

Unjust Activity, Undue Process, Unfair Results

Ethical and Procedural Violations in WAPI-11i Fast-track Process

China National Body

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1. The Complaint

The simultaneous fast-track ballot of 1N7903 (China's WAPI) and 1N7903 (IEEE 11i through UK NB) to ISO/IEC 8802-11 has ended on March 7. However, China has found that the fast-track processes were marred by serious ethical and procedural violations and the results are therefore unfair, unjust and unacceptable.

Even before the end of the ballot, China has detected that there were a lot of unethical and illicit activities going on which created an unfair and unfavorable environment for WAPI proposal. China issued a warning in late February, but as the ballot results show, it was too late. Now that the ballot process has ended, it is time to produce a full report to review what had happened during the fast-track process and deal with the problems.

The following is a full report on the ethical and procedural violations in the fast-track process. The report demonstrates the following facts:

- IEEE conducted numerous unethical activities during the fast-track process.
- Many procedural rules and principles were violated during the ballot process.
- Because of those violations, the fast-track process was marred by unfairness, prejudice, favoritism, and conspiracy. Consequently ISO/IEC's image of integrity and responsibility is damaged.
- The negative comments and ballots produced in such an environment are the results of influence of IEEE's one-sided and unethical activities, are unreasonable and unfair, breached China's rights and interests, and violated

numerous ISO/IEC procedural principles and rules.

- The inaction and negligence on 11i's serious and numerous technical and editorial defects violates fundamental ISO/IEC defect correction procedures, shows irresponsible attitude, damages ISO/IEC image, and will cause disastrous effects on the information security of international community.
- Therefore, the result produced under such an environment is unfair, unjust, irresponsible and unacceptable.
- If the ethical and procedural violations are not corrected, the image and integrity of ISO/IEC would be severely damaged.
- China is strongly against the ethical and procedural violation, will not accept those unreasonable and unfair comments and cannot accept the ballot results.
- Before these violations are not satisfactorily resolved, China would not agree to any further processing of the proposals.

China, therefore, formally request ISO/IEC Central Secretariats and SMB/TMB to start a review process into the WAPI and 11i fast-track process.

China is making this appeal directly ISO/IEC central offices instead of going through the normal SC6-JTC1 appeal process because there has been a pattern of procedural difficulties for WAPI under JTC1 (taking into account of the problems before the Orlando Meeting and prior to and in the Frankfurt meeting). The Geneva meeting permitted China to raise issues directly to ISO/IEC central secretariats for intervention. Another reason is that some of the issues that caused a lot of confusions in the fast-track process were left over from the Geneva meetings.

The report demonstrates that after the two central secretariats of ISO/IEC made the decision on Sept. 6 2005 to start the fast-track processing for the two proposals, IEEE started to attack the decision and spread rumors accusing China for "bending the rules", and inciting anti-China and anti-WAPI sentiments among national bodies. This kind of irresponsible behavior and the resulting negative influence up WAPI during the comment and ballot periods is unjust, unfair and unacceptable.

The report demonstrates that IEEE continued using unethical activities to influence the ballot process. Such activities include but not limited to the following:

- **Continued Accusation against China for “Bending the Rules”**
- **Organizing a Conspiracy against WAPI**
- **Destroying the Consensus Tradition**
- **Insulting China and SC6 National Bodies**
- **Over The Boundaries**
- **Use of Intimidation and Threat**
- **Attacking ISO/IEC leadership**
- **Cultural Chauvinism**

The report further demonstrates, more seriously, that the activities and opinions expressed in the comments and ballots against WAPI not only deviate from ISO/IEC moral principles, but also seriously violate numerous long standing ISO/IEC procedural and fundamental rules and principles. The procedural violations combined with the unethical behavior contaminated the ballot process and created unjust, unfair and unacceptable results.

The violations include but not limited to:

- **Violation of Early Comment Discipline**
- **Abuse of “No Discussion in Ballot” Rule**
- **Violation of Early Editing Procedural Rules**
- **11i’s (1N7903) Approval will violate the Directives**
- **Procedural Disputes about Cryptographic Disclosure**
- **Violation of ISO/IEC Security Information Standard**
- **Violating Contradiction Settlement Procedures**
- **Misuse of One Standard and Harmonization Principles**
- **Violating the Consistency Rule**
- **Violating the consistency Rules by U.S. NB and UK NB**
- **Violations of Decisions and Resolutions**
- **Violation of the “No Confusion” procedural rule**
- **Inaction on 11i (1N7903) Technical Defects**

China is making this appeal not just for China’s rights and interests, but also

because we are concerned that the ethical and procedural violations may produce monopoly, tolerate prejudice and discrimination, force defected 11i into international standardization, denying an advanced, reliable and efficient WAPI technology to serve the international community, and put the information security of the international community into prolonged danger.

China is making this appeal because the issues involve not only about technologies (even though in technical terms WAPI's superiority cannot be denied), but more importantly they also involve the high values of moral principles and procedural integrity that makes ISO/IEC so successful.

2. Historical Background

2.1 Procedural disputes before Orlando Meeting.

In July 2004, China submitted WAPI proposal to SC6 and JTC1. Before the Orlando meeting (Nov. 8-12, 2004), Chinese WAPI proposal faced three major obstacles (each contains several issues), including the objection from UK NB and PE Mr. Robin Tasker, the cancellation of 1N7506 by JTC1 secretariat without consultation and notification, and the denial of visas for Chinese experts to attend the Orlando meeting.

2.2 Orlando Meeting Results

The Orlando meeting resolved some issues such as Mr. Tasker's revision of his positions, but some issues remained such as the causes of cancellation and visa issue. Because the Chinese experts could not attend the Orlando meeting to discuss the technical issues faced by the two seemingly competing proposals of 1N7506 and 1N7537, SC6 passed a resolution authorizing the WG1 convener to organize a special meeting in Frankfurt to allow technical experts to discuss the two proposals.

2.3 Procedural Dispute after Orlando Meeting

However, while Chinese National Body were preparing for the coming meeting, on Dec. 9, 2004, JTC1 started 5 month balloting for 1N7537. Concerned that this would effectively prevent the Frankfurt meeting to enter discussion on 1N7537 and produce a disadvantageous and unfair environment for 1N7506, Chinese NB sent a letter in late December 2004 to JTC1 Secretariat requesting immediate suspension of 1N7537 balloting.

In late January 2005, JTC1 Secretariat notified Chinese National Body that it will not suspend 1N7537 and warned that Frankfurt meeting can discuss 1N7506 but is prohibited from conducting technical discussions on 1N7537. After further protest from Chinese National Body, an order was issued by ISO Central Secretariat and JTC1 Secretariat in mid-February to suspend 1N7537 balloting to allow it been discussed in Frankfurt meeting.

2.4 Procedural Disputes in Frankfurt Meeting

However, at Frankfurt meeting, more new disputes emerged. Most surprisingly, Chinese proposal 1N7506 was said “cannot be discussed at the meeting”. Seeing no hopes for a fair solution, Chinese delegation withdrew from the meeting and put all hopes at the intervention of ISO/IEC central leadership.

2.5 ISO/IEC Headquarter intervention

After the Frankfurt meeting and at the request of Chinese National Body, ISO Central Secretariat further suspended 1N7537 balloting and call for a special meeting.

At the call of ISO Secretary General Alan Bryden, a special meeting was held on May 17 at the Geneva Headquarters of ISO, chaired by ISO Deputy Secretary General Kevin McKinley, attended by four other senior ISO/IEC officers and representatives of relevant parties.

