

“For Security Reasons”

A Gulf Labor Report

(July 2015)

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Saadiyat Snapshot

Five years after the Gulf Labor Coalition began its work, we are publishing our second field report. In the last several months, we have seen increased activity on each of Saadiyat's high cultural projects. The Guggenheim Abu Dhabi has issued tenders for its main construction contract, the British Museum is loaning its historic artifacts to the Sheikh Zayed National Museum,¹ and the Nardello report into compliance violations incurred in the construction of the NYU Abu Dhabi campus revealed that a full third of the workforce was excluded from the university's labor protections.² On June 8, 2015, an unnamed Pakistani employee died inside the Louvre Abu Dhabi, as workers laboriously mounted the final "star" on its Jean Nouvel–designed dome.³ He was not the first, and will likely not be the last, fatality on Saadiyat Island; the authorities only acknowledged his death after we brought it to light, in a public letter sent to the Louvre's directors and government overseers.⁴

So, too, in the last several months, members of the coalition were barred from entering the United Arab Emirates. Now, as scrutiny of worker conditions in the UAE intensifies, we call upon the arts community to broaden our campaign and its support base.

1 <http://www.independent.co.uk/news/uk/home-news/british-museum-criticised-for-loaning-artefacts-to-abu-dhabi-organisation-accused-of-abusing-rights-of-workers-10293090.html>

2 <http://www.theguardian.com/global-development/2015/apr/24/nyu-compensate-thousands-migrant-workers-abu-dhabi-complex-nardello-report>

3 <http://blogs.artinfo.com/artintheair/2015/07/16/louvre-abu-dhabi-admits-worker-death-after-gulf-labor-letter/>

4 <http://gulflabor.org/2015/letter-to-louvre/>



Selling the Saadiyat Dream (Gulf Labor)

Overview

In the summer and fall of 2014, the GLC decided to extend its program of “in-country” investigative research. A series of field trips were planned, to India in December 2014, and to the UAE in March and May 2015. In the fall, in the course of planning these visits, the GLC was invited by curator of contemporary art Okwui Enwezor to participate in the Venice Biennale. In our response to Enwezor’s invitation, we shied away from creating a physical installation or work of art, and proposed instead that our research, field visits, and resulting report would constitute our contribution to the exhibition.

These field visits built on the knowledge gathered during Gulf Labor's March 2014 trip, allowing our 2015 teams to follow up on lines of inquiry initiated at that time. Like our May 2014 report, the objective of this report was to document the findings in the field. Interviews with workers and visits to labor camps served three main purposes. First, they added to the growing picture and store of data on local working conditions. Secondly, they reinforced our capacity to investigate and rebut, with our own first-hand data, many of the sanguine claims and assertions that the Guggenheim, Louvre, NYU, TDIC, and various state officials have made about worker treatment. Thirdly, they helped establish new lines of communication between Gulf Labor and workers, migrant worker organizations, and activist groups based in sending countries.⁵

The decision of the UAE authorities to deny entry to Andrew Ross in March 2015, and to Walid Raad and Ashok Sukumaran in May 2015, also shifted the tenor of Gulf Labor's engagement in the region. The UAE crackdown on speech and assembly, which was heightened after the Arab Spring and resulted in the jailing of dozens of dissenting residents (citizens and non-) now extended to our own ranks. Officially, our Gulf Labor members had been denied entry "for security reasons." The invocation of this hazy catchall term parallels its broader use by government authorities and security managers all around the globe, and not solely in the UAE, to limit reporting on a variety of politically sensitive issues.

⁵ In addition, Gulf Labor West (an offshoot of the GLC comprised of artists from cities in the US, Canada, and Mexico) interviewed workers, especially women in domestic services and maquiladoras in the US-Mexican border region of Tijuana and San Diego.

