martina Kušnírová, Marián Kočner's possible involvement and new information on some political scandals

During October, the police investigation revealed new information concerning the murder of the investigative journalist Ján Kuciak and his fiancée Martina Kušnírová, another investigative journalist looked into a regional issue involving the rule of a Smer-SD party member within a smaller town in east Slovakia, the public broadcaster RTVS angered the opposition, and the month-old scandal concerning the Parliamentary Chairman Andrej Danko's JUDr. Title still keeps angering, as well as amusing the whole country.

News concerning the ruling Smer-SD party

On Thursday, 25 October, Smer-SD MP and former Culture Minister Marek Maďarič, whose decision to resign from his former post in February was linked to the murder of the investigative journalist Ján Kuciak and his fiancée Martina Kušnírová, announced his decision to leave the ruling coalition and the party. One of the reasons behind this decision was that he did not want to be a part of a coalition in which a politician who supported the style of Viktor Orbán's politics of weakening democracy and turning away from the EU has the main word.

Maďarič was formerly considered the main ideologist in Smer-SD, as well as one of Fico's closest collaborators. However, during the past year, he has become one of the biggest critics in Smer who disagrees with Fico in many matters. Moreover, when the scandal with tax fraud suspect Ladislav Bašternák

came out, he said that if he were Robert Kaliňák, he would step down from the post.¹

In October, the spokesperson of the Special Prosecutor's Office Jana Tökölyová confirmed that Fico had already testified for the police after almost seven years in the highly publicized Gorilla case, which is a slightly surprising information since the former head of the Gorilla investigation team, Marek Gajdoš, complained in the past that the prosecutor of the case had ordered him to stop dealing with the case for some time when he wanted to talk to Fico. Gorilla is an alleged file of the Slovak Intelligence Service leaked on the Internet in 2011. It explores the talks between politicians and head of the Penta financial group Jaroslav Haščák on kickbacks and corruption during the second cabinet of (rightist SDKÚ) Prime Minister Mikuláš Dzurinda in the wiretapped safe flat on Vazovova Street in Bratislava. The only politician mentioned among the flat's visitors is Smer-SD party's Chairman Róbert Fico.

Fico has never directly answered whether he had been in the flat or not, and Penta has refused the authenticity of the file from the very beginning. Fico himself keeps repeating that the Gorilla case is a scandal of the second Dzurinda cabinet.² However, opinion of the public tends to differ, since Gorilla is often being viewed as Fico's first big scandal.

Another issue brought to light by the media in October concerning the ruling party Smer-SD is a current political situation in one of the smaller towns in East Slovakia, Humenné. Humenné is, according to Transparency International Slovakia, the least transparent town in Slovakia and the current political situation is, as quoted by some of the residents negatively affected by it, in worse state than during the communist regime. After RTVS, a state-owned nationwide public broadcasting organization canceled the last investigative reporting program available on television called Reportéri despite it being

¹ --, "Ex-culture minister Maďarič leaves Smer," *Spectator*, 23 October 2018, <<https://spectator.sme.sk/c/20946662/ex-culture-minister-madaric-leaves-smer.html>>.

² T. Kysel', S. Harkotová, "Z veštice jedna z najmocnejších žien na východe Slovenska," *Aktuality*, 29 October 2018, <<https://www.aktuality.sk/clanok/636059/z-vestice-jedna-z-najmocnejsich-zien-na-vychode-slovenska>>.

critically acclaimed, a former reporter of Reportéri Pavol Fejér decided to cooperate with an anti-corruption foundation Zastavme Korupciu and create a new investigative reporting program available online called Cez Čiaru. In one of the episodes, Fejér visits Humenné, a town, which, according to many of its residents, is being controlled by a Smer-SD party member, a former fortune-teller and currently one of the most powerful women in East Slovakia, town's mayor Jana Vaľová. According to the episode, her rule might not only be unfair, but also unlawful. Many residents who do not agree or stand with the mayor are said to be living in fear and bearing negative consequences.³

Fejér is not the only person covering this particular topic. In October, a young documentary filmmaker Edo Chicha published his newest film called Základná umelecká škola Petra Breinera, in which he is trying to show how the ruling party Smer-SD operates in spheres of regional politics.⁴

The investigation of the murder

Last month, seven months after the murder of Ján Kuciak and Martina Kušnírová, the police detained eight people suspected of the scandalous murder. It was revealed that a sum of €70,000 was given for the murder of Kuciak and the perpetrators involved received the money in €500 banknotes packed in napkins. Tomáš Sz. and Miroslav M. allegedly asked for more money after the case was highly publicized, and ultimately, they received it. It is also highly probable that the murder of Martina Kušnírová was not planned.⁵

Now, Zoltán Andruskó, one of those charged, testified that they also considered killing ex-MP and incumbent lawyer, Daniel Lipšic, who is currently the lawyer for the Kuciak family, and the Deputy General Prosecutor, Peter

³ --, "Ex-PM Fico testified in the Gorilla case," *Spectator*, 17 October 2018,

<<https://spectator.sme.sk/c/20940256/ex-pm-fico-testified-in-the-gorilla-case.html>>.