2.6 Geneva Special Meeting

The meeting determined with consent of all participated including IEEE, U.S. and UK representatives:

- 1N7537 should be continuously suspended.
- A technical discussion should be held before balloting starts.
- 1N7537 balloting will “restart” instead of “resume”.
- Chinese position that 1N7506 should be processed within ISO/IEC system is confirmed.
- If no other alternatives were produced, the proposals will restart balloting on Sept. 6 and end at same date.

Chinese National Body is satisfied with the results of Geneva meeting. The process was fair and the discussions candid. Under this environment, the Chinese delegation was able to achieve what we have expected for but did not get from Frankfurt meeting. Although the Geneva meeting did not make judgment on the right and wrongs of previous administrative and procedural disputes as they will be treated on a separate track, Chinese positions are clearly reflected in the results.

2.7 Beijing Meeting

In Early August, 2005, a special working group meeting was held in Beijing presided by five senior ISO/IEC officials and representatives. The meeting evaluated different harmonizing plans including IEEE proposed Octopus plan (complete integration of the two proposals) and China’s coexistence harmonizing plan. No agreement was reached.

2.8. France Meeting

In the France meeting (August 29-Sept. 2, 2005), U.S., UK and France delegates proposed to change the Geneva agreement on the fast-track ballot date to add one month review period. China objected to the plan on the ground that it violates the Geneva agreement.

On Sept. 6, 2006 a decision was issued by ISO/IEC Central Secretariats to start Fast-track process on Sept. 7 and ballot on Oct. 7.

3. IEEE Accusations and Anti-China/Anti WAPI Sentiment

3.1 IEEE's Assault on WAPI Fast-track ballot decision

Above short history shows that WAPI had been continuously mistreated and delayed before ISO/IEC central Secretariats intervention. The measures by ISO/IEC leadership stopped continued unnecessary delays and provided a fairer environment for WAPI.

However, IEEE was upset that WAPI entered fast-track process and used it as a weapon to incite anti-China/anti-WAPI sentiment among the national bodies. IEEE produced documents and secretly distributed them to national bodies. In those documents, IEEE attacked the decision to allow WAPI get into fast-track ballot. IEEE also attacked China for "bending the rules" and "challenging the integrity of the long standing ISO/IEC process".

See attached "**Annex 1: Abstracts of IEEE accusations against China for Bending the Rules and related NB Comments.**"

It turned out that IEEE's groundless accusation indeed incited a strong anti-China/anti-WAPI sentiment. In JTC1 plenary meeting, China delegates were privately told that many national bodies were upset by the decision to start WAPI fast-track ballot. This is also reflected in the comments received during the comment period as many national bodies expressed objection. There were threats that a negative vote against WAPI would be the result because of the Sept. 6 ruling bent the rules.

IEEE's accusation distorted the facts, negatively and unfairly influenced national bodies, created a prejudiced and discriminatory environment for WAPI, generated an unfair advantage for 11i, damaged the reputation of China, and also challenged the reputation of ISO/IEC leadership.

3.2 China's Position

- There is nothing wrong with WAPI entering the fast-track process.
- The September 6 ISO/IEC decision was correct and wise decision.
- The September 6 ISO/IEC decision was based on the Geneva resolution.
- The decision was based on resolutions agreed to by U.S. and U.K. national

bodies in SC6 plenary meeting.

- It is a violation of ISO/IEC directives to reverse positions regarding the date of fast-track ballot starting date.
- It is unethical to agree to a decision but then turn around and spreading blames to others.
- China followed the rules correctly.
- China was unduly blamed.
- WAPI was a victim of unethical behavior.
- IEEE's accusation and national body using it against WAPI demonstrate that the fast-track process was unfair, unjust, and irresponsible. The result is questionable.

3.3 Appeal for Action

China has been trying to explain and justify the September 6 decision. But IEEE's continued attack on the issue keeps offsetting China's efforts.

So, a clear and unequivocal decision by the ISO/IEC dispute settlement mechanism is the proper and only way to have the controversy completely and finally resolved.

Therefore, China now formally appeal to ISO/IEC leadership to take up the issue, to review the complete proceedings of WAPI processing, to review the decision which moved WAPI into fast-track ballot, to determine whether China has "bend the rules", to determine whether IEEE's charges have violated ISO/IEC ethical principles and procedural rules, to determine whether the IEEE's documents has unfairly influenced the ballots and has brought unjust damages to WAPI, and to decide how to correct the misconducts and how to prevent future repeats.

3.4 Remedies:

If the investigation proves that China is innocent of IEEE's charges, then China would demand the following remedies:

- 1) IEEE should make a formal and public announcement to retract previous

allegations.

- 2) IEEE should make a formal and written apology to China for making wrongful allegations.
- 3) IEEE should pledge that no similar mistakes would be made in the future.
- 4) All related negative comments and votes against WAPI are declared unfair and void.
- 5) Other disciplinary measures deemed appropriate and necessary by ISO/IEC authorities are taken to maintain the reputation and integrity of ISO/IEC.

4. IEEE's Unethical Activities during the Ballot Process

ISO Code of Ethics states that ISO and its members recognize that “it is imperative to conduct activities in an ethical manner.” The code of ethics requires member ensure “fair and responsive application of the principles” and “preventing conflicts of interest by communicating in a fair and transparent manner.”

IEEE's accusation against China during the comment period clearly deviate these principles. Furthermore, IEEE continued its unethical activities throughout the ballot process.

In this section, we will demonstrate how IEEE violated ISO/IEC code of ethics.

4.1 Continued Accusation against China for “Bending the Rules”

During the ballot process, IEEE continued to attack China for “bending the rules” and “challenging ISO/IEC procedural integrity.”

See attached “**Annex 1: Abstracts of IEEE accusations against China for Bending the Rules and related NB Comments,**” illustration 2&3.

These accusations were made during IEEE SA board meeting and were posted on IEEE website for open access.

These irresponsible accusations damaged China's image and reputation, incited anti-WAPI sentiment and unfairly reduced WAPI's chances for ballot process.

4.2 Organizing a Conspiracy against WAPI

In the nearly one year before the Geneva meeting, we have seen coordinated attempts to delay and destroy WAPI by many kinds of procedural manipulations. This kind of attempts continued into the ballot process, clearly violating ISO/IEC principles of fairness and transparency.

After WAPI has entered ballot, IEEE produced another document entitled “Proposed General Comments on WAPI” in November 2005. This document was distributed to many national bodies and appeared on some national body websites. However, this document was never delivered to China national body.

China also learned of the existence of a letter from ANSI to some national bodies in Jan. 2006 which informed that U.S. has voted against WAPI and U.S. comments were provided to national bodies to be used as grounds to vote against WAPI.

China believes that this kind of secrecy not only violates ethical principles of fairness and transparency, but also constitutes violations against long standing process of ISO/IEC. (Details will be discussed in the procedural section of this document).

4.3 Destroying the Consensus Tradition

ISO/IEC requires that standards are made through consensus.

China follows this principle carefully. In contacts with national bodies, China has been carefully limiting the discussion after September 2005 to explaining questions about WAPI. China also made it known that the two proposals can coexist in one standard as alternative solutions.

However, in its documents, IEEE put an all-out negative campaign against WAPI while paying no attention to the defect of 11i, and blatantly asked NBs to vote against WAPI.

WAPI Position Paper, Slide 47: “The most desirable approach is a “yes” vote for 802.11i & a “no” vote for WAPI.”

IEEE had itself claimed that the two proposals were not mutually exclusive and both can reside within ISO/IEC 8802-11 as alternatives. IEEE’s push for no vote

against WAPI in the ballot stage is unethical.

