Fact sheet of the case: Oury Jalloh

"Burned Alive in Detention Cell Number Five"

Summary:

On the 7th of January 2005, Oury Jalloh, a 37 year old refugee from Sierra Leone, burned to death in police custody in Germany. He was drunk and had been shackled hand and foot on a fireproof mattress. Two years later, the trial of two on duty police officers began at the Dessau Regional Court. After a 59 day trial, the court found the defendants not guilty in December 2008. "Despite the most intensive efforts," the court had been unable to explain the death, said the presiding judge.

What happened

7 January 2005

At eight o'clock Karin R. S. of the Dessau city cleaning reported that she and her colleagues felt harassed by Oury Jalloh. He wanted to borrow a cell phone from the women to make a call. When the police arrived the whole scene was peaceful. But the police insisted on his identity card and a small struggle broke out. In the course of events he was brought by force to the police station to clarify his identity.

His clothing and pockets where searched and nothing was found. Finally he was brought to the basement into the detention cell number five. There Mr. Jalloh was fixed onto the mattress.

The last time he was seen alive was around 11:45 clock. When about 12.00 o'clock a fire broke out in detention cell number 5 the police officers on duty heard nothing. Then Andreas S. turned off the alarm because he could not think of anything being able to burn in the cell.

Then the smoke detector alarm rang again and Andreas S. pressed again the off button. Next the smoke detector from the ventilation shaft rang alarm. At this point Beate H. convinced her college to go down to check. He took another college with him to go down. Then Beate H. heard calls from Jalloh through the microphone "Help me, Fire".

Officially at 12:11 o'clock the cell in the basement was penetrated by the two officers and no signs of life of Mr. Jalloh was to be seen. The officers tried one time to extinguish the fire with a blanked but gave up because of the smoke. When the fire department entered at 12.35 o'clock they found a burning corpse.

11 January 2005

In a second list of evidence of the custody cell in which Oury Jalloh died, the remains of a lighter appeared. In the first list of evidence the lighter was not there.

15 February 2005

The Dessau prosecutor presented the minutes of the log of the fire death of Oury Jalloh due to heavy public pressure. The Dessau Prosecution based its investigation on a suicide theory.

23 March 2005

The prosecutor Dessau rejected an additional X-ray examination at the suggestion of the joint plaintiff [attorney Regina Goetz].

4 April 2005

A second autopsy of Oury Jalloh took place in Frankfurt am Main. It was organized and financed by the Berlin Initiative in Memory of Oury Jalloh. The doctors found a broken nose and an injury of the middle ear.

6 May 2005

The Dessau prosecutor filed a lawsuit against two police officers at the District Court of Dessau. The investigation results indicated that Oury Jalloh would have been saved, if the relevant service group leader Andreas

S. would have reacted to the triggered alarm immediately.

27 March 2007

Before the District Court of Dessau the trial started on the death of Oury Jalloh. The police team leader Andreas S. had to answer for assault resulting in death, the co-defendant colleague Hans-Ulrich M. for involuntary manslaughter. At the end of the process lasted 59 days.

08 December 2008

After 59 days of process the verdict was made by Judge Manfred Steinhoff. The two accused police officers were found not guilty of the charges. His judgement of Judge Manfred Steinhoff started with unusually, and clearly frustrated words: "First we state that these not guilty verdicts are not based in any way on what we could find out about the day" the president said. Steinhoff said further: "What was offered here was not a rule of law. And the police officials who were committed to the rule of law in particular have made it impossible to solve the case. All of these officials who have lied to us here are individual officers who have no right to be police officers in this country".

He finally came to a resume of such a quality that you get seldom from a German judge in a German courtroom: "In a process which might be called a process of law we had not the chance to clarify the events." Also the police investigation in this case Steinhoff criticized harshly: "The further course of the investigation is characterized by failures, bad luck, glitches and failure."

Later he made this behaviour of testifying directly responsible for the failure of the process: "The facts are not enough to condemn here anyone. The whole thing has nothing to do with the rule of law". Finally he added: "That what was offered here was no rule of law and police officials who were committed to the rule of law in particular made an enlightenment impossible. All these officials who have lied to us here are individual officers who have no right to be police officers in this country". Completely frustrated Steinhoff said: "I do not feel that I have to say anymore about this shit".

Against the sentence both the prosecution and joint-plaintiff's appealed for revision.

7 January 2010

The verdict of acquittal of the police group leader Andreas S. was repealed by the German Supreme Court (BGH). [4] The acquittal of the second policeman had become final.

12 January 2011

Before the District Court of Magdeburg the new trial began. As with the first process the mother of Oury Jalloh, Mariama Jalloh Djombo took part as an observer in the process in Magdeburg.

9 January 2012

The Fire expert Klaus Steinbach, a chemist and by 2010 leading fire expert at the Institute of firefighters of Saxen-Anhalt, who was mandated by the Justice of Saxen-Anhalt to make a fire report for the process, stated after a press report that the assumption of the court could not explain the condition of the body.

13 January 2012

The representative of the joint-plaintiff called for a new fire opinion in her request for evidence.

16 February 2012

The Court rejected the application for a new fire report by the joint plaintiff for clarification of the fire origin, the fire progress and the result of the fire (an open-ended fire expert opinion about the fire without taking as a basis the thesis of a "spontaneous combustion" by Oury Jalloh himself). Throughout the conduct of judicial evidence, the appeals of the defence were refused to bring in an open-ended fire assessment by an independent expert. The reasoning was: "The Chamber draws in the current state of evidence the assumption that the fire did not occur by third parties."

