

# A PRACTICAL GUIDE FOR NPOs

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ESTABLISHMENT OF SOCIAL ENTERPRISES  
IN CONFISCATED ASSETS FROM  
ORGANIZED CRIME



U.S. EMBASSY  
Tirana, Albania



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A practical guide for civil society organizations on the establishment of social enterprises in confiscated assets from organized crime.

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This publication was enabled under the financial support of the Democracy Commission Small Grants Program of the U.S. Embassy in Tirana. The opinions, findings, conclusions and recommendations stated pertain to the author/s and do not necessarily represent those of the State Department.

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# 1. INTRODUCTION

In 2009, the Albanian Assembly adopted Law No. 10192 dated 03.12.2009 "On the prevention and fight against organized crime, trafficking and corruption through preventive measures against assets", which provides for the lending of the confiscated assets from organized crime for social purposes. Pursuant to this law, DCM No. 632, dated 23.7.2010 "On determining the evaluation criteria, manners and procedures for the commissioning and alienation of confiscated assets", provides that civil society organizations are among the entities that benefit from the commissioning of these assets, recognizing their value as important stakeholders in addressing social issues and developing the local economy.

International practice has shown that the reuse of confiscated assets for social purposes in the fight against illegal economy has brought a positive impact on the life of the communities, the involvement of the population in social and cultural projects, the promotion of volunteerism, the establishment of partnerships between public and private institutions and NPOs, on-job creation, self-sustainability through economic activity with social purpose, etc.

The creation of social enterprises in confiscated assets from organized crime directly affects the enhancement of the economic welfare of the community and the development of the territory, through the production of products and goods, as well as through the creation of employment opportunities, in addition to those created by the private and public sector. Furthermore, this practice has indirect effects on the production, promotion and preservation of social capital components, such as trust in institutions and compliance with the law, as well as promotes active participation in community social activities. These elements improve the quality of life of individuals and at the same time contribute to the creation of new paths towards legality and compliance with the law.

Based on the successful experiences in EU countries, especially on the Italian model of the reuse of confiscated assets from mafia for social purposes, as well as the opportunities provided by the existing legal framework in Albania, in 2016 Partners Albania for Change and Development took the first initiative in the country and in the Western Balkans region for the establishment of social enterprises in confiscated assets from the organized crime. The financial support of the European Union started the implementation of C.A.U.S.E - Confiscated Assets used for Social Experimentations, as a result of which today we have the first three social enterprises set up in three confiscated assets from the organized crime in Durrës, Fier and Saranda.

The challenges, lessons learned, and results of this initiative are outlined in this guide, which through a practical and concrete approach aims to assist civil society organizations in their efforts to develop a social enterprise in a confiscated asset<sup>[1]</sup> from organized crime.

[1] The seized and confiscated assets are subdivided into several categories as follows:

- Immovable properties including: buildings, commercial units, apartments, land, garages/basements, agricultural land/pastures, etc.
- Bank account
- Movable properties, including vehicles, etc.
- Business entities

This guide mostly focuses on the assets included in the first category: Immovable properties having the "confiscated" status, hereinafter referred to as the "confiscated asset".

## 2. *SOCIAL RE-USE* OF CONFISCATED ASSETS FROM ORGANIZED CRIME

Confiscated assets from organized crime represent an important source for the territory where they are located. Restitution of illegally acquired assets to the community to be used for social purposes is an effective strategy in the joint fight against organized crime. The management of these assets by civil society organizations and the opportunity to transform them into facilities where necessary economic and social activities take place at the same time, directly affects the welfare of the community through the production of goods and services and the creation of employment opportunities. When institutions and civil society effectively use such assets for social purposes by offering legitimate development alternatives instead of organized crime practices and culture, this represents a signal of the loss of control and prestige of criminal exponents in the territories they claim as theirs and a real proof of the change taking place in an organized crime territory.

The European Union Directive 2014/42/EU encourages EU member states to “*consider taking measures allowing confiscated property to be used for public interest or social purposes*”. Practice has shown that in countries largely affected by serious problems related to organized crime, the reuse of confiscated assets in cooperation with civil society organizations has proved to be a valuable tool to reconfirm the rule of law and to show that the civic response in the fight against organized crime is feasible.

Sustainable reuse of confiscated assets from organized crime by transforming them into social enterprises is considered as an effective method to fight organized crime, thanks to the three (3) dimensions that feature an enterprise of this kind. The first dimension is the political dimension and the message that these social enterprises convey to local communities to overcome the fear of the rule of organized crime. Secondly, the social dimension - social enterprises engage persons who have been victims of organized crime or persons pertaining to disadvantaged groups, who are at risk of being affected by organized crime, by giving them an opportunity to reintegrate into their communities.

Thirdly, the economic dimension - social enterprises in confiscated assets, like any other enterprise, generate employment and aim to maximize profit, which will be reinvested and used to serve to the social mission of the enterprise.

The social enterprise is a type of entrepreneurial initiative that aims to address a social problem by bringing transformation to the community, and providing original solutions to various emerging social problems, by implementing a business model. Although profit is one of the aspects of this concept, it is not the sole and primary goal of enterprise.

A social enterprise is a profit and goal-driven organization, where the practice of doing business and related social goals function simultaneously. A social enterprise features a high level of innovation and can face challenges and overcome obstacles that are not sufficiently addressed by conventional businesses or a non-profit organization.

Social enterprises provide services that promote social cohesion by using human and financial resources to the benefit of the community or disadvantaged citizens (e.g., minors, the elderly, persons with disabilities, the unemployed, drug addicts, former prisoners, victims of trafficking, etc.). Their integration is one of the most important attributes of social enterprises and makes a significant impact to the community by combating social exclusion and encouraging local development through job creation (Borzaga C & Defourny J., 2001). Beyond the above attributes, a social enterprise set up on a confiscated asset from organized crime prevents the possibility of asset acquisition by the criminal organization, thus breaking the vicious circle that produces people’s lack of trust in justice and institutions, and as well favours the economic development of the territory. Taking these assets from organized crime and returning them to the community from where they were “stolen” through terror and crime, a community which has suffered from the criminal activity of their former owners, constitutes a political tool that enables the restore and strengthening of trust in institutions.

Given the crucial mission of these enterprises, they must prove to be successful models and turn into sustainable solutions for the communities where they are located. Otherwise, their failure would convey a negative message in the fight against organized crime.

### 3. OPPORTUNITIES TO ESTABLISH *SOCIAL ENTERPRISES* IN CONFISCATED ASSETS FROM ORGANIZED CRIME IN ALBANIA

The Agency for the Administration of Seized and Confiscated Assets (AASCA), established under Law no. 9284, dated 30.09.2004 "On the prevention and fight against organized crime", as amended by Law no. 10 192 dated 03.12.2009 "On the prevention and fight against organized crime and trafficking through preventive measures against assets", is the state institution responsible for the administration and/or use of seized and confiscated assets from the organized crime. AASCA is an institution under the Minister responsible for public order and security and carries out its activity based on Law No. 34/2019, "On the administration of seized and confiscated assets", as amended by Law No. 19/2020 "On some additions and amendments to Law No. 34/2019, "On the administration of seized and confiscated assets". One of the most significant novelties introduced by Law No. 34/2019 is the inclusion in its scope of the concept "***returning illegally obtained assets to the community***", which reflects a radical change in the mind-set and approach of the state to these assets by emphasizing their reuse.

Decision No. 632, dated 23.7.2010 "On determining the evaluation criteria, manners and procedures for the commissioning and alienation of confiscated assets", pursuant to Law No. 10 192, dated 3.12.2009, enabled AASCA to commission the confiscated assets to non-profit organizations.

Until 2016, when the implementation of CAUSE (Confiscated Assets used for Social Experimentation) started, this was an untapped opportunity by AASCA and civil society organizations, due to several factors, as follows:

- Lack of understanding from the policymaking and law enforcement institutions on the importance and benefits that the reuse of confiscated assets by NPOs for social purposes brings to the community, and consequently a total lack of promotion for this opportunity. For these reasons, AASCA was an institution unknown to the public and to the non-profit sector.
- Lack of trust and courage on the part of state institutions to take such initiatives, considering them as infeasible.
- Insufficient human and technical capacities of AASCA as well as the low number of confiscated assets under its administration. Lack of information on the part of NPOs on the existence of this opportunity, which consequently did not bring a request from them for the use of these assets.
- The reluctance and fear from NPOs related to the dangers posed by the criminal origin of these assets, coupled with the lack of trust and insufficient strength of state institutions to support civil society organizations in these initiatives.

Consequently, the start of CAUSE implementation found AASCA with several gaps in the standard formal practice and procedure for the process to be followed by civil society organizations for using and exploiting the confiscated asset from the organized crime.

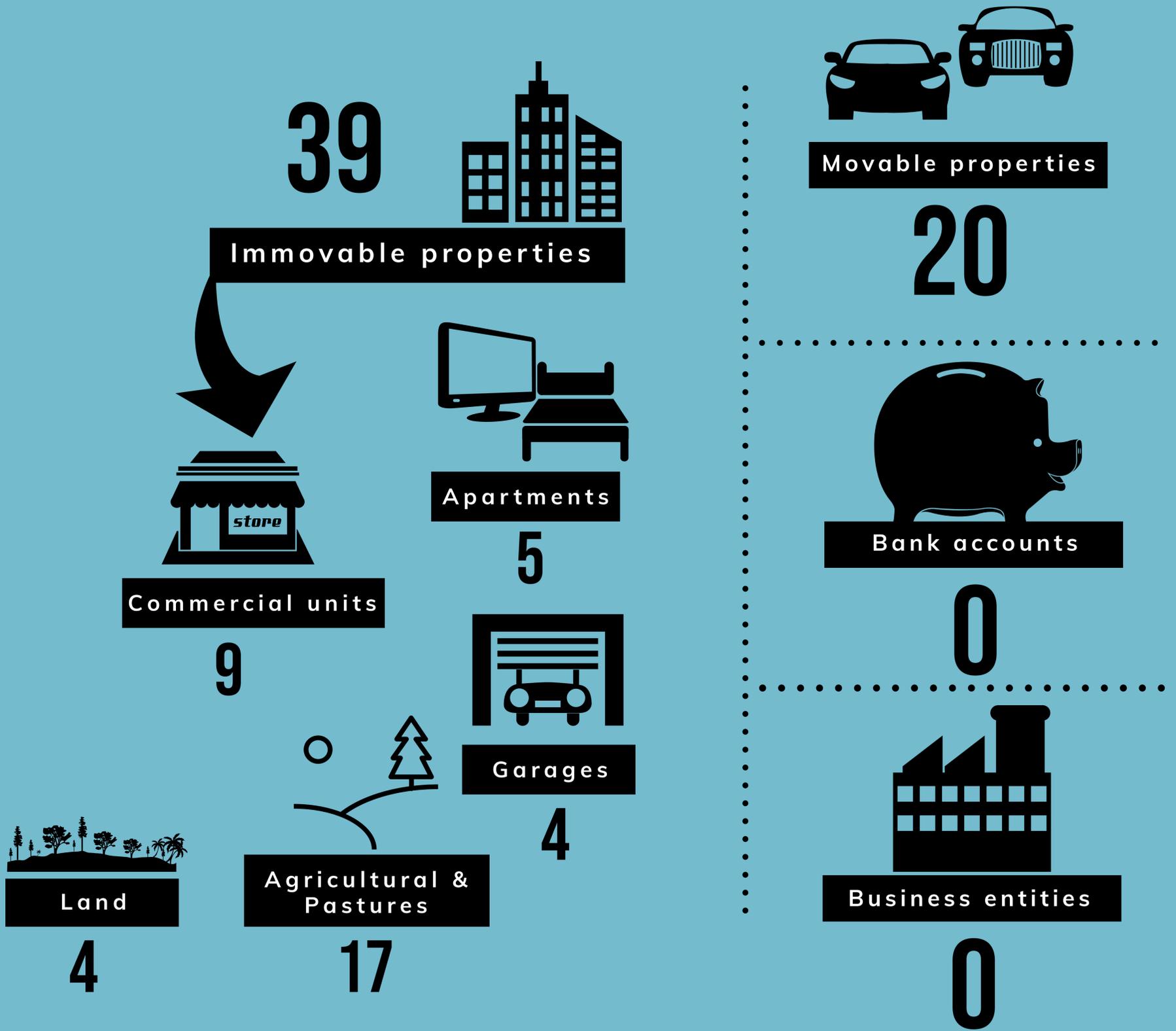
Today, with an improved legal framework on the reuse of seized and confiscated assets, increased efforts in the fight against organized crime, increased number of confiscated assets[2], increased and improved capacities, as well as a better understanding by the responsible state structures to the work and contribution of civil society organizations as regards the return of confiscated assets to the community, greater awareness of NPOs, and the example of the three first social enterprises[3] established in confiscated assets from organized crime, show a greater potential for exploiting such opportunities.

