[DE] New Network Monitoring Proposal

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In September, the Federal Ministry of the Economy published a draft Telekommunikationsüberwachungsverordnung (Telecommunications Monitoring DecreeTKÜV).

The document sets out the principle that operators of telecommunications systems used by the general public should, on request, make full copies of conversations or data carried via those systems available to the State authorities. This obligation also applies to direct Internet access systems, including those using TV cable networks and so-called "powerline technology" (telecommunications services via electricity cable).

As part of this requirement, all Internet providers would be obliged, at the behest of a criminal prosecution body authorised by a public prosecutor, to monitor the inboxes of e-mail servers. The draft also contains a clause stating that operators must make encrypted data available to investigators in unscrambled form.

Entwurf für eine Verordnung über die technische und organisatorische Umsetzung von Maßnahmen zur Überwachung der Telekommunikation (Telekommunikations-Überwachungsverordnung - TKÜV)

Draft Telecommunications Monitoring Decree

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