

SETTLEMENT AGREEMENT

**between the concerned members of Kazando community and the Northern Region Water Board
(the parties)**

This agreement has been reached during the dialogue meeting facilitated by the Complaints Mechanism of the European Investment Bank on 4 July 2022 in Mzuzu, Malawi.

The Regional Commissioner for Lands North kindly attended the meeting.

Communal water points

1. The Northern Region Water Board (NRWB) agreed to commence by installing three communal water points in Kazando.
2. The parties agreed to meet by Saturday 9 July 2022 to discuss and agree on the exact location where the three water points shall be installed.
3. The respective works shall be completed by 31 August 2022.
4. The representatives of Kazando community and the NRWB will coordinate to provide information to the Kazando community members about the possibility to connect to the feeder pipes of the communal water points.
5. Six months after the installation of the three communal water points, the NRWB shall assess how these communal water points are used and if there is sufficient demand for the installation of two additional communal water points in Kazando.

Missing compensation

6. The representatives of Kazando community and the NRWB confirmed that all affected households from Kazando who had their properties valued in 2021 already received their payment in January 2022. However, 13 households were not valued (missing households).
7. Latest on Tuesday 5 July 2022, the Regional Commissioner for Lands North shall send to the NRWB the draft valuation report of the missing households.
8. On Friday 8 July 2022 at 9:30 a.m., the NRWB and the Regional Commissioner for Lands North will meet with the concerned community members to disclose the valuations (the disclosure meeting). The representatives of Kazando community shall inform the concerned community members timely about the disclosure meeting.
9. Following the disclosure meeting, the Regional Commissioner for Lands North shall send the final valuation report to the NRWB on Monday 11 July 2022.
10. Based on the final valuation report, the NRWB shall pay compensation to the concerned community members by 31 July 2022.

Rehabilitation of a hall to-be-used as a health centre

11. The NRWB is in principle open to assess the possibility of rehabilitating a hall in order to convert it into a health centre as part of its Corporate Social Responsibility activities.
12. The representatives of Kazando community shall consult the Mzimba North District Health Office and City Health Department on the requirements for the health centre and shall provide the obtained information to the NRWB.
13. Based on this information, the NRWB shall estimate the cost of such rehabilitation and make a proposal through its Corporate Social Responsibility committee.
14. The parties agreed to work together regarding the rehabilitation of the hall to be converted into a health centre.

Maintenance of the roads

15. The NRWB agreed to grade the main road to Kazando, including filling and compacting where necessary as well as some basic drainage.
16. By 22 July 2022, the NRWB shall assess which other smaller roads around the Kazando water tanks may require to be graded.
17. All road grading works shall be completed by 30 September 2022.
18. The parties have a common understanding that after the grading is done by the NRWB, the responsibility of maintaining the roads would lie with the Mzuzu City Council.
19. _____, on behalf of the Kazando community, and _____, on behalf of the NRWB, shall meet and discuss when and how to inform and involve other stakeholders, including local entities regarding the issue of the maintenance of the roads.

Damage to structures

20. The NRWB agreed to assess the damage, evaluate the cost and to disclose this to the 17 concerned households by Friday 22 July 2022.
21. In the event of concerns about the amount to be paid, the representatives of Kazando community and the NRWB shall consult the Regional Commissioner for Lands North, who offered to provide guidance on reasonable costing to the parties based on its valuation experience.
22. The NRWB shall make the payments by 31 August 2022.

Communication in case of delays

23. The NRWB agreed to do what is necessary to meet the agreed timelines.
24. Nevertheless, if a timeline cannot be met, the parties agreed that the community should receive advance notice of one week indicating the reason for the delay. The notice shall be given to one of the representatives of Kazando community who may decide to call for a community meeting for the NRWB to explain the matter to the affected households.

25. In the event of emergencies that lead to last minute delays in the implementation of any agreed action, _____ or _____ shall call _____ or _____ and inform them accordingly.

Closing provisions

- 26. The representatives of Kazando community shall share the results of the facilitated dialogue with the concerned community members.
- 27. The parties agree that a redacted version of this agreement (not containing personal data) may be disclosed by the Complaints Mechanism of the European Investment Bank on its website as part of its reporting on the case.
- 28. The Complaints Mechanism of the European Investment Bank will monitor the implementation of the actions agreed in the facilitated dialogue and summarized in this agreement.

For the community of Kazando:

For the Northern Region Water Board:

Signed: _____

Signed: _____

Date:

Date: _____

_____ of Kazando community

_____ NRWB

As witnesses to the agreement:

Signed:

Signed:

Date:

Date:

Dispute Resolution
Complaints Mechanism of the
European Investment Bank

For the Complaints Mechanism of the
European Investment Bank