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ISO/IEC JTC1/SC6 Secretariat

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# Opening Comments of China NB

ISO/IEC JTC 1/SC 6 Plenary and WG Meetings

Orlando, Florida, USA

8 November 2004

## 1, INTRODUCTION

Dear Mr. Chairman:

On behalf of the Chinese delegation, I'd like to request an opportunity to make comments on some critical issues and dilemmas that the China NB is facing. The reason for us to make a statement at this early time, instead of waiting until the agenda turns to China NB's item, is that we believe that the issues not only affect the China NB participation in this meeting, but also because they have some impact on the whole meeting agenda. Because these issues concern not only procedures, but also principles and values, we believe that before we get into technical discussions on the working items, these issues should be resolved first by the collective decision of this working group. After presenting the facts and our views, I'd like to propose some changes to the agenda and some new items for consideration. These changes are warranted by some newest development regarding this meeting.

Dear Mr. Chairman, we would like to call your attention to a serious of events in the past several months leading up to the commencement of this meeting. These events, on the surface, indicate that there are many procedural confusions and misconceptions among the officers of this Working Group. However, if put these events together, the China NB believes that there is a pattern of irregularity, deception, mishandling, discrimination and obstruction against the China NB within this group. Therefore, we'd also like to take this opportunity to register a formal complaint against a deliberate and coordinated attempt to prevent the China NB from making a contribution to the International standards development within this group.

We would like to call all NB's attention to the seriousness of this matter. If these problems are not resolved promptly, not only the China NB may not be able to fulfill its obligations as an ISO/IEC member, but the worthiness and effectiveness of this meeting may also be subject to question, and the integrity and image of ISO/IEC may as well be at risk. Therefore, we make this move, not just to correct the unfair treatment accorded to the China NB, but also to serve our obligation to "monitor ISO

integrity and protect ISO's image".<sup>1</sup>

## **2, THE EVENTS**

Now, you might be wondering what had happened that prompted the China NB to make such a radical move and strong allegation. If there is no objection from the NB's, I will give a brief sequential description of the events. Some of these events are known to members as they have been posted on JTC1/SC6 website. But, there are new and more serious developments that most of the member NB's do not know. I will give the basic facts, and will point out what causes the resentment of China NB.

### **Fact 1, Objection of China NB against the adoption of ISO/IEC 8802.11.**

The voting took place during Dec. 2003 and May 2004. Considering the fact that there some known security defects in 8802-11, the China NB (a P member of JTC1) cast a negative vote and in the mean time provided comments in which Chinese WAPI security mechanism is suggested as an alternative solution to the security mechanism in 8802-11.<sup>2</sup> Despite the objections of China NB, 8802-11 was passed by a vote of 13-10-1.

### **Fact 2, China NB propose NP for WAPI Mechanism (N7506)**

On July 27, 2004, China NB submitted a proposal for WAPI security mechanism in accordance with procedures for technical work of ISO/IEC JTC1 and requested a fast-track procedure. After receiving the proposal, on August 2, 2004, JTC1 and SC6 published the proposal in document N7506 on its website for three month's review by its NB's (however, China NB's fast-track request was ignored). On August 3, 2004, China NB submitted a proposal suggesting hold a ballot resolution group meeting on DIS 8802-11.<sup>3</sup>

### **Fact 3, Resolution Group Objection to China NB's comments and Proposal**

On August 25 and 26, the SC6 Project Editor (in association with the Chair of IEEE 802.11) and the BK NB submitted document respectively arguing against China NB's comments and proposal.<sup>4</sup> The two documents suggested discard of China NB's comments on 8802.11 and cancellation of N7506 on various grounds.

However, there are many problems such as irregularity, deception, mishandling, and discrimination in those two documents. Together these two documents form a major source of resentment from the China NB.

### **Fact 4, Cancellation of China NB's NP (N7506)**

In mid-September, 2004, well before the ending of three-month review period, JTC1 Secretariat (American National Standards Institute located in New York)

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<sup>1</sup> ISO Code of Ethics.