The practice followed by Partners Albania for the establishment of the three first social enterprises in confiscated assets from the organized crime in the country, in accordance with the existing legal framework and in cooperation with the AASCA, as introduced below in this Guide, serves not only to establish a procedure to be followed in the future by other interested organizations, but also to create a model of state-civil society organizations cooperation for the sustainable reuse of confiscated assets from the organized crime, which serves to the defence and rehabilitation of victims of organized crime, socio-economic development of the community and the rule of law and justice.

[2] Appendix D: Reported list of assets confiscated by AASCA in March 2020

[3] KeBuono social pastry in Fier, KINFOLK Coffee Library in Durrës, Social Crafting Garage in Saranda.

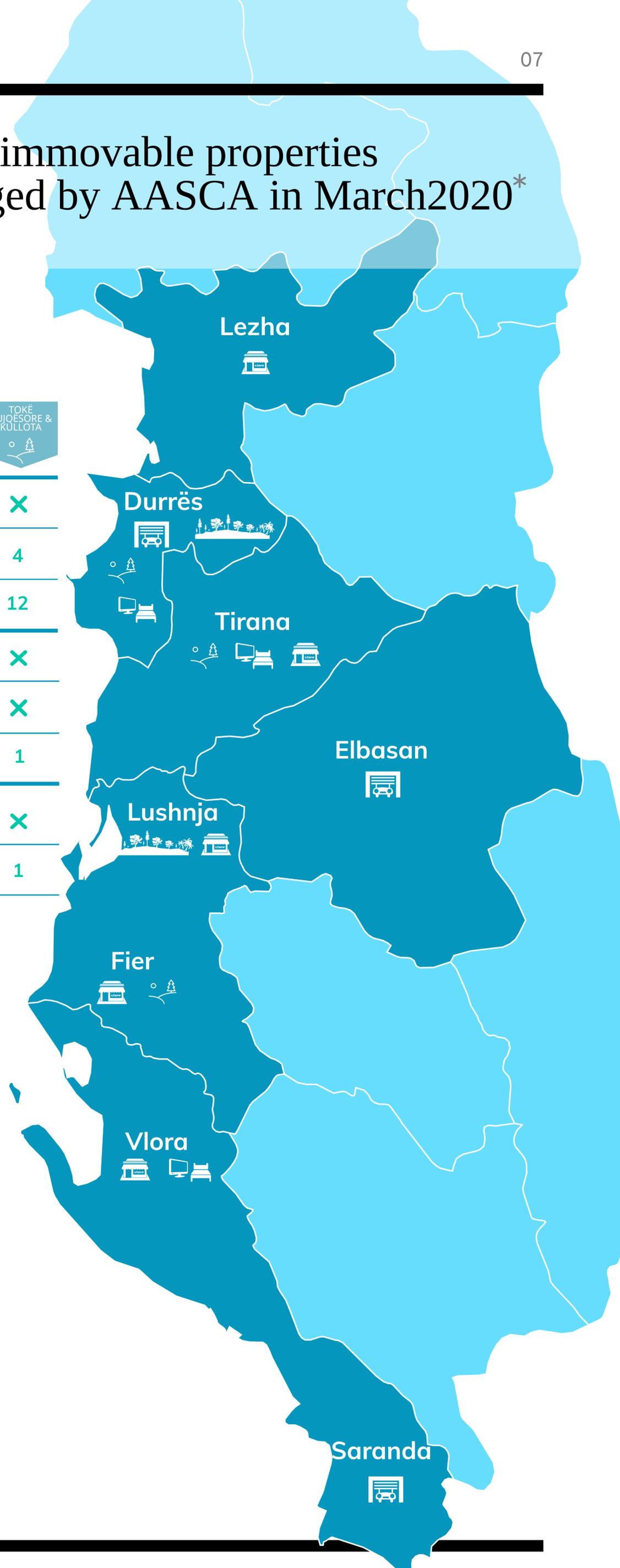
# Assets confiscated until March 2020



\*According to data obtained from AASCA in March 2020.

# Map of the distribution of immovable properties (confiscated assets) managed by AASCA in March 2020\*

	APARTAMENT	TRUALL	GARAZHE	NJËSI TREGTARE	TOKË BUJQËSORE & KULLOTA
LEZHA	×	×	2	×	×
DURRËS	1	2	×	2	4
TIRANA	2	×	×	2	12
ELBASAN	×	×	1	×	×
LUSHNJA	×	2	×	1	×
FIER	×	×	×	2	1
VLORA	2	×	×	2	×
SARANDA	×	×	×	×	1



\*According to data obtained from AASCA in March 2020.

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## 4. *STEPS* TO ESTABLISH A SOCIAL ENTERPRISE IN CONFISCATED ASSETS IN ALBANIA

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Pursuant to DCM No. 632 [4] "Law enforcement institutions, local government units, and **non-profit organizations**, for the protection and rehabilitation of victims of organized crime, are the entities that benefit from the commissioning of the confiscated assets from organized crime.

Based on this DCM, *"on the procedure of the commissioning of confiscated assets, the beneficiary must submit a request, whereby he/she expresses the motivated and argued interest"*.

Below you will find all the steps that an NPO must follow to make use of a confiscated asset and turn it into a social enterprise, which would enable "the most efficient, effective and economical use of the confiscated assets", in accordance with the provisions of Law No. 19/2020[5].

**1**

STEP

Understanding the legal basis and the institutions responsible for the administration of seized and confiscated assets

**2**

STEP

Discussion and development of the ideas within organisation

**3**

STEP

Building bridges with the AASCA to discuss the idea and getting information on confiscated assets under the administration of the Agency

**4**

STEP

Visits to the selected assets to identify what fits best to your idea

**5**

STEP

Getting support and assistance from local stakeholders in the area where the selected asset is located, in cooperation with the Agency

**6**

STEP

Drafting of the complete project proposal

**7**

STEP

Submission of the project and official request to the Agency for the use of the confiscated asset

**8**

STEP

Signing the Contract with the Agency

**9**

STEP

Establishment of social enterprise

## Step 1: Understanding the legal basis and the institutions responsible for the administration of seized and confiscated assets

Any organization intending to implement a project on a confiscated asset from organized crime should be well informed on the legal framework and responsible structures, as follows:

### Legal Framework:

- Law No. 10 192, dated 3.12.2009 "On the prevention and fight against organized crime, trafficking and corruption through preventive measures against assets", as amended with Law No. 24/2014
- Law No. 85/2020 "On some amendments and additions to Law No. 10 192 "On the prevention and fight against organized crime, trafficking and corruption through preventive measures against assets", as amended" Law No. 34/2019 "On the administration of seized and confiscated assets"
- Law No. 19/2020 "On some additions and amendments to Law No. 34/2019, "On the administration of seized and confiscated assets"
- Decision No. 632, dated 23.7.2010 "On determining the evaluation criteria, manners and procedures for the commissioning and alienation of confiscated assets", pursuant to Law No. 10 192, dated 3.12.2009

### Responsible structures:

The Agency for the Administration of Seized and Confiscated Assets is the only central-level institution responsible for the administration of seized and confiscated assets. The structure and organisational chart of the Agency are approved by order of the Prime Minister, on the proposal of the minister responsible for public order and safety. The main powers and responsibilities of the Agency relate to the receipt of seized and confiscated assets; administration, maintenance and preservation of seized and confiscated assets, through direct or third-party administration; preparation of the complete documentation for the alienation or transfer of responsibility for the administration of confiscated assets, supervision of the activity of the beneficiary of the special fund for crime prevention, who has been given the responsibility for the administration or commissioning of a confiscated asset, whether or not the use of the asset is in accordance with the instruction of the minister responsible for public order and safety; etc.

In terms of structure, the Agency is chaired and represented by the Head Administrator, who leads and organizes the activity of the Agency, supervises and controls the activity performed for the administration of seized and confiscated assets; negotiates and enters into lease agreement, usufruct and emphyteusis contracts for seized and confiscated assets, etc.

The Head Administrator appoints and has depending on him:

- The administrators of seized assets
- The administrators of frozen and seized assets by administrative order
- The administrators of confiscated assets, whose competences and responsibilities are provided for by law on the administration of seized and confiscated assets.

The Inter-Institutional Committee on measures against organised crime is established and serves to the supervision of the administration of the seized and confiscated assets by the Agency, as well as to the decision-making for the allocation of the seized and confiscated assets, pursuant to the provisions of Article 35, of Law no. 10 192, dated 3.12.2009 "On the prevention and fight against organized crime and trafficking through preventive measures against assets", as amended. The Inter-Institutional Committee for Measures against Organised Crime decides on the allocation of assets, as well as on the effective use of proceeds within the state budget. The committee consists of 9 (nine) members, respectively proposed by the minister responsible for public order and safety, the minister responsible for economic affairs, the minister responsible for justice affairs, the minister responsible for social affairs, the General Prosecutor, the Special Prosecution Office against Corruption and Organized Crime, the Judicial Budget Administration Unit, the State Cadastre Agency and the Agency for the Administration of Seized and Confiscated Assets. The member proposed by the minister responsible for public order and safety is the Chairman of the Committee. The Agency for the Administration of Seized and Confiscated Assets exercises its functions as technical secretariat at the committee.