13 December 2012

The district court sentenced the Magdeburg police group leader for involuntary manslaughter to a fine of 120 daily rates of 90 euros (10,800 euros).

11 November 2013

The massive tampering with the evidence, the serious errors of the crime investigations, the acts of omissions and the many contradictions in the statements of the officials led the "Initiative in Memory of Oury Jalloh" and some single individuals on 12 of November 2013 to make criminal charges of manslaughter or to charge on murder against unknown police officers in the death of Oury Jalloh at attorney general Harald Range.

12 November 2013

The Initiative in Memory of Oury Jalloh invited to a press conference in the House of Democracy and Human Rights in Berlin to present the fire report from an independent fire expert.

The results of the fire report showed that the largest similarities with the conditions found in the cell number 5 on January 07, 2005 could only be achieved with the use of 5 liters fire accelerant and the removal of the fire proof mattress cover. Accordingly to the statements of the fire expert the circumstances which were found at the scene, practically and theoretically could not be achieved without barbecue lighter or gasoline. The theory of a self inflicted fire was significantly challenged by this fire report. A reanalysis into the circumstances of the death of Oury Jallow was urgently needed.

11 February 2014

Exactly three months after the Initiative in Memory of Oury Jalloh had filed criminal charges of murder or manslaughter against unknown police officers at the General Attorney, the Karlsruhe chief prosecutor Matthias Krauss explained in his statement, that this complaint does not fall within the competence of the attorney general.

All pieces of evidence, including the new fire report, which was commissioned by the Initiatve in Memory of Oury Jalloh didn't raise any "reasonable doubt" at the self-ignition hypothesis for the highest prosecutors of the Federal Republic of Germany.

April 3, 2014

Due to the fire report of the Oury Jalloh initiative in the November 2013, which questions the theory of spontaneous combustion by Oury Jalloh himself, the prosecutor of Dessau-Roßlau initiated a new investigation to clarify the cause of the death.

4 September 2014

The Supreme Court confirmed the judgement. The case of Oury Jalloh is not to be reopened. The Federal High Court of Justice (BGH) confirmed the judgement of the District Court of Magdeburg on the case of Oury Jalloh: Mr. Jalloh ignited himself, a murder was not proven.

Nearly ten years after the fiery death of the asylum seeker Oury Jalloh in the Dessau police cell, the highest German criminal court placed the controversial case to the files. The Federal High Court of Justice (BGH) in Karlsruhe rejected on Thursday all appeals against a judgement of the District Court of Magdeburg. Thus the fine of 10,800 Euros for the then responsible officer was final.

Despite his bondage he had managed to take a lighter out of his pocket to ignite his clothing or the mattress. This was successively explained by the District Courts Dessau and Magdeburg. The Supreme Court upheld this argument now again, although a new report raised serious doubts to the former version of the events. After the mattress had gone up in flames, the prisoner died of his burns.

Chronology till the 4th of September 2014

7 January 2005

At eight o'clock Karin R. S. of the Dessau city cleaning reported on the emergency 110 police phone line that she and her colleagues felt harassed by Oury Jalloh. The mobile phone of Mr. Jalloh didn't worked, so he wanted to borrow a cell phone from the women of the city cleaning to make a call. When he asked again and again they called the police. When the police arrived the whole scene was peaceful and Mr. Jalloh was standing on the side very drunken.

When the police still wanted to see his passport he refused, because he didn't saw any reason for it. When the police insisted on his identity card a small struggle broke out. In the course of events the police fixed his hands and pushed him by force into the car to bring him to the police station to clarify his identity.

At the police station in Dessau the doctor Andreas B. took a blood sample

of Jalloh and declared him fit for custody. His clothing and pockets were searched and nothing special was found. Because he was still resisting and shouting, his wrist and feeds were shackled. Finally he was brought to the basement into the detention cell number five.

The detention cell was a room fully tiled to the ceiling. On the floor was a fireproof mattress. Chains where drawn through iron rings in the wall and floor to fix Mr. Jalloh onto the mattress. Later there were often controls of the cell with no specifics. If you take the complaints over the bondage as nothing exceptional. Mr. Jalloh was complaining all the time about his treatment.

The female police officer Beate H. saw Mr. Jalloh on her inspection around 11:45 o'clock the last time alive. A few minutes after this check she heard on the intercom from the cell rippling sounds from some kind of liquid, of what she informed her superior Andreas S. (On the same day Beate H. and Andreas S had. a dispute because Andreas S. reduced the volume of the microphones).

The detention cell is connected by an intercom system with the premises of the duty officer, Andrew S. and Beate H., on the first floor. In the cell a very sensitive microphone is built in. Through the microphone normal speech in the cell is well audible.

When about 12.00 o'clock a fire broke out in detention cell number 5 nothing was heard by the police officers on duty. Strangely Mr. Jalloh should have roared with all his might for his life, but the duty officers apparently heard nothing. Then Andreas S. turned off the alarm because he can not think of anything burning in the cell. The detectors gave often false alarm in the past was later given to protocol. The alarm however was repaired in September 2004. But after the repair the false alarms where not any more happening.

