



Brussels, 22 July 2016
(OR. en)

11420/16

CRS/CRP 25

SUMMARY RECORD

Subject: 2593rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 6 and 7 July 2016

I. Adoption of the provisional agenda

10861/16 OJ CRP1 25 + ADD 1

10906/1/16 REV 1 OJ CRP2 25

The Committee adopted the provisional agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

2. Work Programme of the Slovak Presidency

= Information from the Presidency

The Committee took note of the information provided by the Presidency.

3. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a **long-term plan for cod stocks** and the fisheries exploiting those stocks (**First reading**) (**Legislative deliberation**)
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 29 June 2016.

4. Proposal for a Regulation of the European Parliament and of the Council establishing specific conditions for fishing for **deep-sea stocks** in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic and repealing Regulation (EC) No 2347/2002 (**First reading**) (**Legislative deliberation**)
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 30 June 2016.

52. **Fourth Railway Package (market pillar) (First reading) (Legislative deliberation)**

- a) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail
- b) Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure
- = Endorsement of the recitals
10915/16 TRANS 280 CODEC 1022

The Committee endorsed the recitals.

Statement by Germany

"The Federal Republic of Germany supports the compromises on the political pillar of the Fourth Railway Package, which continue to make it possible for integrated systems to exist while at the same time providing for strong and effective regulation and transparency of the financial flows.

The Federal Republic of Germany considers it important to put on record that in Article 7d, the conditions for a control of the financial transfers for, for instance, dividend payments and loans are stipulated and that recital 48 does not open up any additional rules here.

Furthermore, the Federal Republic of Germany interprets Article 7d and recital 52 as meaning that it is possible for infrastructure managers to pay revenue and dividends directly or via another legal entity within the undertaking to the owner. The term "owner of the company" to whom the revenue referred to in Article 7d is to be forwarded is to be understood as meaning that not only the state as direct owner of the infrastructure company but also the state as ultimate owner is included."

COREPER (PART 2)

10. Presidency priorities

= Presentation by the Presidency

The Committee took note of the information provided by the Presidency.

11. Follow-up to the European Council

The Committee was informed about the tasks set out in the European Council conclusions and future work concerning the implementation of each task.

12. Preparation of the Council meeting (Economic and Financial Affairs) on 12 July 2016

a) Anti-Money Laundering

- Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (**First reading**)
 - = Presentation by the Commission and exchange of views
10678/16 EF 208 ECOFIN 661 DROIPEN 121 CRIMORG 73 COTER 70
CODEC 966

The Committee took note of the proposal to be presented by the Commission at the Council.

b) Communication on further measures to enhance transparency and the fight against tax evasion and avoidance (Panama Papers)

- = Presentation by the Commission and exchange of views
10977/16 FISC 119

The Committee took note of the communication to be presented by the Commission at the Council.

c) European Semester - Country-Specific Recommendations 2016

- = Adoption
9187/2/16 REV 2 ECOFIN 443 UEM 190 SOC 307 EMPL 203 COMPET 277
ENV 322 EDUC 177 RECH 169 ENER 185 JAI 431
9327/16 ECOFIN 487 UEM 229 SOC 341 EMPL 237 COMPET 314 ENV 355
EDUC 210 RECH 200 ENER 217 JAI 474

The Commission informed the Committee of its agreement with the documents foreseen for adoption by the Council, following finalisation by the Economic and Financial Committee.

d) Implementation of the Stability and Growth Pact

- = Council Decisions

The Committee took note of the Commission recommendations for the Council Decisions, and tasked the Economic and Financial Committee to finalise these in view of being presented to the Council for adoption without further preparation by the Committee.

- e) Third pillar of the **Investment Plan for Europe** - thematic discussions on investment barriers
 - = Exchange of views

The Presidency informed the Committee about the aim of the discussion in the Council, to take stock of progress made and to discuss future work.

- f) Preparation of the **G20 Finance Ministers meeting** in Chengdu on 23-24 July 2016
 - = Adoption of the draft terms of reference

The Committee took note of the draft terms of reference to be presented to the Council for adoption.

- g) **Convergence Reports** from the Commission and the European Central Bank
 - = Exchange of views
 - 10094/16 ECOFIN 591 UEM 249
 - + ADD 1
 - 10112/16 ECOFIN 595 UEM 250
 - + ADD 1
 - + ADD 2
 - + ADD 3

The Committee took note of the convergence reports to be presented to the Council.