How can CSOs benefit from the seized and confiscated assets subject to the above-mentioned legal framework and administered by the Agency for the Administration of Seized and Confiscated Assets?

There are two ways how civil society organizations can benefit from seized and confiscated assets:

1. **Use of confiscated assets, subject to this Guide.**
2. **Funding of projects through the Special Fund for crime prevention.**

### Special Fund for crime prevention [6]

Proceeds obtained from the implementation of Law No. 10 192, dated 3.12.2009, serve to the fund-raising of a special fund for crime prevention and legal education. The Special Fund is a separate item in the budget of the Agency and is administered by decision of the Committee. The fund serves to four main purposes:

- a) *improving the functioning of criminal justice, by allocating assets under the administration of the General Prosecutor Office, the Special Prosecution Office Against Corruption and Organized Crime, the ministry responsible for public order and safety;*
- b) *improving the prevention of criminal offences, preliminary criminal investigations of organized crime and the development of programs for the protection of witnesses and justice collaborators, by allocating assets under the administration of the ministry in charge of public order affairs;*
- c) *providing assistance to victims of organized crime, as well as promoting social programs for these categories, by allocating assets under the administration of the ministry in charge of social affairs;*
- d) *compensation of victims of organized crime and trafficking to the extent determined by court decision;*
- e) *covering the monetary differences that may arise from the administration of assets, which by court decision are returned to the owner of the seized or confiscated asset.*

[6] Article 37, LAW NO. 10 192, DATED 3.12.2009 "ON THE PREVENTION AND FIGHT AGAINST ORGANIZED CRIME, TRAFFICKING AND CORRUPTION THROUGH PREVENTIVE MEASURES AGAINST ASSETS", AS AMENDED BY LAW NO. 24/2014 and LAW NO. 85/2020 ON SOME AMENDMENTS AND ADDITIONS TO LAW NO. 10 192, DATED 3.12.2009, "ON THE PREVENTION AND FIGHT AGAINST ORGANIZED CRIME, TRAFFICKING, CORRUPTION AND OTHER CRIMES THROUGH PREVENTIVE MEASURES AGAINST ASSETS", AS AMENDED

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Beneficiaries of funding for crime prevention projects are: central institutions, local government units where the confiscated immovable properties are located, and non-profit organizations, whose scope of activity is the social, cultural and health rehabilitation of vulnerable groups, especially those affected or at risk by crime, including therapeutic organizations and centres, rehabilitation centres, and treatment of narcotic users, as well as centres for assistance and rehabilitation of victims of trafficking in human beings, which, in the last three years from the submission of the request, conduct such activities

The Agency for the Administration of Seized and Confiscated Assets is responsible for collecting requests for project funding, verifying and preparing documentation for the Inter-Institutional Committee for Measures against Organised Crime, as well as monitoring their implementation. The Committee, by decision, determines the financing of the project and the ways of using the fund made available to the applicant.

## IMPORTANT!

The legal framework is subject to amendments and improvement, thus organizations need to be constantly informed on these amendments. The search for such legal amendments may be done online on the website of Center of Official Publications, which periodically issues all the laws, government and other institutions decisions published in the Official Journal.

## Step 2: Discussion and development of the ideas within organisation

Before starting the process for obtaining a confiscated asset from organized crime, the organization should have an idea about the activity it will carry out on the confiscated asset, the target group and the primary beneficiaries of this activity, as well as the link between the activity and legal provisions on the prevention and fight against organized crime, trafficking and corruption. The idea may be related to the continuity of the organization's work by relocating or extending its activity to a confiscated asset from organized crime, which it can use free of charge, or it may be a new idea that will start anew on a confiscated asset from organized crime.

The idea should take the form of a social enterprise, which is supposed to accomplish a social mission, in accordance with the scope and activity of the organization, as well as in line with the provisions of the legal framework that governs the use of confiscated assets from organized crime, which will generate income to enable the long-term sustainability of the activity. Social enterprise in a confiscated asset and the economy it generates must be characterized by the desire to contribute to the transformation of a territory once occupied by criminal organizations. The focus of the idea should be the return of these assets to the community, to the people or categories that have been mostly affected by their criminal activity.

### How can this be accomplished?

Most social entrepreneurs get inspired by something. You can get inspired by a social cause from your experience, but the cause that you choose should be relevant to many others and not just you.

Even if you have experience with the social issue you seek to address, you need to look further. You need to have a better understanding of the nature of your endeavour, so you need to take the time to do your research. The issues you need to research about are:

- *Which is the social problem you will be targeting?*
- *Who is your target group, or key beneficiaries?*
- *What is the added value you want to bring to your beneficiaries?*
- *Which is the economic activity that you will establish, which will be used or will help in the integration of the target group?*
- *Is there a real need for this type of activity?*
- *Who are your competitors and what is your position in the market?*
- *Who are the potential customers of your services / products?*

Given the complexity required by such an initiative, which is mainly related to the nature of the asset (confiscated from organized crime), the idea should be developed through an open and comprehensive discussion with all staff members of the organization. As part of the discussion, issues to be addressed relate to the values that this initiative brings to the organization and to the group(s) it serves, the challenges and risks it carries in itself, cooperation with other stakeholders, etc. Before proceeding with the next steps of the process, all staff members must agree and engage in its implementation.

## IMPORTANT!

The organization may seek to take possession of a confiscated asset from organized crime to relocate its current activity to such asset, to expand its activity in other geographical areas or facilities, or to start an entirely new activity to accomplish its mission.

The activity that will take place in a confiscated asset from organized crime should serve to the community as a whole, and in particular to the victims of organized crime or persons and groups at risk of being affected by criminal activity, in accordance with the provisions of DCM, No. 632.

Market research and analysis, feasibility studies and the analysis of the industry where the economic activity will be focused, can help you determine the potential of your idea.

### Step 3: Building bridges with the AASCA to discuss the idea and getting information on confiscated assets under the administration of the Agency

As mentioned above, AASCA is the institution responsible for the administration and/or use of seized and confiscated assets, under the Minister responsible for public order and safety. In accordance with Law 19/2020, through its activity, the Agency must ensure the proper administration and the most efficient, effective and economical use of the assets seized and confiscated by the judiciary bodies or assets seized by the administrative bodies, the return the illegally obtained assets to the community and the financial compensation of crime victims. The Agency is responsible for the preservation, maintenance, administration, management and, where applicable, the increase of the value of the asset from the moment of taking knowledge of the act of seizure and confiscation until the alienation or revocation of the asset seizure measure.

Once informed on the institutional purpose of the AASCA, its role and functions, it becomes clear that the economic, social, and financial aspects of the idea to be introduced for the re-use of confiscated assets are key elements.

AASCA possesses the list of all seized and confiscated assets under its administration. The list contains detailed information on the status of the asset (seized or confiscated), the location and address of the asset, the type of asset (e.g., apartment, land, garage, etc.), its surface area, etc. This information is highly important and helps in making the right decision regarding the asset suitable for your idea. Based on the list of possible assets to be used, you will be able to re-evaluate your idea and adapt it to the available assets.

Based on the legal framework that governs its activity and the list of the confiscated available assets, the Agency evaluates the validity of the introduced idea and suggests the appropriate asset(s) for its implementation.

#### **How can you contact AASCA?**

Any organisation interested in establishing a social enterprise on a confiscated asset from organized crime must submit a request expressing interest in using the confiscated assets for social purposes and be in person at the AASCA office to hold a meeting with the executives.

## IMPORTANT!

The organization should have a clear idea of the basis to express its interest and discuss with AAPSK any possibility of its implementation in a confiscated asset from organized crime.

The organization shall be well-informed on the institutional scope of AASCA prior to introducing the idea of the social reuse of a confiscated asset and shall also make sure to include all the elements for the Agency to take the project into consideration, in line with its mission.

Although the Agency can reuse the seized assets, with this status they can still be returned to the former owner by court decision, thus it is recommended to consider the assets confiscated by a final court decision, which are now owned by the state!

As a central level institution, AASCA has seized and confiscated assets throughout the entire territory of the Republic of Albania under its administration, therefore the request must be very specific, specifically defining the location where the organization will conduct its activity in a confiscated asset.

You need to be prepared that in the territory where you plan to develop your idea, there may be no confiscated asset, or there may be one or more assets of that kind.

To get information on the list of seized and confiscated assets under the administration of the Agency, you can submit an official request, according to the provisions of Law No. 119/2014 "On the right to information" and send it to the office of the Agency.

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## Step 4: Visits to the selected assets to identify what fits best to your idea

Having been informed on the confiscated assets and having discussed with the Agency on the potential asset(s) that is considered the most suitable for re-use based on the characteristics of the asset and the type of project to be implemented thereon, site visits should be conducted to take a closer look at the pre-selected asset or assets to assess the feasibility of your idea.

The visit is organized in close cooperation with the Agency, which appoints the administrator of the confiscated asset to accompany you during the site visit and to give you access to the asset. Each seized or confiscated asset is managed by an administrator appointed by the Agency who coordinates, instructs, supervises and controls the observance of legal procedures for the administration of seized and confiscated assets, according to the respective field he covers. In cooperation with the confiscated asset administrator, coordinate the visit to the potential selected asset(s) where you plan to implement your project.

It is important for the main working team to participate in this visit. They will be involved in the drafting and implementation of the idea to achieve the best possible coordination and understanding by all.

### IMPORTANT!

It is very important to conduct the visit in the presence of the administrator of the asset, not only to ensure access to the asset, but also to avoid any possible contact and discussion with former asset owners, or other stakeholders.

During your visit, you better be accompanied by an engineer or architect, who will assist you in preparing the project and suggest any possible adaptation of the asset infrastructure that fits with your project idea. This is of crucial relevance, as the restoration of the confiscated assets is one of the most important financial items to be developed in the project, which is closely related to the physical conditions of the asset and the need to adapt to the idea of the enterprise to be developed thereon.

During this stage, a more prudent assessment is needed on some important elements with financial impact, such as: asset depreciation, liabilities to third parties (inherited debts), connection to the power grid and to the water supply and sewerage network, physical access to beneficiaries and target groups (e.g., people with physical disabilities).

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## Step 5: Getting support and assistance from local stakeholders in the area where the selected asset is located, in cooperation with the Agency

At this stage of the process, once the confiscated asset has been selected, the idea needs to be shared and discussed with local stakeholders, whose cooperation is essential to its development and implementation. The support attained from them will facilitate your work and will contribute to increasing trust and support from the community as well. Amongst the most important stakeholders, regardless of the nature of the idea, are as follows:

- **Municipality.** The municipality in which territory the organization will develop the idea in a confiscated asset from organized crime is one of the main stakeholders to be involved in the development phase of the idea. Establishing relationships with the municipality will help in identifying the needs to be addressed through your activity and referring disadvantaged and affected groups by criminal activity, who will be the main beneficiaries of the social enterprise, in providing facilities for the necessary permits from the municipality and subordinated institutions, in getting institutional support during project implementation and in conveying support messages to the community.