This kind of hostile and belligerent attitude is very destructive and runs against the consensus spirit in ISO/IEC.

4.4 Insulting China and SC6 National Bodies

Been misguided, many national bodies were upset that China “did not follow the normal procedures” and played politics to get WAPI into the fast-track ballot. This is unfair because China has always receptive to comments and suggestions on WAPI and had gone through long process and several meetings to review the WAPI proposal.

In fact, it was IEEE that have insulted China and other SC6 national bodies with claims like SC6 members do not have the ability to produce WLAN standards.

IEEE presentation to Beijing meeting, 8-12 August 2005, <Options for resolving issues related to WAPI & 802.11 in ISO/IEC JTC1/SC6>, page 29: IEEE claims: “SC6 members do not have the historical background or skills to develop a good amendment.”

IEEE insulted SC6 national bodies and then blames China for not following normal procedures.

4.5 Over The Boundaries

IEEE is a C-liaison organization and should learn where its boundaries are. However, IEEE seems does not know and oversteps the boundaries. IEEE has no voting rights in ISO/IEC, but still claimed in the Beijing meeting that WAPI should not be approved and National bodies will not approve WAPI. This sounds like a spokesman and a dictator for national bodies. China made a written protest in Beijing meeting. However, IEEE continued this behavior.

IEEE should learn to let national bodies make their own decisions.

22 Step 2005, <WAPI Position Paper>, Slide 15: “WAPI should be removed from fast-track or rejected by the ballot process.”; Slide 47: “The most desirable approach is a “yes” vote for 802.11i & a “no” vote for WAPI.”

16 Jan 2006, <Proposed general comments for NB’s on ISO/IEC

JTC1 Fast-track ballot on 1N7904 (WAPI)>, page 8, “One viable choice is to reject 1N7903 (WAPI) and approve 1N7904 (802.11i) in the ISO/IEC JTC1 Fast-track ballot.”

4.6 Use of Intimidation and Threat

IEEE used an intimidation to press national bodies to vote against WAPI.

16 Nov 2005, < IEEE 802.11 Working Group Comments on 1N7904>, page 3 : IEEE claims that “because of the contradictions between 1N7903 and 1N7904, ratifying 1N7904 would block any and all future contributions by IEEE to ISO/IEC. This would have a long term impact on the maintenance and progression of ISO/IEC 8802-11.”

This is a threat. Under such a huge pressure, national bodies and ISO/IEC would be intimidated into sacrificing WAPI to please IEEE, even though it would lead to a monopoly in ISO/IEC WLAN standard.

This kind of behavior should not be allowed to happen.

4.7 Attacking ISO/IEC leadership

Seeing the prolonged and intensifying controversy and surrounding WAPI and 11i, ISO/IEC leaders wisely and timely intervened and took many measures to ensure a fair and smooth processing of the two proposals. WAPI was able to overcome numerous hurdles and obtained an equal status with 11i into fast-track process.

However, IEEE has irresponsibly directed anger at ISO/IEC leadership and blaming them for procedural decisions which IEEE and its representative have all agreed to.

22 Step 2005, <WAPI Position Paper>, Slide 6, “The ISO/IEC Secretaries General have now decided (with support of the NBs) to attempt to resolve the controversy by sending both the WAPI & 802.11i proposed amendments to parallel fast-track ballots in JTC1.”

“This is contrary to normal ISO JTC1 practice and process.”

Slide 15, “WAPI should be removed from fast-track or rejected by the ballot process.”

China was informed from some NB sources that IEEE spreads rumors that China played politics to obtain Geneva meeting results and that the Geneva meeting was unfair to IEEE.

This kind of irrational behavior is damaging the reputation of both China and ISO/IEC. China is also concerned that IEEE's pressure would prevent China from getting further assistance in resolving procedural disputes from ISO/IEC leadership.

4.8 Cultural Chauvinism

In WAPI and 11i related technical meetings in 2005, IEEE has tried to show its technical superiority without success. Now, in the final ballot stage, IEEE is trying to show cultural superiority, blaming China for producing an "immature standard" that was not written in as good English as 11i's. IEEE further declares that it is China's duty to change the grammars, not the comment providers.

16 Nov 2005, <IEEE 802.11 Working Group Comments on 1N7904>, page 3, IEEE claims: "1N7904 is immature. It contains thousands of grammatical and syntactic errors, making its normative intent uncertain in a significant number of clauses. Many of these errors will be detailed below, but proved to be too numerous to enumerate all of them."

16 Nov 2005, <IEEE 802.11 Working Group Comments on 1N7904>, page 4, IEEE claims: "An attempt was made to correct obvious grammatical errors throughout the text. However, within Section 8.1.2.1.2, it became apparent that a large number of grammatical errors were present throughout the entire document and significant additional resources would be necessary to identify them. That obligation ought to reside with the submitter rather than with the reviewers."

It needs to be pointed out that 11i also contains numerous textual errors. It is unfair for IEEE blame others while neglect its own problems.

Furthermore, the editing work should have been done much earlier. It is an issue of procedural violation needs to be addressed later.

4.9 General observations

The above are just some examples of IEEE's unethical activities against WAPI proposal. The list of complaint can go very long. However, the above presentations have presented enough evidence to build our case: that IEEE is so obsessed with destroying WAPI that it used all available means and pays little respect to ISO/IEC

moral principles.

China believes that IEEE continued unethical behavior and irresponsible accusations against WAPI and its related decisions have damaged China's image and reputation, have undermined the authority and integrity of ISO/IEC, have unfairly and negatively impacted WAPI ballots, have created unfair advantage for 11i, have mislead National Bodies and have resulted unfair and unjust and unacceptable results in the WAPI-11i ballot.

4.10 Appeal for Action

China now formally requests ISO/IEC TMB/SMB and Central Secretariat to immediately start an investigation into the facts presented above and to determine whether indeed the code of ethics has been violated by IEEE, to determine whether China and WAPI has been unfairly criticized by IEEE, to determine whether damages have been done to China, to WAPI and to ISO/IEC.

This action is not just for protecting China's image and reputation, or for a fairer treatment of WAPI, but also to ensure that no repeated violation of ethical principles will be allowed in ISO/IEC standardization.

4.11 Remedies

If the investigation supports China's view on above issues, then China is entitled to certain remedies including but not limited to:

- 1) IEEE should publicly retract unfounded accusations against China and ISO/IEC leadership and make a formal and written apology.
- 2) A public statement from supervising authority of ISO/IEC to denounce the unethical behavior.
- 3) IEEE should pledge that no similar mistakes would be made in the future.
- 4) All related negative comments and votes against WAPI are declared unfair and void.
- 5) Other disciplinary measures deemed appropriate and necessary by ISO/IEC authorities are taken to maintain the reputation and integrity of ISO/IEC.

5. Procedural Violations in WAPI-11i Ballot Process

During the ballot process, not only the code of ethics of ISO/IEC were breached, the long standing procedures as written in ISO/IEC Directives and other rule books were also seriously and frequently violated. The procedural violations combined with unethical activities together contaminated the ballot process, and made the results unfair, unjust and unacceptable.

The procedural violations range from

5.1 Violation of Early Comment Discipline

The ISO/IEC directives required that members to provide comments at early stages.