- h) Other items in connection with the Council meeting

The Presidency announced the meetings in the margins of the Council and provided the latest update of the agenda.

- i) Finalising the Basel Committee's post-crisis banking reform agenda
 - = Council conclusions
 - 10959/16 EF 224 ECOFIN 691

The Committee agreed to transmit the text of the draft Council conclusions to the Council for adoption.

13. **Presentation of the agenda of the Council meeting (Economic and Financial Affairs/Budget) on 22 July 2016**

The Committee took note of the single discussion item on the agenda.

- 14. Legal remarks on the Committee of Inquiry to investigate alleged contraventions and maladministration in the application of Union law in relation to money laundering, tax avoidance and tax evasion (**PANA Committee**)
 - 10615/16 JUR 321 INST 278 ECOFIN 652 FISC 111

The Council Legal Service presented its opinion on the European Parliament's right of inquiry and mandate of the PANA Committee.

15. **Preparation of the Council meeting (Foreign Affairs) on 18 July 2016**

- China
 - = (poss.) Draft Council conclusions EU Strategy on China
10851/16 COASI 149 ASIE 56 POLGEN 78 RELEX 586 CFSP/PESC 553
CSDP/PSDC 407 DEVGEN 156 CLIMA 84 TRANS 276 WTO 185
ECOFIN 685 ENER 271 COMPET 405 RECH 245 JAI 639
CYBER 80 IND 151 ENV 472 CULT 63 CONOP 56

The Committee will revert to this item at its next session after re-examination by the Political and Security Committee following a number of amendments requested.

- Other items in connection with the Council meeting

No items were raised under this heading.

16. **EU - China Summit** (Beijing, 13 July 2016)

- = State of play of preparations
10697/16 COASI 144 ASIE 54 COPS 211 POLGEN 73 CSDP/PSDC 393
CFSP/PESC 541 RELEX 570 DEVGEN 150 CLIMA 80 TRANS 265
CONOP 52 WTO 179 ECOFIN 666 ENER 267 COMPET 400
RECH 243 JAI 624 CYBER 76 ENV 460 MIGR 122

The Committee took note of the state of play of preparations.

17. **ASEM Summit** (Ulaanbaatar, Mongolia, 15-16 July 2016)

- = State of play of preparations
10689/16 COASI 143 ASIE 53 ASEM 3 CFSP/PESC 540 POLGEN 72
DEVGEN 149 WTO 178 ECOFIN 663 COMPET 399 ENV 458
MIGR 121

The EEAS and the Commission presented the state of play of preparations.

18. **EU- Canada Comprehensive Economic and Trade Agreement (CETA)**

The above-mentioned item was withdrawn from the discussion items.

IV. Any other business

COREPER (PART 1)

- Proposal for a Regulation of the European Parliament and of the Council setting a framework for **energy efficiency labelling** and repealing Directive 2010/30/EU (**First reading**)
(**Legislative deliberation**)

= Information from the Presidency

The Committee took note of the Presidency's information about its intention to start negotiations with the EP.

- The Committee took note of the information provided by three delegations in follow-up to last week's discussion on the draft Directive on the reduction of national emissions of certain atmospheric pollutants.

COREPER (PART 2)

- The Commission presented its proposal for the signing of the EU-Canada Comprehensive Economic and Trade Agreement (**CETA**).
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"I" items approved**COREPER (PART 1)**

5. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
 - a) E-003047/2016 - Claude Rolin (PPE)
The situation of refugees in Greece
10190/16 PE-QE 223
 - b) E-003250/2016 - Joëlle Bergeron (EFDD)
Lifting of sanctions against Russia
10187/16 PE-QE 222
 - c) E-003364/2016 - Jeppe Kofod (S&D)
Possibility of a 'looser relationship' with the EU than full membership
10141/16 PE-QE 221
6. Draft minutes of the following Council meetings
= Approval
 - 3469th meeting of the Council of the European Union (Transport, **Telecommunications** and Energy), held in Brussels on 26 May 2016
9534/16 PV/CONS 29 TRANS 196 TELECOM 101 ENER 226
7. Draft Council Decision on the position to be taken, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the request of Georgia to become a Contracting Party to that Convention
= Adoption
 - 10178/1/16 UD 131 REV 1
 - 10524/16 UD 143
8. Draft Council Regulation amending Council Regulation (EU) 2015/2265 opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the period 2016 to 2018
= Adoption
 - 10757/16 PECHE 254 UD 147
 - 10103/16 PECHE 214 UD 126
9. Recommendation for a Council Decision to authorise the Commission to open negotiations on behalf of the European Union for the conclusion of a Sustainable Fisheries Partnership Agreement and Protocol with the Republic of Kenya
= Adoption
 - 10753/16 PECHE 253
 - + **COR 1**
 - + ADD 1
 - + **ADD 1 COR 1 (sv)**
 - 10752/16 PECHE 252

