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Subject : Summary report of the International law enforcement telecommunications seminar (ILETS), Dublin, 4/6 February 1997

(¹) This note exists in English only

Introduction

ILETS '97 was hosted by Ireland at Dublin Castle from 4 to 6 February, 1997. Twenty-one delegations, comprising a total of 61 delegates, participated in the Seminar.

The seminar comprised Opening and Closing Plenary Sessions (chaired by Ireland) and the following four Workshops:

	<u>Chair</u>
Workshop 1 - Interception outside national boundaries	USA
Workshop 2 - Encryption	UK
Workshop 3 - New Technical Issues	Germany
Workshop 4 - International User Requirements	Netherlands

All delegates participated in Workshops 1 and 2 and viewed the Netherlands training video in Workshop 3. The remainder of Workshop 3 was run concurrently with Workshop 4.

Standing Committees

The mandates of the ILETS Standing Technical Committee (STC) and the ILETS IUR Review Group were renewed. The membership of the STC was expanded to include Italy and New Zealand. An ILETS Legal Committee was constituted. It comprises Australia (Chair), Canada, France, Germany, Netherlands, UK and the USA.

Seminar Proceedings/Outcomes

Opening Plenary Session

- 1.1 The report of ILETS, Canberra was adopted.
- 1.2 Delegates noted interception status reports from Australia, Belgium, Canada, EU, Germany, Luxembourg, Netherlands, Hong Kong, UK and USA.
- 1.3 The Chairman of the ILETS Standing Technical Committee presented an overview of the work of the Committee since ILETS, Canberra.

Workshop 1 - Lawful Interception Outside National Boundaries

S-PCS systems - Technical Issues

- 2.1 The Seminar heard from the Chairman of the ILETS Standing Technical Committee and also from delegations on their contacts with companies which plan to provide S-PCS systems. A matrix of technical information obtained in the course of those contacts was circulated to delegates.
- 2.2 It was agreed that contacts with the S-PCS companies would continue and that, for co-ordination purposes, all new information obtained would be communicated to the Chairman of the STC.

S-PCS systems - Legal Issues

- 2.3 The Netherlands, UK and Germany circulated papers on possible approaches to legal issues associated with interception of S-PCS systems. (Note: The texts were those of documents Justpen 150/Enfopol 208 and Enfopol 232.)
- 2.4 The Seminar was informed that the papers would be considered by the EU Working Party on Mutual Assistance in Criminal Legal Matters. The non-EU ILETS delegations undertook that they would, individually, consider the papers.

Subscriber/call-related data

- 2.5 The Netherlands and the United Kingdom delivered presentations on centralisation of points of contact for obtaining subscriber and call-related data. The UK recommended international liaison between such centralised points of contact and adverted to its intention to initiate a proposal at EU level for liaison between centralised points of contact in EU Member States. The Netherlands undertook to continue to co-ordinate all information relating to accessing of subscriber etc. data.
- 2.6 Delegations were asked to provide information on national arrangements for access to subscriber etc. data as part of a survey of such arrangements in ILETS member countries. Replies to the survey form are to reach the ILETS Secretariat (Ireland) by 1 March, 1997.

Workshop 2 - Encryption

- 3.1 ILETS Delegations reported some evidence of use of cryptography by criminals to secure their communications. Evidence was, however, seen as being anecdotal rather than statistical. It was considered that the

extent of criminal usage of cryptography may be underestimated - there is a possibility that encrypted telecommunications are being mistaken for nothing more "than noise on the line"

- 3.2 The Seminar was informed of developments in relation to national policies and legislation on cryptography. It was noted that national policies were tending towards Trusted Third Party (TTP)/Key Recovery Agent systems. The Seminar was also informed of international developments within OECD and ETSI.
- 3.3 It was agreed that Delegations would (i) exchange information as national policies develop and (ii) keep in touch with international developments. Australia undertook to act as co-ordinator for all information on cryptography-related matters.

Workshop 3 - New Technologies

Training video

- 4.1 All delegates viewed a video produced by the Netherlands which is central to an interception training course which will be open to participants from outside the Netherlands. It was considered that the course might be enhanced by inclusion of case studies of real-life interception situations from the countries of non-Netherlands participants. Delegates undertook to research such case studies and communicate with the Netherlands.

Interception on GSM

- 4.2 It was noted that technical solutions are already in place for GSM but that some difficulties persist in having call-related data delivered with call content. These difficulties are currently being addressed.

