

Hamburg, 20.11.2021

Oury Jalloh was tortured, murdered and burned to death by German police officers!

The Initiative in Remembrance of Oury Jalloh presented its fifth civil society commissioned expert opinion in the case of Oury Jalloh on November 3, 2021. This fire expert opinion by the renowned British fire forensic expert Iain Peck of Principal Forensic Services UK is based on the findings from a detailed reconstruction of the situation in death cell No. 5 of the Dessau police station on January 7, 2005 in a true-to-the-original cell replica of this cell. Peck thus proves in a forensic and thus scientifically well-founded manner that the outcome of the fire of January 7, 2005 can only have been created using an accelerant: <https://youtu.be/PEtamyfLkul>

After almost 17 years, it is now finally scientifically proven that the perpetrator-victim reversal of the so-called "self-inflicted-combustion hypothesis" of the police, judiciary and politics was and is a baseless conspiracy theory. No actual evidence ever pointed directly in this direction, but many indicated directly and indirectly against it. Its obvious function was to protect the perpetrators and to withhold the truth about a murder from the family, relatives and friends, but also from the German and international public. The factually unproven setting of fire by Oury Jalloh himself is a deliberate pre-determination of the investigating authorities, without which their omissions, manipulations and cover-ups in the investigative proceedings of the case wouldn't make any "sense" at all. Thus, it were neither the public prosecutors offices in charge nor the courts involved that determined all the essential and now known facts of the case, but the extraordinary civil society commitment of the Initiative in Remembrance of Oury Jalloh, which disclosed and proved all these facts in 5 independent expert opinions and together with appeals to the court of the lawyers* of the Jalloh family.

The first independent expert opinion commissioned by the Initiative was a second autopsy in March 2005, which included a CT X-ray examination of Oury Jalloh's body that had been unlawfully refused by the Dessau public prosecutor's office after the request of the family. Among other things, a fracture of the nasal bone was found, which again was to play an important role in a later investigation. In the first trial before the Dessau Regional Court, the police officers, who were only charged with failure to render assistance, were acquitted in 2008, although the presiding judge Manfred Steinhoff himself had denounced their obvious lies, but had done nothing in his powers against them.

After a successful appeal against this verdict before the BGH in 2010, a second trial took place before the Magdeburg Regional Court starting in 2011, in which the lighter, which had not been found at the crime scene but was allegedly found only 3 days later in a fire debris bag, was examined for forensic traces for the very first time at the request of the Jalloh family. The result: no traces of the crime scene - not of Oury Jalloh, not of his clothes, not of the fireproof mattress - but only fibers foreign to the crime scene, animal hair and the DNA of a male European! When the family's subsequent request for a comprehensive fire expert opinion (which had never been conducted so far!) was rejected and the court instead suggested that the case be dismissed because it was "not clarifiable" and allegedly not of public interest, it was clear that the case was meant, not to be solved under any official circumstances. That was the very moment when the Initiative in Remembrance of Oury Jalloh decided to take the clarification of the circumstances of his death into its own hands. In 2012, the

Magdeburg court finally sentenced the accused shift leading officer Andreas Schubert to a fine of 10,800€ for failure to render assistance and justified in the verdict that it was "convinced" of the fire being set by Oury Jalloh himself, although it was proven that he didn't held any means of ignition within the cell to even do so.

For the first fire expert opinion, the Initiative asked various German fire experts, but all of them declined as soon as they heard the name Oury Jalloh. Since fire experts receive their assignments from the courts, none of them was willing to become involved in a case that was obviously undesirable to those courts. Finally, the Initiative found Maksim Smirnou - a fire expert in Ireland, who conducted various fire tests with and without different accelerants in different quantities and a dead pig dummy in a room comparable in size to Death Cell No. 5. His findings were presented at a press conference in Berlin on November 12, 2013: Fireproof mattresses cannot burn independently without accelerant, and a comparable fire pattern was only obtained using 5 liters of gasoline as accelerant (<https://initiativeouryjalloh.wordpress.com/brandgutachten/>).