- **State Police.** Although the state police do not have a special role in protecting the physical security of the asset, as an institution whose mission is to guarantee a safe environment for the community, it represents an important structure with which cooperative institutional relationships should be established. The advocacy and support of the police convey a sense of security among the citizens, indicating that the confiscated asset now belongs to the state and the community.

Depending on the nature of the project to be implemented in the confiscated asset and the groups to be worked with, other local institutions, which can and should establish a cooperative relationship are: educational institutions, probation service, etc.

### IMPORTANT!

This is a new practice for everyone, so be prepared for hesitations and rejections. Being part of the community affected by the criminal activity against which the asset was confiscated, the representatives of local institutions may not be willing to offer their immediate cooperation and support to the initiative. You need to be as persuasive and prepared as possible to address any of their hesitations or concerns, and to generate direct and concrete benefits with your project that address the real needs of the community.

## Step 6: Drafting of the complete project proposal

Once the asset that is the most suitable for the implementation of the project idea has been identified, work begins on the development of the complete project, which should be submitted to the Agency for review and approval.

Some elements that should be taken into consideration when drafting a project to be implemented on a confiscated asset from organized crime are:

- The project should focus on the protection and rehabilitation of victims or persons endangered of being affected by organized crime, in accordance with the Decision No. 632, dated 23.7.2010;
- The project should aim at education, employment and social integration of the victims or persons at risk of being affected by organized crime;
- The project should carry out activities that promote community mobilisation and civic engagement in the fight against organized crime;
- The project should promote the culture of legality and rule of law, respect for human rights and fight against organized crime;
- The project should include an estimation of the cost of infrastructure reconstruction of the confiscated asset from organized crime;
- The project should also include a business plan which provides information on the economic activity to be carried out on the confiscated asset;
- The project must be drafted for a period of time to be agreed with the Agency.

You need to draw up a comprehensive business plan, which clearly defines:

- The product/service to be developed in the social enterprise which is relevant to its financial purpose in complying with the social goals;
- The plan about how such goals (social and financial) will be met; The potential customers and how you plan to reach out to them;
- The communication channels you plan to use to convey the public message on the social goals of the social enterprise;
- The marketing channels you plan to use to develop the economic activity of the social enterprise;
- Operations plan (location and members of your team?); Financial plan (initial costs, estimated revenues, expenses and cash flow);
- Required skills and the necessary staff.

### IMPORTANT!

The Agency does not have a standard format for drafting the project proposal. However, it should contain the main elements of a project, such as: project purpose, project goals, expected outcomes, main activities, work plan, budget[7].

Since the confiscated asset will be used for the establishment of a social enterprise, the project must come along with a business plan[8] for the development of the business activity. The business plan drafting process should be comprehensive, including contributions from all the involved stakeholders.

You should keep in mind that there is no ideal business model, thus the plan should be re-evaluated during its implementation. Involvement of staff in drafting the business plan gives them the opportunity to get acquainted with the objectives and the necessary tools for its implementation.

The legal framework does not provide for a minimum or maximum time limit for the commissioning of the confiscated asset. However, to ensure the sustainability of the activity and services to be provided by the social enterprise, it is recommended that the minimum initial duration of the project to be not less than 5 years.

The Agency has no obligation to financially support the organization that will implement the idea on a confiscated asset. It is the obligation of the organization to provide the necessary funds for the initial investment as well as the financial support of the social enterprise for the entire proposed duration of the project.

[7] Appendix A: A project form proposed by Partners Albania

[8] Appendix B: A business plan form proposed by Partners Albania

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## Step 7: Submission of the project and official request to the Agency for the use of the confiscated asset

According to Decision No. 632, dated 23.7.2010 on the procedure of the commissioning of confiscated assets, the beneficiary must submit a request, whereby he/she expresses the motivated and argued interest. The request must come along with the complete project proposal. The Agency reviews the request and communicates the proposal to the Inter-Institutional Committee for Measures against Organised Crime at its next meeting. Based on the technical-financial assessment report of the asset and the recommendations of the Agency, the Committee makes the decision on the commissioning of the confiscated asset.

The Committee shall convene whenever necessary, at the request of one of the members or of the Agency, but not less than once quarterly.

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## Step 8: Signing the Contract with the Agency<sup>[9]</sup>

If your request is approved by the Inter-Institutional Committee for Measures against Organised Crime, a contract is drafted and signed between the organization and the Agency, which defines the rights and obligations of both parties regarding the use of confiscated asset and the exercise of the activity to be carried out in it. The Agency supervises the activity of the organization regarding the use of the confiscated asset, and the latter must report to the Agency based on the terms and conditions set out in the contract for the use of the confiscated asset.

### IMPORTANT!

The Agency does not announce calls for non-profit organizations for the commissioning of seized and confiscated assets. Therefore, organizations themselves should express their interest by submitting concrete project ideas.

The Committee may invite you to attend the meeting at which your application will be considered, in order for you to introduce and defend the project you have submitted.

### IMPORTANT!

Ensure that on the date of entry into force of the contract, the asset has no outstanding liabilities to third party operators (OSSHE, UKT, land-line, etc.). Previous liabilities of this nature must be settled by the Agency, which is responsible for its administration.

The subject of the activity of use of the confiscated asset, defined in the project submitted to the Agency and indicated in the Contract signed between the parties, cannot be altered without the prior approval of the Agency.

The confiscated asset is taken into use free of charge for a specified period, in agreement with AASCA, with the possibility of extension if the venture turns out successful. Upon termination of the contractual relationship with the Agency, the capital investment made in the asset remains with the state.

## Step 9. Establishment of social enterprise

After signing the Contract with AASCA, you are entitled to start working on setting up the social enterprise.

For any infrastructural changes that you will carry out in the asset being commissioned, you should notify the Agency, which approves and then monitors the infrastructural changes upon their completion. In case major unauthorized infrastructural interventions are made or serious physical damage is caused to the asset by the recipient, the Agency has the right to request the immediate return of the asset.

The Agency is entitled to inspect at any time, even without prior notice, the activity carried out in the commissioned confiscated asset to verify that the facility is being used in accordance with the purpose specified in the Contract. The agency may request the immediate return of the asset in case the destination of its use is altered.

### IMPORTANT!

You should be prepared for possible contacts or concerns from former owners of the confiscated asset. In case of any contact, immediately report the case to AASCA. It is the obligation of AASCA to address issues of possible conflicts with former owners to law enforcement authorities throughout the contract implementation period.

After starting the economic activity of the organization in a confiscated asset from organized crime, you can apply to the Ministry of Health and Social Protection to obtain the status of Social Enterprise<sup>[10]</sup> to benefit from the Social Enterprise Fund and other facilities that this status provides.

Obtain the right information on the need for a permit from the municipality or other responsible institutions, before you start operating infrastructure works in the asset. Plan the time needed to get them at the project proposal stage!

[10] For further information on the legal package on obtaining the status of social enterprise, please visit the link <http://partnersalbania.org/News/paketa-ligjore-mbi-ndermarrjet-sociale-ne-shqiperi/>

## 5. *THE FIRST SOCIAL ENTERPRISES* ESTABLISHED IN ALBANIA IN CONFISCATED ASSETS FROM THE ORGANIZED CRIME

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**KeBuono** is a social pastry that operates on a confiscated asset from organized crime in Fier. It offers a variety of products as well as a series of integration activities with children and parents, teenagers, students, women and girls aiming to embed a culture of legality against violence in the community.

KeBuono offers vocational education and training for young people who are former convicts, or for the families of current convicts facing difficult living conditions. By combining different elements, such as: employing people in need and promoting values and rights within the community, addressing social conflict due to organized crime, KeBuono! contributes to overcoming suspicions about the re-use of confiscated assets from organized crime in the city of Fier.

For further information, please visit the link:

<http://partnersalbania.org/News/permbledhje-projekteve-te-mbeshtetura-permes-cause/>

**KinFolk Coffee Library** is an initiative set up on a confiscated asset from organized crime in Durrës, transforming it into a friendly environment for young people, especially those at risk of juvenile delinquency, their families and citizens. By engaging them in social, cultural and educational initiatives, Kinfolk serves as a preventative measure against young people's involvement in criminal activities. Kinfolk Coffee Library is a multifunctional centre where young people can meet, benefit from a wide range of trainings, courses and socio-cultural activities and spend their free time. Kinfolk serves as a place for employment, reintegration and enrichment of the social life of young people, part of the probation service. Kinfolk Coffee Library is open to all organisations, schools, institutions and other stakeholders who want to conduct their activities in this facility.

For further information, please visit the link:

<http://partnersalbania.org/News/permbledhje-projekteve-te-mbeshtetura-permes-cause/>

**Social Crafting Garage** is a workshop set up on a confiscated asset from organized crime in Saranda, where women and girls, victims or at risk of organized crime, trafficking and domestic violence, make crafts using sea stones (multicoloured, monochrome, flat, rock, glass, etc.). The stones are dyed, drilled, carved and worked on to create various products ready for the market. The patterns of the works are related to the cultural heritage and folklore, which makes these products unique, valuable and competitive in the craft market, in order to ensure the generation of income in the long run. By giving a new look to the confiscated asset, the enterprise conveys a strong message about the importance of reusing these assets to support social inclusion and the development of the local economy.

For further information, please visit the link:

<http://partnersalbania.org/News/permbledhje-projekteve-te-mbeshtetura-permes-cause/>

## 6. *EXAMPLES OF SOCIAL ENTERPRISES* SET UP IN CONFISCATED ASSETS FROM THE ORGANIZED CRIME IN ITALY

*LA FORZA DEL SILENZIO* and *LFS GLOBAL CARE* are two social enterprises set up in two confiscated assets in the Caserta area by the organization "La Forza Del Silenzio", an organization founded by parents of children with autism spectrum disorder in order to improve the quality of life of these children. Both social enterprises provide specific services that serve for the rehabilitation and integration in work of children with autism spectrum disorder through the implementation of laboratory projects in protected environments. One of the activities called Farinò focuses on the production, sale and distribution of gluten-free products, and enables the involvement of children in several stages of product development in the presence of a supervisor, in order to further integrate them in the labour market. Another initiative is the one called "Everythink", as part of which a laboratory of serigraphy crafts was created in order to develop craft and creative works, through silkscreen and digital printing on sportswear, which employs and offers professional courses for disadvantaged persons.