⁴ J. Debnár, "Dokument o praktikách primátorky Humenného je vonku," *Aktuality*, 22 October 2018, <<https://www.aktuality.sk/clanok/634779/dokument-o-praktikach-primatorcky-humenneho-je-vonku/>>.

⁵ --, "Court document: Those accused in Kuciak's murder wanted more money," *Spectator*, 9 October 2018, <<https://spectator.sme.sk/c/20933724/court-document-those-accused-in-kuciaks-murder-wanted-more-money.html>>.

Šufliarsky.⁶ Šufliarsky became more visible at the time he was dealing with the cases of the mafia boss Mikuláš Černák. He was present when the court sentenced Černák to life. He was also dealing with other, mostly serious mafia cases.⁷

The woman who allegedly ordered Kuciak's murder has also been mentioned in the murder of a mayoral candidate László Basternák in the Slovak town of Hurbanovo in 2010. In a fierce election fight, when his rival Roman Ostružlák promised to send him behind bars, Basternák was shot down in front of his house while his wife was present. His son ran out of the house and shot at the perpetrator. The man, Štefan Kaluz, was later found and was sentenced to 25 years in prison. During the investigation, two names surfaced: Alena Zs. And Zoltán A. However, they have never faced any criminal prosecution, despite knowing Ostružlák and supporting him in his smear campaign.⁸

Marián Kočner

Several sources close to the investigation of the murder of Ján Kuciak and Martina Kušnírová have confirmed for the Denník N that Zoltán A., one of the four people charged in the case of the murder, has testified that the murder was ordered by businessman Marián Kočner. Kočner, who has been in pre-trial custody since June on suspicion of fraud, had been known for threatening various journalists, including Kuciak. In a press release, the Reporters Without Borders (RSF) have called on the Slovak authorities “to step up their investigation into businessman Marián Kočner’s repeated harassment of journalists and his possible role in the murder of the young investigative reporter”.

⁶ --, “Accused in Kuciak case says Lipšic may also have been a target,” *Spectator*, 29 October 2018, <<https://spectator.sme.sk/c/20948829/accused-in-kuciak-case-says-ex-politician-and-lawyer-daniel-lipsic-may-also-have-been-a-target.html>>.

⁷ --, “The accused in the Kuciak case allegedly planned to kill a prosecutor,” *Spectator*, 4 October 2018, <<https://spectator.sme.sk/c/20929914/the-accused-in-the-kuciak-case-allegedly-planned-to-kill-a-prosecutor.html>>.

⁸ --, “Older murder of ex-mayor linked to Kuciak case,” *Spectator*, 10 October 2018, <<https://spectator.sme.sk/c/20934847/older-murder-of-ex-mayor-linked-to-kuciak-case.html>>.

Kuciak had explored some of Kočner's activities and after getting in touch with him, he was directly threatened with reprisals if he published his information. "All possible light must be shed on Marián Kočner's activities, including his harassment of Slovak media outlets and his potential involvement in Ján Kuciak's murder," said Pauline Adès-Mevel, the head of RSF's EU-Balkans desk.

Kočner's methods included smear campaigns and Kuciak became one of his targets after he named the businessman repeatedly in his articles. When Kuciak contacted Kočner in September 2017 about the sale of an apartment in the building where former Prime Minister Fico lived, Kočner said: "Mr. Kuciak, I am going to take an interest in your family, your mother, your father, your brothers and sisters, and I will publish absolutely everything I find out about you."⁹

According to RSF, Kočner's threats and attacks on Slovak journalists intensified whenever they pressed ahead with their reporting on his activities.¹⁰

RTVS scandal

Another uproar was caused by a document authored by Petra Stano Maťašovská outlining the new internal rules for the short news reports of the radio department of the public-service RTVS. The rules created on 10 October included instructions ordering reporters not to cite other media sources and to limit the information they broadcast about the opposition and protests. When preparing stories, reporters should use only the news-wires TASR, SITA and ČTK, as well as original stories prepared by RTVS reporters, and not take any information from other media sources and their websites. They should also avoid notifications and invitations for events, such as the protests and gatherings,

⁹ RSF stresses they have the knowledge thanks to Kuciak recording the call and using the recording to file a criminal complaint against Kočner. However, according to the organization, the police did not investigate it, which was later confirmed by the police by acknowledging that they did not question Kočner about this threat.