These outcomes were not entirely surprising. Raad, Ross, and Sukumaran were on the field research team that had been invited to meet with TDIC officials and tour the Saadiyat Accommodation Village in March 2014, and they had been followed while visiting other Abu Dhabi labor camps. Other investigators of UAE migrant labor conditions have also recently been barred or deported.⁶ Media coverage of these Gulf Labor bans was singularly extensive, and brought an ever larger public into the orbit of the campaign. Professional organizations in the educational academy and in the artworld produced strong statements of support for us and condemnation of the UAE's censorious actions. Allied labor organizations stepped up their advocacy campaigns. So, too, the further announcement of criminal investigations into corruption at FIFA brought added scrutiny of migrant labor conditions in the Gulf, in advance of preparations for the 2022 World Cup in Qatar.⁷

In March 2015, exactly four years after the Gulf Labor campaign went public with the call to boycott the Guggenheim Abu Dhabi, we presented the museum foundation with a three-point proposal. We offered to lift the boycott if our recommendations were taken up and positively acted upon. These recommendations were reimbursement of recruitment fees through a debt settlement fund, establishment of a living wage, and worker representation.⁸ The Guggenheim failed to respond by our deadline, even as the release of the Nardello report, commissioned by NYUAD and its Emirati partner Tamkeen, confirmed allegations of labor violations brought forth by the media and

6 <http://www.nytimes.com/2015/05/29/opinion/art-and-hypocrisy-in-the-gulf.html>; and <http://www.newsweek.com/under-surveillance-abu-dhabi-reporters-saga-being-followed-bribed-and-317627>

7 <http://www.nytimes.com/2015/05/27/sports/soccer/fifa-officials-face-corruption-charges-in-us.html>

8 <http://gulflabor.org/2015/glc-03-04/>

human rights groups—including the GLC—and verified that the university’s monitoring system had been badly flawed.

By the beginning of the summer, urgent questions about the tenability of the museum’s Abu Dhabi branch were being asked in the Guggenheim Foundation boardroom. After the pressure exerted by the two G.U.L.F. occupations—the first on May Day in New York, at the Guggenheim’s flagship Fifth Avenue museum, and the second a week later at the Venice branch of the museum during the Biennale opening—the Guggenheim Foundation trustees finally agreed to a meeting. This meeting between GLC and Guggenheim board members was convened in early June, and, after several hours of discussion, a joint commitment to work together on a set of common goals was generated. These goals were tied to the Gulf Labor proposal delivered to the museum officials in March 2015.

In the course of our five-year campaign, we have kept up a dialogue with the museum’s artistic directors, and with TDIC officials, as well as with international organizations such as Human Rights Watch, International Trade Union Confederation (ITUC), and the International Labour Organization (ILO), among others. Despite repeated assurances that the Guggenheim Foundation and TDIC shared our goals, they have yet to deliver any tangible results on behalf of workers. The new meetings with the trustees extend our longstanding efforts to try every avenue available to us in engaging the museum. In this case, since the board is ultimately accountable for the Abu Dhabi project, we have the assurance of speaking with a group that has the power to significantly improve the lives of the workers building the museum.

In the report that follows, we summarize our recent field research in India and Abu Dhabi (based on interviews with more than 50 workers) and reflect on the implications of the travel bans placed on our members in order to explain why we must extend our campaign to include the Louvre Abu Dhabi, and other Saadiyat projects by calling for broader support from the artworld. The report is being issued in the months before the commencement of the final construction phase of Guggenheim Abu Dhabi, and during a period of increased leverage and critical importance for the campaign. Gulf Labor's first report in 2014 already contained several recommendations about Saadiyat Island that are now topics of discussion with the trustees. In the following pages, we provide further support for these recommendations, and also expand the scope of our inquiry to the villages, towns, and cities in India and across South Asia where migrants begin their journey to the Gulf.