For further information, please visit the link:  
<https://www.laforzadelsilenzio.it/>

*"Le Terre di don Peppe Diana"* (Lands of don Peppe Diana) - The Social Cooperative "Libera Terra" was established on September 20th, 2010 in honour of Don Peppe Diana, the priest who never gave up fighting against mafia violence until the day he was murdered in his church in Casal di Principe, on March 19th, 1994. It is the enterprise that manages the largest number of confiscated assets in Campania, with about 80 hectares of land, 3 buildings and a cheese factory, located in five different municipalities in the province of Caserta. The wheat grown in a part of the confiscated land is processed into flour, which is then used to prepare "Paccheri di don Peppe Diana" pasta ("paccheri" are a type of traditional Neapolitan pasta). Other agricultural products produced on confiscated land are delivered to the Libera Terra Mediterranean Consortium [11], which brings together products coming from all over Italy, produced by enterprises that use assets confiscated from organized crime, thus producing products of the Libera Terra brand.

For further information, please visit the link:  
<https://www.facebook.com/comitatodonPeppeDiana/>

*NCO - "Nuova Cooperazione Organizzata"* (New Organized Collaboration) was established as an innovative entrepreneurial activity, a laboratory that continuously researches and develops new ways to transform and sell local products, especially those coming from confiscated lands from organized crime. The enterprise also offers hotel, restaurant and pizzeria services (*Nuova Cucina Organizzata*), set up on confiscated assets, with the added value of hiring disadvantaged people. The name represents a provocation and a challenge: in the 80s in Campania the acronym N.C.O "Nuova Camorra Organizzata" (New Organized Camorra) was synonymous with a reality that was organized to impoverish territories, nowadays the acronym N.C.O is synonymous with a self-organizing reality that restores rights, dignity and local community income. This project performance has proven to be a key factor of social change ensuring development of a social economy that promotes typical products of the area, goods confiscated from organized crime and new job opportunities for disadvantaged people.

For further information, please visit the link:  
<http://www.ncocucina.com/ncocn/referer/100/idPage/101/lang/it/Come-nasce-la-Nuova-Cucina-Organizzata-.htm>

### **Made in Castel Volturno**

A social enterprise built in 2010 on an asset confiscated by the Camorra, whose name characterizes its value-based dimension, consists of an ethnic tailoring run by a group of African women and girls that design for the Italian fashion by using African fabrics. These women created a new fashion brand called "Made in Castel Volturno". Castel Volturno is a city commonly known as a place where drugs, prostitution and urban, social and cultural degradation are quite common, and where the massive presence of African immigrants is considered as the cause of such social issues. The opportunity to become fashionable while appreciating the importance of inter-cultural assets opposes the image of the foreigner as an enemy by making it an economic and cultural resource for the development of the whole community. In the light of this strategy that aims to transform the symbolic reference of places and realities, the project is called "Let's wear freedom".

For further information, please visit the link:  
<http://www.coopaltriorizzonti.it/la-cooperativa/>

[11] <http://www.liberaterra.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPage/7>

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# Appendix

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## Appendix A: Project proposal form<sup>\*</sup>

Fill in the application form according to the instructions included in each section.

### 1. General Information for the Applicant and Co-applicant (if any)

Applicant	
Name of organization: Legal status of the organization (association, center, or foundation): Registration Number: Registration Date: Location of Registration: Mission of the organization: Contact Information: <ul style="list-style-type: none"> <li>- Postal Address</li> <li>- Telephone / Fax</li> <li>- E-mail</li> <li>- Webpage</li> </ul> Focal point: <ul style="list-style-type: none"> <li>- Position</li> <li>- E-mail</li> <li>- Telephone</li> </ul>	
Co-applicant (if any)	
Name of organization: Registration Number: Registration Date: Location of Registration: Contact Information: <ul style="list-style-type: none"> <li>- Postal Address</li> <li>- Telephone / Fax</li> <li>- E-mail</li> <li>- Webpage</li> </ul>	

## 2. Project description

Fill in the table below which should be no more than 1 page.

Project Title	<i>The title of the project should be short, concise and related to the objectives and/or activities of the project</i>
Project implementation area	<i>Specify the region(s), area(s) or city(s) that will benefit from the project</i>
Total project duration	<i>Specify the project duration in months</i>
Total project budget	<i>Include the amount in ALL</i>
Project objectives	<i>General Objective</i> <i>Specific Objectives</i>
Target group(s) <sup>12</sup>	<i>Include and briefly describe the target group(s)</i>
Final beneficiaries <sup>13</sup>	<i>Include and briefly describe the final beneficiaries.</i>
Expected results	<i>Include and briefly describe the expected results.</i>
Main Activities	<i>Include and briefly describe the main activities.</i>

## 3. Project Proposal (12 pages)

The project proposal must contain the following information:

- a) Analysis of the needs and opportunities relevant to the proposed intervention and implementation area. References to the relevant legislation, strategies and/or plans at the national, regional and/or local level and the description of how the proposal links to such plans.
- b) Project description, including the overall objective as well as the proposed implementation methodology.
  - If the proposed project is a continuation of a previous or ongoing intervention, clearly indicate how it is intended to be implemented on the activities/results of the previous intervention.
  - If the proposed project is part of a bigger program, clearly state how it fits in or how it coordinates with that program or any other planned project (a and b are applicable to interventions implemented by your organization or other organizations/entities).
- c) Clear, measurable and achievable project outcomes that ensure the fulfilment of the objective of the proposed project;
- d) List and describe proposed activities, including information on the time frame, implementation method and links. In case of partnership, discuss the role of the partner;
- e) Indicate the main beneficiary's/target groups and final beneficiaries of the project, including a description of their benefits from the proposed intervention. When possible, data on the distribution of the beneficiaries by gender and sub-representative group should be provided.
- f) Project stakeholders and explanation of their role in project implementation.
- g) Brief presentation of the monitoring plan and the proposed indicators to measure the quality of implementation and timeline.
- h) Potential risks that may have a negative impact on project implementation along with the possibility of occurrence (high, medium or low) and the proposed mitigation measures.
- i) Proposed methodology for project visibility.
- j) Opportunity to repeat and expand activities.

[12] "Target groups" are those groups/entities that will directly benefit from the project activities.

[13] "Final beneficiaries" are those who will benefit from the project in the long run at company or sector level.

#### 4. Activities plan

The activities described in the Action Plan must comply with those described in point d) of section 3.

The action plan can be drafted using the following format: **ACTIVITIES PLAN**

#### 5. Logical Framework

Develop the logical framework of the project according to the following format: **LOGICAL FRAMEWORK**

#### 6. Budget

Fill in the project budget according to the following format: **BUDGET**

#### 7. Information on the applicant and co-applicant (if any)

- Briefly and clearly describe the internal structure of the organization, technical and infrastructural capacities and financial and administrative management systems (maximum 1 page)
  - Describe your experience in implementing projects in the last three years (including project title, implementation period, project goals, achieved results, key beneficiaries, budget, and donors (maximum 1 page per project)).
-

## LOGICAL FRAMEWORK

Logical Framework		
Name of organization(s)	Write the name of the organization	
Project Title and location of implementation	Write the name of the project	Enter the location of the application
Focal Point and Contact Information	Name Surname	Email / Tel.no
Budget	Total budget amount	

A.

No.	Overall objective	Target beneficiaries
1	Write the overall objective of the project	Specify the main beneficiaries / target groups and final beneficiaries

B.

No.	Project Results	Target group of beneficiaries	Verification tools	Risks (if any)	Visibility
1	Specify the project results	Specify the main beneficiaries / target groups	Specify the verification tools for achieving the result	List the potential risks that may affect the achievement of the project result	Specify the actions to be taken in order to ensure visibility
2					
3					

C.

No.	Activity Title	Activity Description	Verification tools	Budget line for this activity	Reference to project results
1	Activity	Describe the content of the activity	Specify verification tools (e.g., list of participants, agendas, photos, videos, publications, analyzes, reports, meetings, etc.)	Write the number of budget lines needed to implement this activity	Write the number of expected project results (1,2,3 ..... ) related to this activity
2					
3					
4					
5					
6					

**BUDGET**

Budget						
Organization name and acronym						
Project title						
Contact person and contact information (email and phone no.)						
Total budget		-				
No.	Category	Unit	Amount	Price per unit	Total amount	Argument
<b>1.0 Human resource</b>						
1.1	Position in the project	month	set the gross salary		Amount	Explain the responsibilities and % of salary from this project
1.2						
1.3						
Subtotal for Human Resources						
<b>2.0 Activities - Direct costs of the project</b>						
2.1	Activity 1					
2.1.1	Explain sub-activities	Specify the unit				
2.1.2	Explain sub-activities					
2.1.3	Explain sub-activities					
2.2	Activity 2					
2.2.1	Explain sub-activities					
2.2.2	Explain sub-activities					
2.2.3	Explain sub-activities					
2.3	Activity 3					
2.3.1	Explain sub-activities					
2.3.2	Explain sub-activities					
2.3.3	Explain sub-activities					
2.4	Activity 4					
2.4.1	Explain sub-activities					
2.4.2	Explain sub-activities					
2.4.3	Explain sub-activities					
Subtotal for activities						
<b>3.0 Administrative costs and office costs (bank fees, rent, utility costs, communication, local travel, office supplies)</b>						
3.1		month				Justify these costs
3.2		month				Justify these costs
3.3		month				Justify these costs
3.4		month				Justify these costs
3.5		month				Justify these costs
Subtotal for administrative costs						
<b>PROJECT TOTAL</b>						
<b>4.0 Audit</b>						
4.1	Audit costs (to be estimated as a percentage of the project total)					
<b>TOTAL PROJECT COSTS</b>						



## Appendix B: Business plan template for Social Enterprises\*

### CONTENT:

<b>B.2</b>	Executive overview	<b>B.7</b>	Monthly expenses
<b>B.2</b>	Opportunities	<b>B.8</b>	Profit/Net loss per year
<b>B.2</b>	Addressing the problem	<b>B.8</b>	Calculations
<b>B.2</b>	Problem solving	<b>B.8</b>	Projected Profit and Loss
<b>B.2</b>	Market		
<b>B.2</b>	Competitors		
<b>B.2</b>	Why us?		
<b>B.2</b>	Expectations		
<b>B.2</b>	Projections		
<b>B.2</b>	Financial Indicators for the year		
<b>B.3</b>	Necessary funding		
<b>B.4</b>	Opportunities		
<b>B.4</b>	Problem & Solution		
<b>B.4</b>	Problems worth solving		
<b>B.4</b>	Solution		
<b>B.4</b>	Target market		
<b>B.4</b>	Market size and segments		
<b>B.4</b>	Competitors		
<b>B.4</b>	Existing alternatives		
<b>B.4</b>	Our advantages		
<b>B.5</b>	Implementation		
<b>B.5</b>	Marketing & Sales		
<b>B.5</b>	Marketing plan		
<b>B.5</b>	Sales plan		
<b>B.5</b>	Operations		
<b>B.5</b>	Location & Facilities		
<b>B.5</b>	Technology		
<b>B.5</b>	Devices & Tools		
<b>B.6</b>	Results & Indicators		
<b>B.6</b>	Results		
<b>B.6</b>	Indicators		
<b>B.6</b>	Company		
<b>B.6</b>	Overview		
<b>B.6</b>	Team		
<b>B.6</b>	Management team		
<b>B.6</b>	Consultants		
<b>B.6</b>	Financial plan		
<b>B.6</b>	Provisions		
<b>B.6</b>	Main assumptions		
<b>B.7</b>	Monthly income		

## Executive overview

### Opportunities

*Addressing the problem*

**INSTRUCTIONS:** Briefly describe why your enterprise should exist. What kind of problem will you solve for your customers?

