

N.B.:

1. Supervision of maintenance includes:
Preventive maintenance at periodic intervals;
Intervention for major malfunctions.
2. This is not meant to require that only nationals from the exporting country should install the system.
3. This does not apply if the equipment or "software" is designed for installation by the user without further substantial support by the supplier.
- d. The COCOM member country licensee or his designated representative, who shall be from a non-proscribed country, shall have the right of access to all the equipment and may carry out inspections;
- e. Upon request of the Government of the exporting country, the licensee shall carry out an inspection to establish:
 1. The system is being used for the intended civil purpose;
and
 2. All equipment exported under the provisions of this Note is being used for the stated end purpose and is still located at the installation site;

After each inspection the licensee shall report his findings to his authorities within one month. The Government of the exporting country must report any deviation from the conditions of this Note to the Committee;

- f. The Government of the exporting country will notify the Committee 30 days before the time of licensing of the export under the provisions of this Note. The notification will include the equipment or "software" locations and the network topology.

23. Governments may permit, as administrative exceptions, the shipment for civil use of modems embargoed by 1051.b.3.a. using the "bandwidth of one voice channel" with a "data signalling rate" not exceeding 14,400 bits/s, and test equipment, specially designed components and accessories, "software" and technology necessary for the "use" thereof.

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

1151. Systems, equipment, application specific "assemblies", modules or integrated circuits for "information security", as follows, and other specially designed components thereof:
 1151. a. Designed or modified to use "cryptography" employing digital techniques to ensure "information security";
 1151. b. Designed or modified to perform cryptanalytic functions;
 1151. 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;
1151. d. Designed 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.

1151. e. Designed or modified to use cryptographic techniques to generate the spreading code for "spread spectrum" or the hopping code for "frequency agility" systems;
1151. 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;

1151. g. Communications cable systems designed or modified using mechanical, electrical or electronic means to detect surreptitious intrusion.

NOTE:

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 1 and 2;
- 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.

1152. TEST, INSPECTION AND PRODUCTION EQUIPMENT

1152. a. Equipment specially designed for:
 1. The development of equipment or functions embargoed by 1151., 1152., 1154. 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;
1152. 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.;
1154. b. "Software" specially designed or modified to support technology embargoed by 1155.;
1154. 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.

NOTE:

1154. does not embargo:

- a. "Software" required for the "use" of equipment excluded from embargo under the Note to 1151.;
- b. "Software" providing any of the functions of equipment excluded from embargo under the Note to 1151.

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. Governments may permit, as administrative exceptions, the shipment to the Czech Republic, Poland, and Slovak Republic of cellular radio equipment or systems specially designed for cryptographic operation, provided any message traffic encryption capability within the scope of the embargo under this Category contained in such equipment or systems is irreversibly disabled.

N.B.:

Provided message traffic encryption is not possible within such a system, the export of mobile or portable cellular radio subscriber equipment containing cryptographic capabilities is permitted under this Note.