



## **Humanitarian Aid Decision**

**F9 (FED9)**

Title: Assistance to vulnerable populations in south eastern Congo (DRC).

Location of operation: Democratic Republic of Congo (DRC)

Amount of Decision: EUR 5,000,000

Decision reference number: ECHO/COD/EDF/2006/01000

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### **Explanatory Memorandum**

#### **1 - Rationale, needs and target population.**

##### 1.1. - Rationale : (conflict)

Although the peace accords of 1999 brought about a cease fire and withdrawal of the main belligerents involved in the war in the DRC, a number of smaller scale conflicts have smouldered on. These have mostly been situated in Ituri and in the Kivus. However over the last few months a new flashpoint has emerged in central Katanga.

As a result of the war, militia groups had formed either to support one or the other side or in order to protect their local communities. At the time of the peace and in the absence of a regular state apparatus, these different groups (who are rightly or wrongly generically referred to as Mai-Mai) found themselves, de facto, in authority over large parts of the country.

Whereas some disposed of this authority with a certain benevolence others imposed the regrettably more common tyrannical and predatory type of rule. As usual the Congolese people coped as best they could or moved when they could not. However, with time, many of these Mai-Mai regimes submitted to the advancing authority of the Transitional government. In central Katanga this was not the case.

For reasons that are linked to old ethnic vendettas and to the more prosaic issues such as the control of lucrative mining assets, the Mai-Mai groups in central Katanga were reluctant to relinquish their power. This defiance led to clashes with the regular army (Force Armée de la République du Congo -FARDC).

For the population, the outcome was not just inconclusive, thus implying a protracted conflict, but the remoteness of the conflict allowed both sides to use particularly vicious tactics far from the view of higher authorities or the international community. As usual, the civilian population bore the brunt of these tactics. As neither side had logistic support, they lived off the people until they had nothing to live off themselves. Worse were the reprisals for 'assisting' the enemy - villages were burnt, women raped and people simply killed.

The humanitarian consequences of the conflict have been grave. Hundreds of thousands fled their homes. Some chose to gather around administrative centres that were relatively accessible to humanitarian assistance. Most spread themselves throughout local communities, building makeshift shelters on borrowed land. Those from around Dubie have settled in camps. Others hid themselves in remote forested or marshy areas, out of the reach of assistance, afraid of retaliation and extortion by the militias or the FARDC. Others yet have fled into neighbouring provinces or even become refugees in Zambia or Tanzania.

At first, traditional coping mechanisms enabled people to survive, allowing the crisis to pass relatively unnoticed compared to the humanitarian crisis in the rest of Congo. However, gradually these failed and eventually word filtered out to the international community that a significant crisis was unfolding in central Katanga.

Assessing the scale of the crisis was the first problem. The remoteness of the area is difficult to imagine. Roads are either unserviceable, due to war, or weather damage, or simply insecure. The affected populations are spread across a vast area, much of which is marsh. Many, as mentioned were hiding. Mounting a response was obviously confronted with the same difficulties. On top of this, adequate humanitarian actors, logistics and supplies were not available in this theatre of operation.

The scenario was to be expected. Malnutrition rates rapidly increased due to the decreasing amount of food. The lack of shelter and the cold nights took their obvious toll, and the lack of access to the limited health care system made effective treatment impossible.

The churches and NGOs such as Medecins Sans Frontiere (MSF) did the best they could on the ground, but probably did almost as much good by highlighting the severity of the situation to the government and the international community. The UN and donors including the Commission and MS made emergency funds available for the most urgent needs. Medical and nutritional support was provided and emergency food rations were even airlifted in.

The Security Council refused to deploy a new force, but in the last months the UN has deployed a token force taken from existing units. This, together with the fact that the Government has been able to rein in its army, has made it less threatening for Mai-Mai forces to risk laying down their weapons. In June, the main group under the infamous Gideon finally surrendered.

