

Model Table assisting responses by Member States

Section 1: Table

Current List of Journalists Killed (as condemned by the UNESCO Director-General) and Legal Investigations (as reported by UNESCO Member States)

Date: To be sent to UNESCO **before 30 May 2019**

Name of journalist	Gender	Date of alleged murder	Investigating Authority	Case Number	Current Status	Verdict	Additional remarks
Ján Kuciak	Male	21 February 2018	National Criminal Agency of the Slovak Republic		<p><i>The Slovak Police has carried out an extensive investigation in this matter. The proof of it is the size of the investigation file, currently consisting of 40 volumes up to this day. The efforts of the police have finally led to the identification and arrest of persons participating in this offence.</i></p> <p><i>Review of acts executed:</i></p> <ul style="list-style-type: none"> - 8 interrogations of accused, - 6 interviews of aggrieved parties, - 17 suspects were interviewed, - more than 240 interviews of witnesses, - 1 confrontation was carried out, - 2 recognitions, - 2 investigation attempts, 1 verification of testimony on-the-spot, - 41 autopsies, - 34 searches of other premises and land properties, - 53 house searches, - 12 searches of locations including the scene of crime, - 33 requests for legal assistance abroad have been processed beyond the scope of the joint investigation team with Italy, - totally 790 evidence traces have been seized within the searches – of operations News 1 and News 2 executed, 		

				<p><i>including: 96 mobile phones and tablets; 108 USB-sticks and memory cards; 13 harddisks; 26 personal computers or laptops; 6 private motor vehicles, and a number of biological, mechanoscopic, trasologic, ballistic, phonoscopic and dactyloscopic traces. All traces were sent to an expertise, constituting an ample amount of material to be processed by the experts and subsequently to issue expert's opinions in respect to the latter.</i></p> <p><i>The total size of 324 GB of data from telecommunication operators have been seized and analysed; Total amount of 35,39 TB of data have been obtained from camera surveillance records; In total 50 TB of data from electronic information devices have been seized and analysed.</i></p> <p><i>The investigation file in the matter of the aggrieved Ján Kuciak and his partner currently consists of 38 volumes and more than 15,000 pages.</i></p> <p><i>The investigation carried out so far has established that the murder of Ján Kuciak and his partner was committed 21 February 2018 at 20:20. The murder was directly executed by one perpetrator, another perpetrator provided his cooperation with the arrival and departure transfer from the scene of crime including other logistic support. A third perpetrator was operating as an intermediary between the orderer and executors and the fourth accused is the person that has directly ordered the murder from the intermediary.</i></p> <p><i>On 8 March 2019, the investigator of the National Criminal Agency of the Presidium of the Police Force has charged the person named Marián K. with an accusation</i></p>		
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				<p><i>of premeditating the murder of Ján Kuciak, during which was murdered also his partner Martina Kušnírová. The reason was the journalistic activity of the aggrieved party. The investigator based the charges of the accusation on objective evidence obtained in the course of the criminal prosecution, on other material evidence impossible to precisely present at the moment, as well as on the statement of another person prosecuted for participating in a murder. It must be particularly emphasized that the resolution on charging Marián K. with the accusation was issued on the basis of objective evidence giving grounds to the charges of accusation, and not in response to the pressure of media, society's demands and others concerning the investigative team and Prosecutor's Office. The assumptions and statements presented so far by the media did not and do not have any impact on the said action taken by the investigator.</i></p> <p><i>The resolution on charging the accusation was served to Marián K. on 14 March 2019. The interrogation of the accused and other persons shall follow depending on the state of proceedings and the evidential situation within the file. The criminal prosecution of the accused Marián K. will be dealt with joined in the same criminal matter together with the accused Tomáš Sz. and others, thus joined with the already identified perpetrators that have participated in the murder of Ján Kuciak and his partner in any possible manner.</i></p> <p><i>Of course, charging with accusation the presumed orderer of the premeditated murder of Ján Kuciak and his partner shall affect the duration of the preliminary proceedings. Pursuant to the Code of Criminal Procedure and seeking to respect all rights of the accused, it is</i></p>	
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				<p><i>necessary to repeat a part of the investigative actions and, if necessary, to carry out other yet unexecuted interviews of witnesses, or eventually expert's evidence and other actions. Currently it is not possible to specify more closely the amount, extent, time schedule and specific types of investigative actions. The said reasons shall affect the date of termination of the preliminary proceedings and the submission of an indictment. Presumably, it will extend the investigation by at least half a year.</i></p> <p><i>On 18 March 2019, the prosecutor of the Special Prosecutor's Office has served to the Special Criminal Court the motion to the judge of preliminary proceedings on extending the time period of custody of the accused Ing. Tomáš Sz., Miroslav M., Zoltán A. and Alena Zs. to the maximum time period allowed of 7 months, since the time period of custody in preliminary proceedings for a particularly serious crime can not exceed 25 months. The grounds of custody of all accused remain unchanged and the justification of custody was confirmed so far by the outcomes of investigation.</i></p> <p><i>An agreement on establishing a joint investigation team to investigate the murder of Ján Kuciak and Martina Kušnírová together with the Republic of Italy was signed on 18 April 2018 in The Hague. The reason to establish a joint investigation team was the presumption that nationals of Italy have participated in the murder of the aggrieved parties. This presumption did not turn out to be justified and thus there is no reason to prolong the activities of this joint investigation team. We emphasize that the team was established only for the needs of identification and criminal prosecution of the offenders</i></p>	
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				<p><i>committing the murder of Ján Kuciak and his partner, not for the cooperation in investigating other criminal activities.</i></p> <p><i>It is again necessary to particularly draw the attention to the assistance of Europol still in course. Europol has carried out for the Slovak side mainly the activities of technical support within the deciphering and analysis of seized electronic devices and information. This cooperation shall continue if needed, until the termination of criminal prosecution in this criminal matter.</i></p> <p><i>A number of information relating to other criminal matters has been obtained from the seized electronic devices. Each new information is immediately referred to further proceedings either to the investigation team dealing with the investigation of the murder of Ján Kuciak and his partner or other investigative part dealing with the relevant criminal activity. Thus, some records have been forwarded into other criminal files where there is a presumption of evidence relevant to another investigated or possible criminal activity. Therefore, this evidence does not constitute a part of the investigation, neither of the investigation file concerning the murder of Ján Kuciak and his partner. However, there is no information omitted, hidden or, as in some media they prefer the suggestion of „having been swept under the carpet“.</i></p>		
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Section 2: Positive or Innovative Measures the Member State is taking to promote safety of journalists and combat impunity

