I write in connection with support from the United Kingdom to Albania to strengthen adherence to the rule of law.

Slow progress in achieving judicial reform and the ongoing prevalence of organised crime and corruption has been a barrier to Albania’s application for EU membership, with the EU due to provide further information in relation to Albania’s accession negotiations next month. As you will be aware, concerns about the rule of law are a key factor behind the ongoing protests by opposition parties against Prime Minister Rama, with accusations of widespread corruption.

To that end, I am concerned that UK support to assist Albania in strengthening the rule of law must be targeted as effectively as possible. I note that the UK provides ongoing support through the Conflict, Stability and Security Fund’s Western Balkans programme on a breadth of projects, including projects to build the capacity of the judiciary.

I would be grateful if you could respond to the following questions:

- What is the FCO’s current assessment of adherence to the rule of law in Albania?
- Has the FCO observed tangible results as a consequence of UK Government funded projects to develop adherence to the rule of law in Albania? What results have been achieved over the past 3 years and over the past 5 years?
- What oversight has the FCO conducted to ensure the ongoing effectiveness of these programmes?
- What steps has the FCO taken to ensure the coherence of rule of law projects in Albania with other UK funded projects in the Western Balkans?

I would be grateful if I could receive your response by Monday 10 June. The Committee intends to publish your response.
June 2019

Tom Tugendhat MP
House of Commons
London
SW1A 0AA

Dear Tom,

Thank you for your letter of 20 May about UK support to Albania to strengthen adherence to the rule of law.

Rule of law in Albania remains an area of concern for the UK Government. Corruption, including with links to organised crime groups, is significant and impacts negatively both on security and on basic service provision in sectors such as health and education. Anti-corruption frameworks are in place, but implementation remains weak and conviction rates low, particularly in respect of senior-level figures. Meanwhile rule of law institutions continue to be linked to patronage networks, creating significant obstacles to improvements in the rule of law.

Nevertheless, and as recognised in the EU’s annual progress report on Albania published on 29 May, the past year has seen tangible progress on justice sector reform. Once complete this will include new investigative and court bodies and measures to increase the independence, impartiality and transparency of prosecutorial systems, as well as measures to enhance accountability of judges and prosecutors and increase access to justice. A key component is an ambitious process to vet thoroughly all judges and prosecutors. This has not been without its difficulties; the higher than expected number of vetting cases resulting in dismissal or voluntary resignation has meant Albania has been without a functioning Constitutional Court for over a year. The Supreme Court is also inquorate. Nevertheless, it is clear that the vetting process has ‘teeth’ and the Albanian government has shown real determination in pushing it through.

Despite these positive developments, more remains to be done, both in Albania and the wider region. That is why the Prime Minister announced at the Western Balkans Summit in London in 2018 that the Government would double its programme funding for the Western Balkans to £80m by 2020. This financial year will see the launch of a £20m (over 4 years) CSSF Rule of Law initiative across all six Western Balkans countries with the aim of delivering accountable, responsive rule of law institutions and processes. We are also providing support to strengthen Albanian civil society’s role in exposing serious and organised crime and the corruption that facilitates it. We have supported the establishment of a civil society observatory to monitor and report on corruption and organised crime, to share research and best practice, and to improve strategic coordination better to design polices and programmatic responses.
The doubling of programme funds to £80m requires not only a transformation in what we do, but also how we do it. We are now taking a regional approach focusing on a few key areas where our interventions will make the most difference, namely combatting Serious & Organised Crime; building stability throughout the region by improving government accountability and the Rule of Law, while also addressing past injustices; improving economic and administrative governance; and supporting reform of defence and media across the region. In such a crowded donor space, and with limited capacity in host governments to absorb these interventions, coordination across HMG and between donors is vital. It is a key part of diplomatic engagements in all the posts of the region as well as between capitals.

Oversight to ensure the effectiveness of the above approach is key. The Western Balkans Programme Unit is strengthening Monitoring and Evaluation (M&E) and governance across UK programme funds. This includes a commercial tender to deliver M&E and the creation of a Western Balkans Regional Strategy Board, chaired by the FCO Deputy Political Director. The Board brings together policy and programme teams from across Whitehall and other funds (including the Good Governance Fund and the Modern Slavery Fund now that it is active in Albania) to look at the strategic delivery against the HMG strategy in Albania and across the Western Balkans. The kind of deep-rooted change we aim to deliver through the Strategy will take time, so it is too early to judge the impact of our approach. However, we are confident that the above mechanisms will ensure over time that we are in a position to measure properly the impact that our programme is having and adapt its approach as we understand better what works best.

Should you wish now or at a later date to have more detail about our Western Balkans CSSF programme, my officials would be happy to brief you.

RT HON SIR ALAN DUNCAN MP