In a second step, the Initiative commissioned an international team from Principal Forensic Services UK, including British fire forensic experts Emma Jane Wilson and Iain Peck, Canadian forensic medical scientist Dr. Alfredo E. Walker, and toxicologist Mike Scott-Ham, to analyze the available documentation on the prosecution and judicial investigations. The forensic experts all stated for their respective areas of expertise that the prosecution's investigation was flawed, one-sided, not in accordance with scientific standards, and that the hypotheses and "convictions" put forward were not comprehensible. The toxicologist ruled out a repeatedly claimed mixed intoxication by illegalized drugs and, moreover, a deliberate complex capacity of the victim to create a fire to a fireproof mattress under the considerable alcohol level present in the corpse blood. The forensic pathologist criticized a conspicuously incomplete and partly wrongful labeled photo documentation of the claimed macroscopic findings of the post-mortem examination as well as the inexplicably destructive fire outcome under the given circumstances and the fire forensic experts criticized a completely inadequate crime scene investigation. Despite the very conspicuous result of the fire, no search for accelerants was carried out immediately on the crime scene, parts of the fire debris and the right handcuff were simply disposed of, and a lighter was allegedly "overlooked", although various small parts, such as a zipper, were found but listed without documenting however comprehensibly, where exactly these items had been found. Altogether a setting of fire and the reaching of the destructive fire outcome were rather improbable only with the help of a lighter and the lighter without traces of the crime scene "turned up" only later cannot have been the alleged "igniting tool".

(<https://initiativeouryjalloh.wordpress.com/2015/10/12/pressekonferenz-am-27-10-2015-in-berlin/>)

The Dessau public prosecutor's office, which had come under considerable pressure as a result of these two expert opinions and the public media reporting on them, then commissioned the so-called Institute for Fire and Extinguishing Research Saxony and the Swiss forensic scientist Dr. Kurt Zollinger to carry out their own first complete fire test, which was conducted in Dippoldiswalde on August 18, 2016 without prior disclosure of the technical details to the family's legal representatives. Despite an extremely questionable test set-up, which in essential parameters did not correspond to the crime scene situation in Death Cell No. 5 on January 7, 2005, the experts ultimately came to the same conclusion as the independent expert reports previously commissioned by the Initiative in Remembrance of Oury Jalloh: "There was agreement between the experts of the fire expert report and the medical experts that, even taking into account the new results, the previously set sequence of events in the death of Oury Jalloh can no longer be upheld. That is, the theory of self-ignition no longer appears to be a subject of scientific possibility."

(<https://www1.wdr.de/daserste/monitor/sendungen/oury-jalloh-110.html>)

Thereupon, at the beginning of April 2017, the Chief Public Prosecutor of the Dessau Public Prosecutor's Office informed the Naumburg General Public Prosecutor's Office that, based on the results of the in-house expert opinion, he considered the initiation of murder investigation proceedings against 2 named police officers to be justified and, in accordance with the criminal complaint filed by the Initiative in Remembrance of Oury Jalloh, advocated that the Federal Public Prosecutor General should take over the proceedings. The Attorney General's Office then withdrew the investigation from him and handed it over for "evaluation" to the Halle Public Prosecutor's Office at the beginning of June, which officially closed it on October 12, 2017 after only 3 months of formal file review (the internal final report was already dated August 30, 2017) and without questioning any of the experts involved. Prosecutor Heike Geyer, who was appointed shortly thereafter as the new Chief Public Prosecutor of the Halle Public Prosecutor's Office, stated in her discontinuation order: There had been "no sufficient factual indications for the involvement of third parties" in the setting of the fire and expressly emphasizes the allegedly "contradictory, partly mutually exclusive statements" of the experts. "Mere assumptions and possibilities do not establish initial suspicion."

The Naumburg General Prosecutor's Office welcomed this positioning without objection and justified it in the following lawsuit enforcement proceedings at the Naumburg Higher Regional Court in essence with the "conviction" of the Magdeburg Regional Court that Oury Jalloh "must" have set himself on fire without a lighter found at the crime scene and contrary to most expert opinions presented inside and outside of the courts.

The Initiative in Remembrance of Oury Jalloh then organized the foundation of an "International Independent Commission on the Death of Oury Jalloh" (<https://www.ouryjallohcommission.com/welcome>), which constituted on the weekend of February 27/28, 2018 in Berlin and, together with the Initiative, commissions a radiological expert opinion on the CT examination of Oury Jalloh's body at the Johann Wolfgang Goethe University in Frankfurt. On October 18, 2019, Prof. Dr. Boris Bodelle stated in his radiological re-evaluation of the CT images of the independent second autopsy from 2005 in his own house: "After reviewing the image files of the computed tomography of March 31, 2005 of the corpse of Oury Jalloh, bone fractures of the nasal bone, the bony nasal septum as well as a fracture of the anterior skull roof and a fracture of the 11th rib on the right side. It is reasonable to assume that these changes occurred prior to the time of death." The new expert opinion was immediately introduced into the pending action enforcement proceedings at the Naumburg Higher Regional Court, but was neglected by the judges in charge of the First Criminal Senate there. On October 23, 2019, the Naumburg Higher Criminal Court dismissed the motion to compel action for "formal reasons" and because it was "unfounded" in terms of content, since the Naumburg General Prosecutor's Office had already "rightly denied sufficient suspicion" in its review report of December 4, 2018.

