**Motion – GNSO Council Communication to ICANN Board Regarding Transfer Policy**

Made by: Darcy Southwell
Seconded by:

WHEREAS,

The GNSO Council adopted the IRTP Part C PDP recommendations on 17 October 2012 and recommended convening an IRTP Part C Implementation Review Team to assist ICANN Staff in developing the implementation details for the new policy should it be approved by the ICANN Board (*see* [https://gnso.icann.org/en/council/resolutions#20121017-4](https://gnso.icann.org/en/council/resolutions%22%20%5Cl%20%2220121017-4)).

The ICANN Board adopted the IRTP Part C PDP recommendations on 20 December 2012 and instructed the ICANN CEO to develop and complete an implementation plan for these Recommendations and continue communication with the community on such work (*see* [https://www.icann.org/resources/board-material/prelim-report-2012-12-20-en#2.a](https://www.icann.org/resources/board-material/prelim-report-2012-12-20-en%22%20%5Cl%20%222.a)).

ICANN Staff worked in consultation with the GNSO Implementation Review Team, which was formed as directed by the GNSO Council to work with ICANN, to ensure that the resultant implementation fulfills the intentions of the approved policy recommendations. The draft policy went through public comment on 30 March 2015.

ICANN announced the implementation of amendments to the Transfer Policy and the Transfer Dispute Resolution Policy (TDRP) on 1 June 2016 with the new requirements taking effect beginning on 1 December 2016.

Members of the Registrar Stakeholder Group identified potential issues with the implementation in relation to privacy/proxy registrations and raised these with ICANN Staff. Staff subsequently recommended that these should be discussed with the GNSO community.

On 31 October 2016, the GNSO Council received a letter from Graeme Bunton, Chair of the Registrar Stakeholder Group, seeking advice regarding implementation challenges related to the Transfer Policy (*see* https://www.icann.org/resources/pages/transfer-policy-2016-06-01-en) and its implication on privacy/proxy services.

On 4 November 2016 at ICANN57, the GNSO discussed the Registrar Stakeholder Group’s challenges with GDD Staff during which it was suggested that the recommended course of action was for the GNSO Council to write to the Board and request the Board to direct staff to remove the privacy/proxy services aspect from the Transfer Policy and to instead place them for evaluation and recommendation by the newly formed Privacy Proxy Services Accreditation Issues Implementation Review Team.

The GNSO Council has synthesized the positions received and prepared a letter to the ICANN Board (*see* [include link]).

RESOLVED,

The GNSO Council approves the letter (*see* [include link]) and instructs the GNSO Secretariat to transmit this letter to the ICANN Board as soon as possible.