C) discipline

“... to avoid rediscussion, national bodies have the responsibility of ensuring that their technical standpoint is established taking account of all interests concerned at national level, and that this standpoint is made clear at an early stage of the work rather than, for example, at the final (approval) stage.”(ISO/IEC Directives Pt.1)

WAPI proposal was submitted in July 2004 and afterwards had gone through several meetings including the SC6 Plenary meeting in Orlando (Nov. 2004), the Frankfurt meeting (Feb. 2005), the Geneva meeting (May 2005), the Beijing special meeting (August 2005), the SC6 plenary meeting in Sept. 2005) and numerous comments and documents were produced. WAPI entered fast-track ballot after all these meeting.

However, some national bodies still complained that WAPI did not go through normal process and their rights to make comments were violated.

Furthermore, some national bodies made no contributions or comments and did not participate in the technical discussions in all those meetings, but as WAPI entered the final approval stage, there was a sudden burst of interests and comments in a short period.

Furthermore, the issues raised in those comments have come from one source

which is IEEE and has been discussed and explained in previous meeting.

Therefore, not only the complaint against China is unfair, the timing and contents of the late comments also causes concern about procedural violations.

5.2 Abuse of “No Discussion in Ballot” Rule

During the ballot stage, IEEE circulated documents to National Bodies with exclusive purpose of mobilizing negative votes against WAPI. China believes that IEEE had misused the “no discussion in ballot” rule.

It is understood that the directives permitted that “when a document is out for ballot at stage 3 or higher, NB/Liaison organizations are free to circulate their comments to other NBs provided they do not use the formal SC or JTC 1 documentation distribution system.” However, if a member/organization circulates unfounded accusations, rumors, erroneous reports, distortions, contradictory opinions, comments that violate legitimate resolutions and decisions, and biased views with an exclusive purpose of destroying another proposal and without giving the other proposal chances to clarify, explain and defend, then it is an abusive use of the rule.

Therefore, the IEEE documents were improperly circulated. Because the documents violate many ISO/IEC established procedural rules and principles, the action of circulating the document to NB is a violation of procedures.

Complicating the situation is that IEEE asked NB to adopt the IEEE comments as grounds to vote against WAPI. And the results indicate that this did happen. Because the comments in IEEE’s source document were erroneous, the whole ballot results are problematic and disputable.

Therefore, IEEE’s document not only violates the procedural rules, but also made the ballot results unjust, unfair and unacceptable.

5.3 Violation of Early Editing Procedural Rules

IEEE claims that WAPI proposal is immature because it contains “thousands of grammatical and syntactic errors”. IEEE and some national bodies used this excuse to

vote against WAPI.

It is a fact that WAPI was originated in China and the WAPI proposal was translated from Chinese into English. Preferably some editing works were done before the final approval stage. However this kind of editing work was never performed.

But, according to ISO/IEC rules and principles, this kind of editorial issues should have been raised in early stages. WAPI has been read, commented and revised for 18 months. Why did IEEE wait until the ballot has started to raise these issues? The answer is that IEEE has set up a language trap, waiting until the ballot has started so that the language issue can be used as a weapon to generate negative ballots against WAPI.

China National Body knew that both WAPI and 11i proposals needed editorial works (IEEE did not mention that 11i also contains thousands of grammatical and syntactic errors). So, in the Beijing meeting and in the France meeting, China proposed to form an editorial team to work on the text editing on both proposals. However, IEEE rejected the idea.

IEEE claims that it was the proposal provider to do the editing work. This deviates from ISO/IEC established procedures regarding Project editor and editorial group.

JTC1 Directives has the following procedures:

2.6.2.6 JTC 1 or SCs may establish editing groups to ensure the best possible editorial presentation of drafts in conformity with ISO/IEC Directives, Part 2. An editing group works under the responsibility of the Secretariat of JTC 1 or the SC that established it and provides direction to the Project Editor.

5.7.1 A Project Editor should be identified as early as possible for each standard or other document under development. The Project Editor is appointed by the SC and shall follow the editing instructions given by the working body.

According to these directives, editorial groups and Project Editors should have been formed and assigned to do the editing work in early stages. But these procedures were not followed. Not only China's proposal for an editing group was turned down by IEEE, China's suggestion to assign a project editor for WAPI during the SC6

France plenary meeting was also rejected.

Therefore, the editing procedures were violated and WAPI become a victim of intentional abuse of established procedures.

This is another reason why the ballot result is unfair and unacceptable.

5.4 11i's (1N7903) Approval will violate the Directives

11i contains hundreds of technical and editorial defects. Because IEEE refused to form editing groups, the defects still remains in the current balloted texts. (See comments accompanying China's ballot on 11i)

If 11i is approved with the defects imbedded, the reputation of ISO/IEC will be damaged.

But the Directives only allow minor corrections and prohibit technical and editorial changes.

If the FDIS/FDAM/FDISP is approved, only minor corrections as judged by ITTF will be taken into consideration as modifications to the FDIS/FDAM/FDISP ballot text. Technical and editorial comments will not be considered. (JTC1 Directive p46)

Therefore, the 11i proposal (1N7903) should not be approved. Otherwise, it will violate the Directives and/or will be detrimental to the reputation of ISO/IEC.

5.5 Procedural Disputes about Cryptographic Disclosure

IEEE has repeated assaulted WAPI for not disclosing cryptographic algorithm. In the discussions before the final ballot, China NB has provided several documents to explain how WAPI treated cryptographic algorithm and insisted that WAPI follows ISO/IEC relevant rules and requirements. Nevertheless, IEEE totally ignored China's explanation, and continues to spread the accusation among national bodies. As a result, cryptographic treatment becomes a major argument against WAPI in the ballot.

China believes that this dispute should not be allowed to continue. No should the issue be passed without a clear determination, because it not only affects WAPI, but

may also affect future standards. Therefore, this issue should be reviewed and determined by ISO/IEC higher authorities.

IEEE claims that WAPI did not disclose algorithm. However, WAPI listed SMS4 and provided contact information:

<DRAFT AMENDMENT ISO/IEC DIS 8802-11/Amd.7> Annex I,
page 199, “The algorithm SMS4 is owned by Beijing Data Security
Technology Co. Ltd.(BDST) (E-Mail: chinabdst@126.com)”

IEEE claims that WAPI is not secure because the algorithm is not universally evaluated. However, China had explained that WAPI treated algorithm as modules. Other advanced algorithm can also be used.

Therefore, the criticism on WAPI’s algorithm is irrational and arbitrary. China believes that the issue has dragged too long and only an appeal and a fair and thorough investigation can have the issue settled satisfactorily.

5.6 Violation of ISO/IEC Security Information Standard

WAPI proposal make reference to SMS4 a cryptographic algorithm developed in China and also indicated that the application of cryptographic algorithm may subject to national laws and regulations.

IEEE however used this as a ground to mobilized rejection of WAPI proposal. IEEE claims that WAPI should not list SMS4.

16 Jan 2006, <Proposed general comments for NB’s on ISO/IEC JTC1 Fast-track ballot on 1N7904 (WAPI)>, page 6, “1N7904 does not mandate any “specific cryptographic algorithms”, claiming that they are subject to “national or regional regulations” (see Annex I, pp 199). It does reference an undisclosed block cipher called SMS4 for use in China.”

22 Step 2005, <WAPI Position Paper>, Slide 23: “100% of WAPI’s data security derives from the underlying block cipher It is impossible to independently evaluate WAPI’s security because no publicly disclosed block cipher is specified.”

16 Nov 2005, <IEEE 802.11 Working Group Comments on 1N7904>, page 58, “Statements about national standards to be used in any single nation are inappropriate in an ISO/IEC StandardRemove all references to the particular cryptographic

standard (SMS4) to be used in China, or fully disclose SMS4.”

IEEE’s demand is a violation of relevant ISO/IEC procedures.

