

29/05/2026

Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan IMPACT, Cyber 6
63000 Cyberjaya, Selangor Darul Ehsan
MALAYSIA

Attention: Datuk Ts. Dr Mohamed Sulaiman Sultan Suhaibuddeen
Deputy Managing Director (Regulatory)

Re: Establishment of Malaysia's National Internet Registry

MCMC(T)-LMD/100/2026 (02)

Dear Datuk Ts. Dr Sulaiman,

1. Thank you for your letter dated 22 April 2026 regarding the Malaysian Communications and Multimedia Commission's (MCMC's) interest in establishing a Malaysian National Internet Registry (NIR). APNIC values its ongoing engagement with MCMC and acknowledges the importance MCMC places on this matter.
2. APNIC's position remains as set out in our letter of 30 January 2026: APNIC is not currently in a position to process an application to recognise a new NIR under the legacy NIR model. The previous criteria – dated 1 December 2002 – was placed under a moratorium since February 2012 and was later deprecated in February 2024, and there is a need for any successor framework to be developed through APNIC's established community processes.

Clarification of key facts and timeline

3. We note your concerns regarding transparency, timing, and procedural fairness, as stated in your letter dated 22 April 2026. APNIC does not consider those concerns to reflect the full context of the engagement between APNIC and MCMC and sets out the below in the interests of ensuring alignment and clarity:
 - 3.1. The moratorium on new NIR applications has been in place since February 2012. MCMC's initial correspondence of October 2023 expressly recognised this moratorium and sought clarification as to its rationale and status. At that time – with the moratorium in place – there was no open pathway for the consideration of new NIR applications.

- 3.2. The criteria previously used for NIR recognition (APNIC-104) were developed through community processes over two decades ago. Those criteria had been subject to the moratorium for approximately 12 years and no longer reflected contemporary operational, governance, and compliance expectations. As such, they could not be relied upon as a functioning framework against which a new application could be consistently and fairly assessed.
- 3.3. In meetings and correspondence between APNIC and MCMC in late 2023 and early 2024, it was made clear that the basis of the legacy NIR model was no longer feasible and the Executive Council would not be lifting the moratorium.
- 3.4. In February 2024, the Executive Council determined that the original rationale for additional NIRs was no longer applicable under current conditions, made the moratorium permanent, and deprecated the existing criteria.
- 3.5. On 2 July 2025, during APNIC's meeting with MCMC at MCMC's offices, APNIC explained that any return to the legacy NIR model would require the development of new criteria through a community consultation process and that the outcome of such a process could not be predetermined. The materials presented to MCMC expressly described this pathway as requiring community consultations which would, by necessity, need to follow completion of the review of Internet Coordination Policy 2 from which the Governance Document for the Recognition, Operation, and Derecognition of Regional Internet Registries (RIR Governance Document), has emerged.
- 3.6. At that same meeting, APNIC sought to explore a separate concept as a potential path forward under which APNIC would retain back-end registry operations and final delegation responsibility. This model would not have involved APNIC delegating its core functions or changing the APNIC membership and governance framework, and was thus presented as a potential concept capable of aligning with MCMC's preferred timeline as the related community consultation would not have had to consider implications for APNIC's compliance under the RIR Governance Document.
- 3.7. In its letter of 10 July 2025, MCMC explicitly declined exploring this new concept and stated its preference for the legacy NIR model, further requesting full operational and technical autonomy over resource assignments which is not an element of the existing legacy NIR model. Having rejected the pathway that could have been progressed bilaterally, and having been advised that the legacy NIR model requires community consultation, the pathway now under consideration is necessarily the community consultation process.

Governance framework for NIRs

4. The governance framework applicable to NIRs has historically operated on the basis that:
 - 4.1. criteria are developed through consultation with the APNIC community; and
 - 4.2. the decision to recognise a new NIR rests with the Executive Council, acting on behalf of the APNIC membership and applying those criteria.
5. This approach was established through the community process that resulted in the adoption of APNIC-104 and reflects a division between community-developed standards and Executive Council decision-making authority.
6. The absence of objective, current, and community-endorsed criteria would not provide the Executive Council with a reasonable or consistent basis for assessing an application and would be contrary to good governance.