The humanitarian situation has begun to stabilise, but considerable resources are still required to maintain these gains. Furthermore if, as is hoped, the security situation continues to improve, thousands of people will be able to return home. In view of the fact that their home areas have been totally devastated, the resettlement process will require considerable external assistance.

As if all the above were not enough; there are also, in neighbouring Zambia, some 50- 60,000 Congolese refugees who come from south eastern Katanga. Some are beginning to return spontaneously but UNHCR expect that many more will return if the elections in Congo are peaceful and successful.

## 1.2. - Identified needs :

A recent UN joint assessment mission has put the current needs very succinctly:

*"The evaluation mission found that villages and fields had been 90% burned or destroyed. In order to promote and assist the return of the displaced and to avoid another humanitarian crisis, shelters have to be built and sowing begun before the October rains. The returnees need seeds and tools, food until the harvests and basic household items such as blankets, mosquito nets, utensils and shelter material.*

[The assessment continues:]

*The infrastructure in the zones travelled by the mission is atrocious; a number of bridges are either barely passable for a vehicle or completely impassable, leaving certain stretches and zones accessible only to bicycles and motorbikes. Sampwe is cut off during the rainy season, from mid-October to April/May. The team witnessed a lively flow of traders to and from Likasi, mostly by bicycle and some struggling lorries.<sup>1</sup>*

The assessment process described above has revealed that the needs of the beneficiaries, though basic, cover several sectors. Some of these sectors have been tackled by emergency interventions (some with DG ECHO and MS funds), others remain to be dealt with, or lack sufficient resources. The coordination process of the response has highlighted where the most pressing needs remain and where the funding is least available. These are in the sectors of Food Aid , resettlement assistance and logistics.

In view of the above, DG ECHO is already far advanced in elaborating programmes with partners in these three areas (with World Food Programme (WFP), Atlas-Handicap and Premiere Urgence, Concern, and the International Organisation for Migration - IOM). However, our experts underline the fact that, in order to render the resettlement process sustainable, the returnee areas will have to re-establish a minimum package of fundamental components i.e that also include health, nutrition; water and sanitation, protection and even primary school support.

DG ECHO is already funding nutritional and household kit provision programmes (through Action contre la Faim (ACF) and UNICEF), which may need to be supplemented by this decision. It supports the ICRC for its multi-sectoral national programme, which is now being brought to bear towards the Katanga crisis and which, due to this increased demand, will require supplementary funds. Finally, DG ECHO is in discussion with other partners concerning possible health and sanitation programmes (MSF, Care, Merlin, Acted).

Support to primary education is being put very high on the agenda by the beneficiaries. Furthermore, the issue of child soldier recruitment in DRC is such that primary education is seen by experts as a critical component in preventing its occurrence and protecting children. It is obviously also a key element in stabilising newly resettled communities and in diverting people from their precarious and dependent displacement back to a more sustainable environment.

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<sup>1</sup> Monuc- civil affairs report 10 July 2006  
ECHO/COD/EDF/2006/01000

In view of the above it is proposed that the assistance that can be funded by this decision potentially cover the full range of these components, even if some activities may not eventually be funded by DG ECHO. The final decision depends on on-going discussions within the coordination process set up through the Humanitarian Aid Group led by the UN Humanitarian co-ordinator. However it is estimated that up to a third of the allocation will provide emergency food aid.

Some of the activities funded by this decision will have a natural exit strategy. For instance Food Aid will no longer be necessary as beneficiaries become self-sufficient for their daily subsistence thanks to the seeds and tools support they will also have received. Others, such as the health services and education, will need to be carried on by the government and will certainly continue to require external support. DG ECHO and its partners are in constant contact with the relevant government authorities and other donors to ensure this occurs. So far DG ECHO has been very successful in this process of linking relief with rehabilitation and development (LRRD).

