High Level Brief Note to the Smart Africa Regulators on AFRINIC Situation

Strategic Update on AFRINIC and Internet Governance Coordination in Africa

Table des matières

I. Executive Summary for Regulators

AFRINIC, Africa's Regional Internet Registry (RIR), is undergoing a deepening governance crisis that now poses a direct risk to national regulatory frameworks and the continuity of IP address management services across the continent. Initially triggered by a wave of lawsuits starting in 2020, the crisis has reached a critical juncture following the annulment of AFRINIC's Board elections in June 2025 and the filing of compulsory liquidation proceedings by Cloud Innovation Ltd. on 9 July 2025. A final hearing is scheduled before the Mauritian Supreme Court on 24 July 2025.

These developments raise immediate concerns over service continuity, data protection, and regulatory sovereignty. In light of the escalating situation and as a direct follow-up to the Extraordinary Meeting of the Council of African Regulators (CAR) held in November 2024, Smart Africa is convening this high-level regulatory briefing to review the latest developments, collect feedback, and coordinate possible contingency measures with national regulators.

II. Chronology of Key Events Relevant to Regulatory Oversight

⇒ **2020–2021**: AFRINIC faces over 50 lawsuits, mainly from Cloud Innovation Ltd., creating sustained operational paralysis.

⇒ **2022**: Mauritian courts appoint an Official Receiver; Board quorum is lost; key staff depart.

⇒ **2023**: Smart Africa Board mandates a coordinated continental response including institutional reform.

⇒ **November 2024**: CAR holds extraordinary session; Ad-Hoc Committee on Internet Governance is launched.

⇒ **June 2025**: AFRINIC elections annulled due to severe procedural violations and proxy fraud.

⇒ **3 July 2025**: ICANN publicly questions AFRINIC's transparency and governance, suggesting third-party data safeguards.

⇒ **9 July 2025**: Cloud Innovation Ltd. initiates liquidation proceedings; AFRINIC's future enters a high-risk phase.

III. Regulatory Implications and Strategic Risks

1. **Registry Data Sovereignty**: A dissolution of AFRINIC would endanger national and regional control over critical Internet number resource data.

2. **Service Disruption**: Regulatory frameworks tied to AFRINIC may face service interruptions for IP allocations and WHOIS operations.

3. **Institutional Vulnerability**: AFRINIC's breakdown weakens Africa-led Internet governance structures and may invite external control.

4. **Legal Ambiguity**: National regulators could face jurisdictional disputes over address transfers and policy enforcement gaps.

IV.   Objectives of the High-Level Regulatory Briefing

- Provide a concise briefing on AFRINIC's legal and institutional status;
- Share Smart Africa's diplomatic and technical engagement updates;
- Discuss risk scenarios and technical transition pathways;
- Align regulatory perspectives ahead of ministerial and multilateral decisions tied to the 24 July hearing.

V.   Proposed Agenda for Regulators discussion

- **Update national regulators** on the latest legal, institutional, and geopolitical dimensions of the AFRINIC crisis;
- **Share proposed next steps,** including the need for formal legal advice on what is legally feasible or not in light of the liquidation proceedings.

VI.   Suggested Action Points for National Regulators

1. Initiate internal assessments of regulatory reliance on AFRINIC's services.
2. Consult national stakeholders (ISPs, IXPs, domain registries) on possible service continuity measures.
3. Designate national focal points to interface with Smart Africa's coordination team.
4. Contribute to a joint risk mitigation strategy to be led by the CAR and Smart Africa.