<sup>2</sup> N12687, submitted on July 7, 2004. Title: "National Body of China's comments on ISO/IEC DIS 8802-11.

<sup>3</sup> N12702 "Suggest of holding a ballot resolution group meeting on DIS 8802-11.

<sup>4</sup> N12713 "Proposed Disposition of Comments Report on Fast Track Ballot", August 25, 2004 and N12712 "UK Response the Chinese NB Comment in 6N12702", August 26, 2004.

announced that N7506 is voided, that means that the NP proposal submitted by China NB was cancelled without consulting with the China NB. No explanation was offered. This is another problem.

#### **Fact 5, The Fast-Track of IEEE 802.11i**

In the mean time when China NB's NP (N7506) was abruptly terminated, the UK NB submitted a proposal based on IEEE 802.11i. SC6 immediately circulate it to its NB's for one month review to enter six month fast track procedure.<sup>5</sup>

The different fate of two NPs, China NB's N7506 and BK NB's N7537 (IEEE802.11i), is hard to understand from China NB's point of view.

#### **Fact 6, Defects in N7537 (IEEE803.11i)**

On Oct. 15, China NB voted against N7537. China NB submitted comments stating reasons for the negative ballot. China NB pointed out that there are defects in N7537. SC6 posted China NB's comments on its website (N12732).

#### **Fact 7, China NB seek Explanation**

In N12732, China NB also requested explanation on the cancellation of N7506.

#### **Fact 8, Obstruction of China's Delegation**

Considering all these problems, China NB hoped that we will have an opportunity to clarify the facts, to thoroughly discuss with the relevant parties, to seek the opinion of SC6 NB's and to have the problems resolved during the Orlando meeting.

To make things even worse, an obstruction to China's delegation occurred a few days ago.

To the surprise and resentment of China NB, three days before the start of Orlando meeting, the China NB were notified by the U.S. Embassy in Beijing, that the visa applications of all four technical experts in the China delegation to Orlando meeting are rejected.

The denial of visas for technical experts will severely handicap China NB's participation in the Orlando meeting and will cause technical problems for relevant proposals.

### **3, THE DISPUTES**

After reviewing above facts, and reflecting on all the controversies and abnormalities surrounding China NB's position and proposals regarding IEEE 802.11 series standards, the China NB is convinced that there is a deliberate and coordinated attempt to thwart China NB's effort to amend the 8802-11 standards.

Because of these incidents, China NB is in a awkward situation. We are concerned about the fate of our proposals, we are puzzled by all the strange moves, we are uncertain about what can be achieved in this meeting, we are worried that standards with defects are allowed into the ISO standards system.

To be frankly, China NB pondered the option of not participating in this meeting

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<sup>5</sup> N7537, September 15, 2004.

after the denial of visas to all our experts. However, as you can see, we are here. The fact that China NB send delegates to this meeting after all those unfair treatments, indicate that we still have trust in the ISO/IEC system and that we still have trust in the NB's of this group. We are here not just to complain, we are here to resolve the differences. We believe mistakes can be corrected, that problems can be solved. We invite all NB's to join us to uphold the principles of ISO/IEC so that the integrity and image of ISO/IEC can remain intact.

In order to solve the problems, we need to identify them. Here is a list.

**Problem 1**, The overlook of China NB's request of fast Track for N7506.

**Problem 2**, U.K. NB's assertion that N7506 would cause confusion and would have "no standing and no reasons."

**Problem 3**, U.K. NB's proposal that China NB submit NP to IEEE.

**Problem 4**, Project editor's assertion that IEEE 802.11i solves the WEP issue and thus oppose China NB's NP (N7506).

**Problem 5**, the termination of N7506.

**Problem 6**, the fast-track status to N7537 (IEEE803.11i)

**Problem 7**, the late explanation for the cancellation of N7506.

**Problem 8**, the denial of visa to Chinn's NB experts team.

**Problem 9**, a difficult situation for China NB in this meeting.

These problems generate even more questions and issues with broader significance. Here are some examples:

**Issue 1, The ISO/IEEE relationship.**

It seems that BK NB's suggestion that China NB submit NP to IEEE is setting a precedent that ISO NB's are forced to work under the IEEE structure, instead of working according to ISO procedures.