COREPER (PART 2)

19. Case before the EU General Court
Case T-274/16, Suzanne Saleh Thabet v. Council
10868/16 JUR 329 MAMA 140 CFSP/PESC 559
20. Case before the EU General Court
Case T-275/16, G.M.H.E.Y. Mubarak a.o. v. Council
10870/16 JUR 330 MAMA 141 CFSP/PESC 560
21. Case before the EU General Court
Case T-240/16, Andriy Petrovych Klyuyev v. Council
10885/16 JUR 331 CORLX 280 CFSP/PESC 565 COEST 178
22. Case before the Court of Justice of the European Union
Request for a preliminary ruling in Case C-266/16, Western Sahara Campaign UK v. the Commissioners for her Majesty's revenue and customs and the Secretary of State for environment, food and rural affairs
10888/16 JUR 332 CORLX 281 CFSP/PESC 567 CONOP 57 MAMA 146
23. Case before the EU General Court
Case T-264/16, Korea National Insurance Corp. v. Council and Commission
10890/16 JUR 333 CORLX 282 CFSP/PESC 568 COASI 150
24. Draft Council Decision appointing a member, proposed by the Kingdom of Belgium, of the European Economic and Social Committee
= Adoption
10687/16 CES 21
+ COR 1
10686/16 CES 20
25. European Maritime Security Strategy (EUMSS) Action Plan implementation
= Presidency information note
10759/16 POLGEN 75 POLMAR 9 CSDP/PSDC 400 AGRI 382 TRANS 272
JAI 630 ENV 468 PECHE 255 POLMIL 68
26. Transparency - Public access to documents
 - a) Confirmatory application No 08/c/01/16
7382/1/16 REV 1 INF 53 API 39
 - b) Confirmatory application No 12/c/04/16
9268/16 INF 85 API 58
 - c) Confirmatory application No 13/c/01/16
9503/16 INF 94 API 64
27. Special Report No 8/2016: Rail freight transport in the EU: still not on the right track
= Designation of Working Party
9632/16 FIN 332 TRANS 203 ENV 459 REGIO 44

28. Draft Council Directive laying down rules against tax avoidance practices that directly affect the functioning of the internal market
= Adoption
10672/16 FISC 113 ECOFIN 658
10539/16 FISC 110 ECOFIN 648
29. Draft Council Decision on the signing, on behalf of the European Union, and provisional application of the Amending Protocol to the Agreement between the European Community and the Principality of Monaco providing for measures equivalent to those laid down in Council Directive 2003/48/EC
= Adoption
10674/16 FISC 114 ECOFIN 660 AELE 52 MC 7
8386/16 FISC 63 ECOFIN 337 AELE 32 MC 3
8389/16 FISC 65 ECOFIN 340 AELE 34 MC 5
30. Commission Delegated Regulation (EU) .../... of 18.5.2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council with regard to definitions, transparency, portfolio compression and supervisory measures on product intervention and positions
= Intention not to raise objections to a delegated act
10554/16 EF 203 ECOFIN 649 DELACT 125
9165/16 EF 125 ECOFIN 439 DELACT 83
+ ADD 1
31. Commission Delegated Regulation (EU) .../... of 7.6.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards for the level of accuracy of business clocks
= Intention not to raise objections to a delegated act
10673/16 EF 207 ECOFIN 659 DELACT 128
10004/16 EF 172 ECOFIN 570 DELACT 103
+ ADD 1
32. Commission Delegated Regulation (EU) .../... of 8.6.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards concerning the data to be published by execution venues on the quality of execution of transactions
= Intention not to raise objections to a delegated act
10722/16 EF 213 ECOFIN 670 DELACT 134
10065/16 EF 181 ECOFIN 586 DELACT 109
+ ADD 1
33. Commission Delegated Regulation (EU) .../... of 8.6.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards for the annual publication by investment firms of information on the identity of execution venues and on the quality of execution
= Intention not to raise objections to a delegated act
10724/16 EF 214 ECOFIN 671 DEALCT 135
10068/16 EF 182 ECOFIN 588 DELACT 110
+ ADD 1

