

Laura Kellöová

Investigative journalist at 'Aktuality'

Slovakia

I am Laura Kellöová, I am 29 years old and I have been working at 'Aktuality' for five years.

I was supposed to start working at 'Aktuality' on February 26, 2018. But on that morning, we found out, in Slovakia and around the world, that Ján Kuciak had been murdered in Veľká Mača.

So the start of my work at 'Aktuality' was tied to this tragic event.

Finally, I started working at 'Aktuality' 10 days later.

Right away, I started to continue the stories, texts, and investigations that Ján Kuciak had been working on and hadn't managed to finish.

We learned about the surveillance of journalists during the investigation of Ján Kuciak's murder.

It was discovered that in addition to monitoring, ie. tracking the daily routines of journalists, they were also investigated in police databases.

This story of the surveillance of journalists begins in the years 2016 to 2017.

Marian Kočner, who is a businessman with a very toxic background, a very toxic business and a huge amount of suspicions around him [in 2016-2017], talks to one of his closest friends, Peter Tóth.

Tóth is a former member of the Slovak Information Service [intelligence agency] and a former journalist.

He worked first as a journalist and then it was discovered that he was also working for the Slovak Information Service at the same time.

And he had a very close relationship with Marian Kočner.

Back in the years 2016 to 2017, they talked about creating a show about journalists called 'Na pranieri' ('Pillar of shame').

It was supposed to be Marian Kočner's revenge on journalists for writing about him.

He wanted to write and talk about journalists. He wanted to dig up dirt on them, to uncover their personal information, private stories or various mistakes he believed journalists were committing.

Peter Tóth, the former agent, began to assemble a so-called 'surveillance commando team'. And he talked to his ex-colleague who he knew from the Slovak Information Service about it.

The surveillance team then consisted of three men, including someone from the security sphere or police, as well as a state official.

According to Peter Tóth's testimony, Marian Kočner invested around 50,000 euros at the beginning to purchase technical equipment such as cameras, cars, tablets, mobile phones and other devices.

He wanted the surveillance to be done well and to have good visual material for his show.

The whole thing was also supposed to be his springboard into party politics.

Marian Kočner thought that if he made a big name for himself by revealing information that discredited journalists, he could win more supporters, in other words potential voters.

He wanted to get into politics and become a member of parliament.

The surveillance of Ján Kuciak began at the beginning of October 2017.

To put it in context, about a month before that, Kočner had threatened Ján Kuciak over the phone.

The situation arose when Ján Kuciak was working on another article and sent his journalistic questions to Marian Kočner.

This made Kočner so angry that he called Ján Kuciak and told him that he would take an interest in him and his family and would look for dirt on him.

He told Kuciak that he would do what he believed Kuciak was doing to him. Kočner considered himself a 'respectable' citizen and businessman.

When members of the surveillance team testified in court years later, they talked about having purchased various disguises to avoid being noticed.

They had wigs, fake beards and different clothing that they could switch around.

The surveillance of Ján Kuciak, which began in October, lasted about a week, and according to the testimony of the team members, it was problematic.

Ján Kuciak hardly ever went anywhere.

He would come to work in the morning and leave in the evening, only working.

And at weekends, he would renovate his house.

The surveillance commando team members were unable to find anything juicy, scandalous or toxic about him.

The moment I remember from the court proceedings when the surveillance team members testified was when they described Ján Kuciak's life as that of a monk.

The surveillance of journalists for Kočner, including Ján Kuciak, was of course paid for by him.

Peter Tóth, Marian Kočner's right-hand man, testified that in addition to the initial investment of around 50,000 euros, the ongoing costs were between 7,000 and 10,000 euros per month.

These were the costs that were divided among the members of the commando, serving as a sort of salary or payment.

The confession by the surveillance team that they had been monitoring Ján Kuciak came only about six months after his murder.

When they learned about the murder, none of them reported to the police that they had been monitoring a future victim of a double homicide.

They didn't voluntarily confess to the police, and they waited until the last moment.

It wasn't until around a year after they had been monitoring Ján Kuciak, in October 2018, that they first cooperated with the police.

At that time, the first suspects in the murder had already been charged, and suspicion was also pointing towards Marian Kočner.

The key witness in the murder of Ján Kuciak, Peter Tóth, broke his silence and for the first time after years of close friendship with Marian Kočner, he began to testify against him.