Then the smoke detector alarm rang again and again Andreas S. pressed the off button. Then even the smoke detector from the ventilation shaft went on. At this point Beate H. convinced her college to go down to check. He got another college to go down with him. Then Beate H. heard calls from Jalloh through the microphone "Help me, Fire".

When police officer Andreas S. and Gerhardt Mö. entered the cell tract they saw smoke coming out from under the door of the cell where Mr. Jalloh was hold. Officially at 12:11 o'clock the cell in the basement was penetrated and no signs of life of Mr. Jalloh were to be seen. The officers tried one time to extinguish the fire with a blanked but gave up because of the smoke.

When the fire department entered the cell at 12.35 o'clock they found a burning corpse. On the same day on 07 January 2005, on the day of the event, before there was any investigation into the incident, the police department released a press statement that stated that the officials had reacted immediately and exemplary during the incident.

11 January 2005

In a second list of evidence of the custody cell in which Oury Jalloh died, the remains of a lighter appeared. In the first list of evidence the lighter was not found.

10 February 2005

The Dessau counseling center for victims of violence and the Dessauer network site against right-wing extremism, xenophobia and anti-Semitism called for a quick and thorough investigation in the death of Oury Jalloh.

February 10, 2005

During a meeting in the context of fire death of Oury Jalloh a senior police leader said that "black just burn longer". Although this incident is made public, it only leaded to minimal consequences. The corresponding investigation was closed by the public prosecutor after one day with the smallest possible punishment for the officer: a reprimand. The only disadvantages out of this incident happened only for the police officer who reported the incident.

15 February 2005

The Dessau prosecutor presented the minutes of the log of the fire death of Oury Jalloh due to heavy public pressure. The Dessau Prosecution based its depiction on a suicide theory.

19 February 2005

The state chairman of the Federal German Police (BDK) in Saxen-Anhalt, Hanno Schulz, criticized the authorities which are involved in the case of Oury Jalloh. He accused them of not having informed the public sufficiently.

22 January 2005

More than 100 participants demanded at a demonstration in Dessau the full investigation of all the circumstances that led to the death of Oury Jolloh. At the demonstration African asylum seekers and friends of Oury Jalloh took part.

8 March 2005

The Lawyer Regina Goetz made an application for approval as a joint plaintiff in the criminal proceedings of Mr Jalloh's death. She represented Mariama Djombo D. [mother of Oury Jalloh].

23 March 2005

Because the prosecutor Dessau rejected an additional X-ray examination at the suggestion of the joint plaintiff [attorney Regina Goetz] the Prosecution was criticized by the Attorney Regina Goetz in the form of a public statement. The reasons for the prosecutor's office for the rejection of the study: There is no reason to do so.

24 March 2005

In Dessau a memorial service and a funeral march for Oury Jalloh took place. 200 people were present. The funeral in the multicultural center was organized by the Dessauer counseling center for victims of right-instrumental violence.

20 April 2005

The NPD a right wing party published on the Internet under the heading "An African ignites his selves and blame is once again directed at the police" a tirade of hate against Oury Jalloh. The Dessau counseling center for victims of violence and the right Dessauer network site against right-wing extremism, xenophobia and anti-Semitism and other actors made on 20 April 2005 a criminal charge of sedition, defamation in the memory of a dead man.

4 April 2005

A second autopsy of Oury Jalloh took place in Frankfurt am Main. It was organized and financed by the Berlin Initiative in Memory of Oury Jalloh. The doctors found a broken nose and an injury of the middle ear.

6 May 2005

The Dessau prosecutor filed a lawsuit against two police officers at the District Court of Dessau. The investigation results indicated that Oury Jalloh would have been saved, if the relevant service group leader Andreas S. would have reacted to the triggered alarm immediately. Andreas S. was charged of bodily harm with fatal consequences. The investigating officer Hans-Ulrich M. who had overlooked a lighter in Mr. Jalloh's trousers, was accused of involuntary manslaughter.

July 2, 2005

In Dessau the intercultural soccer tournament "African Kick" with twelve teams, including five African, took place. The earnings of the total actions of the day were donated to the Oury Jalloh family.

18 July 2005

The Dessau counselling center for victims of right violence and Dessauer network site against right-wing extremism, xenophobia and anti-Semitism wrote an open letter to the Medical Association of the State of Saxen-Anhalt. They demanded an opinion on the racist conversation content between the service group leader Andreas S. and physician Andreas B..

28 July 2005

The Medical Association of the State of Saxen-Anhalt commented on the racism accusation against the physician Andreas B. from Dessau.

5 August 2005

The Dessau counseling center for victims of right violence, the Multicultural Center Dessau, the Refugee counsel of Saxen-Anhalt and the Dessau network site against right-wing extremism, xenophobia and anti-Semitism hold a nationwide hearing under the motto "A Record of human combustion" in the case of Oury Jalloh. The lawyers Regina Goetz and Ulrich von Klingraeff were present.

30 September 2005

Ulrich von Klingraeff made an application for approval as a joint plaintiff in the criminal proceedings. He represented Mr Boubacar D. [father of Oury Jalloh].

17 October 2005

The 6th Criminal Court of Dessau by the decision of 17 October ordered a supplementary inquiry of the evidence. The result will decide if the opening of a main proceeding is necessary. The second investigations on the case should be performed on the technical and time details of the fire by the prosecutors of Dessau.

