



# IRAQ INVESTIGATION

## Haditha, Iraq Investigation

### Press Statement

***The following is the statement made by Col. Stewart Navarre during a press conference held at Camp Pendleton, Calif. at 1:00 p.m., Dec. 21, 2006. Navarre is the Chief of Staff, Marine Corps Installations West, headquartered at Camp Pendleton. The following statement may be attributed to Col. Navarre.***

Lieutenant General James Mattis, Commanding General of Marine Corps Forces, Central Command has conducted a thorough review of the investigations into the circumstances of the deaths of Iraqi civilians that took place on 19 November 2005, near Haditha, Iraq, as well as the investigations into the response by the chain of command.

I will describe the events and actions taken so far.

On the morning of 19 November 2005, a four vehicle convoy of Marines from Kilo Company, 3rd Battalion, 1st Marine Regiment, 1st Marine Division was moving through Haditha when it was ambushed by insurgents employing an improvised explosive device and small arms fire.

One Marine was killed and two were wounded by the explosion. Over the next several hours, 24 Iraqi men, women and children died in the vicinity of the IED explosion.

On 20 November 2005, 2nd Marine Division issued a press release stating that 15 Iraqi civilians were killed in an IED explosion, and Marines and Iraqi Army soldiers killed eight insurgents in a follow-on fire-fight.

We now know with certainty the press release was incorrect, and that none of the civilians were killed by the IED explosion.

As the result of a query by a Time magazine reporter in January

2006, there were several distinct but related investigations into the circumstances of the deaths of the 24 Iraqi civilians, and into how the chain of command reported and investigated those deaths.

On 14 February 2006, Lieutenant General Peter Chiarelli, Commander of Multi-National Corps-Iraq, initiated an Army Regulation 15-6 investigation concerning the incident. This investigation focused on the circumstances of the attack and whether the Marines involved followed the Rules of Engagement and Law of Armed Conflict. Colonel Watt was the investigating officer and this investigation closed on 9 March 2006. Colonel Watt recommended further criminal investigation by the Criminal Investigative Division or the Naval Criminal Investigative Service.

On 12 March 2006, in response to the recommendation of the Watt investigation, Major General Richard Zilmer, Commander of coalition forces in Al Anbar, initiated a Naval Criminal Investigative Service investigation, to determine if there was any criminal responsibility for the deaths of the Iraqi civilians.

On 17 March 2006, Lieutenant General Chiarelli, Commander of Multi-National Corps-Iraq, initiated a second Army Regulation 15-6 investigation, appointing Major General Eldon Bargewell as the investigating officer. Major General Bargewell was appointed in order to provide an officer with sufficient seniority to interview the most senior officers in the chain of command in Al Anbar province.

The Bargewell investigation focused on three aspects of the incident: official reporting of the events and follow-on actions by the chain of command; training of Marines in the Rules of Engagement and the Law of Armed Conflict; and whether the command climate in 3rd Battalion, 1st Marine Regiment encouraged the disciplined application of the Rules of Engagement and the Law of Armed Conflict. Major General Zilmer initiated a Judge Advocate General investigation that was ultimately combined with the Bargewell investigation. In May 2006, the Naval Criminal Investigative Service also began a criminal investigation into the follow-on actions of the chain of command.

The Bargewell investigation concluded on 15 June 2006. The Bargewell investigation found that the Marines were adequately trained on the Rules of Engagement and Law of Armed Conflict

but that reporting of the incident up the chain of command was inaccurate and untimely. After endorsement by LTG Chiarelli, on 7 July 2006, it was forwarded to General Casey, Commander, Multi-National Forces – Iraq and then to U.S. Marine Corps Forces, Central Command for appropriate action.

U.S. Marine Corps Forces, Central Command provided a copy of the Bargewell investigation to the Naval Criminal Investigative Service on 17 July 2006. NCIS will continue its investigation until all legal proceedings are concluded.

Based on the findings of the investigations, various charges have been preferred against four Marines relating to the deaths of the Iraqi civilians on 19 November 2005. Also, charges have been preferred against four Marines for failure to properly report and/or investigate the deaths of the Iraqi civilians. These charges include murder, dereliction of duty, false official statement and obstruction of justice. A synopsis of the charges and specifications alleged against each Marine are in your press kits.

It is important to note that the accused are presumed innocent. The charges and specifications are only accusations against the individuals.

In order to preserve the integrity of that investigation, and to ensure fair and impartial legal proceedings, we will not discuss evidence or specific findings of the investigations.

We will endeavor to be as open as possible while preserving the rights of the accused and the integrity and fairness of the military justice process.

All Marines are trained in, and are expected to fully comply with the Law of Armed Conflict.

The Marine Corps takes allegations of wrong-doing by Marines very seriously and is committed to thoroughly investigating such allegations. The Marine Corps also prides itself on holding its members accountable for their actions.

We are absolutely committed to holding fair and impartial proceedings in full compliance with the Uniform Code of Military Justice.