



Tomáš Madleňák

# STORIES FROM THE CAPTURED STATE

The corruption that led to the murder  
of an investigative journalist in Slovakia

Tomáš Madleňák

**STORIES FROM  
THE CAPTURED  
STATE**

›aktuality.sk



Investigatívne  
centrum  
Jána Kuciaka





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This book is based on information and documents secured by law enforcement authorities in the case of the murder of Ján Kuciak and Martina Kušnírová, which we have at our disposal through Kočner's Library. We also conducted proper journalistic research on the events described and verified the information provided with publicly available sources. Information presented as being from documents is presented as it was when it originally became available to journalists. Events mentioned in this book (including descriptions of criminal proceedings and investigations of suspected criminal activity) correspond to information available as of the date of publication of the sources from which we drew.

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Translation: Tomáš Madleňák

Editor of the English edition: Emily Tamkin

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## PROLOGUE

**DATE:** July 16 2021

**PLACE:** Hunting lodge Čifáre, Western Slovakia

**PARTICIPANTS:**

**Pavol Gašpar**, lawyer, son of former police president Tibor Gašpar (since August 2024, director of the Slovak Information Service, the main secret service of Slovakia)

**Robert Fico** then-opposition politician (since October 2023, in his fourth term as prime minister of Slovakia)

**Miroslav Bödör** father of Norbert Bödör, considered one of the most powerful oligarchs in Slovakia

“Kočner was terribly upset, so much so that Málík [former police vice-president Jaroslav Málík] had to go to him to calm him down, because... I don't know if it was in the newspaper or where it was, but young Kaliňák now has this video...” Pavol Gašpar said.

“In it, he compared Makó to Kočner,” Gašpar said, explaining what was on the video published by Erik Kaliňák, a young politician of the Smer (Direction) party and nephew of Robert Kaliňák, a senior Smer figure. Apparently “Young Kaliňák” compared Marian Kočner, a sentenced fraudster who was quite successful and powerful during the era of previous Smer governments, to Ludovít Makó, a former high-ranking official of the Financial Administration of the Slovak Republic from the same era. Makó was later charged with corruption and as part of an organized criminal group. However, he then started cooperating with investigators and helped authorities charge many other people who had been strong, powerful, and in important positions throughout the state in that same earlier era of Smer governments of 2006-2010, and especially 2012-2020. This made him, and others who took a similar approach, hated by those who were still loyal to Robert Fico and had refused to cooperate with investigators despite their own legal challenges. This latter group included Marian Kočner, who apparently took it quite

personally when “Young Kaliňák” compared him to Makó, since Kočner never cooperated.

“He was somehow very insulted by that. So much so that he almost went on to say that he was going to cooperate,” Gašpar told Fico.

“He told him that, f\*cking hell, he did not fink on anybody. He’s not talking. He is keeping his mouth shut,” Bödör continued, elaborating on why Kočner was so angry about the comparison.

“Okay, we’ll sort it out right away, we’ll get our friends on the phone,” Fico replied<sup>1</sup>.

Marian Kočner was already in prison at the time, sentenced to 19 years for forging financial documents (the case of promissory notes of TV Markíza, a major private TV station in Slovakia). He was also (and, at time of writing, still is) facing charges for the murder of investigative journalist Ján Kuciak and Martina Kušnírová, his fiancée. Why were the powerful participants of the secret meeting at the hunting lodge, secretly tapped by the Slovak police, so afraid he would start talking? The answer to this was partly revealed by Kočner’s Library.

Do not imagine volumes of books. Kočner’s Library was different. It contained files, photographs, audio and video recordings. Compromising materials suitable for blackmail and influence-building. But Kočner’s Library did not reveal its secrets voluntarily. They only came to light after Ján and Martina were murdered. The work of courageous journalists flushed out the pus from the festering wound left in Slovak society after the heinous murder. The act of removing pus is disgusting, yet it can be the first step towards healing. But this healing will not happen if we forget the legacy of Kočner’s Library and what it has shown us not only about Slovakia, but how vulnerable democratic society really is. How it can be easily taken, captured from within. How people can live in it, not realizing how bad things have gotten, until something terrible happens. We owe it to Ján and Martina not to forget and to learn from their tragic murders.

That is why this book was written.