4 January 2006

The movie "Death in the cell - Why did Oury Jalloh die?" was broadcast by ARD and highlighted the events surrounding the death by fire of the asylum seeker Oury Jalloh from Sierra Leone. The movie brought the topic back to the public.

7 January 2006

At the suggestion of the Dessau counseling center for victims of right-violence a solemn vigil on the first anniversary of the fire death of Oury Jalloh was hold in Dessau.

24 February 2006

The SPD parliamentary group of Saxen-Anhalt required an extensive clarification in the case of Oury Jalloh. SPD and Left Party in Magdeburg Parliament wanted if necessary that a parliamentary inquiry committee to uncover the truth were used.

31 March 2006

In a statement the lawyers Regina Goetz and Ulrich von Klingraeff condemned the abduction of the process by the institutions of justice.

1 April 2006

Under the slogan "Break the Silence! Against racist state power, cover- up and speechlessness" more than 800 people demonstrated in Dessau. They demanded truth, justice and reparation in the case of Oury Jalloh.

18 June 2006

The second report of the National Institute of fire fighters Saxen-Anhalt in Heyrothsberge confirmed the view of the prosecutor in Dessau that the suspicion against the accused service group leader Andreas S. were reasonable. The press release states: "(...) Thus it would have been possible to save Oury Jalloh with timely and appropriate action of the accused

1 July 2006

The city of Dessau, the German-African initiative in Dessau, Dessau counselling centre for victims of right violence and Dessauer network site against right-wing extremism, xenophobia and anti-Semitism organized under the auspices of the interior minister of Saxen-Anhalt, Holger Hovelmann, an inter cultural Football Tournament "African kick II". The Dessau victim counseling center had invited the Minister of the Interior.

8 August 2006

The accessory prosecution of the mother of Oury Jalloh is admitted in the criminal proceedings.

7 September 2006

The Berliner Initiative "In Memory of Oury Jalloh" organized a day of action before the District Court of Dessau with a subsequent demonstration through the centre of Dessau. The participants demanded under the slogan "Break the Silence - truth, justice and reparation" the opening of the trial in the case of Oury Jalloh.

18 September 2006

For the Dessauer German-African initiative Mouctar Bah received in Dessau Hall the price of the Berlin Alliance "Active for democracy and tolerance". Along other things the inter cultural soccer tournament "African Kick" is distinguished. Dr. Rüdiger Fikentscher (Vice-President of the Landtag of Saxen-Anhalt) and Rüdiger Erben (State Secretary in the Ministry of Internal Affairs of Saxen-Anhalt Anhalt) held a greeting at the invitation of the Dessau counselling centre for victims of right-violence. The victim counselling centre had organized the ceremony in Dessau Hall. 100 persons participated.

28 September 2006

As part of the Dessau inter cultural week a second hearing on the case Oury Jalloh was held in the Schwabehaus on the initiative of the Dessau counselling centre for victims of right violence. During the same week the movie "Death in the cell - Why Oury Jalloh died?" was first shown in Dessau. The lawyer Regina Goetz was present.

2 November 2006

The 6th Criminal Court of Dessau rejected to accuse Hans-Ulrich M. on criminal charges out of the absence of sufficient evidence. He was the official, who had searched the clothes of Oury Jalloh and possibly overlooked a lighter. Regarding the charges against the service group leader Andreas S. the 6th Criminal Court of Dessau ordered further inquiries.

3 November 2006

The Dessau counselling centre for victims of right violence and Dessauer network site against right-wing extremism, xenophobia and anti-Semitism criticized the decision of the District Court of Dessau to reject the charge against the police officer who was supposed to have overlooked the Lighter in Oury Jalloh pockets.

16 November 2006

The Dessau prosecutor lodged a complaint against the decision of the District Court of Dessau to the Oberlandesgericht Naumburg to reject the lawsuit against the police officer who was supposed to have overlooked the Lighter in Oury Jalloh pockets.

27 November 2006

The attorneys of Klingraeff Ulrich and Regina Goetz also made a complaint against the decision of the District Court of Dessau to reject the action against the police officer who was supposed to have overlooked the Lighter.

9 December 2006

The film "death in the cell - Why died Oury Jalloh?" was awarded the German Film Award for Human Rights of 2006.

22 December 2006

Two assaults were being made in Dessau and Wolfen. One on the garage of the house of the physician Andreas B., who said Oury Jalloh was fit for custody, an incendiary attack was made. A conversation protocol between the physician and the service group leader Andreas S. which was made public during the investigation created the excitement because of racist words. The second assault was made with paint on the house of a high police officer of the police station where Mr. Oury Jalloh died. In a letter

the extreme left "Militant Group (MG)" committed that they had done the act.

2 January 2007

The District Court of Dessau made the charges against the Police Chief Inspector Andreas S. and set the start of the process fixed on March 27, 2007.

6 January 2007

The "African community" made a conference in the Beat Club in Dessau about the topic "police violence". 120 participants took part.

7 January 2007

In Dessau and Berlin simultaneously demonstrations were held for the second anniversary of the death of Oury Jalloh. The lawyer Ulrich von Klinggräf was present at the demonstration in Dessau.

29 January 2007

The Naumburg Court agreed with the complaint of the prosecutor in Dessau and resumed the charges against the police officer Hans-Ulrich M..

