



## **Weekly Briefing**

### **Slovakia political briefing:**

#### **Threema messages – another affairs of the Slovak coalition**

**government**

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## **Threema messages – another affairs of the Slovak coalition government**

*By the time the summer break ends, the ruling parties will no longer be bound by their coalition agreement and, despite the fact that the official election campaign is supposed to start only a couple of weeks before next year's election, campaigning will start at full volume.*

*The 2020 parliamentary election will most likely take place around the end of February, coinciding with the second anniversary of the Kuciak and Kušnírová murders. Given that this will be the first general election since that awful event changed Slovakia, we can expect an unprecedented campaign. This summer we have learned some things that suggest anyone following Slovak current affairs will need a strong stomach over the next six months. The most frequently heard name in this campaign will not belong to a politician. Decades of "hard work" have elevated Marian Kočner to a main element in the campaign, but as object rather than subject. The leaked decoded messages that he exchanged with Alena Zsuzsová, his hardworking associate who, according to the police, was behind the planning of several murders, including that of Ján Kuciak, suggest he was preparing to enter the political arena rather than just pull strings from offstage. But as things stand six months before the election, Kočner will most likely vote from prison.*

### **Who is Marian Kočner?**

Marian Kočner, the man who stands accused of ordering the murder of Ján Kuciak and who will stand in front of the court in September in another case that might send him to prison for 20 years, worried about the future of Smer after the murder. This stems from a police report about the Threema communication from his smartphone what was published by Denník N at the beginning of August. The police have decoded the messages Kočner sent through the Threema application in May of this year, with the help of partners from Europol. Prosecutors used the messages that Kočner exchanged with Štefan Agh and Norbert Bödör during the trial in the promissory notes case, in which Kočner is one of the defendants.

The Threema messages were obtained from Kočner's phone, which was in the car that his former friend Peter Tóth submitted to the police. Tóth is a witness in the case of the murder of Ján Kuciak and Martina Kušnírová. Kočner is charged with ordering the murder of Kuciak.

Tóth admitted to having conducted surveillance of several journalists, including Kuciak, upon order of Kočner.

Now it is clear that Norbert Bődör repeatedly secured screenings in police records for Marian Kočner. The police reported about the communication between the two men and the police inspectorate is dealing with the screening allegations, and suspects former police corps president Tibor Gašpar of providing the information from the screenings. The two men also messaged about the published media reports on the murder, and about the situation at the police, in the Slovak Information Service (SIS) and about manipulating criminal prosecution through police officers and through prosecutors. The police report from the communication between Kočner and Bődör suggests they acted to the benefit of the ruling Smer-SD. The communication suggested he was always ready to help Robert Fico, was loyal to him, sacrificed himself for Smer-SD, proposed and took steps for Smer-SD to stay in power. He even used his own money to influence the public's opinion through media, attempted to influence various political posts, which should have also been done using information that he managed to get hold of even before they were reported by the media.

The reactions of Smer-SD leaders came very soon. Robert Fico, chairman of Smer-SD and former PM considers the publishing of the communication to be a weak attempt to cover up information regarding the drug experiences of the chairman of the non-parliamentary Progressive Slovakia party, Michal Truban. He said he had to label this attempt of oligarchs, power-hungry men and the ill-favoured newsroom of the Denník N daily as very weak attempt to cover up what Mr Truban had wrought. Robert Kaliňák, vice chairman of Smer-SD and former interior minister denied the links between Smer-SD and Kočner. He argued that nobody knew who he sent the messages to and the fact remained that neither him, nor anyone else from Smer-SD had links here.

However, the facts say something else. Marian Kočner used to phone former interior minister Robert Kalinak and meet with former Prime Minister Robert Fico, according to the messages found on his mobile phone. The Denník N daily published some of the messages that Kočner was sending through the Threema app and that the police have decoded from his smartphone. Roman Kvasnica, the attorney of the murdered Martina's mother Zlatica Kušnírová, told the daily that this communication could be decisive evidence against him and Alena Zsuzsová. The pair have been charged with ordering the murder since autumn 2018. Both are in custody at the moment, Kočner due to another case, the promissory notes case.