It goes without saying that additional initiatives aimed at developing trade and economic development will be vital in getting these communities to move forward out of their current subsistence.

### 1.3. - Target population and regions concerned :

160,000 people have been displaced by the conflict but the total population affected by the crisis could be as high as 300,000.

The main areas affected are those surrounding the towns of :Sampwe; Mitwaba and Dubya but the knock on effect has been felt as far away as Manono, Pweto and some people have taken refuge as far as South Kivu.

The logistics corridors come in from Lumbumbashi (South Africa), Kalemie (Tanzania); Kinshasa (Atlantic) and Goma/Bukavu (Kenya, Uganda, Rwanda, Burundi)

The Commission through this decision would hope to target at least 50,000 beneficiaries directly and 300,000 indirectly.

### 1.4. - Risk assessment and possible constraints :

The security risks have diminished considerably but are by no means completely resolved. Groups of armed men still lurk in the bush and the army is still far from being totally under control.

The first round of the elections has gone off reasonably well but the results could still spark off a resumption of animosity and conflict.

The most obvious and likely constraint will be the difficulties of access due to the poor roads and the bad weather. Although they may not defeat operations they will certainly cause delays and increase costs.

Partners, both UN and NGO are fully stretched as it is – opening a new front in Katanga can only further exacerbate personnel problems and may limit their ability to mount new operations.

Slow or inadequate disbursement of funds may cause populations to fall back into a crisis situation.

## **2 - Objectives and components of the humanitarian intervention proposed:** <sup>2</sup>

### 2.1. - Objectives :

Principal objective: Assistance is provided to displaced people, returnees and vulnerable host communities affected by the conflict in South eastern DRC in order to reduce excess mortality and to promote stabilisation and resettlement

Specific objective:

Displaced people, returnees and vulnerable host communities are provided with an integrated assistance package.

### 2.2. - Components :

The activities outlined below are proposed in the context of the points made in section 1.2 (Needs) i.e that some are more probable than others. Those that are linked to actual proposals for operations that are ready to be launched include: the food aid; the seeds and tools and the logistics support.

As mentioned, DG ECHO is already supporting some specific emergency nutrition and resettlement support in Katanga which will require supplemental funding.

DG ECHO has contributed to the national programmes: with UNICEF (for household kits and some school kits); with the Food and Agricultural Organisation (FAO) and with the International Committee of the Red Cross (ICRC), all of which may require supplementary support.

Specific agreements for support for Health programmes, Water and Sanitation programmes and primary school programmes have not yet been made, but enquiries are being followed up.

#### *a) Food distribution and Nutrition.*

There are still at least 80 - 100,000 people that are dependent on food aid. These are both in make shift camps and living with host communities. Until now, they have barely been receiving a quarter of the normal daily ration and this only intermittently. This is not just due to difficulties with logistics, but also to the lack of available food aid. WFP currently has a 50 % monthly shortfall and little visibility beyond August. Through this decision it is hoped to be able to provide at least an extra 3,000 Mts of food, which is approximately enough to provide a full ration for 50,000 people for 120 days. However, it is hoped that many beneficiaries will only need partial rations as they will be able to supplement these with some of their own resources. As people are moving home, much of this food aid will be distributed

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<sup>2</sup> Humanitarian aid operations funded by the Commission are implemented by NGOs and the Red Cross organisations on the basis of Framework Partnership Agreements (FPA) (in conformity with Article 163 of the Implementing Rules of the Financial Regulation) and by United Nations agencies based on the Financial and Administrative Framework Agreement (FAFA). The standards and criteria established in Echo's standard Framework Partnership Agreement to which NGO's and International organisations have to adhere and the procedures and criteria needed to become a partner may be found at [http://ec.europa.eu/echo/partners/index\\_en.htm](http://ec.europa.eu/echo/partners/index_en.htm)

in conjunction with agricultural inputs – the technique often been known as *seed protection food aid*.