27 March 2007

On this day started before the District Court of Dessau the trial on the death of Oury Jalloh. The police team leader Andreas S. had to answer for assault resulting in death, the co-defendant colleague Hans-Ulrich M. for involuntary manslaughter. The presiding judge had originally scheduled the trial for six days of process. At the end of the process took 59 days. Mariama Diallo Djombo († 23 July 2012), the mother of Oury Jalloh, arrived from Guinea and participated as a joint-plaintiff in the process. The two joint-plaintiffs (mother and father of Oury Jalloh) were represented by the lawyers Regina Goetz and Ulrich von Klingraeff.

08 December 2008

After 59 days of process the verdict was made by Judge Manfred Steinhoff. The two accused police officers were found not guilty of the charges. The costs for the court proceedings were to be paid by the state. The lawyer Klingraeff certified the Court, in particular the presiding judge Manfred Steinhoff a great ambition to clarify the events of 07 January 2005. The lawyer actually explained: "Also I unfortunately did find

nothing of what had to be done better for finding out the truth" The judge even allowed the impressive WDR documentation "Death in the cell" as an evidence for the case. Furthermore the leading judge repeatedly acknowledged members of the African community the opportunity to express themselves in the courtroom. "Impressive was the fact that the family was there." Said Ulrich von Klingraeff.

Accordingly to the procedure the court proceedings would have taken a completely different course if the former police district manager Gerald K. had not given "standards" to the police officers who testified before the court. But so it had been a controlled process by the police: "It's just, you can not believe it, is not an isolated case." said Klinggraeff's. The backing of the police authority and the strong corps spirit was responsible for this. Furthermore not the police officers who where under suspicion had been offset but "the black sheep", those very official Beate H. who had blamed a colleague had been shifted to another police station.

The verdict of the judge actually said everything about the process. His judgement Judge Manfred Steinhoff started with unusually, and clearly frustrated words: "First we state that these not guilty verdicts are not based in any way on what we could found out about the day" the president added. After this first attempt at a verdict, further remarks by the judge were made impossible by the people in the court room. Then Steinhoff said further: "What was offered here was not a rule of law. And the police officials who were committed to the rule of law in particular have made it impossible to solve the case. All of these officials who have lied to us here are individual officers who have no right to be police officers in this country".

He finally came to a resume of such a quality that you get seldom from a German judge in a German courtroom: "In a process which might be called a process of law we had not the chance to clarify the events." Also the police investigation in this case Steinhoff criticized harshly: "The further course of the investigation is characterized by failures, bad luck, glitches and failure." One example was a press release of the police station, which already spoke on the day of the incident that the acting of the officials showed no fault and was exemplary. This was a praise for the involved participants before any investigations had ever begun.

"It is frightening to which extent the statements where purely and simply wrong here." He noted on the behaviour of numerous police officers in court. Later he made this behaviour of testifying directly responsible for the failure of the process: "The facts are not enough to condemn here

anyone. The whole thing has nothing to do with the rule of law". Finally, he added: "That what was offered here was no rule of law and police officials who were committed to the rule of law in particular made an enlightenment impossible. All these officials who have lied to us here are individual officers who have no right to be police officers in this country". Completely frustrated Steinhoff said: "I do not feel that I have to say any more about this shit".

Manfred Steinhoff came to a devastating assessment and directed his last words to the police officers: "You have hurt the police, the judiciary, the rule of law and the state of Saxen-Anhalt to the worst".

Finally he concluded with a personal hope: "It was not a real process in which we obtained real knowledge and came to a good judgement. I hope I will never experience that again. But I'm afraid that I'm going to be wrong". Despite the disappointment of most of those present in the courtroom on the outcome of the proceedings Judge Manfred Steinhoff got applause by the majority of viewers for his final words on the process, even from those who had previously voiced loudly their displeasure and would have had preferred to storm the judges table a moment before.

Against the sentence both the prosecution and joint-plaintiff's appealed for revision.

6 January 2009

Ulla Jelpke, spokesperson of the party DIE LINKE in the Bundestag commented on the demonstration that will be held in Memory of Oury Jalloh the next day: "No one could be convicted in the court proceedings, because the investigations where conducted sloppy, evidence was manipulated and the police witnesses gave no useful statements" Furthermore she wrote in her press release "I therefore support the demand of the initiative in remembrance of Oury Jalloh for an independent commission of inquiry to investigate the death truthfully."

January 07, 2009

On this Wednesday a demonstration took place in Dessau in remembrance on Oury Jalloh, who burned four years ago on that day in a Dessau police station.

21 July 2009

The police searched Mouctar Bah's former shop. This was four days after a

newspaper report that he was to be awarded the Carl von Ossietzky Medal. He was supposed to have dealt in stolen goods. Someone had reported him to the police back in January. The allegation read 'receiving stolen goods.' The search that then took place did not uncover any evidence. In other words, the clothing that was alleged to have been stolen from the fashion house was not found. The investigations against Mr Bah were then abandoned. He was one of the main activists demanding an investigation in the case of Oury Jalloh.

13 December 2009

At an awards ceremony on Sunday Mouctar Bah from Dessau (in remembrance of Oury Jalloh initiative), Stefan Schmidt from Luebeck (Captain of the "Cap Anamur") and the Tunisian fishermen who saved in 2007 44 Refugees on high See, where honored with the Carl-von-Ossietzky-medal. The ceremony took place in Berlin at the house of cultures. The International League for Human Rights (ILMR) presents this award since 1962 to individuals who have rendered outstanding services with particular moral courage to the human rights.

