U.S. Concludes Bin Laden Escaped at Tora Bora Fight
Failure to Send Troops in Pursuit Termed Major Error

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The Bush administration has concluded that Osama bin Laden was present during the battle for Tora Bora late last year and that failure to commit U.S. ground troops to hunt him was its gravest error in the war against al Qaeda, according to civilian and military officials with first-hand knowledge.

Intelligence officials have assembled what they believe to be decisive evidence, from contemporary and subsequent interrogations and intercepted communications, that bin Laden began the battle of Tora Bora inside the cave complex along Afghanistan's mountainous eastern border. Though there remains a remote chance that he died there, the intelligence community is persuaded that bin Laden slipped away in the first 10 days of December.

After-action reviews, conducted privately inside and outside the military chain of command, describe the episode as a significant defeat for the United States. A common view among those interviewed outside the U.S. Central Command is that Army Gen. Tommy R. Franks, the war's operational commander, misjudged the interests of putative Afghan allies and let pass the best chance to capture or kill al
Qaeda's leader. Without professing second thoughts about Tora Bora, Franks has changed his approach fundamentally in subsequent battles, using Americans on the ground as first-line combat units.

In the fight for Tora Bora, corrupt local militias did not live up to promises to seal off the mountain redoubt, and some colluded in the escape of fleeing al Qaeda fighters. Franks did not perceive the setbacks soon enough, some officials said, because he ran the war from Tampa with no commander on the scene above the rank of lieutenant colonel. The first Americans did not arrive until three days into the fighting. "No one had the big picture," one defense official said.

The Bush administration has never acknowledged that bin Laden slipped through the cordon ostensibly placed around Tora Bora as U.S. aircraft began bombing on Nov. 30. Until now it was not known publicly whether the al Qaeda leader was present on the battlefield.

But inside the government there is little controversy on the subject. Captured al Qaeda fighters, interviewed separately, gave consistent accounts describing an address by bin Laden around Dec. 3 to mujaheddin, or holy warriors, dug into the warren of caves and tunnels built as a redoubt against Soviet invaders in the 1980s. One official said "we had a good piece of sigint," or signals intelligence, confirming those reports.

"I don't think you can ever say with certainty, but we did conclude he was there, and that conclusion has strengthened with time," said another official, giving an authoritative account of the intelligence consensus. "We have high confidence that he was there, and also high confidence, but not as high, that he got out. We have several accounts of that from people who are in detention, al Qaeda people who were free at the time and are not free now."

Franks continues to dissent from that analysis. Rear Adm. Craig Quigley, his chief spokesman, acknowledged the dominant view outside Tampa but said the general is unpersuaded.

"We have never seen anything that was convincing to us at all that Osama bin Laden was present at any stage of Tora Bora -- before, during or after," Quigley said. "I know you've got voices in the intelligence community that are taking a different view, but I just wanted you to know our view as well."
"Truth is hard to come by in Afghanistan," Quigley said, and for confidence on bin Laden's whereabouts "you need to see some sort of physical concrete proof."

Franks has told subordinates that it was vital at the Tora Bora battle, among the first to include allies from Afghanistan's Pashtun majority, to take a supporting role and "not just push them aside and take over because we were America," according to Quigley.

"Our relationship with the Afghans in the south and east was entirely different at that point in the war," he said. "It's no secret that we had a much more mature relationship with the Northern Alliance fighters." Franks, he added, "still thinks that the process he followed of helping the anti-Taliban forces around Tora Bora, to make sure it was crystal clear to them that we were not there to conquer their country . . . was absolutely the right thing to do."

With the collapse of the Afghan cordon around Tora Bora, and the decision to hold back U.S. troops from the Army's 10th Mountain Division, Pakistan stepped in. The government of President Pervez Musharraf moved thousands of troops to his border with Afghanistan and intercepted about 300 of the estimated 1,000 al Qaeda fighters who escaped Tora Bora. U.S. officials said close to half of the detainees now held at the U.S. base at Guantanamo Bay, Cuba, were turned over by the Pakistani government.