*Problem solving*

**INSTRUCTIONS:** Provide a brief summary on the activity of your enterprise. The executive overview should be brief and you can go into details later on in the plan.

*Market*

**INSTRUCTIONS:** Describe your customers or the market segments you target. Again, the executive summary should be brief, add more details later on in the plan.

*Competitors*

**INSTRUCTIONS:** Summarize your main competitors. What are the options of your customers?

*Why us?*

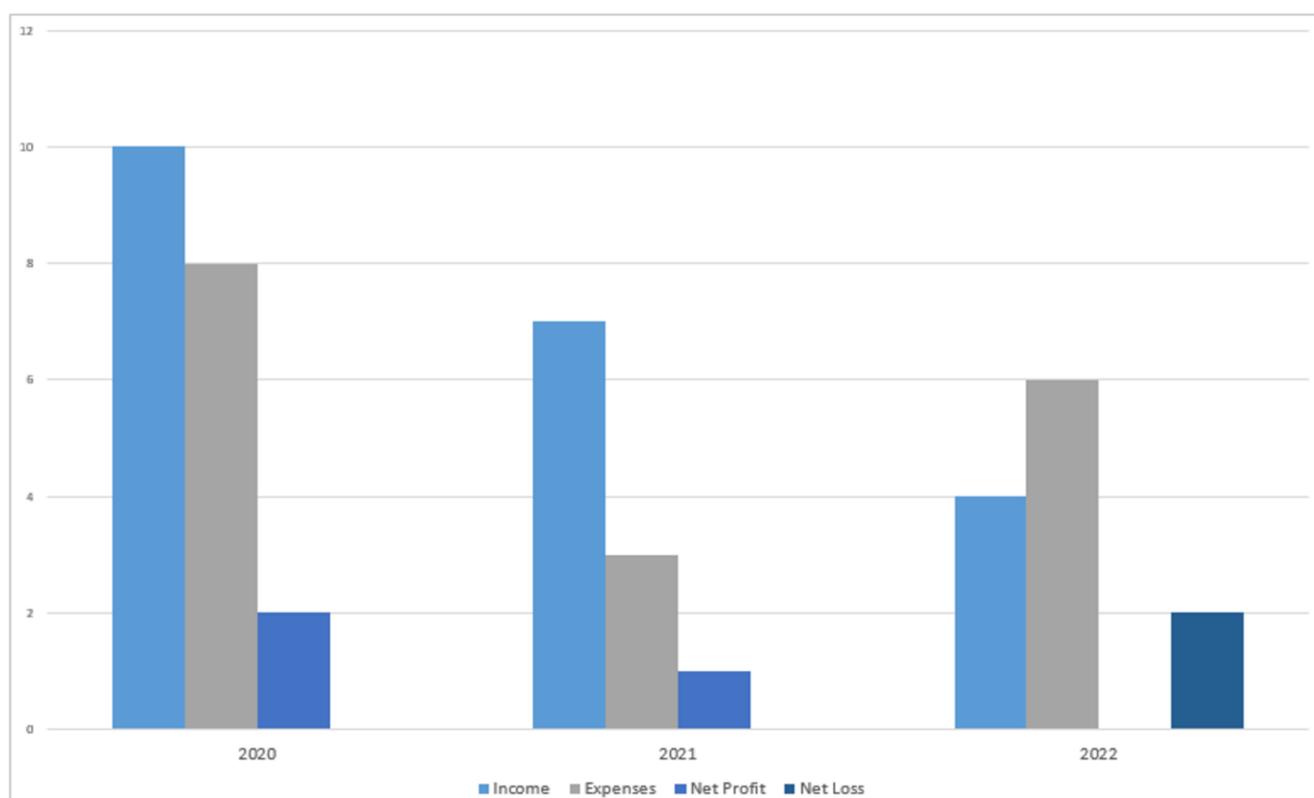
**INSTRUCTIONS:** Write a brief summary about you and your team. Why are you the best people to set up this enterprise?

### Expectations

*Provision*

**INSTRUCTION:** Write a brief summary of your financial goals. How much do you plan to sell next year? Which are your sales long-term goals?

### Financial indicators for the year



**INSTRUCTIONS:** Insert a graph of your main financial data.

*Necessary financing*

**INSTRUCTIONS:** If you are drafting a business plan to raise capital for your business, include a brief summary of what you are looking for. If you are not raising capital or planning to borrow money, you can delete this part.

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## Opportunities

### *Problem & Solution*

The problem that is worth solving

**INSTRUCTIONS:** Write more details in addition to what you mentioned in the Executive Overview about the problem you are solving. What do your customers need? Do they need a better product, a cheaper product or just a store in a better location? Describe why customers would want to buy from you.

### *Solution*

**INSTRUCTIONS:** Provide additional details, beyond what you have written in the Executive Overview about your product or service. What is so unique and special about your enterprise that will set it apart from the competitors?

### *Target market*

### *Market size and Segments*

**INSTRUCTIONS:** Describe your key customers, who they are and what their main characteristics are. If your business is targeting more than one customer group (also called "segments"), describe each group here. If possible, include details on how many people each segment includes and how big the total market is.

## Competitors

### *Existing alternatives*

**INSTRUCTIONS:** Describe your current competitors. Which products and services do people currently use?

### *Advantages*

**INSTRUCTIONS:** Explain why your product or service is better than the others. Also, make sure you describe any competitive advantages you may have, such as a patent or another unique component of your business.

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## Implementation

### Marketing & Sales

#### *Marketing plan*

**INSTRUCTION:** Explain how you plan to spread the word about your product in your target market(s). Will you use advertising? Whatever your marketing plans are, describe them here.

#### *Sales plan*

**INSTRUCTION:** If your enterprise relies on people to close sales deals, you need a sales plan. Your sales plan should explain how you turn people who are interested in your product or service into paying customers.

#### *Operations*

##### *Location & Facilities*

**INSTRUCTION:** Describe the locations of your enterprise. This can be your office, store locations, manufacturing plants, storage facilities, anything that is important to your business. How much available space do you have and how well will it meet your current and future needs?

##### *Technology*

**INSTRUCTION:** Describe any important software, hardware or any other information technology you are currently using or planning to use later in your enterprise. This could include a sales payment system, an e-commerce software for your website, a CRM software for managing your operations, marketing tools, etc.

##### *Devices and tools:*

**INSTRUCTION:** List any devices you have or plan to buy to do your job. This is an important component of the business plan for many industrial companies.

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## Results & Indicators

### *Results*

**INSTRUCTION:** List the main expected results and the dates when you hope to achieve them. If you have already achieved the main goals of your enterprise, list them as evidence that your enterprise is attracting attention, in other words, it is receiving positive attention from potential customers.

### *Indicators*

**INSTRUCTION:** Explain which performance indicators are the most important to understand how your enterprise is performing. What does success mean to you and how will you understand it when you achieve it?

## Company

### *Overview*

**INSTRUCTION:** Use this section to specify who your enterprise manager is. You also need to identify the legal structure of your enterprise.

### *Team*

#### *Management team*

**INSTRUCTION:** List management team members, including yourself. Describe each person's skills and experience and what they will do for the enterprise. It is okay if you don't have a full management team yet. In that case, make sure you identify gaps in your team that you plan to fill over time.

#### *Consultants*

**INSTRUCTION:** Describe any mentor, investor, former professors, industry experts, acquaintances or family members, small business advisers or others who can help you as a business leader.