7 January 2010

The acquittal of the police group leader Andreas S. was been repealed by the German Supreme Court (BGH). [4] The acquittal of the second policeman had become final. The Supreme Court did not accept the sentence of the Dessau Court that it had no chance: "to perform a due process of law." The presiding judge of the Supreme Court, Ingeborg Tepperwien, told the Taz, a German newspaper, that in this case there was a lack of readiness of the Dessau police force to solve the case.

12 January 2011

Before the District Court of Magdeburg, the new trial began. As with the first process the mother of Oury Jalloh, Mariama Jalloh Djombo took part as an observer in the process in Magdeburg. Unfortunately she died on July the 23, 2012 shortly after her return to Tourahol (Dalaba / Guinea).

7 January 2012

On this day about 200 people demonstrated in Dessau to demand clarification in the case of Oury Jalloh. They used banners with the words "Oury Jalloh - this was murder!". The police seized these transparent's during the demonstration. At least two protesters were seriously injured.

Also Mouctar Bah was one of the victims. He was one of the main activists demanding an investigation in the case of Oury Jalloh.

9 January 2012

The Fire expert Klaus Steinbach, a chemist and by 2010 leading fire expert at the Institute of firefighters of Saxen-Anhalt, who was mandated by the Justice of Saxen-Anhalt to make a fire report for the process, stated after a press report that he had only the job to reconstruct the course of the fire in such a way that Oury Jalloh had set himself on fire. The fire expert said further that the assumption of the court could not explain the condition of the body.

13 January 2012

The representative of the joint-plaintiff called for a new fire opinions in its request for evidence. The appeal relies on the statements of the fire expert Steinbach. The application shall be submitted to the Regional Court of Magdeburg.

7 February 2012

About 30 peaceful demonstrators occupied the Town Hall in Dessau and demanded the release of the video's of the police operation at the demo on January 7, 2012.

16 February 2012

The Court rejected the application for a new fire report by the joint-plaintiff for clarification of the fire origin, the fire progress and the result of the fire (an open-ended fire expert opinion about the fire without taking as a basis the thesis of a "spontaneous combustion" by Oury Jalloh himself). Throughout the conduct of judicial evidence, the appeals of the defense were refused to bring in an open-ended fire assessment by an independent expert. The reasoning is: "The Chamber draws in the current state of evidence the assumption that the fire did not occur by third parties."

The reasoning of the courts was always the same: Accordingly to the accusations against police officer Andreas S. this process is about to clarify the facts of a bodily injury resulting in death and not to find out if a murder took place. The so-called "judicial conviction" of the Magdeburg chamber was based on three unproven hypotheses in all the relevant aspects: 1. Oury Jalloh made the fire himself. 2. Third persons where not involved in

the fire. 3. Combustive agents where not used.

The conditions for the hypothesis that they could be true where also given by the court:

For hypothesis 1 the court conjectured that:

- To defend the first hypothesis the Magdeburg judges even go so far to presume that they know why Mr. Jalloh had done the fire by himself: ". ... To draw attention to himself" The hypothesis itself had been simply adopted by the prosecution of the first process in Dessau.
- The lighter was either overlooked or stolen on the way to the cell
- The mattress cover was already damaged (narrow time window to start the fire for Oury Jalloh) - Fireproof mattresses tend to ignite fully after a local inflammation
- Polyester residues found on molten lighter which did not belong to the crime scene, as well as the complete absence to the scene related plastic remnants of the mattress (PVC, PU-foam) on the lighter called the hypothesis not in question that the lighter, which was found later, was the one Oury Jalloh used.

For hypothesis 2 the court conjectured that:

- The risk of discovery was too high in the custody tract because of the video surveillance and the frequent checks on the cell that no police officer would have dared to burn Oury Jalloh.
- It is unlikely that colleagues would not comment on a murder on Oury Jalloh.
- Anyway the first hypothesis contradicts the involvement of third persons.

Based on an inadequate and biased crime scene investigation for hypothesis 3 the court could conjecture that no fire accelerants were used.

- No fire expert at the scene
- Only partial collection of the fire debris of the mattress in not sealed bags (volatile!)
- No probes of soot marks from the cell walls where taken.
- Examination of fire debris on remains on (volatile!) remnants of fire accelerants where made only three days later
- Anyway the first hypothesis contradicted the existence of fire.

13 December 2012

The district court sentenced the Magdeburg police group leader for involuntary manslaughter to a fine of 120 daily rates of 90 euros (10,800 euros). With the ruling, the district court Magdeburg went beyond the call of the prosecutor, who had pleaded for a fine of 90 daily rates of 70 Euro. Audience interrupted the verdict of the judge several times with derisive laughter and "murder" chants.

11 November 2013

The massive tampering with the evidence, the serious errors of the crime investigations, the acts of omissions and the many contradictions in the statements of the officials led the "Initiative in Memory of Oury Jalloh" and some single individuals on 12 of November 2013 to make criminal charges of manslaughter or to charge on murder against unknown police officers in the death of Oury Jalloh at attorney general Harald Range.