Those successes included none of the top al Qaeda leaders at Tora Bora, officials acknowledged. Of the dozen senior leaders identified by the U.S. government, two are now accounted for -- Muhammad Atef, believed dead in a Hellfire missile attack, and Abu Zubaida, taken into custody late last month. But "most of the people we have been authorized to kill are still breathing," said an official directly involved in the pursuit, and several of them were at Tora Bora.

The predominant view among the analysts is that bin Laden is alive, but knowledgeable officials said they cannot rule out the possibility that he died at Tora Bora or afterward. Some analysts believe bin Laden is seriously ill and under the medical care of his second-in-command, Ayman Zawahiri, an Egyptian-trained physician. One of the theories, none supported by firm evidence, is that he has Marfan syndrome, a congenital disorder of some people with bin Laden's tall, slender body type that puts them at increased risk of heart attack or stroke.

The minority of U.S. officials who argue that bin Laden is probably dead note that four months have passed since any credible trace of him has surfaced in intelligence collection. Those who argue that he is probably alive note that monitoring of a proven network of bin Laden contacts has turned up no evidence of reaction to his death. If he had died, surely there would have been some detectable echo within this network, these officials argue.

In public, the Bush administration acknowledges no regret about its prosecution of Tora Bora. One official spokesman, declining to be
named, described questions about the battle as "navel-gazing" and said the national security team is "too busy for that." He added, "We leave that to you guys in the press."

But some policymakers and operational officers spoke in frustrated and even profane terms of what they called an opportunity missed.

"We [messed] up by not getting into Tora Bora sooner and letting the Afghans do all the work," said a senior official with direct responsibilities in counterterrorism. "Clearly a decision point came when we started bombing Tora Bora and we decided just to bomb, because that's when he escaped. . . . We didn't put U.S. forces on the ground, despite all the brave talk, and that is what we have had to change since then."

When al Qaeda forces began concentrating again in February, south of the town of Gardez, Franks moved in thousands of U.S. troops from the 101st Airborne Division and the 10th Mountain Division. In the battle of Shahi Kot in early March -- also known as Operation Anaconda -- the United States let Afghan allies attack first. But when that offensive stalled, American infantry units took it up.

Another change since Tora Bora, with no immediate prospect of finding bin Laden, is that President Bush has stopped proclaiming the goal of taking him "dead or alive" and now avoids previous references to the al Qaeda founder as public enemy number one.

In an interview with The Washington Post in late December, Bush displayed a scorecard of al Qaeda leaders on which he had drawn the letter X through the faces of those thought dead. By last month, Bush began saying that continued public focus on individual terrorists, including bin Laden, meant that "people don't understand the scope of the mission."

"Terror is bigger than one person," Bush said March 14. "He's a person that's now been marginalized." The president said bin Laden had "met his match" and "may even be dead," and added: "I truly am not that concerned about him."

Top advisers now assert that the al Qaeda leader's fate should be no measure of U.S. success in the war.

"The goal there was never after specific individuals," Gen. Richard B. Myers, chairman of the Joint Chiefs of Staff, said last week. "It was to disrupt the terrorists."

Said Quigley at the Central Command: "There's no question that Osama bin Laden is the head of al Qaeda, and it's always a good thing to get rid of the head of an organization if your goal is to do it harm. So would we like to get bin Laden? You bet, but al Qaeda would still exist as an organization if we got him tomorrow."

At least since the 1980s, the U.S. military has made a point of avoiding open declaration of intent to capture or kill individual enemies. Such
assignments cannot be carried out with confidence, and if acknowledged they increase the stature of an enemy leader who survives. After-action disclosures have made clear, nonetheless, that finding Manuel Noriega during the Panama invasion of 1989 and Saddam Hussein in the 1991 Persian Gulf War were among the top priorities of the armed forces.

The same holds true now, high-ranking officials said in interviews on condition that they not be named. "Of course bin Laden is crucial," one said.

In Britain, Armed Forces Minister Adam Ingram told BBC radio yesterday that bin Laden's capture "remains one of the prime objectives" of the war.

*Staff researcher Robert Thomason contributed to this report.*

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