In the Field—India

The first field trip, to India, between December 2014 and January 2015, took Gulf Labor researchers to several regions across the country. Migration to the Gulf from India has a long history that predates the first oil boom of 1973. However, it is only in the aftermath of the oil and real estate booms of the last four decades that there has been a mass migration of Indian workers to the region. There is a significant amount of research on this topic that we consulted in setting up our study.⁹ The original goal was to make

⁹ The scholarship is most extensive on migration from Kerala to the Gulf. For example, see: <http://www.cds.edu/research/research-units-and-endowment-funds/union-ministry-of-overseas-indian-affairs-research-unit-on-international-migration/>

contact with, and interview, workers who had been deported from Abu Dhabi as a consequence of the strikes of 2013 and 2014. But in the course of travels to Kerala, Telangana, Uttar Pradesh, and Bihar, while stopping off to interview in the industrial zones around Delhi, we also gathered stories about the circuits of internal migration within India. Economic restructuring over the last two decades has accelerated the uprooting of rural populations and set them in motion toward industrial zones and megacities where their contingent labor is often employed to undercut the security of local workforces.¹⁰

Some of the conditions of work and life for these internal migrant communities are shared by those who go overseas to pursue the “Gulf Dream.” While the aspirations of those who traveled to the UAE may be perceived to be on a grander scale, the two circuits of migration are not disconnected; economically distressed workers from West Bengal, Jharkhand, and Bihar, for example, migrate to the south of India to fill the jobs vacated by Gulf-bound Keralites. The socio-economic segregation and the hyper-exploitative labor conditions for internal migrants engaged in construction, manufacturing, and a range of low-wage services have generated spontaneous protest movements and other organized efforts by labor and social movement activists. We found that activists working on labor issues within India see a natural connection to

¹⁰ The factors affecting rural migration are numerous and vary from place to place. They include the impact of climate change on traditional livelihoods, devaluation of traditional forms of agricultural cultivation, and policy changes at federal, state, and local levels that adversely affect small-scale agricultural production or subsistence-based farming. The rise in remission-based economies in areas of high migration also add to this dynamic of the devaluation of traditional forms of agricultural work and land use.

transnational migrant labor activism—especially in relation to advocacy for the millions of Indian workers in the Gulf.

Turning to the interviews with returned migrants, all the workers we spoke with went to the Gulf in search of better opportunities for paid work, expecting higher wages than what they could earn at home. Regardless of the outcome, most were proud of how hard and long they had worked during their stints in Qatar, the UAE, Saudi Arabia, and elsewhere, and wished only that they had been paid fairly and treated with dignity. It became clear from our interviews that caste, class, and ethnic networks had reproduced hierarchies of privilege within the terms of work and wage levels in the Gulf. Outside of a small number of “semi-skilled workers” we spoke with in Kerala, few of the “unskilled” managed to deliver substantial improvements in the economic situation of their families, or even come out of their multi-year stints in the Gulf with savings of any kind after repaying recruitment debts and covering household expenses and children’s schooling.



Returnee Indian migrant workers, Narsingapur, Telangana (Gulf Labor)

Most workers reported that their wages had been significantly lower than promised and that they had routinely been deceived about the terms and conditions of the employment on offer, both by recruiters and employers. They also reported a “dual contract” system whereby the contract they signed in India meant little in practice on arrival in the Gulf. Typical outcomes included sudden changes in type of work, longer hours, unpaid overtime, lengthy stints without pay, and unexpected expenses incurred from illness and work-related injuries. The emotional toll of being separated from their families for several years weighed heavily against whatever financial returns had been eked out. This was particularly the case with unskilled Dalit migrants from Telangana. As

is also common in Nepal and Bangladesh, they borrowed against their small land plots to get to the Gulf and often found themselves pursuing work in the informal economy as day laborers. Routine wage theft and underpayment, coupled with, in many cases, informal high-interest loans left them with little extra to show for their time and labor in the UAE. Yet, in some cases, even workers who had very negative experiences were willing to try their luck again in a different Gulf country, hoping for a better outcome.

In the regions of Uttar Pradesh and Bihar, there is currently an upsurge of worker militancy and Dalit and Adivasi (indigenous community) uprisings. We speculated that this may help to explain why we found that migrants from these “backward caste” communities were more likely to resist the cruel and unjust work conditions they encountered in the Gulf, and to participate in informal actions and strikes. (Alternately, we found evidence that the experience of hardship in the Gulf was cause enough to politicize workers, regardless of their origin.) However, in contrast to Kerala and Telangana, these Northern states have not seen the emergence of migrant worker organizations through trade unions or NGOs, and so aggrieved workers have little recourse. Moreover, it became clear from our interviews that Indian government officials, such as the POE (Protector of Emigrants) in the Ministry of Overseas Indian Affairs (MOIA), or the Indian Embassy and the IWRC (Indian Workers Resource Center) in the UAE, do very little to protect the migrants. As a result, the overwork, poor safety standards, and work-site conflicts in the Gulf inevitably resulted in a pattern of wage theft, detention, and deportation. Additional research conducted by Gulf Labor members in Nepal has yielded nearly identical patterns of migrant worker experiences.