In the explanation they stated among other things: "We turn ... to you because it is a particularly serious crime in the present case with respect to the internal security and constitution of the Federal Republic of Germany, since the guilty must be executive officers of the Federal state of Saxen-Anhalt."

Some of the contradictions and inconsistencies were:

The testimony of a fire expert commissioned by the Magdeburg district court was questionable. It assumed that the fire outbreak was in the area of a ruptured wall tile near the right-hand cuff of the detained. If the fire had originated there and the prisoners died of inhalational heat shock (inhaled the hot air) then he must have been laying sideways to escape the heat (due to the pain caused by the heat).

People who succumb to a heat shock, die in the current posture and it does not change afterwards. Since the body was found lying on his back, Oury Jalloh was either unconscious, then he could not have self-ignited himself or the fire arose from all sides explosively.

In the body of Oury Jalloh the hormone noradrenaline was not found, which can be measured in stress situations in the urine within a few seconds. Here again this raised the question of whether Oury Jalloh was ever conscious.

The charred lighter presented by the police, with which the prisoner was said to have ignited himself, had no DNA traces of him or fibre traces of

his clothes. Instead to the lighter sticked large amounts of fibre residues whose origin could not been clarified because the Magdeburg court refused further analysis.

Since it can be excluded that the lighter has ever been in contact with Oury Jalloh or the mattress, the hypothesis of spontaneous combustion can not be maintained, since it lacked a plausible instrument.

The full video, which was made by the State Office of Criminal Investigations Saxen-Anhalt at the fire scene, was gone or deleted. The recordings broke after 4 minutes out of conflicting reasons made by the police. The video could have shown whether there was a lighter under the body of the dead.

The logbook of the car of two police officers disappeared, which may have made clear what the two have done in the time between the arrest and the fire.

The electronic arrest protocol of Oury Jalloh's arrest had been deleted - obviously by hand.

The right-hand cuff on the wall of the cell was removed with a bolt cutter and been disposed two weeks after the fire by order of the Chief Administrative Officer.

A secured 8 cm piece of fabric being found on the back of the head of the Dead was handed over to the forensics, but did not appear in the evidence objects list.

A discussion note one Dessauer Detective made on a first meeting with colleagues from Stendal on the day of the decease, which he handed over to his superiors, disappeared. The content of the conversation was that it was known to the Office of Interior, that the police officers in Dessau "deal harshly with foreigners".

The list of the officials who had stayed at the fire scene is gone. Photos that have been made by officials of the district on the day of the death of Oury Jalloh were gone.

The Office of Criminal Investigation (LKA) had consulted no fire experts on the crime scene for forensics and didn't investigate on the scene on combustion liquids.

Although the LKA report of 10 January 2005 said that the entire fire debris had been secured, only four bags with fire debris were stored and only two had been examined on combustion liquids. It also became clear through the court testimony that these aluminium bags had been opened, so that the detection of a possible fire accelerant had not been possible (they dissipate). Soot deposits from the walls of the cell were not even taken.

12 November 2013

The Initiative in Memory of Oury Jalloh invited to a press conference in the House of Democracy and Human Rights in Berlin to present the fire report from an independent fire expert. Since the courts always had formulated the questions very narrowly for the fire experts (question like: "How was it possible that Oury Jalloh could burn yourself?"), the initiative decided to ask a fire expert to make an comprehensive and independent report.

In Germany it was impossible to find an independent fire expert because the fire experts who where asked for their expert opinion simply rejected or withdrew their first declared willingness. Thus an international fire expert had to be sought and was found in Smirnou Maksim who is a renowned fire expert from Ireland. He made an open-ended fire report in which the events and circumstances in the cell were simulated.

A police video that was recorded shortly after the fire, showed the body of Oury Jalloh burned on it's back beyond recognition. The white tiles of the cell are stained by dark black soot - one tile is cracked.

So the question was: what must be done that a human body and a fireproof mattress looked after a fire similar to what was documented on the fire image of the cell number 5 on 7 January 2005?

In a replica of the cell in Dessau a pig carcasses was dressed in T-shirts and jeans, positioned on a mattress with fire-resistant PVC coating. Then the expert Smirnou made the various fire tests.

To check the self inflicted fire thesis of the courts in the first tests, it was tried to light the mattress with a cigarette lighter.

This could only be achieved after the mattress cover was teared apart. The result was a smoldering fire in the underlying foam. This created white smoke and faint carbon deposits on the tiles. After about an hour the mattress was less than half burned. The burning of garments happened only with contact to the smoldering fire on the surfaces. The top of the pork carcass showed no burns. A lighter which had been placed under the body remained intact and functional.

Also by the following experiments (removal of the entire coating top of the mattress, use of alcohol, barbecue lighter or 2 liters of gasoline) the fire image of the cell in Dessau could not be created.

Only after removal of the entire PVC cover of the mattress and through the use of 5 liters of petrol (canister), there was an explosive fire development with "direct burn through" of the whole material ("flash over"), which had

to be extinguished - for the protection of the technical equipment - a minute later.

The typical black smoke of petrol was emitted and the tiles on the wall were cracked under the heat. The pig body had "extensive skin burnings", as they had been also found at Oury Jalloh.

The lighter which was laid under the body of the pig remained in shape and color. Not like the lighter which was "found" after the fire in the Dessau cell, of which the entire plastic portion was fused to a black mass. This lighter was said to has been located under the corpse of Oury Jalloh accordingly to the statements by the police officials.