# THE BIRTH OF THE LIBRARY

Please be available  
Prime Minister's Secretariat



On Monday, February 26, 2018, I woke up in my parents' house in Orava. Eyes half-open, I walked downstairs, brewed a cup of coffee, and sat down at the large dining room table. I opened my laptop. I had planned to work from home that day. At the time, I hadn't even thought about journalism. I was working at the Slovak Foreign Policy Association. Since I'd gotten up late, it was time to at least open and check my email. Out of habit, however, I opened Facebook first. Immediately, my friends' new profile pictures—black squares—started popping up on my timeline, and the name Ján Kuciak was mentioned, over and over again, in their statuses. I quickly clicked through several news websites. They all reported the same thing: A journalist had been murdered in Slovakia. As if in a haze, I walked from the kitchen to the living room, where my father was sipping coffee. When he saw me, he became alarmed.

“What happened?”

“They murdered a journalist.”

“Where?” He asked. Despite the fact that, unlike me, he lived through communism and was a fully conscious adult in the wild 90s, the period after the fall of communism marked by widespread crime and chaos, the threat of which I hadn't perceived as a child, he wasn't at all prepared that such a thing could happen anywhere nearby. As he told me later, he expected me to say Mexico or some African country.

“Here.”

“What do you mean here?”

“Well, here. In Slovakia.”

It had happened five days earlier, but it took four days before the family alarmed the police, concerned that the young couple did not return their calls. The police found the bodies on Sunday, and the public was informed on Monday. And it took even longer before we learned what exactly happened in Veľká Mača on February 21 2018.

At 16:40, former soldier Miroslav Marček met his cousin, ex-policeman Tomáš Szabó, and together they got into an old Citroën

Berlingo. On the way, they switched off their mobile phones and turned on their work phones instead. They were simple Nokia and Alcatel push-button *burner phones*, meaning that the SIM cards were not linked to their names. Such phones are used just once, after which they have to be thrown away. You may have seen this in films, especially movies featuring criminals and crime stories, and they're used the same way in reality. In really sensitive situations, we journalists also use them to protect the identity of our sources or to protect ourselves from eavesdropping and surveillance by the secret service. Especially in countries where there are no democratic governments and no rules, disposable phones have helped journalists in more than one situation. Marček and Szabó, however, had darker motives.

At 18:28, Szabó stopped the car near a football field in Veľká Mača. Marček got out and continued on foot. He walked past the field, the local pub, through the streets to house number 558. He knew the address, but also the face of his victim, thanks to surveillance carried out by another team months before. He himself had previously scouted the house, rehearsed the route from the playground. This time, however, he was carrying a pistol. He had carefully removed some gunpowder from the bullets earlier and put them back together again. Adjusted like this, they would fire the projectile at subsonic speeds, reducing the noise of the shot. There was also a silencer, made illegally by Marček's and Szabó's acquaintance, on the pistol.

Veľká Mača is a small village in southern Slovakia. Most of the inhabitants are of Hungarian nationality, but there are also newer inhabitants who move there for the relatively low cost of living compared to the capital, Bratislava, which is still quite accessible — about 40 minutes away — by car. To the south of the houses of Veľká Mača there is a small forest, or grove, with a football field next to it. The way from the field to house number 558 is short, and Marček was in the yard of the house in three minutes. However, no one was home, so he hid in an older summer kitchen, in the yard. It was a small brick shed with a corrugated tin roof that stood in the yard a few metres from the house. It, too, was old; the journalist Ján Kuciak and his fiancée, the archaeologist Martina Kušnírová, had been gradually renovating it with the help of their family. As their parents later recalled, they planned to turn it into a new home and fill it with animals — Martina,

in particular, planned to have at least a dog and a cat, and Ján was not against it, though unlike Martina, he wanted them in the yard. According to what their parents later recalled, they'd talked about later adding children to the mix, too.

