

25 June 2025

African Network Information Center (AFRINIC)
% Mr. Gowtamsingh Dabee, FCCA ADIT MBA, Appointed Receiver

Re: Concerning Allegations Regarding AFRINIC's Board of Directors' Election

Dear Mr. Dabee,

It is with grave concern, that we are once again required to write to you regarding the conduct of the election of the AFRINIC Board of Directors. Despite our previous efforts to engage you in a collaborative process or to support your efforts in creating a fair election process, we find that the reports regarding the AFRINIC elections are quite alarming.

We remind you again that in 2005, the Internet Corporation for Assigned Names and Numbers (ICANN) recognized AFRINIC as the Regional Internet Registry (RIR) for the region of Africa and the Indian Ocean. We recognized AFRINIC while performing our role in coordinating the allocation and assignment at the top-most level of Internet Protocol numbers and Autonomous System Numbers.

AFRINIC was recognized and continues to be granted its responsibilities pursuant to [ICP-2: Criteria for Establishment of New Regional Internet Registries](#). AFRINIC maintains an ongoing obligation to meet the criteria of ICP-2. AFRINIC's compliance requirements are set forward in the [Implementation and Assessment Procedures for ICP-2 Compliance](#) document.

ICANN has not yet initiated a compliance review of AFRINIC under the Implementation and Assessment Procedures. However, due to the shocking allegations and complaints of conduct surrounding the AFRINIC Board of Directors election, with this letter ICANN is formally putting AFRINIC on notice that a compliance review may well be necessary. We encourage your immediate attention to the issues set forth in this letter. We require a thorough and fully substantiated response by no later than close of business in Mauritius on 26 June 2025, and in any event before any further action is taken on recommencing the election process. This deadline is firm given the urgency and severity of the situation.

ICANN is gravely concerned about reports it is receiving regarding the conduct of the AFRINIC election that has apparently culminated with an in-person vote on 23 June 2025 in Mauritius. If the reports, discussed in detail below, are true, those could serve as the basis for ICANN's initiation of a compliance review. They raise serious questions of AFRINIC's ability to maintain compliance with its obligations under ICP-2, as well as AFRINIC's ongoing ability to act in alignment with its Bylaws and whether AFRINIC remains an entity that is capable of responsibly managing the numbering resources with which it has been entrusted.

This is not the first time that ICANN has contacted you with concerns about the fairness and integrity of the election process. We have been and remain discouraged with your lack of meaningful response to most of ICANN's concerns, many of which we understand have also been

raised directly by AFRINIC Resource Members. Your inaction previously left ICANN with no viable alternative, and indeed no reasonable choice, but to initiate urgent court proceedings in Mauritius. ICANN is left again with no alternative but to reach out to you. ICANN reiterates the concerns we raised in our 6 June 2025 Notice to you by reference. It is time to focus on fairness, as opposed to expediency in completing a tarnished election process.

New Issues Reported to ICANN

Registration Difficulties: ICANN was copied on some communications to the Receiver, or received copies thereof, describing the challenges faced in obtaining necessary documentation to register to vote within the e-voting portion of the AFRINIC elections.

Power of Attorney Questions: ICANN understands that under the design of the election process, and in alignment with the AFRINIC Bylaws, a member can only hold a proxy on behalf of up to five other members for in-person voting. However, the 2025 AFRINIC election process also created a different classification of representative voting in deviation from AFRINIC voting precedent, allowing for those presenting with a power of attorney (POA) to vote on behalf of a Resource Member in good standing, without any limitation on the number of Resource Members represented by any single person bearing a POA. There are reports, including from people relying on AFRINIC's live video feed as published on YouTube, that individuals presented to the in-person election carrying large numbers of POA documents.

ICANN has heard distressing reports from AFRINIC Resource Members that allege that the powers of attorney presented during the 23 June 2025 in-person election were fraudulently obtained, and that the powers of attorney lodged on their behalf were not authorized. While some Resource Members allege to have learned this when they presented to vote on their own behalf, others report to have learned this after the election period was suspended.

Access to Membership Lists: ICANN has heard reports that as the e-voting was being restored on or about 18 June 2025, numerous Resource Members were contacted by representatives of the Numbers Resource Society (NRS) with a list of NRS-endorsed candidates for the AFRINIC board of elections, in a manner that suggested that the NRS representatives had access to a list of authorized voting Resource Members. ICANN has also seen a copy of that NRS communication on endorsement that includes an AFRINIC logo.

Status of Election: Though ICANN is not aware of any official statement by the Receiver or updates on afrinic.net, ICANN understands that the Nomination Committee sent an email to the AFRINIC Members-Discuss list that “matters came to the attention of the NomCom necessitating the suspension of the election to permit further obligation”, noting that voting is “frozen” as of 17:32 Mauritius time on 23 June 2025. The Nomination Committee continued that “necessary enquiries” would be carried out before the “election process carried through to a successful conclusion.”

An election process that presents significant opportunity for fraudulent conduct and ballot stuffing raises immediate and grave concerns that AFRINIC is operating outside of the confidence and support of its Resource Members. Any failure in properly and transparently addressing this

situation risks AFRINIC's ability to treat its members impartially and equally, and assuring that that AFRINIC's operations are independent of influences that seek to move AFRINIC's policy to positions that are counter to the global coordination of the numbering system. Some of AFRINIC's obligations that are under question based on the allegations include:

- AFRINIC's ability to maintain the ongoing support of its community (2.6);
- AFRINIC's ability to treat all organizations that receive services from it equally (2.11);
- AFRINIC's ability to support impartial treatment of members (2.12);
- AFRINIC remaining an independent, not-for-profit, and open membership association (2.13); and
- The sufficiency of AFRINIC's record keeping activities essential for demonstrating responsible and neutral operations (2.19).