ISO/IEC Directives Part 1 contains this rule:

g) If the standardization activity is or is likely to be the subject of regulations or to require the harmonization of existing regulations, this should be indicated.

ISO IEC 17799 2000 INFORMATION SECURITY STANDARD
contains the following requirements:

10.3.2 Encrypt sensitive or critical information.

- Do a risk assessment to identify the level of cryptographic protection needed.
- Use cryptography specialists to help you develop cryptographic solutions.
- Use legal experts to ensure that you comply with cryptography laws.

12.1.6 Control the use of cryptographic controls.

- Ensure that use of cryptographic controls complies with all legal requirements.

Also, ISO IEC 17799 2000 INFORMATION SECURITY STANDARD
contains the following requirements:

12.3 Use cryptographic controls to protect your information

12.3.1 Implement a policy on the use of cryptographic controls

12.3.2 Establish a secure key management system

15.1 Comply with legal requirements

15.1.1 Identify all relevant legal requirements

15.1.6 Control the use of cryptographic controls

15.2 Perform security compliance reviews

15.2.1 Review compliance with security policies and standards

15.2.2 Review technical security compliance

Therefore, WAPI’s treatment of SMS4 and cryptographic controls comply with ISO/IEC standards. On the other hand, 11i (1N7903) contradicts with ISO/IEC standards.

IEEE’s criticism on WAPI and all the negative votes against WAPI on this issue

are senseless and violate ISO/IEC procedures.

11i disregard of national regulations also violates ISO/IEC relevant standards.

5.7 Violating Contradiction Settlement Procedures

IEEE spent a lot of pages indicating the contradictions of WAPI and 11i proposals and those contradiction comments later appeared in some National bodies comments. However, those comments neglected the fact that the contradictions are mutual, which means WAPI has contradictions to 11i, and 11i has contradictions to WAPI. And ISO/IEC had made attempts to resolve the contradictions with efforts such as the Beijing meeting. China has also made attempts to resolve the differences in Beijing and France meetings. But it was IEEE that refused to work to resolve the differences.

But, in the ballot period, IEEE used the contradiction to mobilize negative votes against WAPI.

16 Jan 2006, <Proposed general comments for NB's on ISO/IEC JTC1 Fast-track ballot on 1N7904 (WAPI)>, page 8, "The approval of both 1N7903 (802.11i) and 1N7904 (WAPI) as amendments to the same base standard is impossible because the editing instructions are often contradictory.....One viable choice is to reject 1N7903 (WAPI) and approve 1N7904 (802.11i) in the ISO/IEC JTC1 Fast-track ballot. However, in this case it is vital that the opportunity exists for applicable WAPI technology to be incorporated into the version of ISO/IEC IS 8802-11 including 802.11i."

As a result, many national bodies voted for 11i and against WAPI because of the contradictions.

However, the directives treated the contradiction with a different process.

JTC1 Directives:

13.4 During the 30-day review period, an NB may identify to the JTC 1 Secretariat any perceived contradiction with other JTC 1, ISO or IEC standards.

If such a contradiction is alleged, the matter shall be resolved by the ITTF and JTC 1 Secretariat in accordance with Section 13.2

before ballot voting can commence.

13.2 ITTF which shall take the following actions: ascertain that there is no evident contradiction with other ISO/IEC standards;

Therefore, IEEE's approach of voting yes/no to resolve the contradiction is not the normal contradiction settlement procedure. The contradiction has been discussed and ITTF has determined to let WAPI into fast-track process, which means that the contradiction should not be a problem. It also means that the contradiction should not be used as a reason to reject WAPI. Singling WAPI out for rejection is discrimination and a violation of related procedures.

5.8 Misuse of One Standard and Harmonization Principles

IEEE claims that ISO/IEC objective is to have one standard, that the two proposals cannot coexist, that China had turned down IEEE's proposal to harmonize the proposals, and that WAPI should be rejected to force China to negotiation tables.

The most recent comments says:

14 Nov 2005, IEEE 802.11 Working Group <Fast-track Executive Summary Letter > , page 3, "We believe the best way to achieve a single worldwide WLAN standard is to vote to approve J1N7903 (IEEE 802.11i), vote to disapprove J1N7904 (WAPI) , and to immediately utilize the collaboration process within ISO/IEC, that takes into account the needs of all stakeholders, to incorporate WAPI technology into appropriate international standards, including ISO/IEC 8802-11."

IEEE's above claims are false and misused the one standard and harmonization principles. Unfortunately, no matter how false these claims are, they were distributed to national bodies and were taken as excuses to reject WAPI proposal.

This is a serious matter because these claims would not only have done undue damages to WAPI, but also may mislead future standards development activities and may lead to monopoly in ISO/IEC standardization.

In Geneva, Beijing and France meetings, China had refuted IEEE's false arguments. China has pointed out that one standard does not mean monopoly, that

options are allowed in ISO/IEC standards, and that coexistence of two alternatives with the capability to interconnect and interoperate is also harmonization.

Furthermore, it was IEEE who opposed to form a study group in SC6 to reconcile the two proposals in the Beijing meeting. It was also IEEE who turned down Chinese proposal to form a group to edit the two proposals in the Saint Paul de Vance meeting. Therefore, IEEE was the one who refused to harmonize the two proposals in a quick and efficient way. But in the ballot process, IEEE blames China for not cooperate, and WAPI was punished.

This is very unfair.

5.9 Violating the Consistency Rule

In IEEE's document to National Bodies, it was claimed that the two proposals cannot coexist and cannot be both approved. National Bodies are requested to approve 11i and reject WAPI.

These kind of biased views are reflected in the ballots and comments.

“We were hopeful that the extensive efforts to coordinate with China in creating an amendment that was harmonized to the widely implemented 8802-11 standard would have achieved results. Unfortunately, it is certain that should the draft amendment be approved as written, there is no technical way to integrate the prescribed changes into the existing standard and retain global interoperability and functionality.”

However, these views are unjust and the IEEE's position has violated the consistency principle in ISO/IEC procedures.

IEEE's view contradicts its previous positions that had been presented and recorded in Orlando and Frankfurt meetings.

23 Nov 2004, <IEEE Preliminary Liaison Response to China Position Statement and Work Item Proposal 6 N 12687 > , slide 2
IEEE announced: “the two proposals are not mutually exclusive, both can reside in ISO/IEC 8802-11 as alternative and invoked when needed”.

IEEE's views show inconsistency, perhaps for different objectives. In Orlando meeting, when IEEE's focus is to move 11i forward, a position of "can coexist" was announced. In the ballot period, when IEEE's objective is to kill WAPI, "cannot coexist" is announced.

IEEE may not know that this kind of inconsistency is a violation of procedures.

JTC1 Directives contains the following procedural rule:

12.2.6 Both NBs and any representatives presenting views at previous levels shall attempt to avoid confusion and delay that could result from different positions being declared (see 2.6.1.3) at different levels.

IEEE's self-conflicting positions have caused not only confusion and delay, but also unfairly hurt WAPI proposal.

5.10 Violating the consistency Rules by U.S. NB and UK NB

There are other violations against JTC1 Directive 12.2.6 regarding the consistency principle.

IEEE, U.S. NB and U.K NB all participated in Geneva Special Meeting and agreed to start WAPI fast-track ballot on Sept. 7. (See Geneva Resolution)

However, in France meeting, the three parties tried to unilaterally insert an extreme review period with no setting date to start the fast-track ballot date.

Also in France meeting, U.S. and U.K NBs had voted in WG1 meeting to start WAPI fast-track ballot on Oct. 7 when ISO officer Mr. Smith was present. However, when Mr. Smith left the France meeting, U.S. and U.K. NBs reversed their position in SC plenary meeting to remove the Oct. 7 starting date.

