

THE LAW ON CRYPTOGRAPHY OF THE THE REPUBLIC OF TAJIKISTAN

This Law regulates the legal framework of social relations in the field of cryptography and establishes procedures for development, production and use of cryptographic tools in the process of information storage and exchange.

Article 1. Main Definitions:

Following definitions are used under this Law:

- **automated information and telecommunications networks** – technological system designed for data/information transmission over communication lines, where access is supplied at computing equipment;
- **cryptographic tools** – tools, required for technical security/protection of confidential information from unauthorized access;
- **simulated protection tools** – hardware and software tools, systems and complexes to implement algorithms for cryptographic transformation of data with intention to protect/secure against spoofing attacks;
- **coding/ tools** – tools to implement complex algorithms of a cryptographic transformation of data with execution of the conversion by manual operation or by using automated tools based on such operations;
- **encryption tools** – software and hardware tools & means and systems to implement algorithms for cryptographic transformation of data, intended to protect information from unauthorized access during transmission through a network of automated and (or) during its handling and storage;
- **key documents** – media driver for key information, regardless of its type;
- **key documents' production tools** – technical means to produce key documents are produced.

Article 2. Scope of the Law

1. The provisions of this Law apply to cryptography tools of public authorities of the Republic of Tajikistan, as well as individuals and legal entities of the Republic of Tajikistan, where those tools are used to protect information during the process of information storage and exchange.

2. The provisions of this Law shall not apply in regards of the following:

- personal credit cards with built-in micro-electronic chip, where user is not able to change cryptographic/encrypted capabilities;
- signal receiving and transmitting radio equipment, commercial broadcasting equipment or any other commercial type of equipment used to broadcast to a specific audience, without digital encryption, with no video encryption, while video encryption is limited to video management functions, or audio channels
- specifically designed to be used only for banking and financial transactions, encryption (cryptographic) tools installed at the retail sale terminals (ATMs), where cryptographic functionality cannot be changed by users;

- encryption (cryptographic) tools to ensure fiscal memory, used only at level of cash registers.

Article 3. Legislation of the Republic of Tajikistan on cryptography

Legislation of the Republic of Tajikistan on cryptography is based on the Constitution of the Republic of Tajikistan and consists of this Law, other normative legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan.

Article 4. Subjects of legal relations in the field of cryptography

Subjects of legal relations in the field of cryptography are: state bodies, individuals and legal entities, as well as foreign states and international organizations.

Article 5. Processing, production and use of cryptographic tools

1. Cryptographic tools are:

- simulated protection tools
- encryption tools
- coding tools
- key documents
- key document production tools

2. Cryptographic means/tools and developed programs are stored and used exclusively by one or more persons allowed operating with cryptographic means/tools to prevent unauthorized access.

3. Copies of technical documents under cryptographic tools and related programs are stored at certification center.

4. Cryptographic tools are used by relevant government agencies, as well as individuals and legal entities in automated data and telecommunications networks, as well as software and hardware tools to protect sensitive information during receiving, transmitting and storage.

Article 6. Licensing of activities in the field of cryptography

Licensing of activities in the field of cryptography is carried out in accordance with legislation of the Republic of Tajikistan.

Article 7. Certification of the cryptographic tools

1. Cryptographic tools as means for data encryption shall undergo certification in accordance with the legislation of the Republic of Tajikistan

2. Inspection and certification services for cryptographic tools rests with the certification authority, acting on the basis of the Law of the Republic of Tajikistan "On Electronic Digital Signature".

Article 8. Operational control in the field of cryptography

Operational control in the field of cryptography is carried out by national security service of the Republic of Tajikistan

Article 9. Responsibility/Penalty for violation of this Law

Individuals and legal entities to violate provisions of this Law, are subject to prosecution in accordance with the Legislation of the Republic of Tajikistan.

Article 10. Order of entry of this Law into force

This Law shall enter into force after its official publication.

**The President of
The Republic of Tajikistan**

Emomali Rakhmon