

August 8, 2016

Steve Crocker
Chairman, ICANN Board of Directors

Dear Steve,

Re: CCWG Recommendation to the ICANN Board regarding ATRT3 with respect to collision of topics between ATRT3 and CCWG-Accountability Work Stream 2 topics.

The CCWG-Accountability (CCWG) at its face to face meeting at the ICANN 56 in Helsinki considered the implications of the collision of topics, and therefore efforts, between ATRT3 and Work Stream 2 (WS2) (please see Annex 1 for a detailed consideration of this issue).

In its discussion of this issue the CCWG considered the following points:

- Collision of topics between WS2 and ATRT3 - There is potential for significant overlap between WS2 topics and the scope of ATRT3 as 6 of the 9 WS2 topics are accountability and transparency issues ATRT3 could also consider.
- Timing of the two activities - WS2 should begin in July 2016 with an objective of completing its work by June 2017. ATRT3, which is expected to take 12 months to complete, is currently scheduled to begin in January 2017 but could potentially be delayed until February 2018 under the new Bylaws (which require ATRT every 5 years vs the AoC requirement for every 3 years). It would seem inefficient, at best, to have both of these activities working on the same topics independently, while drawing on the same pool of community volunteers. At worst, ATRT3 and WS2 groups could issue recommendations that are conflicting or duplicative.
- Implementation of recommendations – The Bylaws for WS2 give CCWG recommendations greater weight when it comes to board consideration, relative to recommendations from an ATRT.
- Options considered:
 - Option 1 - Let both ATRT3 and WS2 work in parallel and have a procedure to reconcile recommendations.
 - Option 2 - Delay ATRT3 until WS2 is complete.
 - Option 3 - Convene ATRT3 as soon as possible with the limited scope of assessing implementation of ATRT2 recommendations. Allow WS2 to handle new recommendations for accountability and transparency. The fourth ATRT would convene before 2022 and would assess all accountability and transparency topics and make recommendations
 - Option 4 - Leave everything that can be covered by the ATRT3 to ATRT3 and then the CCWG focus on the other points. The ATRT recommendations could come back to the CCWG accept those recommendations.

After considering this issue, the CCWG-Accountability reached consensus that option 3 was the preferred path, and requested that the Co-Chairs communicate this recommendation to the ICANN Board for its consideration. We understand that NTIA would need to agree to the

reduced scope for ATRT3 since that review was convened under the Affirmation of Commitments.

Thanking you for your attention to this matter.
Sincerely,

Thomas Rickert, León Sanchez, Mathieu Weill
Co-Chairs, CCWG-Accountability