The end of the reconstruction was not yet in sight at the time when Marček hid in the summer kitchen, but Ján and Martina were already living in the house. They returned from work some time after eight in the evening. They sat down in the kitchen, made coffee and tea. Martina opened her laptop and started browsing wedding dresses. At 8:21 p.m. Miroslav Marček entered the house. The order with which the court took him into jail six months later describes what happened next:

“In the kitchen of the family house he shot one shot to the head of the victim Martina Kušnírová, with the entry point on the root of the nose, who died as a result of the injury, and the immediate cause of her death was the failure of the control and regulatory activity of the central nervous system — the brain, as a result of the devastating injury to the brain stem and cerebellum in the gunshot wound to the head in the nature of a penetrating wound, and he also fired two 9 mm Luger calibre bullets into the body of the victim Ján Kuciak in the area of the left side of the chest. With that he killed him, the immediate cause of death of Ján Kuciak being the haemorrhagic shock of a gunshot wound to the thoracic cavity with a bullet wound to the chest and a perforation of the heart.”

According to the same court decision, Szabó, Marček and the middleman, Zoltán Andruskó, received 50,000 euros for carrying out this act. Andruskó kept 10,000. The murderer Marček and the driver Szabó each received 20,000. Much later, as I sat in Kočner's Library and read these and other court and police records mentioning financial rewards, I could not suppress my disgust at the knowledge of how cheap human life is in Slovakia. Of course, no amount could justify murder. But 20,000? Marček killed two 27-year-olds for less than the price of a new Škoda Octavia.

Ján Kuciak and Martina Kušnírová died because of the fight for the truth. Their lives were taken from them, but their deaths would reveal what kind of country we were really living in. This revelation has shaken everyone in Slovakia. For people of my generation – Ján Kuciak was only a few months older than me – it felt like one of us had been killed. This



Source: Kočner's Library/OCCRP

Miroslav Marček and Tomáš Szabó on a reconnaissance of Vel'ká Mača.



Source: Kočner's Library/OCCRP

CCTV footage of Miroslav Marček on the day Ján and Martina were murdered.



Photo: Branislav Wáclav/Aktuality.sk

Miroslav Marček



Photo: Branislav Wáclav/Aktuality.sk

Tomáš Szabó

was the case regardless of whether we knew Ján or Martina personally. We saw journalists as the last line of defense in the fight for the truth. In a system where the institutions of the state did not investigate, prosecute, or condemn blatant corruption, and where senior Smer officials explained this by saying that there was nothing to prosecute because corruption did not exist at the highest levels<sup>2</sup>, journalists were among the few who still fought for any justice at all. And now one of them had been murdered because of it. I knew that not only Slovakia but my own life would not remain the same. It took me a while to gather the courage and turn my decision into action, but eventually I started looking for a new job. I decided I wanted to work in media.

“You know what, I don’t know if I can do it. But honestly, I’m at the point now where I would even go and just brew coffee for the real journalists, to be useful somehow,” I told my friend and former university classmate Michal in the fall of 2019. We were sitting in a café on Panská Street in Bratislava. At the time, Michal was doing social media for the weekly *.týždeň*, which literally translates to “.week.”

“I’ll ask, I think they’d find you something more than making coffee, they’re looking for someone now,” he replied. In November 2019, I joined *.týždeň* as a domestic politics editor. Soon, instead of brewing coffee, I was working on Kočner’s Library.

## PLEASE BE AVAILABLE

Despite the fact that they were from different editorial offices and different countries, Czech investigative journalist Pavla Holcová worked intensively with Ján Kuciak. Ján worked at the online daily *Aktuality*; Pavla is the founder of, and still runs, the Czech Center for Investigative Journalism – *Investigace.cz*. Small non-profit centers, such as *Investigace.cz* and the Investigative Center of Ján Kuciak, focusing on investigative journalism, are not uncommon. Compared to traditional newsrooms, they have advantages and disadvantages — chief among the disadvantages being a more limited reach and smaller readership. The advantage is that they do not compete with traditional media for revenue: advertisers aren’t interested, and, for many investigative outlets, putting content behind a paywall would

be contrary to their mission. They mostly operate on small voluntary donations from readers and grants, like other NGOs. Therefore, traditional newsrooms don't consider them competition and are often more willing to work with them. This culture of cooperation also extends internationally, and thus these centers are linked across borders. This is also the case for the Czech center, which is connected to several international organizations. Thanks to its membership in the International Consortium of Investigative Journalists (ICIJ), in 2016, Pavla gained access to the momentous Panama Papers leak: a cache of documents from companies based in Panama that showed how these firms were being used to hide the assets of the rich and powerful<sup>3</sup>. Pavla brought in several journalists from both the Czech Republic and Slovakia to work together to expose the scandals hidden in the documents. One of the journalists from Slovakia was Ján Kuciak, a young investigative reporter from Aktuality.