And then when ISO/IEC leaders decided to start WAPI fast-track ballot on Oct. 7, both the leadership and China were blamed for violating the "long standing process".

There are many other cases of inconsistency. But above is enough to build the case.

If this kind of inconsistent behavior is allowed to continue, trust on the ISO/IEC

standardization process will diminish and the integrity and reputation of ISO/IEC will be seriously hurt.

5.11 Violations of Decisions and Resolutions

Many of the arguments against WAPI made during Sept. 2005 and March 2006 in comments and ballots was that WAPI should use the SC6-IEEE cooperative agreement and WAPI should be submitted to IEEE for processing. Some believed that rejecting WAPI would force China to respect the agreement.

However, this kind of argument and negative ballots against WAPI has violated previous ISO/IEC decisions and resolutions which were made through due process.

It has been determined in SC6 Orlando plenary meeting (Nov. 2004), in Geneva meeting (May 2005), in Beijing meeting (August 2005) and in SC6 2006 plenary meeting (Sept. 2005), and in orders issued by ISO/IEC leadership, that the SC6-IEEE agreement does not apply to the case of WAPI and that the WAPI proposal will be processed within ISO/IEC.

With so many decisions standing, it is be very difficult to understand why there were many NBs who still stick to the view that WAPI's processing within ISO/IEC violates the so-called SC6-IEEE agreement. That view has been studied and rejected many times.

This kind of violation of previous resolutions is unfairly hurting WAPI and should not be permitted to happen.

5.12 Violation of the “No Confusion” procedural rule

ISO/IEC directives have prohibited activities that would cause confusions and delays in standardization process. Confusions caused in the ballot process are even more harmful.

However, IEEE deliberately and constantly created confusions so to delay the process and incite anti-WAPI sentiment. Such confusion making activities did not stop during the ballot process.

For example, it has long been and repeatedly decided that WAPI will be

processed in ISO/IEC, and IEEE delegations had agreed to those decisions in the meetings. However, after the meetings, IEEE continued to charge China for not following the SC6-IEEE agreement and kept demanding submission of WAPI to IEEE for processing.

- August 2004, U.K. and PE opposed WAPI processing in ISO/IEC and suggested that China should submit WAPI proposal to IEEE802.11 for processing: 25 August 2004, Robin Tasker, Mr. Tasker is the drafter of SC6-IEEE agreement, he is also Project Editor of SC6, SC6 Liaison to IEEE,11i introducer and represents UK National Body in SC6. <Proposed Disposition of Comments Report on Fast Track Ballot of ISO/IEC DIS 8802-11>(6N12713), “The Chinese NB are encouraged, under the co-operative working arrangements established between ISO/IEC JTC1 SC6 and the IEEE 802, to submit their specific proposal directly to IEEE 802.11.”.
- Nov. 2004, Orlando meeting passed resolution permitting WAPI’s fast-track processing within SC6. IEEE representatives made no objection: 10 Nov, 2004 (Orlando Resolution), Robin Tasker, PE, SC6 WG1, <Disposition of comments on DIS 8802-11 (NOTE: Revised PE Position)>(6N12765), “The Chinese NB are encouraged, considering the co-operative working arrangements established between ISO/IEC JTC1 SC6 and the IEEE 802, to submit their specific proposal to JTC1 SC6 for processing. This will then ensure that the proposal is reviewed in the appropriate international forum and, if accepted, will be included as an amendment to the ISO/IEC 8802-11 work for use in the international community.”.
- Jan. 2005, IEEE sent letter to China and again requested China submit WAPI to IEEE for processing: 21 Jan, 2005, <Forwarding of China’s submission N12687 to IEEE Project 802 for information>, “As Chairs, we invite and encourage Chinese participation in IEEE Project 802 LMSC.

Participation includes working with committees within IEEE Project 802 LMSC to identify ways to incorporate submission N12687 into the IEEE Std. 802.11 Wireless LAN Working Group via LMSC's well-defined standards development process. If we can work together to incorporate the technical components described in submission N12687 into IEEE Std. 802.11, then it will be part of a future submission by IEEE Project 802 LMSC to ISO/IEC JTC1/SC6 for inclusion into the ISO/IEC 8802 document series.”.

- May 2005, Geneva meeting, the Geneva Resolution nailed it down again that WAPI proposal should be submitted to JTC1 SC6 for processing. ANSI, BSI and IEEE representatives all agreed on the resolution: May, 2005 , <Geneva Resolution>, “the special group will review the technical content of the two proposals, i.e. IEEE 802.11i and the Chinese WAPI-proposal and make recommendations to ISO/IEC JTC 1/SC 6 on how best to proceed. The recommendations should cover possibilities for harmonized elements of the two proposals, co-existence or any conflicting technical issues requiring decision. The recommendations shall be developed at a meeting prior to the ISO/IEC JTC 1/SC6 plenary meeting in August 2005, tentatively planned for 25-29 July 2005 in Beijing, China and submitted to the ISO/IEC JTC 1/SC 6 Secretariat prior to the committee's meeting in August 2005.”.
- August 2005, Beijing meeting, IEEE suggested, for the third time, that China should submit WAPI proposal to IEEE802.11 for processing.
- China indicated that IEEE's request makes no sense, and the meeting conveners did not allow IEEE to make further request.
- In France Meeting, the decision was that WAPI will be processed in ISO/IEC.

However, IEEE continued to demand submitting to IEEE during the ballot period.

16 Jan 2006, <Proposed general comments for NB's on

ISO/IEC JTC1 Fast-track ballot on 1N7904 (WAPI)>, page 6, IEEE claimed: “We suggest that progress be made by approving 802.11i (1N7903) and then:.....IEEE 802.11 Working Group in the Study Group that has already been set up to receive security related requirements from ISO/IEC JTC1, with ongoing review by ISO/IEC JTC1/SC6 using the joint IEEE 802 and JTC1/SC6 process specified by ISO/IEC TR 8802-1:2001.”

IEEE’s disrespect for legitimate decisions and repeated demanding are very annoying and have caused a lot of confusions among people who were unaware of previous proceedings.

October 2005, <Compilation of National Body Comments on JTC 1 N 7904, 30 Day Review for Fast-track Ballot ISO/IEC DIS 8802-11/Amd.7, Information technology - Telecommunications and information exchange between systems- Local and metropolitan area networks - Specific requirements - Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications - AMENDMENT 7: Specifications for Enhanced Security – WLAN Authentication and Privacy Infrastructure (WAPI)>:

Page 10, (ANSI, US National Body), “JTC 1 N 7904 contradicts ISO/IEC TR 8802-1:2001. ISO/IEC TR 8802-11:2001 specifies a process for collaboration between JTC1/SC6/WG1 and IEEE 802 that is designed to ensure “rigorous technical appraisal” by all stakeholders, including ISO/IEC NBs and IEEE 802. ISO/IEC TR 8802-11:2001 specifies a process for collaboration between JTC1/SC6/WG1 and IEEE 802 that is designed to ensure “rigorous technical appraisal” by all stakeholders, including ISO/IEC NBs and IEEE 802.”

Page 12, (Australian National Body), “JTC1 N7904 contradicts ISO/IEC TR 8802-1:2001. ISO/IEC TR 8802-11:2001 specifies a process for collaboration between JTC1/SC6/WG1 and IEEE 802 that is designed to ensure “rigorous technical appraisal” by all stakeholders, including ISO/IEC NBs and IEEE 802. We are concerned that JTC1 N7904 may have been developed without “rigorous technical appraisal” by all stakeholders, including ISO/IEC NBs and IEEE 802, and that this may be in contradiction to the process outlined in TR 8802-11:2001.”