7. Accordingly, the development of updated criteria is not a limitation on the Executive Council's authority, but a necessary precondition for that authority to be exercised in a manner consistent with good governance and APNIC's established bottom-up model.

Deprecation of the NIR criteria and the EC's current assessment

8. As communicated publicly by the APNIC Executive Council Chair, the decision to deprecate the existing criteria and make the moratorium permanent reflected the Executive Council's assessment that the original rationale for the establishment of additional NIRs was no longer applicable under current conditions.
9. This assessment was based on the context in which NIRs were originally developed, including operational requirements and conditions that no longer apply in the same way today.
10. This does not, however, preclude the possibility that different or additional considerations may, in future, support new NIR arrangements. Any such considerations would represent a substantive evolution in the NIR framework and is a matter of sufficient significance to the functioning of the Internet number registry system that it must be developed through APNIC's community processes.
11. The Executive Council's position should therefore be understood as follows:
 - 11.1. the original basis for additional NIRs is no longer applicable – this is not a predetermined conclusion against new NIRs, rather it is a recognition that the original basis and criteria are no longer applicable to the current era;
 - 11.2. any new basis would need to be identified and refined through community consultation; and
 - 11.3. decisions on future NIR arrangements must be grounded in updated, community-developed criteria.
12. This ensures that any future decision-making is both consistent with APNIC's governance model and capable of being applied fairly across all economies in the region.

Consultation: scope, timing, and integrity

13. Your letter dated 22 April 2026 has (i) proposed that any consultation should focus on strengthening the NIR framework and not address the question of whether new NIRs should be established; (ii) sought an affirmative indication that the establishment of a Malaysian NIR is the intended outcome; and (iii) noted that proposed alignment of the consultation with the three-year implementation period of the RIR Governance Document would result in an extended and indeterminate timeline.
14. On (i), APNIC agrees that the intent of the consultation processes should be to strengthen the NIR framework. However, consultations should be conducted without predetermined outcomes and allow for full consideration of all relevant questions, including whether new NIR arrangements should be established and in what circumstances an NIR may be derecognised.
15. On (ii), this is dependent on the outcomes of the consultation processes described in the preceding paragraph, which are in the hands of the multistakeholder community in the APNIC region. The APNIC Executive Council is unable to predetermine the outcome.
16. On (iii), APNIC notes that while the NIR consultation will be commenced following the adoption of the RIR Governance Document (and therefore at the same time as the three-year implementation period), this does not mean that the consultation will necessarily also take three years.
17. APNIC notes MCMC's intention to continue internal preparatory activities for the establishment of an NIR. While APNIC recognises that such work may be undertaken at the national level, as noted above we cannot provide assurance at this time as to the outcome of the consultation process.

Path forward

18. APNIC and the other RIRs are progressing the development of the RIR Governance Document through a global, multistakeholder process led by the ASO Address Council. There is a clear intention to complete this work by the end of 2026.
19. The Executive Council has committed to commencing community consultation on the related NIR framework following the adoption of the RIR Governance Document. The purpose of that consultation will be to consider the complete lifecycle of NIRs in the context of the framework established under the RIR Governance Document, ensuring that the NIR framework is viable, sustainable, aligned with the community's priorities, and not detrimental to ongoing compliance with the RIR Governance Document.
20. While APNIC cannot predetermine the duration of this consultation, as it will depend on the level of alignment and consensus across the community on key issues, the three-year implementation period required by the RIR Governance Document sets a clear maximum timeline for this consultation to be completed.
21. If the outcome of that process supports the development of new NIRs, the Executive Council will have a clear, community-developed framework on which to base its decisions.
22. We would like to stress that MCMC, like all members of the APNIC community, would be welcome and are encouraged to participate fully in the consultation process. APNIC will continue to publicly share information on the progress of the RIR Governance Document and, once known, the timings for the community consultation on the development of the comparable document for NIRs.
23. The most recent update from the community drafting team, the ASO AC, has recently been published: <https://www.nro.net/policy/internet-coordination-policy-2/rir-governance-document-version-2-status-report-may-2026/>
24. APNIC remains committed to constructive engagement with MCMC.
25. This letter will be published on APNIC's EC Correspondence page on apnic.net for transparency.

Thank you.

Yours sincerely,



Kenny Huang
APNIC Executive Council Chair
On behalf of the APNIC Executive Council