To evaluate whether ICANN must proceed with a compliance review under the Implementation and Assessment Procedures, ICANN seeks the Receiver's immediate responses to the following questions:

- a. Please confirm the status of the AFRINIC board of directors' elections.
- b. Please confirm the status of the voting in relation to AFRINIC board of directors' elections and whether you intend to rely in any manner on any of the alleged votes obtained thus far. ICANN reserves its rights to oppose such an action as matters currently stand.
- c. Are you planning on certifying the results of the election and announcing a new board of directors or in any way proceeding with the current elections? ICANN reserves its rights to oppose such an action as matters currently stand.
- d. What matters came to the Nomination Committee's attention, how and when were they raised, and what are the "necessary enquiries" that are being taken?
- e. If you are planning on certifying the results, please identify when that certification will issue and the basis for your certification.
- f. If you are not planning on certifying the results of the election, please provide information on what actions you are taking, or are causing to be taken, to restore an election process that is fair and free.
- g. Are you aware of the "New Issues Reported to ICANN" as set out above? Please identify when and how these issues were brought to your attention and what you are doing or are causing AFRINIC, the Election Committee or the Nomination Committee to do to investigate or address these issues.
- h. Did you, or do you have reason to believe that members of your team, or anyone acting for AFRINIC or linked with the election process shared the list of authorized voting Resource Members with any person or entity external to AFRINIC (excluding members of the Election Committee, the Nominating Committee, or the external voting provider retained for the election process). If yes, what measures are your contemplating to address this issue?

- i. Did you or anyone acting for AFRINIC give authorization to a third party to use the AFRINIC logo in emails endorsing candidates for the AFRINIC board of elections?
- j. Are you aware of POAs being fraudulently obtained by NRS or any other third party?
- k. Have you received complaints from Members about election unfairness and what did you do to investigate or resolve those complaints?
- l. Did you or anyone acting for AFRINIC take any corrective action, including investigation, upon hearing of concerns of access to membership lists or use of AFRINIC's logo in endorsement activities? If so, please describe such actions.
- m. Have you allowed the involvement of any person representing Cloud Innovation Ltd, any other litigant against AFRINIC (as set forth at <https://afrinic.net/court-cases>), or the NRS to participate in discussions with you, the Election Committee or the Nomination Committee, regarding the presentation of powers of attorney for voting or addressing claims of other Resource Members of potential fraudulent conduct? If so, please identify who participated in these conversations and when they were conducted.
- n. Please confirm the status of AFRINIC's record keeping and backups of registration data and Resource Member Records.

Each of the items identified above are relevant to documenting how AFRINIC is maintaining the support of its membership, assuring all members impartial and equal treatment, and assuring that AFRINIC is acting independently from improper influence. These issues could be so pervasive as to also raise concerns for ICANN on AFRINIC's ability to maintain neutrality and impartiality in its operations. To the extent you have more to share with ICANN on these matters, we encourage you to share that information directly.

Though this is not the formal initiation of a compliance review, in the event that ICANN proceeds on that path, ICANN reserves the right to identify all areas where AFRINIC is reasonably believed to present an issue of material non-compliance with ICP-2, without limitation. This notice also serves to place you, and all others acting on your behalf or AFRINIC's behalf, on strict, legally binding, and immediate notice to diligently retain and scrupulously preserve all documentation, electronic records, communications, data, and any other relevant materials pertaining to these issues, and indeed the entirety of the election process, without exception, in anticipation of a formal compliance review. Failure to preserve such records will be viewed as a serious impediment to any future review and an indication of non-cooperation.

In view of the:

- (A) "New Issues Reported to ICANN" as set out above;
- (B) Need to clarify the situation as set out in the immediate responses set out above;
- (C) Fact that the situation is still evolving with reports continuing to be made on issues with the election process; and

(D) Previous context of the election process, including our previous communications to you and our court action to seek specific actions relating to the election process;

Please be informed that ICANN would, as matters currently stand, firmly oppose proceeding with the election process in its current form or seeking to certify any results or to constitute a board of directors based on the election process to date. Please be further informed that ICANN is reserving all its rights in relation to the above and in light of the information that we continue to receive. ICANN's position is based on the reports we have received to date.

ICANN reiterates that the Receiver also owes ultimate transparency to the AFRINIC community about the entirety of the election process, including the facts leading to the suspension, your efforts to address the situation, and a measured plan to reach a fair election process.

While ICANN awaits and reviews your response, please ensure that any allocation of resources is done with consideration to the policies that are in place as it relates to AFRINIC's governance and that are consistent with RIR policies under policy provisions that govern AFRINIC's allocations. This includes maintenance of appropriate customer records for all allocations.

ICANN reserves its right to publish this correspondence on its website as normal within ICANN's course of business.

Sincerely,



Kurt Erik Lindqvist
President and Chief Executive Officer
Internet Corporation for Assigned Names and Numbers (ICANN)

cc: The Honourable Prime Minister of the Republic of Mauritius
The Honourable Minister in Charge of ICT matters in the Republic of Mauritius
Tripti Sinha, Chair, ICANN Board of Directors
RIR CEOs
Kishna Dondee, Legal Officer, AFRINIC
AFRINIC Nomination Committee 2025
AFRINIC Election Committee 2025
John Jeffrey, General Counsel and Secretary, ICANN
John Crain, Senior Vice President and Chief Technology Officer, ICANN