In the Field—Abu Dhabi

On Saadiyat Island itself, our team was able to talk to a variety of workers engaged on the Louvre, NYUAD, Saadiyat Villas, and the Manarat Al Saadiyat, which was also serving as a temporary exhibition structure for the Guggenheim and Louvre. Counter to the TDIC rule that all workers must live in the Saadiyat Accommodation Village (SAV), our team found and interviewed Al Jaber workers who were being housed in Mafraq Workers City, on the outskirts of Abu Dhabi. Their daily commute of three hours or more meant that their workday stretched well beyond the eight-hour maximum (not accounting for overtime) and left them little time for themselves. Since the food in Mafraq was unacceptable to them, almost all of that non-work time was devoted to finding and cooking costly alternatives, which sliced into their wages. Food strikes are common; many of the Arabtec workers deported for striking in 2013 were demanding a monthly food allowance of 340 dirhams (\$92) as an alternative to the food on offer in the camps. According to workers housed in the SAV, food quality continues to be a contentious issue and does not seem to have improved substantially since our visit in 2014, even though the camp is under new management, and a new caterer has been employed. Workers complained about rumored chemical additives, stale chapatis, and undercooked meals in much the same way as they had done the previous year.

Even aside from these chronic problems with food, the SAV itself was not a popular choice. Because of the night curfew, social isolation, and constant surveillance, some of the interviewees said that they would actually prefer to be housed in Mafraq, in spite of the commute (a “gift” of extended working hours to their employers), because they could access a range of informal commercial and social activities—from “alternative” food to haircuts and shaves, gym facilities, and mosques—outside the residential compound. They reported that it felt more like a city, and, despite the distance, it was still easier to access Abu Dhabi from there. On our visit to the Manarat, a public relations official overseeing the “Saadiyat Experience,” an interactive exhibition promoting the cultural district, blithely informed us that although “activists claim the workers are badly treated,” he himself had played cricket tournaments in the SAV with the Manarat’s security guards, and that the living standards were so good that even he would like to live there. As it happens, we also interviewed the guards he mentioned, and they told us that, contrary to TDIC policy, they lived in Mafraq Workers City.



On the Road to Mafraq Workers City (Gulf Labor)

These findings added a new dimension to the observations in our first report about whether the mass labor camp, increasingly favored by the UAE authorities and their GCC counterparts, is wholly in the interests of workers. Tens of thousands of Abu Dhabi laborers live in each of the Mafraq Workers City compounds, while Qatari authorities are building seven cities to house more than a quarter-million World Cup worker. One of them, called “Labor City,” will house 70,000 people in 55 buildings, and will include a mall, a jumbo mosque, and a 24,000-seat cricket stadium.¹¹ The building of these vast complexes is typically promoted in a high-profile way as the government’s good faith

¹¹ <http://www.theguardian.com/world/2015/may/06/qatar-builds-seven-cities-to-house-258000-world-cup-migrant-labourers>

response to international criticism of worker conditions. While the accommodations and infrastructure are more shipshape than the existing labor camps (the rent that contractors are charged for each employee housed in the SAV is more than the salary that worker earns), the level of security is much higher. This further restricts access to friends, family, and investigators, and enables such camps to function as detention facilities—as happened at Jebel Ali’s Camp 42 after the 2014 BK Gulf strike.

The camps tend to be in remote locations, so the chances of any interaction, let alone integration, with other classes of migrants from South Asia and elsewhere—much less with Emirati society—are non-existent. It was not uncommon for us to find workers who had spent many months in the UAE whose only experience of Abu Dhabi was through the road they traveled between their camp and their work site. On the other hand, the mass co-existence of workers in one place is a spur to collective organizing—these conditions make it easier to communicate about grievances and strike actions, and to bolster the shared perception that strength and mutual protection lies in numbers.

