



August 1, 2008

The Honorable Senator Richard Durbin
The Honorable Senator Tom Coburn

Dear Senators:

Thank you for your letter of July 21st to Yahoo! CEO Jerry Yang seeking an update on the development of a global code of conduct that Yahoo!, our industry counterparts, human rights advocates, academics, investors, and others are developing to protect and promote human rights globally. Our efforts in this area reflect our collective commitment to freedom of expression and privacy. We look forward to sharing with you more details of the significant progress we have made as a diverse group.

As I testified before you on May 20th, we have participated in an intensive and broad-based effort to develop a global code of conduct for the past eighteen months. We have worked at the most senior levels of our company with representatives from other companies and NGOs to strike the right balance on a voluntary code of conduct – a balance that will help bring the promise of the Internet to ordinary citizens around the globe while protecting their rights to freedom of expression and privacy.

Not long after the May 20th hearing, we achieved a significant collective milestone and reached agreement in principle on the core components of the code of conduct. We all believe the initiative will represent a meaningful, integrated, and sustainable approach to addressing the root causes of the challenges to Internet freedom, and will help the Internet, communications, and technology (ICT) sector protect and advance the fundamental rights to freedom of expression and privacy.

The members of what we have named the “ICT Initiative on Freedom of Expression and Privacy” are now reviewing the agreement for final approval, and we are optimistic that we will launch the Initiative this fall. The core components of the Initiative are:

- o **Principles on Freedom of Expression and Privacy** that provide direction and guidance to the ICT industry and its stakeholders in protecting and advancing the enjoyment of freedom of expression and privacy globally. The Principles describe key commitments in the following areas: Freedom of Expression; Privacy; Responsible Company Decision Making; Multi-Stakeholder Collaboration; Governance, Accountability & Transparency.
- o **Implementation Guidelines** that provide further details on how participating companies will put the Principles into practice. The Implementation Guidelines



describe a set of actions which constitute compliance with the Principles and provide companies with guidance on how to implement the Principles.

- o **A Governance, Accountability and Learning Framework** founded on the notion that an organizational and multi-stakeholder governance structure is required to support the Principles and that participating companies should be held accountable for their role in the implementation of the Principles through a system of independent assessment.

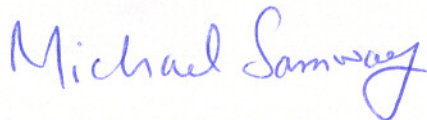
As you made clear in your letter, events around the world make a code of conduct not just ideal but essential, as companies and others work to ensure the protection of basic human rights for citizens across the globe. I assure you that at Yahoo! we are committed to seeing this effort through to a successful conclusion as swiftly as possible, and we believe our ability to offer the tools of the Internet to citizens throughout the world depends on it.

I would also like to reiterate that Yahoo! is not waiting for the launch of the voluntary code of conduct – we are already strengthening Yahoo!'s commitment to global human rights on many fronts. Over the past year, we have redoubled our efforts through the creation of a human rights fund that provides assistance to political dissidents and their families; we have implemented our own formal human rights assessment as we explore challenging markets around the world; and we have established academic fellowships at two major universities to help advance the cause of global human rights. We have also established a dedicated business and human rights program as part of our effort to make responsible decisions in the areas of free expression and privacy globally. Each of our efforts is intended to further our goal of promoting access to information, while simultaneously advancing individual rights worldwide.

The initiatives we pursue at Yahoo! are intended to protect the rights of our users, improve their lives, and make the extraordinary tools of the Internet safely and openly available to people around the world. I also believe the most powerful forces to help change the policies and practices of governments around the world often reside within our own government. Jerry Yang has personally asked Secretary Rice and her colleagues at the State Department to redouble diplomatic efforts that advance the cause of individual freedoms, particularly in anticipation of the Olympics, and we hope that you and your colleagues will continue to encourage these efforts as well.

We are grateful for your continued focus on Internet freedom, and look forward to working with you as Yahoo! continues pursuing a global leadership role in the field of business and human rights.

Sincerely,



Michael Samway
Vice President & Deputy General Counsel, Yahoo! Inc.