



# What is new in the ICP-2 Revised Draft

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## Agenda

- New recognition review process
- Recognition – modified
- Derecognition – modified
- Good faith and expanding ICANN's role
- Revised ongoing commitments, transparency and audits
- Grace period for non complying RIRs
- Periodic reviews



## New Recognition Review Process

New Recognition Review Process: Allows for the possibility of recognition without unanimity (that is, upon the recommendation of all RIRs minus one)



## Modified Recognition

- Allows a candidate RIR not to be recognized, despite otherwise meeting all the necessary criteria for recognition
- Clause added
  - a candidate RIR will only be recognized if doing so would materially improve the functioning of the Internet numbers registry system relative to the then-existing state of affairs.



## Modified derecognition

- Permits a proposal of derecognition to be submitted by either 25% of the relevant RIR's total members or 2,000 members, whichever is lesser.
- The proposal for derecognition must include the reasons why the RIR should allegedly be derecognized
- Must identify the specific provisions of the Document that the RIR is allegedly failing to comply
- The affected RIR must be given an opportunity to publicly respond to the claims being made against it before the other RIRs make their recommendations in favor of or against derecognition



## Good Faith and Expanding ICANN Role

- If a candidate RIR objects to the fact that the RIRs do not recommend recognizing it, ICANN is obligated to publish the objection and the results of any recognition review
- ICANN is now empowered to bring its own proposal for derecognition
- ICANN may initiate an ad hoc audit of any RIR
- ICANN must agree before an emergency continuity may be initiated
- ICANN and RIRs must act in good faith



## Emergency Continuity

- The establishment of an emergency operator, an entity that is able to quickly and temporarily take over if an RIR is struggling to provide stable and reliable RIR Services, similar to ICANN'S Emergency Back-end Registry Operator (EBERO) mechanism.



## Revised Ongoing Commitments, Transparency and Audits

- Two separate independence requirements: Financial and Operational
- Each RIR's governing body needs to provide mechanisms for its members to ask questions, provide input, and receive timely and meaningful responses to legitimate questions.
- Each RIR must undergo a period audit no less frequently than once every three years.
- ICANN can initiate an Audit but the outcome does not automatically trigger any action
- ICANN to conduct an ad hoc audit if initiated by a majority of the other RIRs, 25% of the members of the identified RIR or 2,000 of its members



## Grace Period for non complying RIRs

- A three-year grace period for any new obligations that may arise when the Document is adopted.
- The three-year grace period pertains only to the initial adoption of the Document. If the Document is amended in the future, the grace periods associated with those amendments will be specified in the amendments themselves.



## Periodic Reviews

- The NRO and ICANN are required to periodically assess whether to review (and potentially amend) the Document every five years (Instead of 10)



Thank You

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