On a less orchestrated tour of a labor camp in the Jebel Ali industrial area, one camp boss revealed how his company specifically employs workers left in the lurch by defaulting or bankrupt companies (a common occurrence in the UAE due to the recent, and general, slowdown in construction projects). His firm pays special attention to the quality of food, and keeps an open door for one-to-one counseling and collective redressing of complaints. He reported that employers had a free rein when it came to deciding wage hikes and bonuses; for example, a one-time bonus issued at the time of Eid could go a long way toward repayment of workers’ recruitment debts.

Worker advocates, media organs, and the interested public tend to focus unduly on the quality of labor camp accommodations. The grisly spectacle of substandard housing gets good press because it is visible or tangible, and because it violates norms of decency, hygiene, and propriety. Yet our field interviews continue to show that the quality of accommodation ranks well below other factors in workers' own priorities. Underpayment is far and away the primary concern. Migrants come to the Gulf to earn as much as they can, and their grievances are sharpened when compensation is discounted and promises are broken, and when back pay and paid leave is denied outright. Reimbursement of recruitment fees, which is required of Saadiyat Island contractors under the terms of the TDIC's Employment Practices Policy (EPP), rarely occurs. As part of its 2014 monitoring report, PricewaterhouseCoopers (PwC) recorded that 93 percent of the workers interviewed did not receive reimbursements while the remaining 7 percent received partial payments at best.¹² According to the Nardello report, although 85 percent of NYUAD workers said they had paid recruitment fees (making more than 25,000 workers potentially eligible for repayment), Tamkeen's interpretation of the university's Statement of Labor Values disqualified almost all the workers from receiving any reimbursement.

Estimates of how much workers are paid vary greatly. Skills, seniority, ethnic differences, countries, and region of origin are all taken into account. For example, laborers from Bangladesh and Nepal are generally worse off than most Indian or Pakistani migrants, and their average recruitment debt is significantly higher. The minimum wage of 800 dirhams (\$217) set by the Indian embassy in 2011 was put into

¹² <http://www.saadiyat.ae/en/news-details/new/20/PricewaterhouseCoopers-Publishes-the-Third-Annual-Report-on-TDICs-Employment-Practices-Policy-and-Compliance-Monitoring>

practice only last year, and multiple violations were noted in our 2014 report. Unlike Filipino workers who had access to some protection and services from their embassies, South Asian workers across the board know they can expect very little from their own national representatives in the region.

In June 2015, in what is positioned as an effort to minimize fraud and exorbitant recruitment fees, the MOIA announced an “e-migrate portal” mandating all foreign employers from GCC countries who employed 25 to 150 workers to recruit exclusively via this portal. According to the new rules, approved employers will have to outline the terms of work, and these will be held as conditions for a work contract. It remains to be seen if this newly transparent process will result in a significant change in recruitment patterns, or mitigate the many problems faced by workers once they arrive in the UAE.

Similarly, in July 2015, the Department of Foreign Employment (DOFE) in Nepal established a controversial zero-cost migration policy, which demands written guarantees that the employer will provide air tickets and cover visa fees. However, according to Gulf workers we interviewed in Mumbai, officials at the Indian Embassy in the UAE themselves are known to exhort workers to amicably “settle” grievances with their *kafeels* (sponsors), with embassy officials often playing middleman. Many workers we spoke with, both in Mumbai and UAE, reported that the Philippines Embassy was known to be the most supportive; case files were regularly sent to Ministry of Labor by a representative from the Embassy. One UAE-based Pakistani worker, who had prepared his own case file with copious receipts and proof of underpayment for his work in the UAE for over 19 years, expressed more confidence about self-representing his case to the

Dubai Ministry of Labor than if he were to hire a lawyer or go through the Embassy.

