

- b. Modification of the telecommunications equipment or systems is not permitted if any aspect of the design would result in exceeding the performance thresholds or features of Note 4;
- c. Testing of large scale integrated (LSI) circuits or those with higher component densities is limited to go/no go tests;
N.B.:
This sub-paragraph does not preclude exports of equipment or technology which would be possible according to the provisions of other Categories.
- d. The specially designed "software" is that necessary to utilize the transferred technology, instrumentation and test equipment;
- e. All "software" shall be exported in machine executable form only;
- f. "Development" technology is not included;
- g. The contract includes explicit conditions to ensure that:
 - 1. The "production" technology or "production" equipment is not re-exported or exported, either directly or indirectly, to another proscribed destination;
 - 2. The supplier or licensor may appoint a representative who is entitled to verify that the "production" technology and "production" equipment or systems serve their intended use;
 - 3. Any modification of the capabilities or functions of the produced equipment must be approved by the supplier or licensor;
 - 4. The supplier's or licensor's personnel have right of access to all the facilities directly involved in the "production" of the telecommunications equipment or systems;
 - 5. The "production" technology, "production" equipment and produced equipment or systems will be for civil end-use only and not for re-export to COCOM proscribed destinations other than COCOM agreed countries;
- h. System integration testing will be performed by the supplier or licensor, if it requires test tools which would provide the licensee with the capability to recover source code or upgrade the system beyond the performance thresholds or features of Note 4;
- i. End-use reporting of the installed telecommunication equipment or systems will be provided in accordance with the provisions of Note 4;
- j. The Committee will approve the case if no member country has raised an objection within four (4) weeks of the receipt of complete information on the application;

N.B.:

- 1. No export under the favourable consideration provisions of this Note shall establish a precedent for the approval of exports under other Categories in this List.
- 2. For each licence granted under this Note, the Government of the exporting country will require that the importer:
 - a. Provide end-use assurances backed by his national authorities;
 - b. Make available information as requested by the exporting country; *and*
 - c. Allow on-site inspection if requested by the exporting country.

1150. INFORMATION SECURITY

NOTE:

The embargo status of "information security" equipment, "software", systems, application specific "assemblies", modules, integrated circuits, components or functions is defined in this Category even if they are components or "assemblies" of other equipment.

1151. Equipment, Assemblies and Components

Systems, equipment, application specific "assemblies", modules or integrated circuits for "information security", as follows, and other specially designed components therefor:

- 1151. a. Designed or modified to use "cryptography" employing digital techniques to ensure "information security";
- b. Designed or modified to perform cryptanalytic functions;
- c. Designed or modified to use "cryptography" employing analogue techniques to ensure "information security", *except*:
 - 1. Equipment using "fixed" band scrambling not exceeding 8 bands and in which the transpositions change not more frequently than once every second;

- 2. Equipment using "fixed" band scrambling exceeding 8 bands and in which the transpositions change not more frequently than once every ten seconds;
- 3. Equipment using "fixed" frequency inversion and in which the transpositions change not more frequently than once every second;
- 4. Facsimile equipment;
- 5. Restricted audience broadcast equipment;
- 6. Civil television equipment;
- d. Emanated or modified to suppress the compromising emanations of information-bearing signals;

NOTE:

- 1151.d. does not embargo equipment specially designed to suppress emanations for health or safety reasons.
- e. Designed or modified to use cryptographic techniques to generate the spreading code for "spread spectrum" or the hopping code for "frequency agility" systems;
- f. Designed or modified to provide certified or certifiable "multilevel security" or user isolation at a level exceeding Class B2 of the Trusted Computer System Evaluation Criteria (TCSEC) or equivalent;
- g. Communications cable systems designed or modified using mechanical, electrical or electronic means to detect surreptitious intrusion;

1152. Test, Inspection and Production Equipment

- 1152. a. Equipment specially designed for:
 - 1. The development of equipment or functions embargoed by 1151., 1152., 1054. or 1155., including measuring or test equipment;
 - 2. The production of equipment or functions embargoed by 1151., 1152., 1154. or 1155., including measuring, test, repair or production equipment;
- b. Measuring equipment specially designed to evaluate and validate the "information security" functions embargoed by 1151. or 1154.

1153. Materials

None.

1154. Software

- 1154. a. "Software" specially designed or modified for the "development", "production" or "use" of equipment or "software" embargoed by 1151., 1152. or 1154.;
- b. "Software" specially designed or modified to support technology embargoed by 1155.;
- c. Specific "software" as follows:
 - 1. "Software" having the characteristics, or performing or simulating the functions of the equipment embargoed by 1151. or 1152.;
 - 2. "Software" to certify "software" embargoed by 1154.c.1.;
 - 3. "Software" designed or modified to protect against malicious computer damage, e.g., viruses;

1155. Technology

Technology according to the General Technology Note for the "development", "production" or "use" of equipment or "software" embargoed by 1151., 1152. or 1154.

NOTES:

- 1. 1151. does not embargo:
 - a. Personalized smart cards" using "cryptography" restricted for use only in equipment or systems excluded from embargo under 1151.c.1. to 6., under Note 1.b. to e., or as described in Notes 3 and 4;
 - b. Equipment containing "fixed" data compression or coding techniques;
 - c. Receiving equipment for radio broadcast, pay television or similar restricted audience television of the consumer type, without digital encryption and where digital decryption is limited to the video, audio or management functions;
 - d. Portable (personal) or mobile radiotelephones for civil use, e.g., for use with commercial civil cellular radiocommunications systems, containing encryption, when accompanying their users;
 - e. Decryption functions specially designed to allow the execution of copy-protected "software", provided the decryption functions are not user-accessible.