**Issue 2, The effectiveness of ISO Publications.**

BK NB assertion that amendment approved by ISO "has no place, cause confusion and has no reason". Is this a new position of ISO regarding its amendment?

**Issue 3, Cancellation of NP's**

Who has the authority to cancel NP's and on what ground should NP's be cancelled?

**Issue 4, the Merits of amendment.**

Project editor opposes N7506 on the ground that 802.11i will be coming and will solve the WEP problems. Is that a normal procedure? Who has the authority which amendment should be discarded or considered?

**Issue 5, The different treatment of N7506 and N7537.**

Why BK NB's NP given a fast-track in the mean time China NB's NP was cancelled.

Why favor one and discriminate the other? On what ground?

#### **Issue 6, Visa denial?**

Why are the technical experts of China's NB were denied visas? What is the host obligation? Will it become a common pattern in the future? Who is responsible for the damages to China NB and the ISO course?

#### **Issue 7, Meeting agendas?**

Chinese experts cannot attend the meetings, what is going to happen to N7506? Who is going to explain it? Who is going to defend it? Will it be discarded? Will it be trailed without defense?

#### **Issue 8, Will N7537(IEEE802.11i) pass without consideration of China NB's views?**

Now that it is alleged that N7537 will displace N7506, making it obsolete, now that N7537 has been given a favorable leading position, now that China NB's N7506, although held leading positions both in technology and timing, has been eliminated, and even if restored has lost advantages, now that China's experts has pointed out the defects of N7537, despite of all these, N7537(IEEE802.11i) may pass.

But pass at what cost? Is it due process?

#### **4, WHAT IS AT STAKE?**

All these problems, questions and issues should not be overlooked. What at stake here is a lot more than the fate of one NB and its NP, there are broader implications and deep impact on every one of us. For example,

- 1, ISO may be over run by IEEE and loose autonomy and prestige.
- 2, Procedures will be distorted, manipulated and abused.
- 3, National Bodies may be discouraged to make contributions.
- 4, Standards with defects are allowed to pass ISO.
- 5, As a result, ISO may hurt its reputation and image.
- 6, Chances of national adoptions for ISO standards may be reduced.

#### **5, CHINA NB RESPONDE TO PROBLEMS AND ISSUES**

1, We believe there is a mishandling of N7506 in overlooking fast-track request.

2, China NB cannot accept the proposal to submit NP to IEEE. It is not written in procedural directives and does not fit the role and status of China NB.

3, China NB does not agree with the view that ISO/IEC amendment is "useless". We believe that ISO/IEC amendments have as much, or even more, authority than IEEE's.

4, We believe that China NB's NP (N7506) qualifies the fast-track requirement and that the cancellation of N7506 did not go through due process, and explanations (although late) are not satisfactory.

5, We regard the cancellation as a unfair and discriminatory treatment.

6, We believe that the fast-track status afforded to N7537 is a deliberate attempt to displace N7506. And the cancellation of N7506 (even though violates ISO/IEC rules and procedures) is to make N7537 "legitimate". This violates the principle of "fairness and impartiality".

7, We maintain the view that N7537 (IEEE 802.11i) has defects and should not be given fast-track status.

8, We do not accept the assertion that N7537 is identical and superior to N7506 and should replace it. We believe that the similarities and differences as well as merits and defects of N7537 and N7506 should be thoroughly studied by technical experts instead of by a few people who hold critical positions in ISO/IEC structure.

9, We strongly object to the denial of visas to China NB's experts. We regret that this incident has damaged China's interests, has reduced the effectiveness of the Orlando meeting and has presented a challenge to ISO/IEC.

These views are subject to the review and judgment of fellow NB in this meeting. We are willing to cooperate and provide details for consideration.

## **6, CHINA NB'S GENERAL POSITIONS**

Now, please allow me to present China NB's positions on those issues.