The current, fifth and for the time being last independent expert opinion was presented by the Initiative in Remembrance of Oury Jalloh on November 3, 2021. The British fire forensic expert Iain Peck of Principal Forensic Services UK took into account his findings from his analysis of the investigation files and his criticism of the previous fire investigations, and built a true-to-the-original cell replica together with a detailed reconstruction of the conditions in Death Cell No. 5. A body dummy, specially manufactured from a skeleton replica with an insert of pig organs, layers of pork meat and complete body sewn around from thinned pig skin, was for the first time 4-point-fixed on an oversized fireproof mattress and subjected to various fire scenarios with and without fire accelerants. As a result of these fire tests, it is the expert's opinion, that it is "highly probable that on January 7, 2005, a quantity of a volatile flammable liquid such as gasoline was poured over Mr. Jalloh and intentionally ignited." In addition, forensic expert Peck conducted pre-trial movement tests with an equally 4-point restrained person on a full-size mattress, which showed that Oury Jalloh had neither the range of motion nor any

other means to set fire to the mattress by himself. The result of the fire expert opinion thus draws a cutting forensic line under the untenable, distracting, covering-up and ultimately criminalizing the victim "self-ignition hypothesis" and finally deprives it of any realistic basis for meaningful argumentation.

The independent civil society investigation work of the Initiative in Remembrance of Oury Jalloh has not only meticulously compiled all the essential facts and evidence of the case and proven that Oury Jalloh was murdered by German police officers on January 7, 2005 - it has at the same time exposed the behavior of the investigating authorities in charge and courts involved as systematically biased. The investigations of the public prosecutor's offices and courts were at no time open nor independent, but always one-sidedly fixed and dependent on the pre-formulated suggestive dominance of the perpetrators of the alleged "suicide by combustion": Thus the videographer of the LKA formulated it already before the actual crime scene work had begun - thus the responsible public prosecutor's office Dessau Rosslau communicated it to the public without substantial basis of investigation already in its first (and at the same time last!) press conference to the case on 15 February 2005 - so it was taken over by the Criminal Chambers of the Regional Courts of Dessau 2008 and Magdeburg 2012 despite provable lies and false statements of the police officers involved - as well as by the Federal Public Prosecutor and the BGH 2014 despite legally incorrect judgement reasoning - and finally by the OLG Naumburg 2019 despite the presence of several contradictory expert's statements and all together completely without any physical proof, which would have ever pointed directly to it?

We thank the Initiative in Remembrance of Oury Jalloh for its consistent and continuous persistence in the fight for clarification and justice and thus not least for the necessary certainty, which is the basis for processing and healing in our repeatedly (re)traumatized Black Communities and Communities of Color in the European and the worldwide Diaspora. The Initiative has proven that the actual claim of "non-existent investigative approaches" can no longer be sustained and is only referring to the deliberate sparing of the perpetrators of State, who shall simply not be confronted with their lies and false statements. The official acknowledgement by the judiciary and politics that Oury Jalloh was murdered is overdue - if the constitutional state nevertheless and further intends to capitulate to the murderers in its own ranks, then this should also be expressed to the public exactly so!

We call on all Black people and people affected by racism to support the independent civil society work for clarification against the constitutional esprit de corps in the police, public prosecutor's offices, judiciary and politics and to make the case even more known by discussing it! Likewise, we call on the majority society, which is not affected, to ensure that the rule of law in Germany does not remain a hollow, privileged and racist phrase of ignorant White supremacy!

Please come on January 7, 2022 in front of the murder house of the police station Dessau to make the 17th Anniversary of the death of our brother Oury Jalloh a special day of attention and remembrance of his murder.

OURY JALLOH - That was MURDER!

**So we will see you at the latest on January 7, 2022 in Dessau at the commemoration for
Brother Oury Jalloh!**

BLACK COMMUNITY Coalition for Justice & Self-Defence