

## **Slovakia: Lack of justice for Kuciak and Kušnírová's assassination exacerbated by growing attacks on press freedom**

**On the sixth anniversary of the brutal killing of investigative reporter Ján Kuciak and his fiancée Martina Kušnírová, the undersigned organisations renew our call for long-awaited justice for their killings and the imperative to break the cycle of impunity. As we remember Ján and Martina, we are alarmed by increasing threats to the rule of law and media freedom in Slovakia, in particular relating to the lack of accountability for crimes, the diminished protection of public watchdogs and the stark erosion of democratic institutions. The undersigned international organisations call on the Slovak authorities to fulfil their obligation to protect freedom of media and expression and to ensure full justice for Ján Kuciak and Martina Kušnírová's murders. We encourage the EU institutions to take a firm stance in order to prevent the erosion of democracy in the country.**

On February 21, 2018, investigative journalist Ján Kuciak and his fiancée Martina Kušnírová were fatally shot at their home. Kuciak, known for his reporting on corruption for Aktuality.sk, had uncovered alleged corruption and tax fraud schemes involving prominent business figures with suspected ties to Prime Minister Robert Fico's party Smer-SSD and organised crime.

The assassination shocked the country and led to the resignation of Fico and his cabinet. However, six years later, justice remains elusive for the victims' families, while Fico is again leading the government. Despite the hitmen and intermediaries receiving lengthy prison sentences, the businessman associated with Fico's party, Marian Kočner, accused of masterminding the crime after threatening the journalist, was twice found not guilty. Following Kočner's [second acquittal](#) in May 2023, the Supreme Court is now set to rule on the prosecutor's second appeal.

### **Risks for the prosecution of the killing**

Soon after taking power again, Fico proposed significant legislative changes that threaten media freedom, rule of law and the prosecution of Kuciak and Kušnírová's killings.

On 8 February 2024, the Slovak parliament, where the ruling coalition holds a majority, passed in a fast-track procedure a highly contested reform of the criminal code. The amendments aim for the dissolution of the Special Prosecutor's Office responsible for

dealing with the most serious crimes and corruption cases including Kuciak and Kusnirova's killing. The prosecutor in charge of the case, verbally attacked by Fico, has openly expressed concerns about the future of the further prosecution of those responsible for the assassination.

We reiterate that under international human rights standards, states are obligated to guarantee accountability for any violence, threats, or assaults targeting journalists by conducting impartial, swift, comprehensive, independent, and efficient investigations. UN Human Rights Council Resolution 33/2 explicitly calls for the establishment of specialised investigative units to address crimes against journalists.

The government initially proposed also a significant weakening of the whistleblower legislation but has recently announced its withdrawal.

The sweeping reform of the criminal code was pushed through despite a vast public protest with tens of thousands of people rallying on the streets and great concern expressed by the EU institutions. Previously in December, the European Commission called on the government not to fast-track the changes to the criminal code and whistleblower legislation. Raising alarm over the continuity of investigation of high-level corruption, the Commission warned Slovakia that it risked causing '[irreparable damage](#)' to the rule of law. The European Public Prosecutor's Office, responsible for investigating fraud and corruption cases involving EU funds, also cautioned that the legislative changes would '[seriously affect](#)' the ability to investigate and prosecute offences under its competence effectively. The new criminal code is now being examined by the Constitutional Court based on President Zuzana Čaputová's filing.

### **Threats to media independence**

During our [fact-finding mission to Slovakia in 2023](#) we underscored the importance of strengthening the safety of journalists, their access to information and public media independence, all in line with the European standards.. While the police has developed its cooperation with the non-governmental safety mechanism, Safe.Journalism.sk, since its launch a year ago, the other areas unfortunately experienced no progress or even regress. The verbal attacks of Fico and his allies have fueled smear campaigns against critical media outlets. Calling four outlets hostile, the Prime Minister and the Ministers nominated by his party systematically boycott their media inquiries.

In addition, there are growing concerns about the independence of public broadcaster. In late 2023, the parliament decreased the state funding of RTVS by a staggering 30 percent on a year-by-year basis and proposed to divide the radio and television into two separate companies. The two measures threaten the public media's independence in the context of open attacks on RTVS and calls for the dismissal of its current leadership by Fico and Andrej Danko, chairman of a junior government party and vice-speaker of the parliament. [Danko even admitted](#) that while serving as Speaker of the National Council (2016-2020), he had granted to the previous RTVS director general, nominated by his party, the political approval to appoint a journalist as a moderator of political discussions on public television. The ruling coalition's discourse and measures regarding RTVS are contrary to our 2022 calls for measures to enhance the public media's independence..

Moreover, the government and parliament have taken no measures either to protect journalists against gag lawsuits (SLAPPs), or to allow for aggravated sentences for attacks against them, two other demands made by our 2023 mission.

Commemorating Ján Kuciak's legacy, the undersigned organisations reiterate that combating impunity for crimes against journalists is essential for safeguarding media freedom. Full justice for Ján, Martina, and their families can only be secured when all individuals responsible for the murder are held to account – including those who orchestrated the attack. Furthermore, we call on Prime Minister Robert Fico and the Slovak government to refrain from further actions that weaken the resilience of Slovakia's media environment. On the contrary, the authorities must create an enabling environment for journalists and adopt effective measures to increase the safety of journalists and the independence of the media. Finally, following the critical [resolution](#) on Slovakia adopted by the European Parliament in January, we encourage EU institutions to take a firm stance to effectively prevent the erosion of democracy in the country.

Signed:

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Committee to Protect Journalists (CPJ)

European Centre for Press and Media Freedom (ECPMF)

European Federation of Journalists (EFJ)

International Press Institute (IPI)

OBC Transeuropa (OBCT)

Free Press Unlimited (FPU)

Reporters Without Borders (RSF)