AFRINIC's Receiver turns to ministers against a Supreme Court order. Cloud Innovation demands that every member be registered

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After five years in which those controlling Africa's internet registry claimed police powers, sought immunity from the law, voided a Board election and locked members in, the separation of powers in Mauritius is now at stake

3 November 2026

Cloud Innovation Ltd, a member of AFRINIC since 2013, today called on AFRINIC to enter every eligible member in its register of members, and said it is confident that the authorities of Mauritius will decline to be drawn into a matter the Supreme Court has already decided.

On 31 October 2026 the Receiver of AFRINIC, the regional internet registry for Africa, announced that he had demanded that Mauritius's Registrar of Companies strike Cloud Innovation off AFRINIC's register of members. He copied the demand to the Prime Minister, the ICT Minister, the Attorney General and the State Law Office "for information and such action as may be considered appropriate". He cited no court order for it.

Cloud Innovation's place in that register rests on the Supreme Court of Mauritius:

- The Order of 4 April 2025 directed that AFRINIC's register of members be rectified to add Cloud Innovation as a Member under section 91 of the Companies Act 2001. AFRINIC was a party to those proceedings.

- By a written undertaking to the Court dated 10 June 2025 and signed by the Receiver, AFRINIC undertook to rectify its records within 15 days. The Court recorded that undertaking in its Order of 11 June 2025, made on AFRINIC's own application.

- The 15 days passed without rectification. Cloud Innovation executed the judgment, and a Supreme Court rule of 9 October 2026 certified the outcome.

"The Executive cannot suspend, vary or neutralise an order of the Supreme Court," Cloud Innovation said in its communiqué of 2 November. "A party who objects to an order has one course: to apply to the Court, seek a stay, or appeal." A court-appointed Receiver inviting the Executive to act on a matter the Court has decided is, in the communiqué's words, "of the utmost gravity". Cloud Innovation reserves all its rights, including as regards contempt of court.

Every member belongs in the register

Cloud Innovation is not asking for a privilege. It demands for every Resource Member what the Court ordered for one: recognition under company law, an entry in the register and the protection that comes with it. "If thousands of members qualify for registration, put thousands of names on the register," the company said in its statement of 1 November. "Administrative convenience cannot justify excluding them."

Five years, one pattern

AFRINIC belongs to its members. For five years, those who have controlled it have reached instead for powers that belong to states, and taken rights from the members it exists to serve:

- Police powers. In 2021 AFRINIC's management held Cloud Innovation responsible for websites using its addresses that carried illegal content, including indecent images of children, and demanded to know why it did not monitor them. Cloud Innovation hosts no websites. It asked AFRINIC to name the addresses within four hours so the sites could be shut down. AFRINIC refused.

- Above the courts. In July 2021 AFRINIC's management defied a court order until it was warned of contempt proceedings, then gave the Judge an undertaking and withdrew it four months later.

- Above the law. AFRINIC's management sought immunity as an international organisation under Mauritius's Privileges and Immunities Act. In July 2022 the four other regional internet registries backed the request in a letter to ministers that called Cloud Innovation's cases vexatious. A week later the Supreme Court declined to treat Cloud Innovation as vexatious, and Mauritius replied that the request "cannot be entertained".

- Votes that do not count. In June 2025 AFRINIC's Receiver annulled an entire Board election over "one disputed proxy" and banned the proxy voting AFRINIC's constitution allows. In the disputed election that followed, the candidates of Smart Africa, an alliance of 40 governments acting "under the mandate of its Heads of State and Governments", took seven of the eight Board seats.

- Ministers instead of judges. In 2025 the executive opened an inspection that, as Cloud Innovation said in its constitutional complaint, would have called into question judgments the courts had already delivered. On Cloud Innovation's application, a judge halted it on 7 August 2025.

- A locked exit. In February 2026 AFRINIC's Board ratified a policy under which "AFRINIC-issued IPv4 cannot be transferred out of the region". AFRINIC's own assessment stated the result: "AFRINIC will not lose its current resource members to other RIRs in outgoing transfers."

- Its own audit. AFRINIC's own 2021 audit of its database found 2,371,584 IPv4 addresses misappropriated from its pool.

And they keep taking members' rights

The constitution now proposed to members would drop their power to set AFRINIC's general policies by ordinary resolution, give directors statutory registration and Companies Act rights while describing Resource Membership as merely contractual, and let officers suspend and terminate members. Now the Receiver invites the Executive to act against a member the Supreme Court ordered onto the register.

"Those who control AFRINIC have spent five years treating members' rights as theirs to take," Cloud Innovation said. "We defend the rule of law, a democratic society, people's freedom and the separation of powers. Courts decide disputes. Ministers do not overrule them. Members elect their Board, belong in its register and are free to leave."

The documents

- Communiqué, 2 November 2026:
https://cloudinnovation.org/newsroom/separation-of-powers-communique/

- Statement on AFRINIC member rights, 1 November 2026:
https://cloudinnovation.org/newsroom/afrinic-must-respect-members-rights/

- Five years, one pattern: https://cloudinnovation.org/pattern/

- The public record, every court decision with its original document:
https://cloudinnovation.org/public-record/

About Cloud Innovation

Cloud Innovation Ltd provides IPv4 addresses to the network operators and businesses that keep people online. Established in 2013 and registered in Seychelles, it has been a member of AFRINIC since 2013. It defends the rule of law, a democratic society, people's freedom and the constitutional separation of powers. https://cloudinnovation.org

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