EUROPEAN UNION
THE COUNCIL

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LIMITE

ENFOPOL 167

NOTE[1]

from : the Netherlands delegation

to : the Police Cooperation Group

No. prev. doc. : 9023/97 ENFOPOL 141 ; 9441/97 ENFOPOL 159, p.3 (item 6 c)

Subject : **Interception of telecommunications**
- **Questionnaire on Trusted Third Parties (TTP)**

Delegations will find hereafter the questionnaire on TTP, announced in the meeting of the Police Cooperation Group on 24 June 197. The replies should be given by 13 September 1997.

(1) This document exists in English and French only.

TTP questionnaire

1. General cryptography policy

Does your country have a general policy regarding the use of cryptography by members of the public and companies?

0 Yes, regarding members of the public
0 Yes, regarding companies
0 No

If not, is such a policy being developed?

0 Yes, regarding members of the public
0 Yes, regarding companies
0 No

In a general sense, are there regulations regarding the use of cryptography by members of the public and companies?

0 Yes, regarding members of the public
laws/articles:
0 Yes, regarding companies
laws/articles:
0 No

Are requirements set for the cryptography policy or the regulations concerning cryptography from a crime detection and state security viewpoint?

0 Yes, namely

0 No

2. Use of TTP services

Is or was the development of a TTP structure in the market sector encouraged by the government?

0 Yes
0 No

If so, for which category of TTPs is this considered?

0 Certification Authorities
0 Key Recover Centres
0 Other, namely

Are TTPs operating in your country?

0 Yes
0 No

Which services are provided by those TTPs?

0 Certification
0 Key Recovery
0 .....

Has experience been gained of these TTPs from a crime detection and state security viewpoint?

0 Yes
0 No

Are or were requirements set for TTPs from a crime detection or state security viewpoint?

0 Yes, via a legal provision
laws/articles:
0 Yes, via a system of permits or certifications
0 Still under discussion
0 Depending on self-regulation in the market
0 No, no requirements are set.

If so, which requirements are set for TTPs from a crime detection and state security viewpoint?

Which requirements are under discussion?

Which governmental authorities are responsible for development and policy forming concerning TTPs?

3. Key recovery

Are crime detection services authorised to oblige members of the public or companies to surrender the keys of encrypted messages (possibly via third parties) to authorised crime detection and state security services?

0 Yes, for stored data (data files)
laws/articles:
0 Yes, for data traffic (telecommunications)
laws/articles:
0 No, there is no authority to do this

Are such obligations being considered or developed?

0 Yes, for stored data (data files)
0 Yes, for data traffic (telecommunications)
0 No, no obligations are being considered or developed

Are crime detection services authorised to oblige members of the public or companies to decode encrypted messages (deliver as plain text)?

0 Yes, for stored data (data files)
laws/articles:
0 Yes for data traffic (telecommunications)
laws/articles:
0 No, there are no obligations

Do the obligations mentioned above also apply to the suspect?

0 Yes, the obligation to surrender keys
0 Yes, the obligation to deliver decoded text
0 No

Are state security services authorised to oblige members of the public or companies to surrender the keys of encrypted messages (possibly via third parties) to authorised crime detection and state security services?

0 Yes, for stored data (data files)
laws/articles:
0 Yes, for data traffic (telecommunications)
laws/articles:
0 No, there is no authority to do this

Are such obligations being considered or developed?

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