Page 17, (NEN), “1N7904 contradicts ISO/IEC TR 8802-1:2001. ISO/IEC TR 8802-11:2001 specifies a process for collaboration between JTC1/SC6/WG1 and IEEE 802 that is designed to ensure

“rigorous technical appraisal” by all stakeholders, including ISO/IEC NBs and IEEE 802. However, 1N7904 was developed independently and without any coordination with the community developing ISO/IEC IS 8802-11 and its amendments, thus avoiding the necessary “rigorous technical appraisal”.”

As a result, China was blamed by some national bodies for not following established procedures and for not respecting the SC6-IEEE agreement. WAPI again become a victim of procedural violations.

ISO/IEC directives requires members to “avoid rediscussion”. IEEE’s deliberately engage the meetings to rediscuss issues to cause confusions. There are many other instances of rediscussion.

5.13 Inaction on 11i (1N7903) Technical Defects

11i (1N7903) has many technical defects which may cause serious harms to information security of the international community if the amendment is introduced into IS and the loopholes are not fixed.

JTC1 Directives defines technical defects as:

Technical defect

A technical error or ambiguity in an IS inadvertently introduced either in drafting or in printing which could lead to incorrect or unsafe application of the IS.

The Directive also defines defects report and process procedures:

15.4.2.3 Suspected technical defects shall be brought to the attention of the Secretariat of JTC 1 or SC concerned. In the case of standards for which proper implementation is dependent on the careful but rapid promulgation of corrections to defects, the procedures in 15.4.3 through 15.4.9 shall apply. When these procedures are not required, 15.4.10 shall apply.

China had pointed out the technical and structural defects of 11i as early as October 2004. Since then, 18 months have passed, and yet, nothing has been done to fix the defects, not even a full response to China’s comments. As a result, the security

loopholes and technical and editorial defects of 11i remains the same.

More problematic is the fact that despite China repeated warnings about the security defects of 11i, it has won many approval votes. It is a very strange phenomenon that the numerous and serious defects of 11i are totally ignored by the 11i supporters, while so much attention was given to WAPI's non-essential and groundless concerns. Furthermore, objections to WAPI were made on issues which China had provided complete and convincing explanations.

This is a legitimate subject for appeal, because WAPI was discriminated and the inaction of 11i defects is a right cause for appeal.

JTC1 Directives provides:

11.1.2 A P-member of JTC 1 or an SC may appeal against any action, or inaction, on the part of JTC 1 or an SC when the P-member considers that such action or inaction is:

- not in accordance with these directives; or
- not in the best interests of international trade and commerce, or such public factors as safety, health or environment.

The security defects in 11i are serious and may cause irreparable damages to the international community and the reputation of ISO/IEC.

Because 11i contains serious defects and those defects have not been fixed and cannot be fixed within a short time, it should not be approved to become an IS. Even though it has gained a lot of yes ballots, a decisive action needs to be taken to prevent it been finally approved.

This can be done and should be done. According to JTC1 directives:

Reference back to the WG could occur, for example, if resolution of the defect appears to have substantial impact in existing implementations or a technical solution cannot readily be devised.]

Because it is impossible that 11i's defects can find a readily devised technical solution and because the information security is a very serious issue and security loopholes may cause huge damages to the international community and ISO/IEC reputation, 11i must be refer back the WG as Directives required. Letting it pass under current condition would be an irresponsible behaviour and it would be a disaster for

ISO/IEC and for anyone who adopts the 1N7903 as a national or regional standard.

5.14 General comments

Above are just some examples of procedural violations during the ballot process. The list can go on and China reserves the right to add information at later time. China is studying the ballots and comments and will take more actions if necessary.

However, with above, a strong and convincing case has been made. There were many and serious violations of rules of procedures. These violations have challenged ISO/IEC long standing processes, have damaged China's image and reputation, have unfairly and negatively impacted WAPI ballots, have created unfair advantage for 11i, have left many improper and negative precedents, have blemished ISO/IEC integrity and may cause serious harm to the international community.

5.15 Appeal for Action

China now formally requests ISO/IEC TMB/SMB and Central Secretariat to immediately start an investigation into the facts presented above and to determine whether indeed the rules of procedures have been violated by IEEE and some national bodies, to determine whether China and WAPI has been unfairly criticized by IEEE, to determine whether damages have been done to China, to WAPI and to ISO/IEC.

This action is not just for protecting China's image and reputation, or for a fairer treatment of WAPI, but also to ensure that no repeated violation of procedures will be allowed in ISO/IEC standardization.

According to JTC1 Directives:

11.1.3 Matters under appeal may be either technical or administrative in nature. Appeals on decisions concerning NPs, CDs and DISs are only eligible for consideration if:

- questions of principle are involved;
- the contents of a draft may be detrimental to the reputation of IEC or ISO; or
- the point giving rise to objection was not known to JTC 1 or SC during earlier discussions.

This appeal include 11i (1N7903) because it has gained support through violation

of procedures and if approved it would be detrimental to the reputation of ISO/IEC.

5.16 Remedies

If the investigation supports China's view on above issues, then China is entitled to certain remedies including but not limited to:

- 1) IEEE should publicly retract unfounded accusations against China and ISO/IEC leadership and make a formal and written apology.
- 2) A public statement from supervising authority of ISO/IEC to denounce the procedural violations.
- 3) Violators should pledge that no similar mistakes would be made in the future.
- 4) All related negative comments and votes against WAPI are declared unfair and void.
- 5) Other disciplinary measures deemed appropriate and necessary by ISO/IEC authorities are taken to maintain the reputation and integrity of ISO/IEC.
- 6) 11i is referred back to WG1 to find solutions to its numerous technical and editorial defects.
- 7) WAPI's status and further processing plans are to be reviewed by ISO/IEC in consultation with China National Body.

6. Conclusion

This report **Unjust Activity, Undue Process, Unfair Results: A Report on Ethical and Procedural Violations in WAPI-11i Ballot Process** covers only some issues and activities. But, the evidence is strong and the conclusion is obvious: there were too many unethical activities and serious violations of procedural rules in the ballot process that have benefited 11i (1N7903) and hurt WAPI, China and ISO/IEC.

There are numerous cases in which IEEE has committed unethical and unjust activities trying to destroy WAPI by every means although such means have seriously violated ethical and procedural principles of ISO/IEC. As the ballot results indicate, IEEE may have achieved its objectives. But the results are unfair and unacceptable.

Because the processes are marred by ethical and procedural problems, the results should not be allowed to stand.

Therefore, China appeals ISO/IEC central secretariats and TMB/SMB to immediately launch an investigation into the WAPI-11i ballot process to determine whether the ethical and procedural rules and principles have indeed been violated and whether the ballots have been unfairly influenced by those ethical and procedural violations. Until results are reached on these important issues, no further processing of the two proposals are allowed (the ballot resolutions meeting should therefore be indefinitely postponed). If the ethical and procedural violations are found true, necessary corrective measures should be made.

China is strongly against the ethical and procedural violations and cannot accept the ballot results. If these violations are not satisfactorily resolved, China reserve the right to take additional actions to ensure that fairness, justice, procedural integrity and China's rights and interests are all protected.

Annex 1:

Extracts of IEEE accusation against China for Bending the rules and related NB comments

Illustration 1:

In September 2005, IEEE drafted a document entitled “WAPI Position Paper” which was distributed to some national bodies (it appeared on some NB websites). It claimed that the ISO/IEC Sept. 6 Ruling to allow WAPI move into ballot is “contrary to normal ISO JTC1 practice and process.”

