



Mouctar Ouldadah Bah

Friend of Oury Jalloh

Activist in the *Initiative in Gedenken an Oury Jalloh*

Dessau, January 6, 2022

To General Federal Prosecutor Mr. Peter Frank,
To Minister of Justice Mr. Marco Buschmann,
To Secretary of the Interior Ms. Nancy Faeser,

BREAK THE SILENCE! – OPEN LETTER

Our brother Oury Jalloh was burnt by German police officers on January 7, 2005 in a police cell in Dessau-Roßlau. He had been held in custody without court order. At the time of the crime, his hands and feet were in shackles that fixed him to a fireproof mattress. Almost 17 years have passed since his atrocious death. Yet, from the very first days, police and state officials perpetrated the lie that Oury Jalloh had set himself on fire. Until today they stand by their assertion despite evidence to the contrary. Therefore we, the family of Oury Jalloh, friends and activists, have been fighting for almost 17 years now for a rightful investigation, for justice and for uncovering the truth, which is, that Oury Jalloh was tortured and then burnt in police custody. On the occasion of the anniversary of his death, I therefore turn to you with this open letter.

New, independent expert opinion

In November 2021 the results of yet another forensic examination were published, which had been commissioned and organized by the *Initiative in Gedenken an Oury Jalloh* (Initiative in Remembrance of Oury Jalloh). In collaboration with **international experts from film, performance, and science, police cell Nr.5 of Dessau's police station was reconstructed meticulously and absolutely true to the scene**. With experiments on possible movement and the spread of the fire this experiment proved anew, **that Oury Jalloh could not have set fire to himself**.

In detail the experiments lead to the following conclusions:

- Oury Jalloh, being shackled in 4-point restraints, did not have sufficient range of movement to be able to himself set fire to the fireproof mattress he was affixed onto.
- It has been ascertained that a fire accelerant was used (possibly about 2,5 liters or 5.3 US pints of gasoline).
- The door of the cell must have been open to ensure enough air circulation for the actual duration of the fire for half an hour.

Only under these parameters was it possible to obtain results similar to the aftermath of the fire on the scene, as documented on January 7, 2005.

For further information on the independent investigation, please contact:

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These findings substantiate the evidence, already established on the basis of **forensic science**: Oury Jalloh was tortured and then killed in police custody in cell Nr. 5 in the police station of Dessau-Roßlau.

Structural racism

At least since the Black Lives Matter protests, the dimensions of anti-Black racism in Germany have come into public focus. Yet any signs of an increased understanding of and solidarity with Oury Jalloh from politicians are still missing. Anyone who claims #JusticeforGeorgeFloyd in Germany, without demanding investigation into Oury Jalloh's case and other deaths of Black people, disregards the realities of societal power relations and inequalities in Germany and hence is part of the structural problem.

The first statistical survey of Black people's lived realities in Germany, called *Afrozensus*, spells out the insufficient protection of Black people and tackling of anti-Black racism as one of the biggest all-encompassing problems of German society. BI_PoC communities in Germany and all active supporters and allies know: racism in Germany is ubiquitous.

In the course of independent, self-organized research and investigations the *Initiative in Gedenken an Oury Jalloh* additionally found that German administration, judicial courts and politicians did not only cover up the **murder of brother Oury Jalloh (2005)**, but also those of **Hans-Jürgen Rose (1997) and Mario Bichemann (2002)** in the same police precinct in Dessau-Roßlau. In order to illustrate the sheer magnitude of these cases, the notion of „**OURY-JALLOH-COMPLEX**“ has been introduced into the discussion, ever since those findings were released in October 2018.

In 2017, UN-experts expounded in their report the prevailing racist structures in Germany whereby their counsel was to **establish independent investigative structures**. In this respect the *Initiative in Gedenken an Oury Jalloh* was explicitly mentioned. With great concern were noted not only the killing of Oury Jalloh, but also the as yet unclarified deaths of other Black people in Germany, such as Christy Schwundek, Laye-Alama Condé and N'deye Mariame Sarr. It must be stated that notwithstanding this, nothing much has happened in this respect since the „**Decade for People of African Descent 2015-2024**“ was proclaimed by the United Nations.

Judicial system, politics and police are part of the problem

The Public Prosecutor's Office in Halle closed down inquiry in the case of Oury Jalloh in **2017** and in 2018 Public Prosecution in Naumburg reaffirmed this decision. Furthermore, the **Saxony-Anhalt state parliament refused, in 2019**, to establish a **fact-finding committee** in the case of Oury Jalloh, and the **Regional Appeal Court** (Oberlandesgericht /OLG) in Naumburg **declined proceedings to force criminal prosecution** as motioned by the lawyer of Oury Jalloh's family. As a consequence Oury Jalloh's family will press **charges against the responsible senior public prosecutors of the Public Prosecutor's Office in Naumburg for obstruction of justice and hindrance of investigations in office**. At the same time, the family will call for the immediate reopening of investigations in a murder trial against the police officers of the police precinct in Dessau, whose names are already known.

I stand with the Initiative and other signatories in support of Oury Jalloh's family's requests. Even today, politics have succeeded in suppressing the truth and actively spreading and maintaining the falsehood of Jalloh's suicidal setting fire to himself. The reason for this practice may well be, that admitting and acknowledging killings in police custody and the subsequent suppression of knowledge hereof, shall have wide ranging consequences for the federal government of Germany.

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**Yet, there is no other way: The Federal Public Prosecutor General and you, politicians of the newly elected federal government, must face and live up to one's responsibilities.
For those who endeavor to keep the OURY-JALLOH-COMPLEX unsolved and unclarified by state bodies, and who disavow the scientifically reconstructed and stated facts, is part of the problem!**

OURY JALLOH – THAT WAS MURDER! - BREAK THE SILENCE!

Mouctar Bah

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