Activity	Actors	Outcome(s)
<p><i>In July 2018, Ministry of Culture of the Slovak Republic established a Temporary Working Group aimed at legal protection of journalists. Two meetings were held so far.</i></p> <p><i>After the tragic killing of Ján Kuciak more than a year ago, Prosecutor General of the Slovak Republic Mr. Jaromír Čížnár held a press conference where he publicly asked all journalists who feel somehow threatened, to contact the Prosecutor General's Office.</i></p>	<p><i>Government officials, security and police forces, civil society and media actors</i></p> <p><i>Prosecutor General's Office, journalists.</i></p>	<p><i>First meeting agreed a working plan. Definition of a journalist for legal purposes was drafted.</i></p> <p><i>Second meeting was devoted to the review of the amendment of the Press Act that will be the subject of further discussions by the Temporary Working Group.</i></p> <p><i>Journalists who feel threatened in any way, have been contacting the Prosecutor General's Office ever since. Prosecutors are in these cases providing immediate help and arranging safety and security measures in cooperation with the Ministry of Interior of the Slovak Republic</i></p>

Section 3: Steps the Member State has taken to consider the specific risks faced by women journalists in the exercise of their work

<p><i>Ministry of Culture of the Slovak Republic established a temporary working group aimed at protection of journalists, including women journalists.</i></p>

Section 4: Agreement to post the submitted information on UNESCO's dedicated webpage

All the informations are published in the web site:

<https://www.genpro.gov.sk/spravy-2ed7.html?id=2852>

The content included in Section 2 has been discussed with the relevant subject (Ministry of Culture of the Slovak republic).