Extract:

- *ISO/IEC Secretaries General ruled in a letter (6 Sept) that 1N7904 will progress to fast-track, with a 30 day contradiction review and a 5 month ballot*
- *However, it was also ruled that the 5 month ballot will proceed regardless of any contradictions uncovered*
- *This is contrary to normal ISO JTC1 practice and process*

Illustration 2:

November, 2005, Don Wright, Past Chair, IEEE SA Standards Board, presented “IEEE-SA Liaison Report” in the IEEE SA Standard Board meeting. He claimed that the integrity of ISO/IEC process is challenged by China.

Standards Development Activities

- *Wireless Authentication and Privacy Infrastructure Protocol (WAPI)*
 - ❖ *WAPI is a Chinese proposed security amendment to ISO/IEC 8802-11, the international version of the IEEE 802.11 Wireless LAN standard*
 - ❖ *The integrity of the long standing ISO/IEC process is being challenged by Chinese National Body politics*
 - ❖ *The outcome of this issue will have broad impact on the global WLAN market*
 - ❖ *IEEE 802 stands ready to embrace the WAPI technology and work with the Chinese to integrate it into both the 802.11 and 8802-11 standards in the appropriate way*
 - ❖ *Situation not resolved to our liking—parallel voting documents released*

Illustration 3:

December, 2005, in IEEE-SA Standards Board “Secretary’s End of Year Report”, IEEE charged that China “bend rules” and said that IEEE is leveraging broad stakeholder community to bring a return to the rules”.

Extract:

First-ever challenge to IEEE 802 as JTC1 standards

- *Chinese WAPI encryption amendment to IEEE 802.11 (“Wi-Fi”) incompatible with base*
- *Chinese leveraging market power to **bend rules of International Standards Bodies***
- *IEEE leveraging broad stakeholder community to bring a return to the “RULES”*

Illustration 4:

October, 2005, in document distributed by JTC1 entitled: Compilation of National Body Comments on JTC 1 N 7904, 30 Day Review for Fast-track Ballot ISO/IEC DIS 8802-11/Amd.7, Information technology - Telecommunications and information exchange between systems- Local and metropolitan area networks – Specific requirements - Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer(PHY) specifications - AMENDMENT 7: Specifications for Enhanced Security – WLAN Authentication and Privacy Infrastructure (WAPI), national bodies expressed objection and even angry over WAPI entering the fast-track. A bad impression against WAPI and China was created by IEEE’s groundless charging against China for “bending the rules”.

Extract:

From France:

*“In accordance with the JTC 1 Procedures, clause 13.4 on 30 day review period during fast-track, AFNOR has identified contradictions between JTC 1 N 7904 and existing ISO/IEC standards.....
AFNOR strongly requests that these contradictions be resolved by ITTF and JTC 1 Secretariat in accordance with JTC 1 Procedures clause 13.2 before ballot voting commences.”*

From Swiss NB:

“The Swiss NB requests that the JTC 1 Directives are fully and correctly applied. We would highly appreciate a revised letter that precisely states this. If these Directives are not correctly applied, the Swiss NB will have to vote NO,

if only for procedural reasons.”

“We do not believe that the contradictions mentioned above can be resolved in a very short time period, e.g., three months. Therefore, we do not believe that fast-track processing is a suitable way forward to bring the WAPI technology to international standards level: there are better, and viable, ways to do that. The time spent on fast-track processing of Draft Amendment 7 is a waist of time.”

From UK:

“The JTC 1 Directives state that the fast-track process applies only to existing standards (from any source) that are submitted without modification. The text in JIN7904 shows significant changes from the Chinese Standard GB15629.11 of 2003 and from the Chinese contribution in SC6 N12687. Unless it can be demonstrated that the text of N 7904 was identical to the published Chinese Standard at the time of submission, it is not eligible for fast-track processing.”

From U.S.:

The scope of these contradictions suggests that the fast-track ballot on JTC 1 N 7904 should not enter the 5 month balloting stage of the balloting process.

The contradictions are:

- 1. JTC 1 N 7904 Clause 8.1.3 contradicts ISO/IEC IS 9594.*
- 2. JTC 1 N 7904 Clause 8.1.4.2 is outside the scope of ISO/IEC IS 8802-11:2005*
- 3. JTC 1 N 7904 Clause 8 contradicts clause 8.2 of ISO/IEC IS 8802-11:2005*
- 4. JTC 1 N 7904 was developed using a process contradicting ISO/IEC TR 8802-1:2001*

From NEN.

The scope of these contradictions suggests that the fast-track ballot on JTC 1 N 7904 should not enter the 5 month balloting stage of the balloting process.

The contradictions are:

- 1. JTC 1 N 7904 Clause 8.1.3 contradicts ISO/IEC IS 9594.*
- 2. JTC 1 N 7904 Clause 8.1.4.2 is outside the scope of ISO/IEC IS 8802-11:2005*
- 3. JTC 1 N 7904 Clause 8 contradicts clause 8.2 of ISO/IEC IS 8802-11:2005*
- 4. JTC 1 N 7904 was developed using a process contradicting ISO/IEC TR 8802-1:2001*

From Australia:

We believe that these contradictions should be resolved prior to the proposal

being submitted to a fast-track DIS ballot. The contradictions are:

- 1. JTC1 N7904 Clause 8.1.3 contradicts ISO/IEC 9594 Information technology - Open Systems Interconnection - The Directory series.*
- 2. JTC1 N7904 Clause 8.1.4.2 is outside the scope of ISO/IEC IS 8802-11:2005 Information technology - Telecommunications and information exchange between systems – Local and metropolitan area networks - Specific requirements - Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications*
- 3. JTC1 N7904 Clause 8 contradicts clause 8.2 of ISO/IEC IS 8802-11:2005 Information technology - Telecommunications and information exchange between systems – Local and metropolitan area networks - Specific requirements - Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications*
- 4. JTC1 N7904 was developed using a process contradicting ISO/IEC TR 8802-1:2001 Information technology - Telecommunications and information exchange between systems -- Local and metropolitan area networks - Specific requirements - Part 1: Overview of Local Area Network Standards*

From Japan:

“JTC 1 N 7904 must not enter the 5 month balloting stage until the above contradictions and immaturity are resolved according to the JTC 1 Directives section 13.4.”

From Germany:

“The German NB would like to point out that such contradictions in our opinion do exist (see below) and therefore asks that the JTC 1 Directives are correctly applied and any contradiction be resolved before the fast-track voting commences.”

And from some others:

The scope of these contradictions suggests that the fast-track ballot on 1N9704 should not enter the 5 month balloting stage of the balloting process.

The contradictions are:

- 1. 1N7904 Clause 8.1.3 contradicts ISO/IEC IS 9594.*
- 2. 1N7904 Clause 8.1.4.2 is outside the scope of ISO/IEC IS 8802-11:2005*
- 3. 1N7904 Clause 8 contradicts clause 8.2 of ISO/IEC IS 8802-11:2005*
- 4. 1N7904 was developed using a process contradicting ISO/IEC TR 8802-1:2001*

“The broad reasons of the international wireless LAN industry – as

represented in the IEEE 802.11 Working Group – for advising National Bodies NOT to vote YES on the Chinese WAPI standard are laid out in extenso in the enclosed presentation. In addition, IEEE technical experts are developing a comprehensive, technical set of comments on the WAPI standard. These provide a technical basis for voting NO on the WAPI standard.”