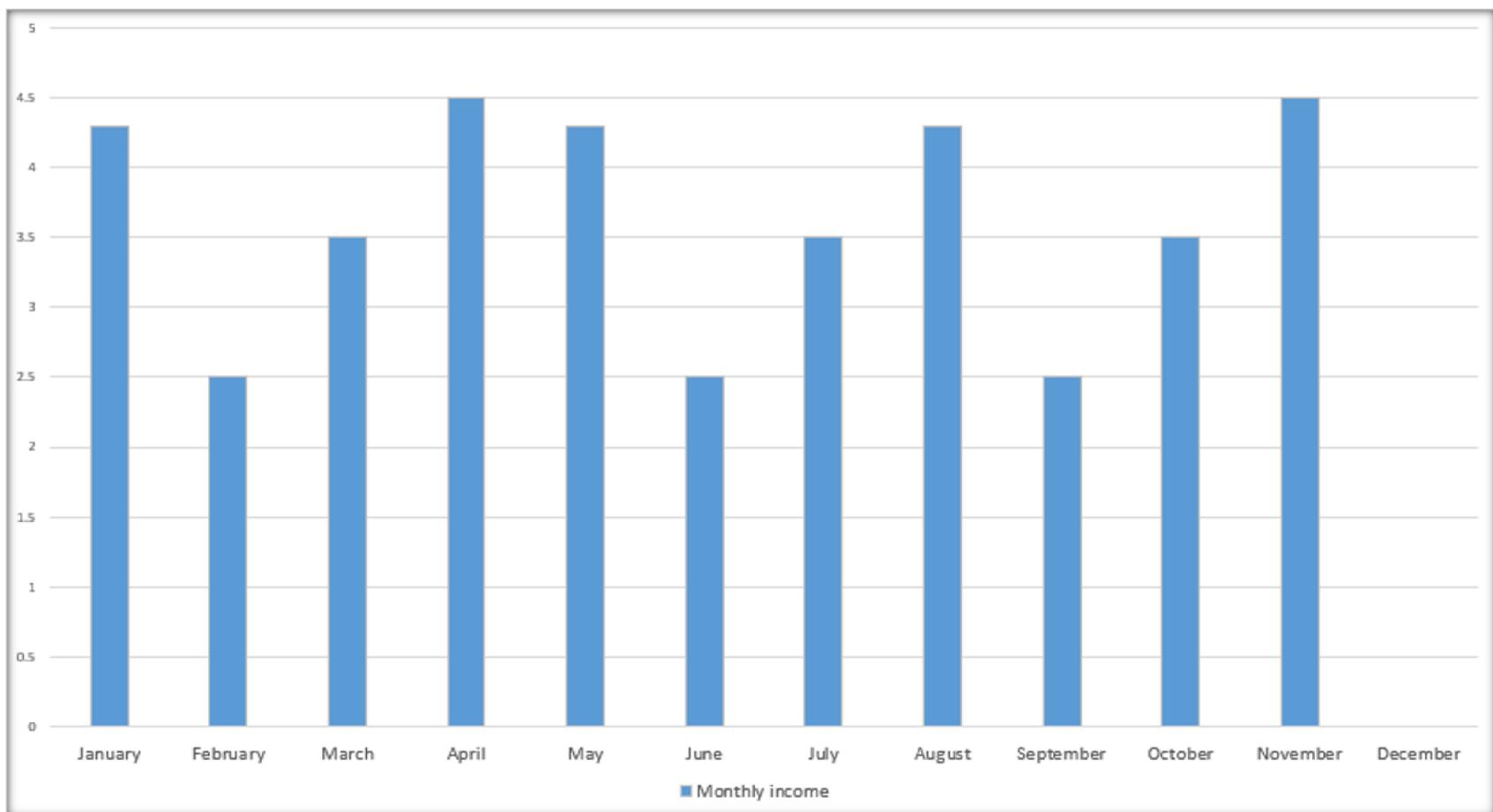
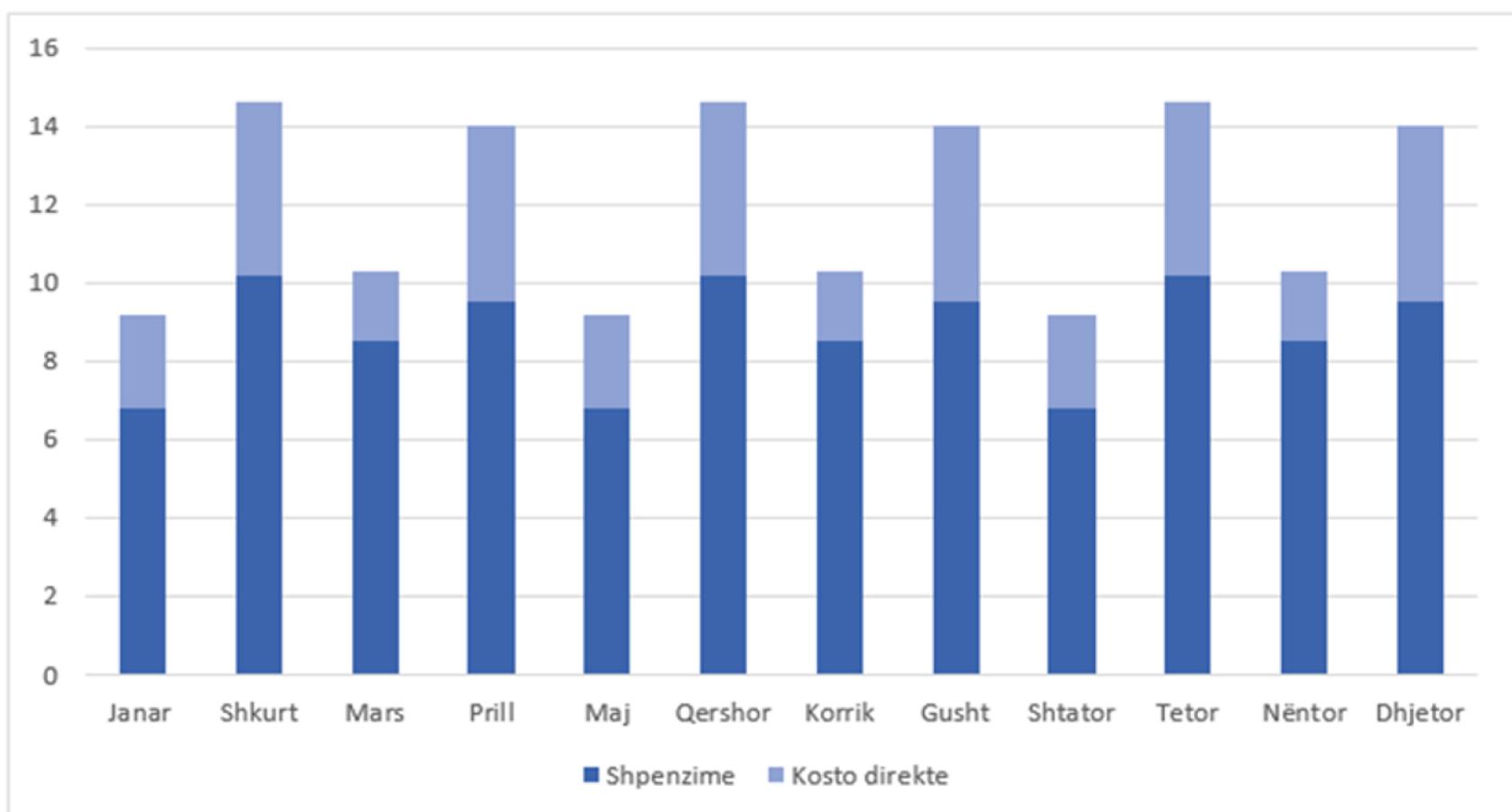
### *Financial plan*

#### *Provisions*

#### *Main assumptions*

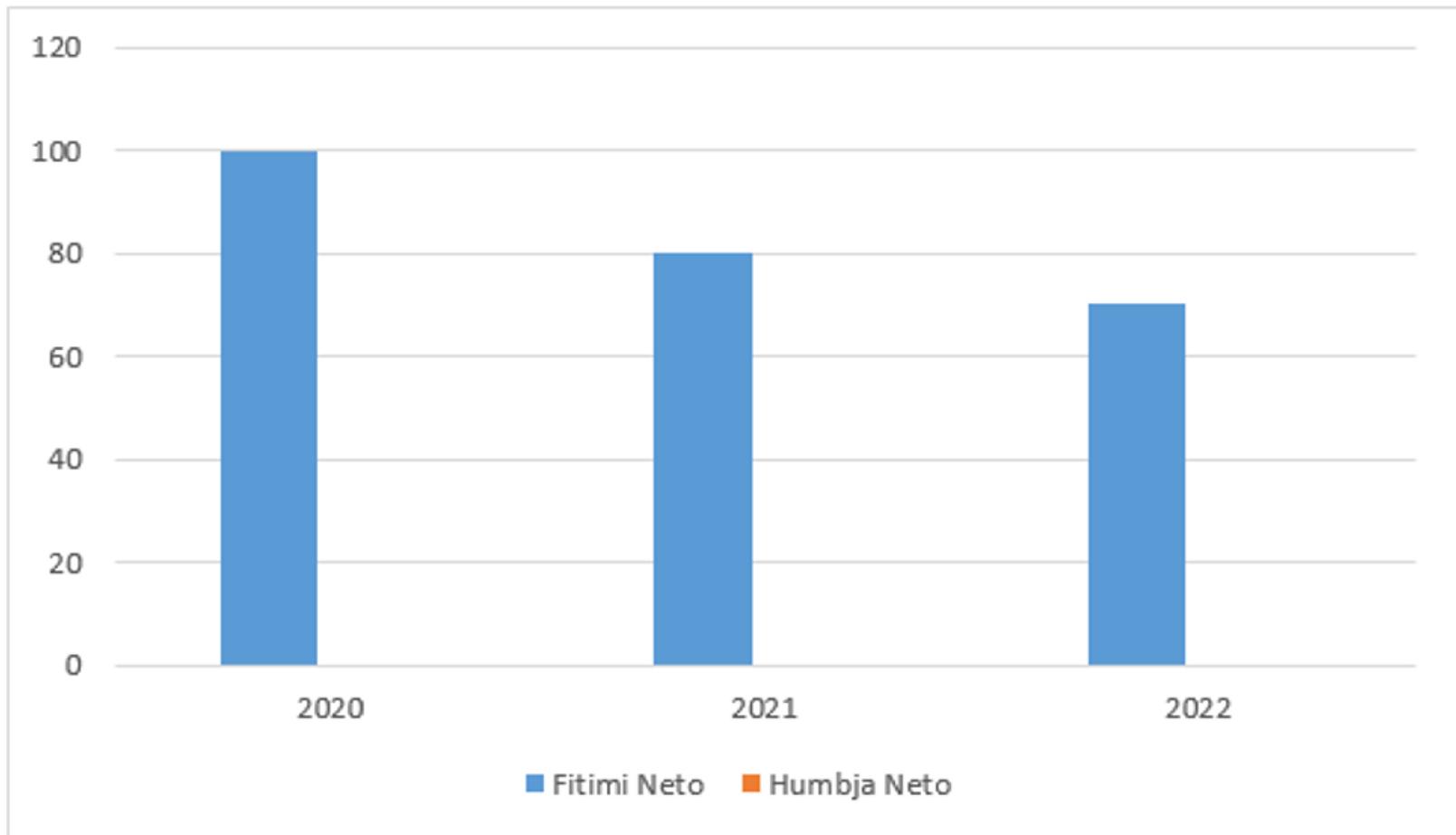
**INSTRUCTION:** Describe the defined values in your financial forecast. Do you project your revenue based on past results, market research, your best guess as to how many people visit you and what percentage of them can buy, or any other method? What kind of growth are you assuming? What are your main expenses and visible costs? What level of profit do you expect to generate?

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*Monthly income***INSTRUCTION:** Include a graph showing your projected income*Monthly expenses***INSTRUCTION:** Include a graph showing your projected expenses

Net profit/loss per year

INSTRUCTION: Include a graph showing your projected profit / loss



**Accounts**

Projected Profit and Loss

INSTRUCTION: Provide here a summary of your financial forecast.

	2020	2021	2022
<b>Income</b>			
<b>Direct costs</b>			
Gross Margin			
<b>Gross Margin %</b>			
<b>Operating expenses</b>			
Wages			
Other employee-related expenses			
<b>Total operating costs</b>			
<b>Operating income</b>			
Interest suffered			
Depreciation and amortization			
Income tax			
<b>Total costs</b>			
<b>Net profit</b>			
<b>Profit / Net Sales</b>			

## Appendix C: Usufruct contract template\*

### USUFRUCT CONTRACT

No \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

**1. Legal Basis:** Civil Code of the Republic of Albania, Law No. 34/2019 On the Administration of Seized and Confiscated Assets, as amended, Law No. 10 192, dated 3.12.2009 "On the prevention and fight against organized crime, trafficking, corruption and other crimes through preventive measures against assets", as amended, Decisions of the Inter-Institutional Committee for Measures against Organised Crime.

### 2. PARTIES

For the purposes of this usufruct contract, hereinafter referred to as the contract, the parties are:

**1.1 Agency for the Administration of Seized and Confiscated Assets**, represented by Head Administrator Mr. [name / surname], born on ....., in ..... and resident in ....., Albanian citizen, adult, with full capacity to act, identified by identity document - passport no. ...., hereinafter referred to in the capacity of the LENDER.

**1.2 [Name of the winning organization]**, represented by [representative] ..... Mr./Ms. [name / surname], born on ....., in ..... and resident in ....., Albanian citizen, adult, with full capacity to act, identified by identity document - passport no....., hereinafter referred to in the capacity of the BORROWER.

### 3. SUBJECT OF THE CONTRACT

The subject of this contract is the commissioning of the facility:

.....