He gave the police the car used for the surveillance of journalists, as well as a lot of material he had got from Marian Kočner. He directed the police to USB sticks on which material from the surveillance of journalists were supposed to be stored.

The police eventually found this material in Marian Kočner's house.

I don't want to sound cynical, but after the murder of our colleague, I wasn't really surprised that he was under surveillance.

When someone is shot in the heart and his fiancée is also murdered in their own home, the fact that someone was monitoring him, taking pictures and videos and playing some kind of parallel secret service game didn't really shock me.

Although the scale of the monitoring of journalists and the illegal extraction of information about them from police databases was enormous.

I thought that this kind of thing had ended in Slovakia after the end of communism. I had no idea that someone would resort to such a game or circus.

I believe that at the beginning, the surveillance was really for the needs of some kind of show for Marian Kočner to discredit journalists. But unfortunately, it turned out that monitoring the daily routine of Ján Kuciak also served as a basis for his murder.

And I think that neither the surveillance team nor any of us expected this.

And Ján Kuciak was monitored again afterwards, but this time by the perpetrators of the murder.

He experienced much more of this surveillance than other journalists.

Ján Kuciak was an analytical type of journalist, spending a lot of time sitting at the computer with headphones on and digging through databases.

While he also went into the field, it wasn't like Marian Kočner imagined it to be. Kočner believed that Kuciak was meeting with secret sources who would hand him a ready-made article that Kuciak would just publish.

To this day, Marian Kočner suspects that Ján Kuciak was merely fed information and that he was not a real journalist.

I think Ján Kuciak had no idea he was being watched, despite the fact that Marian Kočner threatened him a month before the surveillance began and announced that he would look for dirt on him.

But Ján Kuciak didn't have any guilt, so he wasn't afraid of anything like this.

According to what his family, and classmates said about him, Ján Kuciak had a great sense of justice. And it was his driving force that led him to pursue journalism, revealing scandals and fraud.

Marian Kočner himself put an end to the surveillance of journalists. He did so by saying that "I am suspending the activities of the surveillance team".

He only suspended the activity, but thankfully it was never resumed. The suspension occurred at the time when Slovakia learned about the murder of Ján Kuciak and Martina Kušnírová, in February 2018.

Kočner correctly assessed that even members of the surveillance team would not feel comfortable in the tense atmosphere that emerged in society.

Journalists became very brittle individuals for a while because one of us was murdered.

And I don't think anyone from the surveillance team would have dared to go and monitor journalists at that time.

Originally, Kočner had planned to have 28 journalists monitored by his surveillance commando team.

Of course, this number was very ambitious. That's a lot of people and it would have taken a lot of time.

This was also stated by Peter Tóth himself in court.

So in the end, they monitored around ten relatively significant journalists who were either investigating cases or somehow bothering Marian Kočner.

Approximately four years after the surveillance, in March 2021, the police charged Marian Kočner with the offence of breach of confidentiality of oral communication, which he allegedly ordered, as well as Peter Tóth, who was supposed to have assembled the surveillance team, as well as the actual members of the team.

The case has not yet been brought to court, so we will see how it turns out.

Of course, the murder of Ján Kuciak and all the information we learned during the investigation, including the surveillance of journalists, changed how we work. We have definitely become more cautious. Especially when it comes to securing our own newsroom, computers, phones and so on.

We communicate almost exclusively through encrypted applications, not through regular phone lines.

But of course, we have to take into account that there are various spyware programs that can monitor or record our mobile phones. So I always have to assume that someone might be listening in or watching me and has an interest in finding out who I'm communicating with, what I'm working on, who I'm talking to and who my sources are.

Because this is the primary objective when it comes to monitoring journalists.

What is disturbing to me is the illegal wiretapping.

I am convinced that some security services in Slovakia have the means and no qualms about illegally wiretapping or monitoring journalists.

I am 100 per cent certain of that.

Because the current situation in Slovakia is such that even among the security units, there is tension and they are messing with each other.

We call it the 'war between the security units' and the media is, of course, part of this war.

And I am fully aware of that.

NOTE: In May 2023, Marián Kočner was acquitted of conspiring to murder journalist Ján Kuciak. His associate Alena Zsuzsová was found guilty of planning and ordering the crime.

Interview by Katarína Kozinková, 2023

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