

14 September 2023

Re: Appointment of an Official Receiver for AFRINIC

The NRO welcomes recent developments in the legal proceedings affecting AFRINIC. With successful execution, these developments will restore AFRINIC to functional governance with the election of an Executive Board and appointment of a CEO. These developments will further allow AFRINIC to continue to function with stability and certainty as the African continent's Regional Internet Registry and also to resume its full participation in the NRO.

The Bankruptcy Division of the Supreme Court of Mauritius has been hearing a case concerning the appointment of a receiver as per Section 178 of the Companies Act 2001 of Mauritius. On 11 September, the Honourable Judge issued a ruling that incorporates the following points:

- Pursuant to section 178(2)(c) of the Companies Act, which regulates AFRINIC's future conduct, AFRINIC is restrained from any relocation or subjecting itself to a takeover, merger, restructuring, or management control.
- A receiver in the form of the Official Receiver has been appointed under section 178(2)(c) of the Companies Act. The receiver's role is to maintain the status quo of AFRINIC's assets and preserve the value of the business.
- The receiver is tasked with overseeing the election process in accordance with AFRINIC's constitution, facilitating the formation of a proper board, and appointing a Chief Executive Officer.
- The receiver has been instructed to expedite the board constitution process within a six-month timeframe starting from September 12, 2023. In case of any delays, the receiver can seek an extension through legal channels.

We see the appointment of a receiver as a positive development, as it will help to ensure that AFRINIC's members keep receiving registry services and benefit from related activities in the coming months. The establishment of an election timeline puts the organization on a path towards resolving its previous governance issues, which is to the benefit of both the staff and the AFRINIC community. These measures also allow AFRINIC to honour its commitments as set out in Internet Coordination Policy 2 (ICP-2), in the NRO MOU with the other RIRs, and the ASO MOU between the RIRs and ICANN to ensure the operation of the Joint Internet Numbers Registry.

The NRO stands ready to provide any information or support required by the Official Receiver, Mr. Vasoodayven Virasami.

AFRINIC's governance processes will require the involvement of AFRINIC's members and community, and we see this as critical to ensuring that functional governance can be restored in the AFRINIC region.

The NRO would like to thank the AFRINIC staff who have demonstrated their commitment to AFRINIC's Members and the global Internet by maintaining continued operations and services during recent times. Their professionalism and dedication are critical to the success of AFRINIC.

With best regards and hopes for AFRINIC, AFRINIC staff, and all members of the AFRINIC community,



John Curran, 2023 Chair
Number Resource Organization

on behalf of the NRO Executive Council (NRO-EC)