34. Commission Delegated Regulation (EU) .../... of 13.6.2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards on the volume cap mechanism and the provision of information for the purposes of transparency and other calculations
= Intention not to raise objections to a delegated act
10695/16 EF 210 ECOFIN 664 DELACT 131
10246/16 EF 190 ECOFIN 613 DELACT 117
+ ADD 1
35. Commission Delegated Regulation (EU) .../... of 13.6.2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards specifying the requirements on market making agreements and schemes
= Intention not to raise objections to a delegated act
10696/16 EF 211 ECOFIN 665 DELACT 132
10245/16 EF 189 ECOFIN 612 DELACT 116
36. Commission Delegated Regulation (EU) .../... of 13.6.2016 supplementing Regulation (EU) No 600/2014 of the European Parliament and of the Council on markets in financial instruments with regard to regulatory technical standards on the direct, substantial and foreseeable effect of derivative contracts within the Union and the prevention of the evasion of rules and obligations
= Intention not to raise objections to a delegated act
10698/16 EF 212 ECOFIN 667 DELACT 133
10243/16 EF 188 ECOFIN 611 DELACT 115
37. Commission Delegated Regulation (EU) .../... of 10.6.2016 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards on the clearing obligation
= Intention not to raise objections to a delegated act
10681/16 EF 209 ECOFIN 662 DELACT 129
10189/16 EF 187 ECOFIN 606 DELACT 114
+ ADD 1

38. Enlargement

- Accession negotiations with Serbia
- = Chapter 23: Judiciary and fundamental rights
10074/16 ELARG 78

Statement by Croatia

"Croatia lifted its reserve on the draft EU Common Position for Chapter 23 in the interest of achieving compromise that will allow the accession process with Serbia to continue.

Croatia will remain vigilant in closely following the implementation of all interim benchmarks in Chapter 23, as well as other measures and obligations in the relevant negotiation chapters throughout the accession process, focusing on the areas that have been earlier identified as matters of special concern, notably: full cooperation with the ICTY, revision of the legislation that arbitrarily extended Serbia's jurisdiction for war crimes over the neighbouring States, and the need to revise Serbia's National Strategy for handling of war crimes in light of its unacceptable political and legal qualification, as well as the full implementation of the overall legal framework on minority rights, as derived from its domestic and international obligations, including all building blocks of its Action Plan for National Minorities. Non-discriminatory access to victims' rights, including reparations and compensations, is another important indicator of the efficient judiciary and, together with cooperation regarding the issue of missing persons, an essential element for lasting peace and reconciliation. Croatia is satisfied that the benchmarks as agreed encompass these important aspects of Serbia's obligations.

Resolving all outstanding legacies of war, while constructively engaging in regional cooperation and good neighbourly relations remains important part of the political criteria as well as the conditionality of the Stabilisation and Association Process, as reflected in Serbia's Negotiating Framework and the Stabilization and Association Agreement.

Croatia remains committed to the continuation of the enlargement of the EU, based on the fulfilment of all necessary criteria."

39. Enlargement
- Accession negotiations with Serbia
 - = Chapter 24: Justice, freedom and security
10075/16 ELARG 79

Statement by Croatia

"Croatia lifted its reserve on the draft EU Common Position for Chapter 24 in the interest of achieving compromise that will allow the accession process with Serbia to continue. Croatia is reiterating its position on judicial co-operation in criminal matters by emphasizing the importance of regional co-operation based on well-established norms and principles of international criminal law and avoiding the conflict of jurisdictions with neighbouring States in processing war crimes.

Croatia will remain vigilant in closely following the implementation all interim benchmarks in Chapters 24 and 23, as well as the progress in other relevant chapters throughout the negotiating process, focusing on areas that have been earlier identified as matters of special concern, including on co-operation in criminal matters, since the identified shortcomings continue to undermine the process of reconciliation, inclusive regional co-operation, States' cooperation in the prosecution of the international core crimes, as well as good neighbourly relations."