### 4. DESTINATION OF THE USE OF THE FACILITY

4.1 The destination of the use of the facility is the implementation of the project [project name] by the organization [official name of the winning organization] in cooperation with [name of the partner organization if any]

4.2 The Borrower may not change the destination of use of the facility without the prior consent of the Lender.

### 5. CONTRACT TERM

5.1 The term of this Contract is a period of.... year/s and begins on ..... and terminates on ..... ..

5.2 The parties may renegotiate the extension of the term of this Contract under the same conditions, but the Borrower must submit a written proposal to the Lender 30 (thirty) days prior to the date of termination of the Contract.

5.3 Upon expiration of the term the Borrower is obliged to return the facility in the condition originally contracted including the infrastructural changes made during the period of use of the facility.

### 6. THE RIGHTS AND OBLIGATIONS OF THE LENDER

6.1 THE LENDER administrator of the premises described in point 3 of this contract lends the premises for the implementation of the project without compensation.

6.2 THE LENDER has the right to inspect at any time during the term of this Contract if the facility is used in accordance with this Contract even without prior notice.

6.3 THE LENDER has the obligation to lend the confiscated asset, subject to this Contract, without any financial obligation to third party operators (OSSHE, Water supply and sewerage, land-line or others) on the date of signing this contract (date of entry into force).

6.4 THE LENDER may request the immediate return of the facility if the borrower:

- Changes the destination of use of the facility beyond the purpose of use.
- Does not settle the obligations to third parties related to the use of the facility.
- Makes major infrastructural interventions unauthorized by the Borrower or causes serious physical damage to the facility.
- In case the Contract is terminated due to one of the above-mentioned reasons, then the Borrower must yield up the premises within a period of 30 (thirty) days from the receipt of the written notice by the Lender.

1.2 THE LENDER has the obligation to address issues of potential conflict with the former owners to law enforcement authorities throughout the duration of this contract.

## **7. THE RIGHTS AND OBLIGATIONS OF THE BORROWER**

7.1 The BORROWER is obliged to safeguard and maintain the facility with care and not to use it differently from the use specified in this contract.

7.2 THE BORROWER has the right to make infrastructural changes in the facility, with the prior approval of AASCA.

7.3 THE BORROWER is responsible for any damage to the facility, except in the event of natural disasters or force majeure (war, civil war, riots and revolutions, natural disasters such as various storms, cyclones, termites) which cause great disruption to the daily social life.

7.4 The BORROWER is obliged to use the facility as described in point 4 of this contract.

7.5 The BORROWER may not lend the facility to a third party as described in point 4 of this contract.

7.6 THE BORROWER may not claim from the Lender the payment of the expenses made to use the facility.

7.7 The BORROWER is obliged to make the usual repairs of the given facility at his own expense.

7.8 The BORROWER is obliged to return the facility in the same condition that it was when received, including the usual changes caused by its use.

7.9 The BORROWER is obliged to cover all expenses which are not mentioned in the contract related to the commissioned facility.

7.10 The Borrower upon termination of this contract may take with him all movable items, which are not owned by the Lender, which have served to the activity performed by the Borrower without causing damage to the facility.

7.11 Upon termination of this contract, the BORROWER yields up the premises, settling all obligations for the incurred expenses and which are in charge of the borrowed facility.

## **8. PROVISIONS OF DISPUTE RESOLUTION**

8.1 Disputes that may arise between the Lender and the Borrower are resolved by mutual agreement of the parties and in case this does not apply, the parties shall be entitled to appeal to the Court of First Instance of Tirana Judicial District.

## **9. NOTIFICATIONS**

9.1 All notifications and communications between the parties in this Contract will be done in writing, personally addressing to the representative persons or those in charge, at the address stated by the parties in this Contract. (or at any other address respectively notified by the parties).

**10. ATTACHED DOCUMENTS** Ownership Certificate / Property Card

Property Gentplan

NBC Extract of the Organization

Signatory parties ID cards

**11. SIGNATURE**

This Contract was drafted in 3 copies with equal value and after being read by the parties, it is duly and voluntarily signed accordingly. Each party receives a copy, whereas the third copy shall be stored in the archives of AASCA.

**PARTIES****LENDER**

Agency for the Administration of Seized and  
Confiscated Assets

**HEAD ADMINISTRATOR**  
[NAME SURNAME, signature]

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**BORROWER**

[Name of the organisation]

**[REPRESENTATIVE]**  
[NAME SURNAME, signature]

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## Appendix D: List of confiscated assets under the administration of AASCA in March 2020

Denomination of property	Unit	Quantity	Decision Number and Date	Handover Date
Agricultural land 2930 m <sup>2</sup> /facility, Village Rreth Shijak	m <sup>2</sup>	2930	Nr. 08, dated 14.06.2016	15.07.2015
Land 2750m <sup>2</sup> /building facility, Village Rreth Shijak	m <sup>2</sup>	2750	No. 08, dated 14.06.2016	15.07.2015
Land 420 m <sup>2</sup> / building facility, Rreth Shijak	m <sup>2</sup>	420	No. 08, dated 14.06.2016	15.07.2015
Land 1485 m <sup>2</sup> , Yzberisht	m <sup>2</sup>	1485	No. 01, dated 01.02.2016	29.10.2015
Basement 85m <sup>2</sup> , ZK.8524, Elbasan	m <sup>2</sup>	85	No. 25, dated 23.11.2015	10.12.2015
Land at Gjiri i Lalzit 1515 m <sup>2</sup>	m <sup>2</sup>	1515	No. 24, dated 30.11.2016	22.02.2017
Land at Gjiri i Lalzit 745	m <sup>2</sup>	745	No. 24, dated 30.11.2016	22.02.2017
Apartment 2+1, 80 m <sup>2</sup> , Rr. Muhamet Gjollësja, No,18	m <sup>2</sup>	80	No. 24, dated 30.11.2016	02.03.2017
Apartment 2+1, 83 m <sup>2</sup> , Rr. Muhamet Gjollësja, No.17	m <sup>2</sup>	83	No. 24, dated 30.11.2016	02.03.2017
Business unit, Yzberisht, 61 m <sup>2</sup> .	m <sup>2</sup>	61	No. 24, dated 30.11.2016	28.04.2017
Agricultural land, 1200 m <sup>2</sup> , Sauk.	m <sup>2</sup>	1200	No. 24, dated 30.11.2016	16.05.2017
Agricultural land, 13.000 m <sup>2</sup> , Sauk.	m <sup>2</sup>	13000	No. 24, dated 30.11.2016	16.05.2017
Agricultural land, 96 m <sup>2</sup> , Sauk.	m <sup>2</sup>	96	No. 24, dated 30.11.2016	18.09.2017
Agricultural land, 355 m <sup>2</sup> , Sauk.	m <sup>2</sup>	355	No. 24, dated 30.11.2016	18.09.2017
Agricultural land, No. 44/88, Marikaj	m <sup>2</sup>	710	No. 24, dated 30.11.2016	19.01.2018
Agricultural land, No. 84/35, Marikaj	m <sup>2</sup>	1800	No. 24, dated 30.11.2016	19.01.2018
Agricultural land, No. 84/32, Marikaj	m <sup>2</sup>	1231	No. 24, dated 30.11.2016	19.01.2018
Orchard, No. 84/60, 260 m <sup>2</sup> , Marikaj Vorë	m <sup>2</sup>	260	No. 24, dated 30.11.2016	19.01.2018
Garage 48.5 m <sup>2</sup> , Sarande	m <sup>2</sup>	48.5	No. 10, dated 11.07.2005	09.04.2009
Agricultural land, 6000 m <sup>2</sup> , Durres	m <sup>2</sup>	6000	No.4, dated 7.02.2010	23.09.2009
Agricultural land, 9000 m <sup>2</sup> , Durres	m <sup>2</sup>	9000	No.4, dated 7.02.2010	23.09.2009
Agricultural land, 4000 m <sup>2</sup> , Durres	m <sup>2</sup>	4000	No.4, dated 17.02.2010	23.09.2009
Olive grove, 1500 m <sup>2</sup> , Shkalnuer, Durres	m <sup>2</sup>	1500	No.4, dated 17.02.2010	23.09.2009
Unit 56.84 m <sup>2</sup> , Orikum, Vlorë.	m <sup>2</sup>	56.84	No.05, dated 16.03.18	18.11.16
Unit 78.66 m <sup>2</sup> , Orikum, Vlorë.	m <sup>2</sup>	78.66	No.05, dated 16.03.18	18.11.16
Unit 175 m <sup>2</sup> , Park "Rr. e Kavajës", Tiranë.	m <sup>2</sup>	175	No.05, dated 16.03.18	16.12.16
Basement, (open parking) Property No. 5/56-b2, 11.6 m <sup>2</sup> , Shëngjin.	m <sup>2</sup>	11.6	No.05, dated 16.03.18	30.11.16
Basement, (open parking) Property No. 5/56-b2, 11.6 m <sup>2</sup> , Shëngjin.	m <sup>2</sup>	11.6	No.05, dated 16.03.18	30.11.16
Property No.35/3 forest land 364 000 m <sup>2</sup> , Fier	m <sup>2</sup>	364000	No.8, dated 03.05.2018	10.04.2019
Bar Restaurant 500 m <sup>2</sup> , Bisht Palle, Durres.	m <sup>2</sup>	500	No.5 / 07.04.2011	18.06.10
Apartment 128.6 m <sup>2</sup> , Vlorë	m <sup>2</sup>	128.6	No.7 / 14.10.2011	13.12.2011
Apartment 124.6 m <sup>2</sup> , Lagjia "Pavaresia" Vlorë	m <sup>2</sup>	124.6	No.7 / 14.10.2011	13.12.2011
Land plot 470m <sup>2</sup> and construction (24 +48) m <sup>2</sup> , Lagjia "Clirimi", Lushnje	m <sup>2</sup>	470	No.12 / 06.03.2008	27.12.2010
Land plot 110 m <sup>2</sup> , ZK, No 8572, Property No. 9/100, Lagjia "Skender Libohova", Lushnje.	m <sup>2</sup>	110	No.4 / 25.02.2010	06.11.2011
Immovable property "Laguna Karavasta", Divjake, Lushnje (scrap metal to be out of use)	ea	1	No.12 / 06.03.2008	27.12.2010
Apartment 121 m <sup>2</sup> , in Durres	m <sup>2</sup>	121	No. 58, dated 15.05.2017	21/07/2017
Commercial unit 110.5 m <sup>2</sup> , Lagja "Apollonia", Fier	m <sup>2</sup>	110.5	No.10/3.11.2011	06.01.2011
Commercial units 28.1m <sup>2</sup> , Lagja "Apollonia", Fier	m <sup>2</sup>	28.1	No.10/3.11.2011	06.01.2011
Bar 174 m <sup>2</sup> , at Rr. "Taulantia", Durres	m <sup>2</sup>	174	No. 58, dated 15.05.2017	21/07/2017



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