Pavla and Ján worked together for two years. Together they uncovered a mysterious shell company belonging to Slovak oligarch Miroslav Výboh. The company, hidden in the Seychelles, was also behind the ownership of some of the shares of the Bratislava DoubleTree by Hilton hotel<sup>4</sup>. Výboh is an oligarch and a friend of Robert Fico and was, at one point, considered a grey eminence behind Smer. In 2021 he was indicted for corruption<sup>5</sup>, but a change in the penal code in 2024 meant the statute of limitations of the case had expired. In the meantime, the oligarch settled in Dubai<sup>6</sup>.

Later, Pavla and Ján worked together on the topic of the Italian mafia in eastern Slovakia, uncovering a tragicomic love polygon that led all the way up to Prime Minister Fico. However, this article was not published until after Ján's death.

A year and a half after Ján and Martina were shot by a hired killer, Pavla was getting off a tram at the Charles Square stop in the center of Prague. A text message beeped on her cell phone: "Please be available." Nothing more, just this one sentence from an unknown number — from Slovakia. She turned on the ringer so she wouldn't miss the call, whatever it might be, and went to work. It was October 2019, and the trial of the people accused of Ján and Martina's murders was due to start in a few weeks. After massive protests drove Robert Fico

from the prime minister's chair, Robert Kaliňák from the post of interior minister, and Tibor Gašpar from his position as police chief, investigators moved with shocking speed. Although the Italian lead was initially considered by many to be the most likely, as Ján Kuciak's last article was about the 'Ndrangheta, the investigation led in a completely different direction.

Police and prosecutors identified Miroslav Marček, assisted by his cousin Tomáš Szabó, as the perpetrator of the murder. The order was believed to be received from their acquaintance, Zoltán Andruskó. He, in turn, was thought to have received instructions from Alena Zsuzsová, also from Komárno. These names were completely unknown to the public. On the face of it, there was nothing linking them to the murdered journalist and his fiancée. However, as the investigation showed, Alena Zsuzsová was a secret collaborator of one of the most controversial and influential men in the country: Marian Kočner. Ján Kuciak often wrote about him and his scams, and did it so well that it drove Kočner into a frenzy. So much so that Kočner called Ján on September 5, 2017 and started threatening him<sup>7</sup>:

**KOČNER:**No, no, Mr. Kuciak. You are being very biased, you are one bad person who is being tasked by somebody, and believe me, I will find out who is tasking you.

**KUCIAK:** You're not right.

**KOČNER:** I am, I am, I am. Just like you're not right about anything, you know, I think I am. But you can be sure that I'm going to start paying special attention to you personally, Mr. Kuciak.

**KUCIAK:** Is that a threat?

**KOČNER:** Why? I'm telling you calmly. I'm going to start paying special attention to you and your person, your mother, your father and your siblings.

**KUCIAK:** Do you know who involves the family in such disputes?

**KOČNER:** Oh, go f\*ck yourself with your opinions, please! You're dragging my family into this stuff too and you don't even know it, and I'll tell you one thing.

**KUCIAK:** I'm not doing this on purpose.

**KOČNER:** As soon as I find some dirt, some misdemeanours of yours, of your whole family, once again, some dirt, misdemeanours, crimes of yours and your family, everybody has something, rest assured that I will also publish it as you did, but also with evidence, not without evidence, just with evidence, so I will look for it, Mr Kuciak. You will be the first to be published on my website, I will dedicate a special place to you as the first journalist. If you are decent and honest, you will not be there, but I do not think so.

**KUCIAK:** I hope I won't be there.

**KOČNER:** Goodbye. Believe that you will be.

As the investigation proved, Marian Kočner was indeed trying to find dirt on the young journalist. At least, that is how he explained why he sent a squad of spies to track him, led by Peter Tóth — a former journalist turned member of the Slovak secret service SIS who then became Kočner's man for illegal surveillance. The second possible explanation for the surveillance was that it had already been set up to document Kuciak's movements, daily habits, routines and other details. What we now know for sure is that this later served the killers.