**1, Our commitment:** China has maintained a policy to actively adopt International Standards. Now that China has become a WTO member and has obligation to abide by the WTO/TBT agreement, China will continue to adopt IS and will fulfill the commitment to raise IS adopt rate by 10%.

**2, National Consideration.** China is the largest developing nation, having the largest consumer base of 1.3 billion people. When developing International standards, the concerns and needs of the Chinese people should not be overlooked.

**3, Responsibility.** International Standards has obtained a lot privileges from WTO/TBT. Along with privileges, comes responsibility, which would ensure continued and even wider adoption of International standards by nations.

**4, Integrity.** It is imperative that ISO maintain its integrity by "developing

globally relevant IS in a fair, responsive, and efficient manner, ensuring fair and responsive application of the principles of due process, transparency, openness, impartiality, and voluntary nature of standards.”<sup>6</sup>

**5, Contribution.** In the mean time, China will make its contributions to the course of ISO/IEC. The discussion on 802.11 defects and active proposition of WAPI standards as amendments is an example. It should our zeal and trust.

**6, Questions on the Rise.** However, what happened in the past months has prompted China NB to review some of its beliefs and views on International Standards. There are wide spread suspicion that ISO/IEC would be able to maintain its principles and values.

**7, Stay on the Course.** China NB will work together with other NB’s, ISO/IEC officers, and others to help ISO/IEC stay on its just course.

**8, Solve the Problems.** Our immediate task is to solve those problems discussed in this statement. We need to open discussions, to clarify facts, to correct misconceptions, to reach common grounds and to find solutions.

**9, Request a chance.** We hope to have a chance to do these things. We appeal to all NB’s in this meeting to agree to change the agenda, to allow the issues raised by China NB be discussed, and make this matter the priority in this meeting.

**10, No Compromise on Principles.** We are willing to listen, to discuss, and to make compromises if necessary. But we will not make compromises on principles. We will not agree to solutions that may damage ISO/IEC reputation and integrity, that may lead to IS with defects, that may not contribute to the well being to the 1.3 billion Chinese people.

**11, Further Action.** If not satisfied with the results from this meeting, the China NB reserves the right to take further actions.

Thank you for your patience and attention.

Annex A: Proposed Resolution on the Change of Agenda after China NB’s statement and complaint to the Orlando Meeting, Nov. 8, 2004.

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<sup>6</sup> ISO Code of Ethics.



Annex A: Proposed Resolution on the Change of Agenda after China NB's statement and complaint to the Orlando Meeting, Nov. 8, 2004.

Considering the fact that the China NB has made a statement and registered a formal complaint to the ISO/IEC JTC1/WG1 in the opening period of Orlando meeting,

That there is no dispute regarding the facts presented in the above statement,

That there are indeed a variety of problems, controversies, disputes, incidents that arise in the past several months surrounding the IEEE 802.11 standards and China NB's amendment proposals,

That these controversies have generated grave concerns and are deemed significant,

Be it resolved,

That WG1 meeting agenda be revised to reflect the personnel changes and emerging new issues brought up in China NB's statements,

That a new work proposal be added to the agenda to address these issues,

That the new proposal be given priority status, the first to be discussed on the working list,

That the new proposal should have at least, but not limited to, the following objectives:

1, To find out whether China NB's NP (N7506) should have been given fast-track status;

2, To review and assess of N12712 and N12713 (BK NB and PE's objections to China NB's proposals);

3, To find out whether there is sufficient ground to cancel N7506;

4, To evaluate whether it is appropriate to give N7537 fast-track status.

5, To study whether N7506 should be reinstated, and how to compensate for its lost time and advantage.

6, To find ways to resolve the differences of N7537 and N7506.

7, To suggest ways to handle the situation after China NB's experts team are prevented from participating this meeting.

8, To propose a action plan regarding the denial of visas to China NB's experts team.

9, To clarify and redefine ISO/IEEE relationship to prevent confusions

10, If there are irregularities and misconducts as alleged in China NB's statement, suggest correctional proposals to prevent future recurrence.

And 11, To make a report of the results of above items,