

## OPENING HEARING 2 NOVEMBER 2021

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### WITNESS STATEMENT OF PAVLA HOLCOVÁ

On the case of the murder of Slovak journalist Ján Kuciak

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1. My name is Pavla Holcová. I am an investigative journalist. I started my investigative journalism career in 2013. Before that, I was a human rights defender in Cuba. I worked with dissident journalists and with the families of political prisoners in Cuba. In 2013, I founded the Czech Centre for Investigative Journalism that is called *investigace.cz*. The Czech Centre investigates cases of corruption and organised crime. I was recently involved in founding a similar centre in Slovakia, The Investigative Centre of Ján Kuciak.

2. I am also a member of the OCCRP (Organised Crime and Corruption Reporting Project) network, which includes 400 journalists globally. In this network, we investigate and develop stories based on data leaks or information from sources. When we cover a topic in our own country we share the data and findings.

3. I was a colleague of journalist Ján Kuciak, who was murdered on 21 February 2018. I met Ján due to my work at the Czech Centre for Investigative Journalism. A Swedish television network approached me to ask for help with a story about the working conditions of the Slovak workers who were building a bridge in Sweden. I was introduced to Ján Kuciak, who was still studying at that time. He agreed to do the story. When working on the story, I found out that he is really talented and enthusiastic. After this story, Ján became my first point of contact every time I needed any information from Slovakia. We were chatting almost daily about different stories.

4. The first big project we worked on together was the Panama Papers five years ago. The purpose of this project was to expose high profile, powerful people who are hiding their assets in offshore companies. When we first launched the Panama Papers project, Slovakia was not represented on the project. Ján decided to publish these stories in Slovakia and he called me and asked, 'Could I come from Bratislava to Prague?'. He just took the things he had with him and came to Prague. He had no toothbrush, he had no money, he just had his computer. We stayed in my living room and just went through the database and searched for the Slovak stories and Slovak data. While working together on this project we became close friends.

**The People's Tribunal**  
*on the Murder of Journalists.*

A Safer World For The Truth

## **Threats**

5. I have been receiving threats throughout the time I have worked as an investigative journalist. I have received anonymous threatening letters sent to the office or to my home address, and threats on social media networks, for example on Twitter and Facebook. The letters accuse us of being paid by the secret service, wanting to overthrow the government or working for Soros. The threats became concrete in 2013 when we published a story on organised crime in the Balkans. We started receiving messages like 'we know where you live', 'you are very cheeky' and 'you may end up in a bad way'.

6. In addition, we are targets of smear campaigns by politicians or some media outlets that have connections to the government or to politicians. For example, the Czech President held a press conference while holding a gun with an inscription "to journalists" and the Prime Minister has called journalists prostitutes for writing for money.

## **The murder of Ján Kuciak**

7. In 2017, Ján was investigating the activities of influential Slovak businessman Marián Kočner. He was reporting on Kočner's frauds and pointing out what the police had failed to investigate. Ján was very factual, he based his investigation on paper and money trails. These stories made the businessman very angry because it is difficult to argue with facts.

8. One day, Kočner called Ján and threatened to dig up dirt on him. Ján called me to ask for advice on what to do. I suggested he should report the threat to the police but the police did not take any action. I believe it was the businessman who decided to hire someone who would kill Ján. Ján's body was found together with his fiancée's, Martina Kušnírová, in their home on 26 February 2018.

## **Aftermath of the murder: exposing corruption in the police and judiciary**

9. The murder of Ján, as well as his fiancée Martina, sent shockwaves through Slovakia. They had chosen a wrong target: someone who was very young and independent of political pressure. People decided to go to the streets to protest and to ask for an unbiased independent investigation into the murders. As a result of the protests, the government and the president of the police resigned.

10. After Ján was murdered, the OCCRP created an emergency team to start our own investigation because we were not sure that the case would be properly investigated. Ján's family knew that me and him were friends and that we had worked together so they shared a lot of information and documents about the investigations. We put together all those pieces of information and started to expose how the murder happened.

11. At the end of 2019, we received a data leak of 70 TB of data from the police investigation. We created a team in Slovakia, consisting of around 15 journalists, and created what we called Kočner's library. It took the team 3-4 months to sort and go through all the leaked documents and footage. In 2020, we started publishing the stories based on these facts and reported not only on the murder case, but on the whole corrupt system in Slovakia.

### **Systemic change in the aftermath of the murder investigation**

10. The new police investigators conducted a proper investigation. The case was assigned to a young policeman who did not have links to the political system. He was doing everything by the book and therefore, it was almost impossible to put evidence he collected aside. The supervision by Europol was also important for the independence of the investigation. The top management of the Slovak police saw that there was someone looking over their shoulder so they could not hide, delete, or destroy evidence.

11. The police exposed not only the murder case but also the corruption within the system. This was a big part of the case. The judiciary was totally corrupt in Slovakia. That is why the businessman believed that even if he killed a journalist, he would not be punished because he had judges on his payroll - and not only judges but also prosecutors. The investigators got the cellphone of the businessman in which there was encrypted communication between him and several judges. He was sending messages to the judges telling them how to rule, and he was selling it as a service to other businessmen.

12. In February 2020, Marián Kočner was sentenced to prison for 19 years but not for the murder of Ján and Martina. He was sentenced for financial fraud. Kočner and the broker of the murder, Alena Zsuzsová, were acquitted of the murder due to the lack of evidence in September 2020. However, the prosecution appealed the decision. The Supreme Court ordered a retrial in June 2021 saying that not all the evidence was taken into account and that the evidence was not interpreted correctly. Therefore, the murder case is still not closed.

13. The evidence from the police investigation was a really good starting point for many other investigations. Eventually, 20 judges were indicted in Slovakia in 2020, including judges from the Supreme Court. More changes in Slovakia are still underway. The new government was elected in 2020 because they promised a revenge on the old system. Many very prominent people were arrested, detained and charged.

14. However, the threats and smear campaigns against journalists are still ongoing. For example, in the beginning of October of this year we published a story from the Pandora Papers about the Czech Prime Minister who bought real estate in France through an offshore scheme. A couple of days after that, the threats and smear campaign started.

15. However, I actually feel safer now after the murder of Ján. I think that now powerful people could see what could be the impact of killing a journalist. They see that the whole system they have built over the years can collapse. I believe that we sent a strong message. You can kill a journalist but you cannot kill a story because we are going to publish all the stories that the killing was meant to prevent. Moreover, we will not only publish this story but we will focus on the perpetrator because we want to understand the reasons for them to feel untouchable and to feel that their crimes are never going to be investigated.

I confirm that the facts stated in this witness statement are true.

Date and Place: 28 October, Prague

Name witness and signature; **Pavla Holcová**