

23 June 2019

Keith Drazek, Chair, GNSO
Manal Ismail, Chair, GAC

Re: IGO-INGO Access to Curative Rights Protection Mechanisms Policy Development Process

Dear Mr. Keith Drazek and Ms. Manal Ismail,

At the ICANN Board Workshop held on 22 June 2019, the Board had the opportunity to discuss the GAC's and GNSO's work regarding the IGO-INGO Access to Curative Rights Protection Mechanisms Policy Development Process. We also considered the Board's role at this stage of the discussions that are continuing between the GAC and the GNSO.

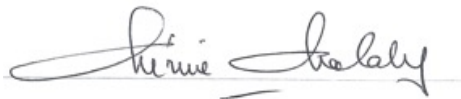
The Board welcomes the GAC's and the GNSO's willingness to work together to bridge the current impasse on the topic of curative rights protections for International Governmental Organizations (IGOs). We urge the GAC and the GNSO to maximize the opportunities presented by the ICANN65 Policy Forum for substantive and forward-looking dialogue.

Under the ICANN Bylaws, the Board is required to post potential policies recommended by the GNSO for public comment. We intend to open the requisite public comment proceeding once ICANN65 concludes, as we believe the input received can inform both the Board's deliberations as well as any decisions by the GAC and the GNSO on the best way to move forward for resolving the differences between GNSO policy recommendations and GAC advice.

We think it is important to clarify that, at this stage, we do not plan to initiate a Board-facilitated dialogue. We are of the view that it is more appropriate for the Board to allow the community's engagement processes to be used to the fullest extent possible, as it is not the Board's role to become involved with the community's policy deliberations and decisions. On this particular topic, the Board believes its immediate priority should be to ensure that it fully understands all the implications of the various actions that it can take in relation to both GAC advice and GNSO policy recommendations. To that end, the Board has agreed to form a Board Caucus Group that will review the history, scope and current recommendations and advice on the issue of curative rights protections for IGOs. We hope that taking this step will ensure that the Board acts in full compliance with our Bylaws-mandated role to make policy decisions that are in the best interests of ICANN and the community.

The Board thanks the GAC and GNSO leadership, and all community members, who have participated in good faith throughout this policy process. We look forward to observing the discussions taking place this week at ICANN65 and to receiving an update from the GAC and the GNSO following the meeting.

Sincerely,



Cherine Chalaby
Chair, ICANN Board of Directors