¹⁰ --,"RSF call on Slovak authorities to investigate harassment in Kuciak murder case," *Spectator*, 29 October 2018, <<https://spectator.sme.sk/c/20948858/rsf-call-on-slovak-authorities-to-investigate-harassment-in-kuciak-murder-case.html>>.

and should not give information about draft laws and amendments prepared by opposition MPs before they advance to the second reading or without a response from the coalition or the respective ministry. According to the document, parliamentary practice shows that nearly none of these drafts are passed in the first reading, so their relevance is quite low.

It was mainly this particular instruction, which caused outrage among the opposition, which called for the author's dismissal. According to Veronika Remišová, MP for the Ordinary People and Independent Personalities (OĽaNO), the opposition deputies were outraged by the new rules, calling it normalization of the public-service broadcaster, the propaganda of ruling parties and an effort to exclude the opposition from news coverage, which is being paid by everyone from their taxes.

Erika Rusnáková, the spokesperson of RTVS stated that RTVS disagreed with the interpretation of the published material, which had been taken out of context and did not correspond with the reality of the preparation. Rusnáková explained that the controversial document concerned only short news coverage that had a specific character and its broadcasting time was shorter, so it did not allow the reporters to inform about certain events in detail. However, she also admitted that some parts of the document were not phrased appropriately, which created space for their misinterpretation.¹¹

The investigation of the abduction of Vietnamese businessman

Two police officers, who testified in the case of the abduction of the Vietnamese businessman Trin Xuan Thanh, confirmed that they saw the man being dragged onto the Slovak governmental airplane. Their testimonies, which to a large extent confirm the version of the story as reported by the Denník N

¹¹ --, "RTVS short news not to cite other media and inform about opposition proposals," *Spectator*, 12 October 2018, <<https://spectator.sme.sk/c/20935772/rivs-short-news-broadcasts-not-to-use-other-media-and-inform-about-opposition-proposals.html>>.

and Frankfurter Allgemeine Zeitung, mean a breaking point in the investigation of the case.

Denník N in its earlier reports cited several police officers as saying that the whole action was approved by then Interior Minister Robert Kaliňák. However, the investigation has not confirmed this information so far.¹²

Andrej Danko and his JUDr. title

In September, Parliamentary Chairman Andrej Danko's academic title caused a scandal after Denník N decided to look at the academic degrees of Slovak politicians. According to Denník N's discoveries, Danko did not acquire his JUDr. title at the Comenius University in Bratislava, the only university he mentions in his official curriculum vitae, but the Matej Bel University in Banská Bystrica, which only several days later adopted a measure ensuring that only authorized persons have access to Andrej Danko's rigorous thesis.

Danko's decision not to disclose his thesis caused uproar not only among the lay public, but also some university teachers. On 5 October, the Faculty of Natural Sciences of the Comenius University stated that Danko's behavior worsened the image of university education, and on 13 October, Matej Bel University's Rector Vladimír Hiadlovský signed an official appeal to Andrej Danko to make his thesis accessible again. According to Hiadlovský, when the university received an official letter from Danko with his request to make his thesis accessible only for authorized persons, the university was obliged to meet his request based on the copyright law. The students and employees of the Matej Bel University even organized a protest in Banská Bystrica, bringing their own theses, calling on Danko to show his own.

The opposition also reacted to this scandal, when the MP of opposition party Freedom and Solidarity (SaS) Lucia Ďuriš Nicholsonová filed a criminal complaint against Danko. Nicholsonová also pointed out that it was not

¹² --, "Two police officers testify about abduction of Vietnamese businessman," *Spectator*, 1 October 2018, <<https://spectator.sme.sk/c/20927252/two-police-officers-testify-about-abduction-of-vietnamese-businessman.html>>.

possible to agree on concealing the theses back in the year when Danko submitted his thesis.

In October, the scandal was fueled by the discovery of a missing doctoral dissertation with the same title and same number of pages in Comenius University's archive. This work was defended only one year before Danko defended his own at the Matej University. The last time someone borrowed the missing thesis from the Comenius University was in 2011. Now, the university is trying to find it.

Danko's argument remains the same, as he believes that the Denník N is only trying to discredit him because of his potential presidential bid. He also stressed that he was not hiding his work, only restricting access to it.¹³

¹³ N. Francelová, "Why is an 18-year-old doctoral dissertation causing an uproar among the public?," *Spectator*, 25 October 2018, <<https://spectator.sme.sk/c/20945168/why-is-an-18-year-old-doctoral-dissertation-causing-an-uproar-among-the-public.html>>.