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EFSCRJ Calls on Pres. Barrow to Ensure Accountability for the 2019 Fire Incident at the Ministry of Fisheries and Water Resources

Today, June 23rd, we have submitted a position paper to Pres. Adama Barrow calling on him to ensure there is accountability for the fire incident that engulfed the head office of the Ministry of Fisheries and Water Resources in Banjul on 2nd December 2019. The fire consumed numerous office equipment, documents, stationery, materials, fuel coupons and cash, and causing severe damage to the building. Two weeks after the conflagration, the President issued a directive on December 16th for an investigation, leading to the setting up of an investigative panel comprising members from various security agencies and led by the Gambia Police Force. Following the completion of the investigation, a legal opinion was issued on it by the Ministry of Justice, concluding that there was no evidence of arson as the fire did not meet the criteria for arson under Section 305 of the Criminal Code, which requires proof of wilful and unlawful setting of fire. Therefore, the legal opinion concluded that no suspicious or malicious intent was identified hence no one is held responsible.

In light of this, Edward Francis Small Centre for Rights and Justice, acting on the Access to Information Act 2021 requested the full report of the investigation from the Ministry of Fisheries and Water Resources on 14th October 2024. The Ministry responded to our request on January 25, 2025, i.e., four months after our request was received by them thereby constituting a violation of the Access to Information Act 2021.

Having reviewed the police investigation report including the legal opinion, we hold the opinion that there should be accountability for the incident. A review of the investigation report clearly indicates that there was negligence and lack of care by officials at the Ministry leading to the fire outbreak.

Our position paper details our analysis of the findings, recommendations and conclusion. As an accountability organization, EFSCRJ has therefore written to the President calling on him to hold accountable officials at the Ministry who had leadership, administrative and operational responsibility for the office premises at the time. By their acts of omission or commission, the fire outbreak occurred which caused financial and economic loss to the country.

We urge the President to act on our position paper bearing in mind that if no one is held accountable for this fire incident, a dangerous precedent would be set which could only encourage negligence, irresponsibility and impunity in public institutions. Ensuring accountability serves to remind public officials to always demonstrate responsibility, diligence and duty of care for public property.

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