40. Proposal for a Council Decision on the conclusion of the Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States, of the other part
- = Request for the consent of the European Parliament
10550/16 ACP 100 WTO 172 COAFR 192 RELEX 561
10533/16 ACP 99 WTO 171 COAFR 191 RELEX 560
41. Draft Council Decision on the Union position to be adopted in the Joint Committee established by the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, on adopting the Joint Committee's rules of procedure, and setting up specialised working groups
- = Adoption
10748/16 COASI 145 ASIE 55 CFSP/PESC 546 RELEX 575 COHOM 84
COTER 71 CONOP 53 WTO 180 DEVGEN 153 JAI 628 CLIMA 82
ENV 467 AGRI 379 EDUC 249 ENER 270 TRANS 270 MIGR 123
COMER 85 CULT 62
9819/16 COASI 122 ASIE 46 CFSP/PESC 455 RELEX 475 COHOM 62
COTER 59 CONOP 49 WTO 153 DEVGEN 117 JAI 523 CLIMA 61
ENV 388 AGRI 306 EDUC 223 ENER 236 TRANS 214 MIGR 105
COMER 73 CULT 54

42. EU priorities at the United Nations and the 71st United Nations General Assembly (September 2016 – September 2017)
10761/16 ONU 81 CONUN 125 COHOM 85 CFSP/PESC 547 COPS 215
CSDP/PSDC 402 CONOP 54 COTER 72 DEVGEN 154 CLIMA 83
COHAFA 50 GENDER 30 CYBER 77 COAFR 195 MAMA 133
COASI 146 COEST 177 COTRA 16 COLAC 49
43. Draft Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning amendments to Annex IX (Financial Services) to the EEA Agreement
= Adoption
9763/16 AELE 39 EEE 26 N 36 ISL 24 FL 28 MI 415 EF 153 ECOFIN 543
SURE 16
10422/16 AELE 46 EEE 31 N 41 ISL 29 FL 33 MI 461 EF 197 ECOFIN 627
SURE 20
44. Position of the EU and its Member States on the draft Declaration of the Union for the Mediterranean Ministerial Conference on Employment and Labour (Jordan, 27 September 2016)
10820/16 MAMA 134 MED 21 EMPL 292
45. Draft Council Decision on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union
= Adoption
10855/16 RL 8 MAMA 135 MED 24
13349/14 RL 3
+ COR 1 (hr)
46. Draft Council Decision on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
= Adoption
10856/16 RL 9 MAMA 136 MED 25
13395/14 RL 6
+ COR 1 (hr)
47. Draft Council Decision on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, on a Framework Agreement between the European Union and the Republic of Lebanon on the general principles for the participation of the Republic of Lebanon in Union programmes
= Adoption
10857/16 RL 10 MAMA 137 MED 26
16136/14 RL 11

48. Draft Council amending Decision (CFSP) 2015/2052 extending the mandate of the European Union Special Representative in Kosovo *
- = Adoption
- 10670/16 CORLX 269 CFSP/PESC 538 COWEB 62 CSDP/PSDC 390 CSC 203
10333/16 CORLX 255 CFSP/PESC 500 COWEB 58 CSDP/PSDC 355 CSC 187
49. External aspects of migration - Monitoring results
- 10822/1/16 REV 1 JAI 636 ASIM 100 RELEX 581 DEVGEN 155
50. Draft Council conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA
- Evaluation of Denmark with regard to automated data exchange of DNA data
- = Adoption
- 10282/16 JAI 583 DAPIX 105 CRIMORG 66 ENFOPOL 205
ENFOCUSTOM 98
10281/16 JAI 582 DAPIX 104 CRIMORG 65 ENFOPOL 204
ENFOCUSTOM 97
51. Draft Council conclusions on the implementation of the general provisions on data protection of Chapter 6 of Council Decision 2008/615/JHA
- Evaluation of Denmark with regard to automated exchange of dactyloscopic data
- = Adoption
- 10285/16 JAI 585 DAPIX 107 CRIMORG 68 ENFOPOL 207
ENFOCUSTOM 100
10283/16 JAI 584 DAPIX 106 CRIMORG 67 ENFOPOL 206
ENFOCUSTOM 99
53. Draft Council Decision amending Decision 2012/392/CFSP on the European Union CSDP Mission in Niger (EUCAP Sahel Niger)
- = Adoption
- 10879/1/16 REV 1 CORLX 279 CFSP/PESC 563 CSDP/PSDC 411 COAFR 200
EUCAP SAHEL 17 CSC 213
10395/16 CORLX 261 CFSP/PESC 510 CSDP/PSDC 360 COAFR 188
EUCAP SAHEL 15 CSC 192
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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.