Interception on New Technologies

- 4.3 Discussion centred on interception of:

pre-paid mobile phones/SIM cards

- 4.3.1 Pre-paid cards are already available in Belgium, Portugal, Spain, UK, and Hong Kong. There are plans to introduce cards in France, Netherlands, Australia, Canada and New Zealand. It was considered that Network Operators/Service Providers should be encouraged not to introduce anonymous cards. The use of SIM Tool Kits and localising via base stations offered possible interception solutions to the use of pre-paid cards.

Internet

- 4.3.2 Discussion focussed on the Internet as a means of communication and, in particular, on the difficulties which arise in relation to interception and target tracing.

4.3.3 Technical solutions appeared to exist for dial-in on the telephone network. Some delegations also pointed to the potential of 'Point of Presence' and Back Bones' in offering solutions. In addition, it appeared that the origin of communications may be traced by network tracking. While there was as yet no structured approach to target location, industry was interested in the matter.

4.3.3 Legal issues in connection with (i) Cache (proxy) and Mirror Servers, (ii) the applicability of the IUR to the Internet and (iii) the possibility of blocking Internet content were referred to the Legal Committee. The Committee is also to consider legal issues relating to the interception of E-mail.

Voice/Faxmail/Short Message Service (SMS)

4.3.4 The anonymity of users of Voice Mail and SMS were seen to present difficulties.

IMEI

4.3.5 The Standing Technical Committee was asked to pursue the possibility of achieving unique IMEI. It was considered that legal provisions requiring unique IMEI were desirable.

Capacity

4.3.6 The USA presented a paper on capacity issues. Delegations were invited to forward details of existing or planned capacity requirements to the Standing Technical Committee for the purpose of preparing an Information database on this subject.

Workshop 4 - International User Requirements

Global Handover Interface Specification (GloHIS)

5.1 Delegations confirmed the need for a co-ordinated approach in the development of handover interfaces. Developments regarding national interface specifications are to be reported to the Chairman of the IUR Expert Group by end-March, 1997.

International Support for the International User Requirements (IUR)

5.2 Delegations noted the strong support for the IUR within ILETS by way of the EU Council Resolution of 17 January, 1995, letters/declarations conveyed by Australia, Canada, Hong Kong, and the USA and signature by Norway of the Memorandum of Understanding on Lawful Interception of Telecommunications.

- 5.3 It was also noted that a non-ILETS country has expressed interest in supporting the IUR and that further such interest may arise as a result of publication of the EU Council Resolution. It was agreed that non-ILETS countries may express support for the IUR by letter as per paragraph 9 of the report of ILETS, Canberra.

Implementation of the IUR

- 5.4 Delegations reported on implementation of the IUR in the European Union, Australia and Canada.

Contacts with International Standards Bodies

- 5.5 It was noted that considerable progress was being made within ETSI Technical Committees on standardisation of interception requirements.
- 5.6 Australia and the USA are to confirm the current status of an Australian submission of July, 1996 to the ITU-TSAG. Australia circulated a draft resolution which it proposes to table at the ITU Council. Delegations were invited to comment on the text by end-February, 1997. The focus of the final Australian text will be to raise awareness of the IUR within the ITU but not to task the ITU with the production of detailed technical standards at this stage. Australia will discuss the text of the resolution with AUSTEL to ensure consistency with the ILETS position.

Refinement of the IUR

- 5.7 It was agreed that the IUR should stand as a general high-level statement of the interception requirements of law enforcement agencies. To ensure its continuing credibility, it was considered that the IUR must not be amended without real cause.
- 5.8 The IUR Expert Group was tasked with reviewing the IUR content on an annual basis. Delegations were asked to communicate any immediate review items to the Chairman of the Group by end-March, 1997.
- 5.9 The IUR Expert Group was also tasked with giving consideration to the preparation of guidance documents. Those documents would form a middle layer of requirements documents between the high-level IUR and detailed technical standards. It was decided that the Group should give initial priority to the preparation of a guidance document on delivery of S-PCS interception product.
- 5.10 It was agreed that the IUR Expert Group would work closely with the Standing Technical Committee (STC) and the Legal Committee and be guided by the priorities assigned to technical issues by the STC.

Closing Plenary Session

ILETS Enlargement

- 6.1 There was no proposal to expand the number of ILETS participating countries and, accordingly, ILETS membership was fixed until the next Seminar convenes.
- 6.2 It was suggested that, in considering any application for ILETS membership, one criteria could be the added value which an applicant country could bring to the expertise and work of ILETS.

Venue for next Seminar

- 6.3 Canada will host the next meeting of ILETS in Ottawa in 1998. Ireland will continue to provide the ILETS Secretariat pending circulation of the formal report of ILETS '97 and receipt of replies to the survey on national access to subscriber data which are due before 1 March, 1997.