### **More politicians involved in this case:**

Kočner and Zsuzsová have exchanged hundreds of messages between September 2017 and May 2018. Text messages also showed that several politicians besides former PM Robert Fico and former interior minister Robert Kaliňák, have communicated with Marian Kočner. Kočner is believed to have met with Béla Bugár, the chairman of the junior coalition party, Most-Híd, in the Maldives in March 2018, shortly after the murders. The media reported back then that Bugár and Kočner were on the same island. Bugár claimed that it was a coincidence and they just greeted each other. However, messages sent via the Threema app between Kočner and Alena Zsuzsová, who is also charged with the murder, show that it was more than just a greeting.

Another politician mentioned in the communications is Speaker of Parliament Andrej Danko. Kočner ordered Zsuzsová to ask Danko whether the government would fall after the murder. Also mentioned, in the communication, the television debate between Danko and Boris Kollár, the chairman of the opposition party Sme Rodina. Kočner texted Zsuzsová that he had sent Danko materials for the discussion. She asked him if he had written them, but Kočner explained that Peter Tóth wrote them from his notes and sources. Andrej Danko reacted that he didn't attend parties with him or anything similar. He also denied using any of the materials or using his position for influence.

The published text messages exchanged between Marian Kočner and Alena Zsuzsová suggest that the former planned to save the government of Robert Fico with the help of the far-right People's Party – Our Slovakia (ĽSNS) led by Marian Kotleba. Kočner wanted ĽSNS to ensure that the government would continue ruling, even if Most-Híd decided to leave the coalition after the murders of Ján Kuciak and Martina Kušnírová. According to Kočner's messages he had arranged that the Supreme Court would not accept the motion of General Prosecutor Jaromír Čižnár to dissolve ĽSNS. In fact, the Supreme Court did not dissolve the party, but the ruling was issued more than a year later. The judges did not find enough evidence proving the party is an immediate threat to democratic society and called the motion weak. A similar evaluation was voiced by several experts. ĽSNS has denied the information of Kočner having an influence on them, or that they had met with him or that he would try to arranging some things at the court in their favor. They did not admit to silently supporting the government with anyone from the coalition either. However, ĽSNS has supported the ruling parties Smer-SD and the Slovak National Party (SNS) in several votes.

In case Most-Híd decided to leave the coalition, Kočner presented a plan according to which SNS would receive the Environment Ministry and the Transport Ministry, while the Justice Ministry would be led by then-state secretary Monika Jankovská.

All three ministries are led by Most-Híd nominees. The rumor that Fico threatened leaving the coalition if they insisted on early elections has been confirmed by a source from the ruling coalition. However, Fico did not talk about ruling with the support of ĽSNS as Kočner described it. He would only take the ministries from the party.

Kočner also mentioned his intention to cooperate with Štefan Harabin, failed presidential candidate and ex-Supreme Court president, who served as justice minister in the first Fico government. The two also have the same lawyer: Michal Mandzák. Harabin responded that he has never met with Kočner, and calls the fact that they share a lawyer a coincidence.

### **Investigation of Kuciak and Kušnírová murders continues:**

The Special Prosecutor's Office expects that the investigation of the murders of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová may wrap up by the end of November. At the same time, they want all parties involved to learn about the investigation file in September.

The supervising prosecutors also stressed that there are no political pressures on the investigation and objected to attacks and connections to certain politicians. Commenting on the planned detention of businessman Norbert Bödör, one of the prosecutors explained why they cancelled the order to arrest him just minutes later, pointing to some new facts they had learned at the time and the need to discuss the situation with the National Criminal Agency (NAKA).

The prosecutor's office is currently working with the version that the person who shot Kuciak and Kušnírová dead was Miroslav Marček. They also reiterated some of the facts that have been reported, like further charges against a group from Kolárovo (Nitra Region) and their plans to murder prosecutor Maroš Žilinka, lawyer Daniel Lipšic and former first deputy general prosecutor Peter Šufliarsky. They are not 100-percent sure that these murders were ordered by Marian Kočner.

At the same time, the prosecutors commented on Kočner's text message communication, which was seized by the police officers. They found also other communication that the one published in the media and consider it trustworthy. They did not want to comment on Kočner's influence on politicians. They also confirmed that the communication was from the period

between autumn 2017 and June 2018, when Kočner was detained. Some information they obtained will result in further investigation since there are suspicions of crimes involving the representatives of some state bodies. In the meantime, the police seized the mobile phone of State Secretary Monika Jankovská. Police reportedly also raided the homes of several judges of the district and regional courts in Bratislava. This included Jankovská's sister who worked at the Bratislava Regional Court, and judge Bystrík Palovič from the district prosecutor's office in Bratislava.