APRALO Statement on Second Draft of the RIR Governance Document

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The Asian, Australasian and Pacific Islands Regional At-Large Organization ("APRALO") thanks the Address Supporting Organization (ASO) for providing us the opportunity to submit comments on the Governance Document for the Recognition, Operations, and De-recognition of Regional Internet Registries ("RIR Governance Document") Version 2 dated 28 August 2025.

While APRALO welcomes the improvements made in the second draft of the RIR Governance Document, there are a few areas in this Version 2 document that need improvement. These include:

1. **Implementation Procedures and Accountability Baselines**

   Section 1.3 of the draft RIR Governance Document allows RIRs and ICANN to jointly develop "Implementation Procedures" to operationalise the document, provided such procedures do not contradict it. While the intent to enable flexible implementation is reasonable, the absence of clear parameters for how these procedures are developed or what they must contain presents a significant governance risk.

   Without defined minimum criteria or community/membership consultation requirements, Section 1.3 effectively transfers key rule-making powers away from RIR member communities to executive coordination between ICANN and the RIRs themselves. In practice, this means that the very organisations subject to the governance framework could design the detailed accountability mechanisms that are meant to regulate them. This undermines the bottom-up, community-led model that has underpinned the RIR system since its inception.

   To maintain consistency and trust across regions, the Governance Document should establish a baseline of accountability and transparency standards applicable to all RIRs. These should be set out in a dedicated annex/appendix such as, minimum publication of audited financials on time, disclosure of board decisions with appropriate redaction if required, regular operational audits, open policy-development processes, and independent dispute-resolution mechanisms. Each RIR could then exceed these standards as appropriate for its regional context through its member consultation, but not fall below them.

2. **Audit Triggers, Frequency, and Timelines**

While the introduction of regular and ad-hoc audits is a welcome step towards improving accountability, the current drafting of Section 4 lacks proportional safeguards and clear procedural timelines. As written, the multiple triggers for audits by ICANN, by a majority of RIRs, or by a threshold of members could inadvertently create an environment of continuous or overlapping audits, placing excessive administrative and financial burden on an RIR without necessarily improving transparency outcomes. To prevent this, the Governance Document should explicitly cap the frequency of audits at a reasonable level for example, no more than two audits within any rolling five-year period, including both periodic and ad-hoc reviews. This ensures that the mechanism remains a meaningful accountability tool rather than an operational disruption.

In addition, the document should clearly define timelines and expectations for each audit cycle. A standard audit should begin within a fixed period (e.g., within three months of initiation), have a defined duration (e.g., not exceeding six months), and require that a summary report be published within a set timeframe (e.g., within 60 days of completion). Establishing these benchmarks will help maintain predictability, prevent indefinite reviews, and ensure that findings are acted upon promptly. The inclusion of clear reporting obligations which must be covering scope, methodology, findings, and corrective actions this would also help maintain public trust and consistency across all RIRs.

The current member trigger thresholds for initiating formal accountability actions, set at 25% or 2,000 members whichever is less, are disproportionately high and may be impractical irrespective of region. Such a level of mobilisation would be difficult to achieve even in cases where legitimate governance concerns exist, thereby limiting the community's ability to initiate review or redress. A more balanced approach would adopt a graduated or proportional model that reflects differences in membership size and regional context. For example, using the lesser of 10 percent or 500 members as a baseline while retaining safeguards to prevent misuse. This would preserve the deterrent against frivolous petitions yet make accountability mechanisms realistically accessible to all member communities.

3. **Remediation Process and Timelines**

   Clause 6.2 emphasizes rehabilitation over immediate derecognition, however it lacks **clear timelines, milestones, and procedural steps** to guide the remediation process.

   We recommend establishing a **defined remediation framework**,that includes (a) a minimum fixed remediation period such as six to twelve months unless there is a demonstrable and urgent risk to the stability or security of the Internet Numbers Registry System; (b) a formal written remediation plan jointly developed by the non-compliant RIR, the other RIRs, and ICANN, setting out specific corrective actions; and (c) periodic progress assessments with transparent communication to stakeholders. This would promote predictability, fairness, and accountability while ensuring that derecognition is genuinely reserved as a last resort.