When Pavla Holcová arrived at work, she left her mobile phone with a ringer on, which is not typical for her. Otherwise, however, she did not think about the strange text message. For two hours she was not thinking about Kočner, his spies, hired killers, or about the Slovak politicians and businessmen ensnared in his networks. Then her phone rang and changed everything.

Drew Sullivan sat at his old-fashioned wooden desk in a large office in Sarajevo. Drew is a friendly and good-natured middle-aged man with graying hair and a goatee. His style and demeanor resemble a professor at an American university, but he leads a slightly more dangerous life. Drew is the co-founder and one of the leaders of an international organization that has put the fight against corruption and organized crime right in its name: the Organized Crime and Corruption Reporting Project — OCCRP. It networks, unites and assists investigative journalists from all over the world. In 2019, he was doing just that from Sarajevo. The building that served as the

headquarters of the international organization, which regularly raises politicians' and mobsters' blood pressure, previously belonged to a railway company. In the office where a Yugoslav comrade director once worked, the phone rang. Looking at the name on the phone's display, Drew remembered the same person calling him a year and a half ago. The day the police found the bodies of Ján Kuciak and Martina Kušnírová, it was Pavla Holcová who called to tell him. Unfortunately, this was not the first time he had received news that a journalist who had cooperated with the OCCRP had been murdered.

"Don't worry, we're going to report this. We're going to get this. People don't get away with killing a journalist!" he told her on the phone at the time. And though he believed it at the time, he had endured rather disappointing experiences over the following long months. He sent experts to Slovakia, experts who had previously managed to secure evidence in the murder of Ukrainian journalist Pavel Sheremet. Here, however, they were unsuccessful. The police, including high-ranking officials, first promised them access to some of the evidence. They considered the most important to be the video footage from security cameras in and around Veľká Mača from the day of the murder. Video footage had proven crucial in the investigation into Sheremet's murder. But the Slovak police later backtracked. They indirectly suggested to the OCCRP people that they had been told off by someone "from above."

"I got my hands on this great stuff!" Pavla Holcová said this time on the phone, obviously in a much better mood. She began to explain to Drew that she could get a complete copy of the investigation file into the murder of Ján and Martina, but that it was up to 70 terabytes of data. Seventy million megabytes of data, that is.

"But they told me I had to somehow figure out how to get a copy from them myself. So I need you to free up the IT guys to help me with that, to work it out somehow," Pavla finished.

"Okay, but listen, do you think there's that video?" Drew asked, his mind still on the security cameras from the village where Ján and Martina lived and died.

"Drew, you don't understand. There's everything."

Investigators at the crime scene in Veľká Mača took photographs of each room. Many months later, they were in the so-called Kočner's Library

in a folder labeled, *Sensitive, do not open!* Today I know that I was far from the only journalist who clicked on the folder precisely because of this name. The photographs showed the bodies of the two young people. I won't deny those pictures shook me, but I was also very distressed by the images from other rooms of the house. The ones where there was no blood, but it was clear from every detail that some had indeed lived there. And the detail that was not in the photos, but in my mind: the knowledge that they were no longer alive. Photos of individual rooms that seemed like they became frozen in time the second the suppressed shots of the killer rang out. A photograph of a sweatshirt that someone had merely thrown on the bed because he was in a hurry in the morning, thinking he would fold it in the evening, as he always did. Books on the nightstand next to the bed, bookmarks in them, so they could continue reading where they left it yesterday. They never finished them. There were two books on the nightstand. A slim one by the American historian Timothy Snyder, written when Donald Trump first came to power: *On Tyranny: Twenty Lessons from the Twentieth Century*. The other was the first novel by Arpád Soltész, a Slovak journalist from Košice: *Meat*.

At the end of 2019, a few days after an unknown source approached Pavla Holcová, Arpád was sitting at a big table somewhere in Slovakia. Next to him, Fridrich, a technician from OCCRP, was tapping something into his laptop. Seven microcomputers — gizmos that resembled a piece of technology ripped from inside a real computer rather than a separate piece of functional technology — were sitting on the table. Cables connected each of them to one of the seven 10-terabyte disks on which they copied data.

