

November 14, 2013

Marissa Mayer, Chief Executive Officer, President and Director  
Yahoo!, Inc.  
701 First Avenue  
Sunnyvale, CA 94089

CC: Dawn Airey, Senior Vice President, Europe, Middle East and Africa, Yahoo!, Inc.  
Ebele Okobi, Director, Business and Human Rights Program, Yahoo!, Inc.  
Susan Morgan, Executive Director, Global Network Initiative

Dear Ms. Mayer,

Earlier this year, the market research firm Chimigi published a study about the online habits of the Iranian public, which found that Yahoo! remains the most popular mail service in the country (at 63%, twice the adoption of its competition).<sup>1</sup> The relationship between Yahoo! and Iran represents both a significant marketing opportunity and a responsibility on the part of Yahoo! to promote safe and easy access. While we laud the company's recent announcement of support for HTTPS-by-default, we are also concerned by changes to Yahoo! services that make access more difficult. Given the company's popularity in Iran and its public commitments to promote and protect freedom of expression, we write to you in the hope that Yahoo! will remove onerous restrictions imposed on users that contravene the company's aforementioned pledges.

With the release of General License D on May 30, 2013, the Obama administration reiterated and confirmed its support for the private sector's role in protecting online expression in Iran by dramatically expanding previous authorizations on the export of information technology to include commercial services. Paragraphs (a)(1) and (a)(2) of General License D permit the transfer of services and software, respectively, that are "incident to the exchange of personal communications over the Internet, such as instant messaging, chat and email, social networking, sharing of photos and movies, web browsing, and blogging." We believe that this definition, which builds on the Treasury Department's statements from March 2010 and March 2012, fully covers Yahoo! services, including account registration and desktop software.

In light of the above, we therefore urge you to take the following steps:

***Restore the Ability to Register***

When Yahoo! revised its registration process in September 2013, it began to require users to provide a phone number for new accounts. Country codes that belong to countries sanctioned by the United States have been omitted from the drop down menu, preventing Iranians from setting up new Yahoo! accounts.

It appears that phone verification is only used to access locked out accounts.<sup>2</sup> Several major SMS gateways provide service to Iran, and competitors such as Google fully provide text message verification

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<sup>1</sup> <http://theiranproject.com/blog/2013/01/27/yahoo-leads-the-email-market-in-iran/>

<sup>2</sup> <http://weblog.nabi.ir/post-31.html#comments>

support for the country. We request that Yahoo!'s registration process either support Iranian phone numbers or provide alternative processes for backup access, so that Iranians can continue to use and access Yahoo! services. Without these changes, Yahoo! has effectively imposed a ban on new registrations for users in sanctioned countries where the governments themselves attempt to block access to information.

### ***Allow Download of Yahoo! Messenger Desktop Client***

When the Treasury Department released its "Interpretative Guidance on Internet Freedom in Iran" for the Persian New Year last year (March 2012), Yahoo! Messenger was specifically cited as an example of software that fell within the scope of the authorizations on personal communications (31 CFR §560.540).<sup>3</sup> The Yahoo desktop client remains popular in the country because its voice and video calling services perform better than competitors during periods of government throttling of connectivity speeds and increased censorship of communications channels. But visitors from sanctioned countries are forced to download the software from questionable sources, since the official site denies access to the desktop client and redirects them to the web client. This practice makes little sense in light of General License D and serves no purpose other than to interfere with public trust in the security of critical communications software.

Under your leadership Yahoo! has made clear public statements committing itself to protecting free expression and privacy, especially in countries like Iran where these rights are routinely violated by the government. Human rights organizations and activists came together to secure some of the most sweeping exemptions to sanctions in history to ensure safe user access to personal communications technologies like the ones offered by Yahoo!.

Given this unanimous and broad base of support, it is now time for Yahoo! to act quickly in order to protect access for the Iranian people.

Signed,

Access  
ASL19  
Electronic Frontier Foundation  
Human Rights Watch  
International Campaign for Human Rights in Iran  
National Iranian American Council  
New America Foundation's Open Technology Institute  
Public Affairs Alliance of Iranian Americans  
United for Iran

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<sup>3</sup> <http://www.treasury.gov/press-center/press-releases/Pages/tg1456.aspx>