More specialised nutritional support will be provided for 2000 severely malnourished children. 10,000 recovering children and their families will be targeted for supplementary food support. A third of the funds are expected to be allocated to this sector.

*b) Seeds and Tools distribution.*

These are the most vital commodities needed by the beneficiaries. Fields and seed stores have been burned or looted as have the basic tools to plant and tend them. Appropriate seeds and tools for the area will be distributed to farming families. It is hoped that at least 8,000 farming families will be supported by this decision.

*c) Access - Roads and bridges - transport.*

It is not the intention of this decision to launch into a vast scheme of road construction. The intention is to open up two reliable corridors into the affected zone – one to the west, through Bukama and another to the east through Mitwaba. This involves more than just patching up roads. Initial assessment has shown that to make any significant difference to the quantity of goods getting to beneficiaries and the time it takes to get them there, four elements are essential (improved security is taken as a given):

i) Road and Bridge repairs (hotspots only).

ii) Improved usage of Boats

iii) Enlarged and more appropriate trucking capacity. [It is hoped to be able to obtain trucks on loan from the Norwegian government for which only the shipping and running costs would be charged].

iv) Rational location and management of the logistic assets.

*d) Water and sanitation.*

A number of wells and water sources have been contaminated or damaged during the fighting. A proper assessment still needs to be done but it is obvious that the most essential ones need to be repaired and/or protected in order to try and achieve access to at least 15L of clean water per person per day in the main areas of return.

In some areas where people are still obliged to live in makeshift and overcrowded temporary sites latrines need building.

*e) Health services.*

The population of targeted returnee areas will be provided with equitable access to a minimum package of basic healthcare, with special emphasis on women and children.

This will include; the basic rehabilitation of health centers where necessary; the provision of drugs and equipment and incentives to clinic health staff. Specific support will be provided for pregnant women to accede to ante-natal care and assisted delivery services. Specialized care will be offered to victims of sexual violence.

*f) Household kits.*

Not all but many families have lost their belongings when they fled their villages. Some have been able to share the belongings of their hosts and some have already received some assistance but many still require some basic household items when they return home and try to rebuild their lives. There are also some who lost everything but never moved. On an assessed basis Kits will be provided. They will include: Blankets; Utensils; Bucket; Mosquito Net; Soap etc.

The decision will target 5,000 families.

*g) Support to the re-establishment of Primary Education.*

Beneficiaries place education amongst the top three of their needs. Although it is not the remit of this decision to establish a primary education system it will be prepared to provide funding for limited basic school rehabilitation and school kits.

*h) Cross-Cutting Issues.*

All programmes will endeavour to target the most vulnerable populations and in particular women and children.

Protection is an inherent part of all humanitarian aid programmes but ICRC incorporates it as a specific objective in its activities.

Any health programmes that are funded will include wherever possible services to tackle the problem of sexual violence.

*i) Air Transport.*

DG ECHO already funds a humanitarian air transport service that provides two planes for passengers and limited quantities of cargo (3 mts). The existing contract already allows for this service to incorporate this area of intervention. However this decision should be able to fund any extra cargo capacity that may be required to support the above activities.

*j) Time Frame.*

Expenditure under this Decision shall be eligible from 1 September 2006.

The activities funded by this operation need to start as soon as possible in order to respond to urgent needs and to take advantage of the current planting season in October.

Start Date : 1 September 2006

Humanitarian operations funded by this decision must be implemented within this period.

In order to maximise the impact of the humanitarian aid for the victims, the Commission already has ECHO support offices located in DRC (Kinshasa, Goma and Bukavu). This office will appraise project proposals, co-ordinate and monitor the implementation of humanitarian operations financed by the Commission. The office will provide technical assistance capacity and the necessary logistics for the achievement of these tasks.

**3 - Duration expected for actions in the proposed Decision:**

The activities funded by this operation need to start as soon as possible in order to take advantage of the current planting season in October. Unfortunately, as not all beneficiaries will be home by this time, support will have to continue well into next year until the next spring planting season and following harvest.