A few days prior, Pavla had come to see Arpád in Bratislava in person. Along with another investigative journalist, Zuzana Petková, Pavla and Arpád had recently founded an NGO that was to become the Slovak version of the Czech Center for Investigative Journalism. They called it the Investigative Center of Ján Kuciak (ICJK). They sat down in an office in the center of Bratislava, which ICJK rented for a good price. The old roof had been leaking and the water had damaged some of the equipment owned by people trying to start a business in the music industry in the neighboring office. The exposed brick walls with no plaster may have added a hipster-esque vibe, but the

safety experts at OCCRP weren't exactly happy about them: "Now, I've searched this place and you don't have any bugs here today, but you've got so many holes in these walls they might be here tomorrow." But, for the time being, it just had to suffice.

"So, what are we going to do about it?" Pavla asked after explaining to Arpád what kind of sensitive data the source had given her. It was the whole investigation file for the case of Ján and Martina's murder. Not just the papers and documents, but all of it, including all the attachments. That meant videos and photos from the house searches; all the interrogations; and also, quite literally, copies of everything that the police seized during those house searches in the houses of people who were, until recently, untouchable. All the UBS sticks, all the external drives. All the hard drives from their computers, laptops, tablets. All the contents of all the seized phones. It was monumental, but also intimidating. At least intimidatingly large. Seventy terabytes.

And so now Arpád stared thoughtfully at the microcomputers as they diligently buzzed and copied. The answer to Pavla's question was actually simple. It just wasn't easy to carry out. The source had given the data to Pavla for two reasons. The first was that, at the end of 2019, Slovakia was still ruled by Smer, though the prime minister was no longer Robert Fico, but Peter Pellegrini. However, parliamentary elections were approaching. The fear that Robert Fico might win them again was real. Equally real was the fear that all this data could then be "lost" from the archives of law enforcement agencies. It was necessary to get a copy and get it out of Slovakia. That was why Arpád and Fridrich were sitting here now. That's why a car was waiting outside the door, and it's why, as soon as the machines stopped whirring, Fridrich was to jump in that car and drive towards the nearest border crossing.

The second reason was that Pavla Holcová knew Ján Kuciak — and the source knew it.

"The moment I found out what it was they wanted to give me and why, I realized it was very controversial. Because one of the ground rules is what journalists have in common with surgeons. You know, just as a surgeon doesn't operate on a loved one, and someone else has to do it, so we journalists are not supposed to investigate the murder

of a loved one or a colleague. And also, I don't even really know all the details from Slovakia, so how could I ever realistically mine that data?" Pavla asked. Again, the answer was simple and much easier than its implementation: the data would not be processed by Pavla and Arpád, but offered to an entire team of journalists. They would choose one or two journalists from all of Slovak media — those not owned by oligarchs or servile to politicians — and allow them to dig through the data and write what they found.

A few weeks passed and Arpád was sitting at a table again. This one was grey. As was the whole modern meeting room in the building called Binarium on Staré grunty street in Bratislava. A nice office. Ideal from a security point of view, too. For starters, there were no holes in the walls into which a listening device could be easily fitted and disguised from the outside. In addition, the building had its own reception desk, doors, and elevators none of which worked without an access chip. Zuzana Petková was already the head of the Let's Stop Corruption Foundation, which had its offices on the same floor as the meeting room they were sitting in. She was also one of the three founders of the Investigative Center of Ján Kuciak. She had had the idea a long time ago, back when she was still working as an investigative journalist at the weekly Trend. She even talked to Ján Kuciak about it. It was he who often said that it was a pity that there was nothing like Pavla Holcová's Czech Center for Investigative Journalism in Slovakia. But while Ján was alive, they never got around to it. They did it only after the murder and in his name.

"So it was physically transported to Prague," Arpád explained to her, "and the Czechs made it so that when it was ready for transfer, it was connected in the Czech Republic to the Internet backbone<sup>8</sup> and sent on through that. Still, copying all of it was an infinitely slow process. It was something like 70 terabytes. But I think Jozef Šlerka arranged the access. They have space somewhere in Žižkov, we would never physically get there, but they allowed him to go there and connect it and send it directly through the Czech backbone network. Which is much faster, but it still took time," Arpád said, explaining how the data made it to the OCCRP servers, where a team of data technicians took over.