The fact that high concentrations of cyanide (hydrocyanic acid compounds) occurred in the experiments only with the use of gasoline and grill lighter - but not in the tests without fire accelerant - supported the assumption that gasoline was used, because in Oury Jalloh's body Cyanide was detected.

The expert Smirnou concluded that all the test results must be reviewed toxicological and pathological, to clarify the actual cause of the death of Oury Jalloh.

The results of the fire report showed that the largest similarities with the conditions found in the cell number 5 on January 07, 2005 could only be achieved with the use of 5 liters of fire accelerant and the removal of the fire proof mattress cover. Accordingly to the statements of the fire expert the circumstances which were found at the scene, practically and theoretically could not be achieved without barbecue lighter or gasoline. The theory of a self inflicted fire was significantly challenged by this fire report. A reanalysis into the circumstances of the death of Oury Jallow was urgently needed.

The conclusion of the Initiative in Memory of Oury Jalloh after four years of process monitoring at two different jury trials of Saxony-Anhalt was: "The claim of unreserved clarification of the circumstances of the death of Oury Jalloh seems impossible with the national authorities of Saxen-Anhalt".

Many newspaper reports agreed after the press conference that the independent fire expert opinion supported the murder theory. The senior public prosecutor in Dessau was equally interested.

The question of why nine years of work of an initiative, donations of many people and a privately funded fire report were necessary for the authorities to doubt the recent fire reports with their simple point of views.

The Dessauer senior prosecutor Folker Bittman spoke of "very serious,

surprising and sometimes shocking informations". Some points were contrary to previous reports in Germany. Bittman said: "This can not be simply ignored." Presumably a further report had to be prepared by the investigating authorities. He rejected allegations that investigators had deliberately ignored evidence. The initiative accused in their complain the police and judicial system that had "boycotted the rule of law in resolving the matter."

On the basis of the new fire report the Initiative in Memory of Oury Jalloh on November 11, 2013 presented to the Attorney General Harald Range their accusations against unknown persons for murder or manslaughter.

12 November 2013

Delegates in the German state parliament of Sachsen-Anhalt from the Party Bündnis 90/Die Grünen called for a careful review of the new fire report and demanded a new investigation by the public prosecutor in the case of Oury Jalloh.

12 November 2013

After the presentation of the report of the fire expert Maksim Smirnou the British newspaper "The Guardian" reported that parallels in the case Oury Jalloh with the NSU-process will probably result in high level of international attention. In the report Iyiola Solanke a professor of the Leeds School of Law, who deals with racial integration, was quoted with the words: "Taken together, the cover-up of the NSU scandal and the superficial investigation into the death of Oury Jalloh raises the question about the conduct of German police towards black and minority ethnic victims of crime. The parallels are worrying and it would be hasty to brush them aside as mere coincidence."

11 February 2014

Exactly three months after the Initiative in Memory of Oury Jalloh had filed criminal charges of murder or manslaughter against unknown police officers at the General Attorney, the Karlsruhe chief prosecutor Matthias Krauss explained in his statement, that this complaint did not fall within the competence of the attorney general.

The evidence of the Regional Court of Magdeburg, as Krauss stated, did not show any error of law in the question whether Oury Jalloh was lighted by a third party or not. All pieces of evidence, including the new fire report, which was commissioned by the Initiatve in Memory of Oury Jalloh didn't raise any "reasonable doubt" at the self-ignition hypothesis for the highest prosecutors of the Federal Republic.

April 3, 2014

Due to the fire report of the Oury Jalloh initiative in the November 2013, which questioned the theory of spontaneous combustion by Oury Jalloh himself, the prosecutor of Dessau-Roßlau had initiated a new investigation to clarify the cause of the death.

4 September 2014

The Supreme Court confirmed the judgment of the District Court of Magdeburg on the case of Oury Jalloh: Mr. Jalloh ignited himself, a murder was not proven. The case of Oury Jalloh was not to be reopened. This was announced by the presiding judge of the 4th Criminal Division, Beate Sost-Scheible.

Nearly ten years after the fiery death of the asylum seeker Oury Jalloh in the Dessau police cell, the highest German criminal court had placed the controversial case to the files. The Federal High Court of Justice (BGH) in Karlsruhe rejected on Thursday all appeals against a judgement of the District Court of Magdeburg. Thus the fine of 10,800 Euros for the then responsible officer was final.

Despite his bondage he had managed to take a lighter out of his pocket to ignite his clothing or the mattress. This was successively explained by the District Courts Dessau and Magdeburg. The Supreme Court uphold this argument again, although a new report had raised serious doubts to the former version of the events. After the mattress had gone up in flames, the prisoner died of his burns. The fire alarm had been turned off by the relevant police group leader in the police station.

Additional Information:

In November 2002 Mario Bichtemann died in the custody of the Dessau police station also in cell 5. Dr. Andreas B. attested that Mr. Bichtemann was suitable for custody and didn't recognized a fractured skull. In the case Oury Jalloh the main accused policeman Andreas S. had also been on duty

in this case. In the court proceedings the evidence showed also abnormalities. The police officer on duty stated in court that Andreas S. rejected as the responsible superior, in spite of a non-response and apparent unresponsiveness of the man in the cell, to personally check on the status of Mario Bichtemann. Finally the investigation against Andreas S. had been closed with no sentence in this matter.

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