Some of the activities funded by this decision will have a natural exit strategy. For instance Food Aid will no longer be necessary as beneficiaries become self-sufficient for their daily subsistence, thanks to the seeds and tools support they will have received. Others, such as the health services and education, will need to be carried on by the government and will certainly continue to require external support. DG ECHO and its partners are in constant contact with the relevant government authorities and other donors to ensure this occurs. So far, DG ECHO has been very successful in this process of linking emergency with rehabilitation and development.

The duration for the implementation of this Decision shall be **16** months  
If the implementation of the actions envisaged in this Decision is suspended due to *force majeure* or any comparable circumstance, the period of suspension will not be taken into account for the calculation of the duration of the humanitarian aid operations.

Depending on the evolution of the situation in the field, the Commission reserves the right to terminate the agreements signed with the implementing humanitarian organisations where the suspension of activities is for a period of more than one third of the total planned duration of the action. In this respect, the procedure established in the general conditions of the specific agreement will be applied.

#### **4 - Previous interventions/Decisions of the Commission within the context of the current crisis**

The DG ECHO global plan for 2006 for €38 million (ECHO/COD/BUD/2006/01000) has been 94% contracted and the remainder is already programmed. The Global plan was programmed before this crisis and although some funds have been used to support the most urgent needs in Katanga the body of the Global Plan decision had already been allocated to pressing needs in other parts of the country.

ECHO/FLI/BUD/2006/01000 provides € 7 million for a Humanitarian air service until August 2007.

The Commission is also in the process of launching a € 65 million 'Post-conflict rehabilitation and socio-economic re-integration programme for Eastern DRC' funded through the B-Envelope of the 9<sup>th</sup> EDF. However, this programme only covers the Tanganyika province of Katanga and thus not the main problem area of this crisis. It was also programmed before the outbreak of this crisis. One must note that, in the context of the co-ordinated approach to development assistance, Katanga is not an EDF priority area.

The Food Security allocation of 3,000 Mts for DRC for 2006 has already been allocated and earmarked through the World Food Programme to urgent food needs in all of DRC. However, this represented only 7% of the total assessed needs.



**List of previous DG ECHO operations in CONGO, DEMOCRATIC REPUBLIC OF**

Decision Number	Decision Type	2004 EUR	2005 EUR	2006 EUR
ECHO/COD/BUD/2004/01000	Global Plan	40,000,000		
ECHO/COD/BUD/2005/01000	Global Plan		38,000,000	
ECHO/COD/BUD/2006/01000	Global Plan			38,000,000
	<b>Subtotal</b>	40,000,000	38,000,000	38,000,000
	<b>Grand Total</b>	116,000,000		

Dated : 07/08/2006  
Source : HOPE

**5 - Other donors and donor co-ordination mechanisms.**

<b>Donors in CONGO, DEMOCRATIC REPUBLIC OF the last 12 months</b>					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
		DG ECHO	38,400,000		
		Other services			
Austria					
Belgium	5,420,033				
Cyprus					
Czech republic					
Denmark	2,413,139				
Estonia					
Finland	5,200,000				
France	165,127				
Germany	12,997,695				
Greece					
Hungary					
Ireland	6,782,975				
Italy	236,000				
Latvia					
Lithuania					
Luxemburg	85,000				
Malta					
Netherlands	10,666,088				
Poland					
Portugal					
Slovakia					
Slovenie					
Spain	250,000				
Sweden	15,493,584				
United kingdom					
<b>Subtotal</b>	<b>59,709,641</b>	<b>Subtotal</b>	<b>38,400,000</b>	<b>Subtotal</b>	<b>0</b>
		<b>Grand total</b>	<b>98,109,641</b>		

Dated : 07/08/2006  
(\* Source : DG ECHO 14 Points reporting for Members States. <https://hac.ec.europa.eu>  
Empty cells means either no information is available or no contribution.