Another interviewee—a young Bangladeshi lawyer—spoke of handling a lot of cases for Bangladeshi workers at the Abu Dhabi labor court, and confirmed that none of them were *pro bono*; the worker would have to bear full costs of legal counsel. He mentioned that cases for Saadiyat workers were often summarily dismissed by the courts: “Saadiyat is a touch-me-not island,” he observed, “there are many powerful people behind its development at every stage.”

Employers and managers strategically manipulate ethnic and religious differences (over food preferences, for example) to divide workers within camps. Most workers we spoke with were paid less than \$300 per month. This is consistent with the Nardello report, which reported that the average wage for the 30,000 workers employed on the NYUAD site was \$217 per month. Asked what a fair basic wage would be, workers we spoke with responded with an estimate, on average, of between \$450 to \$500, or what would amount to a 60 percent increase on the current median. Needless to say, the best way to assess what constitutes a living wage is to allow workers to determine this for themselves. Just as employers and state officials speak for themselves without intermediaries, it makes sense for workers to determine and express for themselves the bases of their financial, physical, and emotional well-being. Implementing a living wage policy transnationally is already a core component of the ILO’s ongoing campaign in sectors like construction, domestic work, garment manufacturing, and more.¹³

13 For example: <http://courses.itcilo.org/A906119/documentation/ilo-studies-papers/Moving%20towards%20DWDW%20Overview%20of%20ILOs%20work.pdf>

Yet hiking pay to the level that meets workers' perception of what is fair would still not fully account for the wage depression generated by the *kafala* system. In its complaint to the ILO, the ITUC described *kafala* as a system of "forced labor,"¹⁴ while a neoclassical economist might call it an "extreme distortion" of the market wage. So would the workers' estimate be a bona fide living wage? Experts on the topic argue that a living wage should cover not just basic necessities, but also provide for recreational needs. More generous, or high-minded, estimates assume that a certain level of freedom from want is a requirement for exercising political liberty, through the ability to participate in civic life without fear of reprisal.

In the case of the UAE's non-citizens, especially low-wage laborers, who are included in civic accounting only as non-participants, and who have minimal access to the courts and judicial process, this kind of political liberty may be no more than a mirage in the desert. Even if non-citizens had access to the courts, the UAE's judicial system "faces challenges that negatively affect the delivery of justice, the enjoyment of human rights and the public's confidence in the judiciary," as stated in the 2015 Mission Report of the UN Special Rapporteur on the independence of judges and lawyers in the UAE.¹⁵

Operating under a crushing debt burden and threat of deportation, any legal avenues for claiming, let alone exercising, basic rights are slender. Under these circumstances, the security of getting paid fairly and on time is a minimum condition of a dignified life for migrant workers. But the very concept, and the reality, of a living wage

14 <http://apflnet.ilo.org/news/un-investigating-slavish-treatment-of-migrant-workers-in-uae>

15 See A/HRC/29/26/Add.2 at

<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Pages/ListReports.aspx>

suggests a surplus, or margin, beyond the subsistence level of compensation. For migrant workers, and not just in the Gulf, there is an intrinsic social worth to being valued at a higher level than the marketplace price for their labor, and especially when that price has already been driven down by the restrictive, if not indentured, conditions of the visa sponsorship system. If they are merely earning the “efficient wage” regarded by managers as the price that guarantees a steady labor supply, then that is how they are viewed—as a demand good, even a commodity. Higher-paid workers have more of a claim to recognition from the host society as is evident with tailors, small-time entrepreneurs (e.g., cafeteria owners), higher paid clerks and office workers, and professionals and business people who make up the significant number of the more privileged South Asian, Arab, and European migrants in the region.

How that recognition gets parlayed into a rights claim is less certain. So, too, piecemeal worker welfare reforms in the *kafala* system, which we have seen in Bahrain, Kuwait, Saudi Arabia, and Qatar, do not always deliver meaningful legal changes, much less even economic effects.¹⁶ For example, a 2011 UAE reform allowed workers to transition to a new employer upon contract expiration without permission from the initial sponsor. According to a study by labor market economists, the reform produced an increase in incumbent migrants’ earnings, from 50% below the market wage before 2011 to 25 percent below in the years since.¹⁷ But the changes proved detrimental to new migrant workers, who faced a higher entry bar, and whose overall earnings did not budge.

