**Initiation of a Policy Development Process to Review the Transfer Policy**

**Submitted by:**

**Seconded by:**

Whereas,

1. The GNSO Council issued a call for volunteers for a Transfer Policy Review Scoping Team on [October 3, 2019](https://mm.icann.org/pipermail/council/2019-October/023097.html). The Scoping Team was tasked with providing recommendations on the approach to a potential review and future policy work related to the Transfer Policy; composition of the review team or PDP working group; and scope of the review;
2. The Transfer Policy Review Scoping Team delivered a [Transfer Policy Initial Scoping Paper](https://gnso.icann.org/sites/default/files/file/field-file-attach/transfer-policy-review-scoping-team-06apr20-en.pdf) on April 6, 2020 in which it recommended the GNSO Council instruct ICANN Policy staff to draft a Preliminary Issue Report, outlining, et. al., the issues described within the Transfer Policy Initial Scoping Paper;
3. On 24 June 2020 the GNSO Council requested preparation of a Preliminary Issue Report, for delivery as expeditiously as possible, on the issues identified in the [Transfer Policy Initial Scoping Paper](https://gnso.icann.org/sites/default/files/file/field-file-attach/transfer-policy-review-scoping-team-06apr20-en.pdf), to assist in determining whether a PDP or series of PDPs should be initiated regarding changes to the Transfer Policy;
4. On 20 August 2020, the GNSO Council agreed to extend the timeline for delivery of the Issue Report to 10 October 2020;
5. ICANN staff published the [Preliminary Issue Report](https://gnso.icann.org/sites/default/files/file/field-file-attach/preliminary-issue-report-pdp-transfer-policy-03jun20-en.pdf) on a Policy Development Process to Review the Transfer Policy for public comment on 12 October 2020, with the public comment forum closing on 30 November 2020;
6. ICANN staff have reviewed the [public comments](https://www.icann.org/public-comments/transfer-policy-pdp-review-2020-10-12-en) received, published a [Report of Public Comments](https://www.icann.org/en/system/files/files/report-comments-transfer-policy-pdp-review-14dec20-en.pdf) on 14 December 2020 and updated the Issue Report accordingly;
7. The [Final Issue Report](https://gnso.icann.org/sites/default/files/file/field-file-attach/final-issue-report-pdp-transfer-policy-review-12jan21-en.pdf) on a Policy Development Process to Review the Transfer Policy was delivered to the GNSO Council on 12 January 2021;
8. The Final Issue Report includes a recommendation that the GNSO Council proceed with a two-phased Policy Development Process (PDP) that will address the following topic areas in sequence:
* Phase 1(a): Form of Authorization (including Rec. 27, Wave 1 FOA issues) and AuthInfo Codes
* Phase 1(b): Change of Registrant (including Rec. 27, Wave 1 Change of Registrant issues)
* Phase 2: Transfer Emergency Action Contact and reversing inter-registrar transfers, Transfer Dispute Resolution Policy (including Rec. 27, Wave 1 TDRP issues), NACKing transfers, ICANN-approved transfers
1. The General Counsel of ICANN has indicated that the topics recommended for review are properly within the scope of the ICANN policy process and the GNSO.

RESOLVED:

1. The GNSO Council hereby initiates a two-phased PDP to Review the Transfer Policy which will determine if changes to the policy are needed to improve the ease, security, and efficacy of inter-registrar and inter-registrant transfers.
2. The GNSO Council requests that the PDP Working Group be convened as soon as possible after the adoption of the PDP Working Group Charter in order to fulfill the requirements of this PDP.