**6 - Amount of decision and distribution by specific objectives:**

6.1. - Total amount of the decision: EUR 5,000,000

## 6.2. - Budget breakdown by specific objectives

<b>Principal objective:</b> Assistance is provided to displaced people, returnees and vulnerable host communities affected by the conflict in south eastern DRC in order to reduce excess mortality and to promote stabilisation and resettlement				
<b>Specific objectives</b>	<b>Allocated amount by specific objective (EUR)</b>	<b>Geographical area of operation</b>	<b>Activities</b>	<b>Potential partners</b> <sup>3</sup>
Specific objective 1: Displaced people, returnees and vulnerable host communities are provided with an integrated assistance package.	5,000,000	Location :  Katanga and South Kivu Province	Activities: 1. Food aid and distribution. 2. Nutrition. 3. Seeds and Tools 4. Logistic support: provision of road and maritime transport Road rehabilitation 5. Health Services. provision of minimum package of curative and preventative PHC service (Drugs, vaccines and equipment. Support for Staff and rehabilitation of basic infrastructures). 6. Water and Sanitation. provision of latrines and wells and rehabilitation thereof. 7. Provision of basic House hold Kits. 8. Additional Air Cargo. 9. Protection services.	- ACF – FRA, - ACF-UK, - ACH- ESP, - ACTED, - ATLAS, - CARE – FR, - CARITAS – AUT, - CARITAS - BEL - COOPI - CROIX-ROUGE - CICR- ICRC - CH - CROIX-ROUGE - FICR-IFCR-CH - GERMAN AGRO ACTION - GOAL - HANDICAP (FR) - IOM - MDM - FRA - MERLIN - MSF – BEL, - MSF – FRA, - MSF - NLD - NORWEGIAN REFUGEE COUNCIL - PREMIERE URGENCE - SOLIDARITES - UN - FAO-I - UN - UNHCR - BEL - UN - UNICEF - BEL - UN - UNOCHA - WHO - OMS
<b>TOTAL:</b>	<b>5,000,000</b>			

<sup>3</sup> ACCION CONTRA EL HAMBRE, (ESP), ACTION AGAINST HUNGER UK, ACTION CONTRE LA FAIM, (FR), AGENCE D'AIDE A LA COOPERATION TECHNIQUE ET AU DEVELOPPEMENT, (FR), ARTSEN ZONDER GRENZEN (NLD), ATLAS LOGISTIQUE, (FR), CARE FRANCE, (FR), CARITAS AUSTRIA, (AUT), CARITAS INTERNATIONAL BELGIUM - SECOURS INTERNATIONAL DE CARITAS CATHOLICA, (BEL), COMITE INTERNATIONAL DE LA CROIX-ROUGE (CICR), COOPERAZIONE INTERNAZIONALE (ITA), DEUTSCHE WELTHUNGERHILFE / GERMAN AGRO ACTION, (DEU), FEDERATION INTERNATIONALE DES SOCIETES DE LA CROIX-ROUGE ET DU CROISSANT ROUGE, GOAL, (IRL), HANDICAP INTERNATIONAL (FR), INTERNATIONAL ORGANIZATION FOR MIGRATION (INT), MEDECINS DU MONDE, MEDECINS SANS FRONTIERES (F), MEDECINS SANS FRONTIERES BELGIE/ARTSEN ZONDER GRENZEN BELGIE(BEL), MEDICAL EMERGENCY RELIEF INTERNATIONAL (GBR), NORWEGIAN REFUGEE COUNCIL (NOR), PREMIERE URGENCE, (FR), SOLIDARITES, (FR), UNICEF, UNITED NATIONS - FOOD AND AGRICULTURE ORGANIZATION, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES - BELGIUM, UNITED NATIONS, OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS, WORLD HEALTH ORGANISATION - ORGANISATION MONDIALE DE LA SANTE

