

U.S. probes shooting at Fallujah mosque

Video shows Marine killing wounded Iraqi

MSNBC and NBC News

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Editor's note: This article includes graphic language.

FALLUJAH, Iraq — The U.S. military is investigating the killing of a wounded and apparently unarmed Iraqi prisoner inside a mosque during combat operations here, the Defense Department told NBC News on Monday.

NBC's Kevin Sites, who witnessed the incident Saturday while assigned to represent a pool of news organizations, reported Monday that the man was shot by a Marine who appeared to be unaware that the Iraqi was a wounded prisoner and did not pose a threat.

Bryan Whitman, a spokesman for the Defense Department, told NBC News that the military was investigating the incident observed by Sites. "We're confident it will be a thorough investigation," he said.

'He's faking!'

The incident occurred as a Marine battalion was taking part in a U.S.-led counteroffensive intended to secure Fallujah so national elections can go ahead in January as scheduled. Col. Michael Regner, operations officer for the 1st Marine Expeditionary Force in Fallujah, said Monday that the operation had secured control of the city.

Sites said the incident unfolded this way:

The Marine battalion stormed an unidentified mosque Saturday in southern Fallujah after taking casualties from heavy sniper fire and attacks with rocket-propelled grenades. Ten insurgents were killed and five others were wounded in the mosque and an adjacent building.

The Marines displayed a cache of rocket-propelled grenades and AK-47 assault rifles that they said the men were holding. They said the arms were conclusive evidence that insurgents had been using mosques as fighting positions in Fallujah, which they said made the use of force appropriate.

When the Marines left to advance farther south, the five wounded Iraqis, none of whose injuries appeared to be life-threatening, were left behind in the mosque for other Marines to evacuate for treatment.

Saturday, however, reports surfaced that mosques in the region had been reoccupied, including the mosque the Marine battalion had stormed the day before.

Two units that were not involved in Friday's fighting advanced on the mosque, one moving around the back and the second, accompanied by Sites, from the front. Sites said he could hear gunfire from inside.

Sites was present when a lieutenant from one of the units asked a Marine what had happened inside the mosque. The Marine replied that there were people inside.

"Did you shoot them?" the lieutenant asked.

"Roger that, sir," the second Marine replied.

"Were they armed?" the lieutenant asked.

The second Marine shrugged in reply.

Sites saw the five wounded men left behind on Friday still in the mosque. Four of them had been shot again, apparently by members of the squad that entered the mosque moments earlier. One appeared to be dead, and the three others were severely wounded. The fifth man was lying under a blanket, apparently not having been shot a second time.

One of the Marines noticed that one of the severely wounded men was still breathing. He did not appear to be armed, Sites said.

The Marine could be heard insisting: "He's f---ing faking he's dead — he's faking he's f---ing dead." Sites then watched as the Marine raised his rifle and fired into the man's head from point-blank range.

"Well, he's dead now," another Marine said.

When told that the man he shot was a wounded prisoner, the Marine, who himself had been shot in the face the day before but had already returned to duty, told Sites: "I didn't know, sir. I didn't know."

Self-defense could be accepted

The Marine who shot the man was removed from the field and returned to headquarters. The investigation will address why the wounded men were left behind for 24 hours, why four of them were shot Saturday and whether the killing observed by Sites was illegal.

At the same time the incident was taking place in the mosque, a U.S. Marine was killed and five others were wounded when the booby-trapped body of a dead insurgent exploded. The judge advocate general heading the investigation of the mosque incident, Lt. Col. Bob Miller, told NBC News that depending on the evidence, it could be reasonable to conclude that the Marine was acting in self-defense.

"The policy of the rules of engagement authorize the Marines to use force when presented with a hostile act or hostile intent," he said. "So they would have to be using force in self-defense, yes."

But Miller added: "Enemy combatants — in this case, insurgents — who don't pose a threat would not be considered a hostile."

NBC's Kevin Sites in Fallujah, Iraq, and Jim Miklaszewski in Washington and MSNBC.com's Alex Johnson contributed to this report.

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