4. **Appeal and Reconsideration Framework**

   Clause 2.3(c)(ii) allows affected RIRs or Candidate RIRs to petition ICANN for reconsideration but references **ICANN's "then-existing review procedures"**, which may not be tailored to this context and may vary over time. This introduces uncertainty as to how reconsideration will be handled, who will review it, what standards of evidence apply, and how transparent the process will be. To ensure fairness, predictability, and legitimacy, we recommend the creation of a **dedicated reconsideration and appeals procedure** within this governance framework, including: defined timelines for submission and response; right to present evidence and justification; involvement of an **independent review panel or expert body**; opportunity for community input where appropriate; and publication of decisions with clear reasoning. This will strengthen procedural guarantees and avoid perceptions of unilateral or opaque decision-making.

5. **Diversity and Stakeholder Inclusion**

   While the document ensures member-controlled governance and open policy development participation, it currently does not include explicit commitments to **stakeholder, geographic,linguistic and gender diversity** in decision-making bodies. Given the varied social, economic, and network maturity conditions across service regions, incorporating diversity safeguards is essential to ensuring legitimacy, fairness, and representativeness.

   We recommend including language that encourages or requires governing bodies and advisory mechanisms to reflect a balanced representation of gender identities, geographic sub-regions, and stakeholder categories.In addition, the governance framework should acknowledge the regional and cultural diversity that exists across the RIR service areas. Implementation of processes such as remediation, audit, and emergency continuity should allow flexibility to accommodate local legal, linguistic, and operational contexts, while maintaining global consistency in standards. This would advance the bottom-up, community-driven ethos of the Internet Numbers Registry System and support equitable participation across constituencies.

6. **Audit Transparency**

The requirement for periodic and ad hoc audits is a strong accountability measure, but the current commitment to publish only a “summary report” may not sufficiently promote transparency and community trust. We recommend requiring the publication of **anonymized audit findings**, along with the audited RIR’s **formal response** detailing planned corrective measures, and follow-up reporting on implementation progress. Additionally, a structured **public comment period** would allow the broader Numbering Community to provide input, improving oversight and reinforcing shared stewardship. These enhancements would balance transparency with confidentiality while ensuring audits serve as constructive governance tools rather than purely administrative checks.

7. **Emergency Continuity Threshold and Scope**

The mechanism for temporarily transferring RIR service operation to an Emergency Operator (Clause 5.1) is important for stability, but the current language does not clearly define what conditions constitute an **“Emergency Continuity”** situation. To prevent unintended overreach, we recommend adding objective criteria, such as prolonged operational failure, insolvency, governance paralysis. Additionally, it should be explicit that the Emergency Operator’s authority is **strictly limited to operational continuity**, not governance or policy-making functions. Renewal beyond the initial 90-day period should require **transparent community consultation** and demonstrated necessity. This ensures continuity protection without undermining RIR autonomy.

Transitions arising from Emergency Continuity or Derecognition materially affect Resource Holders and the Numbering Community, yet the document does not include explicit communication obligations. To maintain trust and avoid service confusion, we recommend requiring the publication of **clear, plain-language, multilingual notices** explaining the transition, expected timelines, available support channels, and points of contact. Additionally, structured **briefing sessions and public Q&A opportunities** should be mandated during transition periods, along with ongoing updates via official channels. Such communication safeguards reinforce transparency and continuity while promoting community understanding and participation.

The document rightly provides for review after Emergency Continuity, but does not explicitly state that responsibility for RIR Services should be restored to the affected RIR as soon as **operational capability is satisfactorily re-established**. We recommend defining the verification criteria for restoration and requiring publication of the post-event review and restoration rationale. This ensures Emergency Operators do not retain operational control longer than necessary and upholds the principle that regional communities govern their own registries.