## **7 - Evaluation**

Under article 18 of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid, the Commission is required to "regularly assess humanitarian aid operations financed by the Community in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent operations." These evaluations are structured and organised in overarching and cross cutting issues forming part of ECHO's Annual Strategy, such as child-related issues, the security of relief workers, respect for human rights, gender. Each year, an indicative Evaluation Programme is established after a consultative process. This programme is flexible and can be adapted to include evaluations not foreseen in the initial programme, in response to particular events or changing circumstances. More information can be obtained from :

[http://ec.europa.eu/echo/evaluation/index\\_en.htm](http://ec.europa.eu/echo/evaluation/index_en.htm).

## COMMISSION DECISION

### on the financing of humanitarian operations from the 9th European Development Fund in CONGO, the DEMOCRATIC REPUBLIC OF

#### THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,  
Having regard to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000, in particular Articles 72 and 73 thereof,

Having regard to the Internal Agreement of 18 September 2000 on the Financing and Administration of the Community Aid under the Financial Protocol to the Partnership Agreement between the African, Caribbean and Pacific States and the European Community and its Member States signed in Cotonou (Benin) on 23 June 2000, in particular **Article 25.1 thereof**<sup>1</sup>, and revised in Luxembourg on 25 June 2005<sup>2</sup>.

Whereas:

- (1) The Democratic Republic of Congo is already suffering from a humanitarian emergency in much of its territory, a new crisis has developed since early 2006, as a result of conflict in Katanga province.
- (2) The conflict in Katanga has displaced more than 160,000 people and affected a total of 300,000 people.
- (3) The existing resources and infrastructure are inadequate to sustain the vulnerable populations affected by this crisis, putting lives and livelihoods at risk.
- (4) The displaced people, returnees and vulnerable host communities require an integrated assistance package in order to reduce excess mortality and to promote stabilisation and resettlement.
- (5) An assessment of the humanitarian situation leads to the conclusion that a humanitarian aid operation should be financed by the Community for a period of **16** months.
- (6) In accordance with the objectives set out in Article 72 of the ACP-EC Partnership Agreement and Article 25.1 of the Internal Agreement, it is estimated that an amount of EUR **5,000,000** from the 9th European Development Fund, representing less than 25% of the national Indicative Program, is necessary to provide humanitarian assistance to populations directly affected by the conflict.
- (7) The use of the 9th EDF fund is necessary as all the funds allocated for ACP countries in the general budget are entirely depleted.
- (8) The Commission has informed the EDF Committee, set up by the Internal Agreement with ex-ante information according to the criteria laid down in Article 24.3 and 24.5 of the Internal Agreement.

<sup>1</sup> OJ L317 of 15 December 2000

<sup>2</sup> OJ L287 of 28 October 2005, p.4

HAS DECIDED AS FOLLOWS:

*Article 1*

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of EUR 5,000,000 from the 9th European Development Fund for humanitarian aid operations to assist vulnerable people directly affected by the armed conflict in the DEMOCRATIC REPUBLIC OF CONGO.

2. In accordance with Article 72 and 73 of the ACP-EC Partnership Agreement, the humanitarian operations shall be implemented in the pursuance of the following specific objective:

Displaced people, returnees and vulnerable host communities are provided with an integrated assistance package.

The total amount of this decision is allocated to this objective

*Article 2*

1. The implementation of humanitarian aid operations funded by this Decision shall have a maximum duration of 16 months from 01/09/2006
2. Expenditure under this Decision is eligible from 01/09/2006
3. If the operations envisaged in this Decision are suspended due to *force majeure* or comparable circumstances, the period of suspension will not be taken into account for the calculation of the duration of the humanitarian aid operations.

*Article 3*

The decision shall take effect on the date of its adoption.

Done at Brussels,

For the Commission

Member of the Commission