16 See sidebar: <http://www.migrant-rights.org/2015/03/understanding-kafala-an-archaic-law-at-cross-purposes-with-modern-development/>

17 Suresh Naidu, Yaw Nyarko, Shing-Yi Wang, “Worker Mobility in a Global Labor Market: Evidence from the United Arab Emirates,” NBER Working Paper No. 20388 (August 2014), at <http://www.nber.org/papers/w20388>

Omnibus reforms are needed to avoid these uneven impacts. That is why our three-point proposal to the Guggenheim combined debt relief, wage increases, and the right to independent worker representation (ideally, with workers electing their own representatives), in the understanding that these provisions are interdependent.



Gulf Labor member with Arabtec worker, Jebel Ali, Dubai (Gulf Labor)

In the meantime, and not surprisingly, given the lowering of wages and deteriorating work conditions, workers continue to take action for themselves. The BK Gulf strike covered in our 2014 report made headlines this year in a *New York Times*

front-page story about labor violations at NYUAD.¹⁸ Just before our team visited in March, over 200 workers broke the barricades of the construction site near the Downtown Dubai mall, and blocked traffic on Financial Center Road when overtime pay rates were cut. In April, workers in Ras Al Khaimah protested by destroying their construction site equipment and torching 17 cars after an Indian worker fell to his death. Just after our team left Abu Dhabi in March 2015, a strike occurred at Saadiyat Beach Villas in the northeastern part of the island. These workers (who were housed in Mafraq and not in the SAV—again contrary to TDIC policies) had numerous grievances. An independent researcher reported to us that they were owed back pay and were not receiving overtime pay, their health insurance cards had expired, their passports were held by the employer, none of their recruitment debts had been paid, and the food on offer was often past the expiration date. Many suffered recriminations as a result of their strike participation, the strike leaders were effectively “turned” into management allies, and the promises made to end the strike were not kept.

Spontaneous actions like these are common, but are almost never reported. In a rare occurrence, the Dubai strike was mentioned in the UAE press, but probably because it involved a highly visible protest in a downtown location.¹⁹ Police abuse of strikers is never acknowledged in the press, even though it has been a routine response to work stoppages. Notably, the Nardello report had nothing to say about the violence meted out to the BK Gulf strikers. Breaking the silence about this use of force is a way of acknowledging, and directing attention to, the courage and determination shown by

18 <http://www.nytimes.com/2014/05/19/nyregion/workers-at-nyus-abu-dhabi-site-face-harsh-conditions.html>

19 http://gulfbusiness.com/2015/03/workers-stage-strike-downtown-dubai-wage-issues/#.Vawvp_mzmxY

workers in the face of such brutal measures. Forging solidarity with them to achieve real worker agency is a step further.

Restricted Movements

What are the consequences of the UAE state's decision to exclude Gulf Labor members? On the one hand, the travel bans on us were no different from the prohibitions on others: Firstly the South Asian, Southeast Asian, and Arab and African workers who were arbitrarily deported with little recourse. Next, the numerous Arab "stateless citizens" and activists living in the UAE who were deported in the wake of the Arab Uprisings of 2011.²⁰ Lastly, more high-profile European journalists like Sean O'Driscoll, and investigators like Nick McGeehan from Human Rights Watch and James Lynch from Amnesty International, all of whom were barred or deported recently from the UAE for reporting on migrant labor abuses. Excluding labor advocates from access to workers or workplaces is a commonplace response of employers and complicit officials everywhere, and it is only the least extreme—the historical record of labor organizing is littered with assassinations, torture, and lifelong imprisonment well beyond the Persian Gulf.

But the Gulf Labor bans attracted an extra layer of public attention. They were widely seen as a direct curtailment of artistic and academic freedoms that are fundamental to the cultural institutions trying to establish themselves in Abu Dhabi. For example, Sukumaran had not only been invited to the Sharjah March meetings in March 2015, but also had been invited by an NYUAD professor to mentor students in an Art

²⁰ <http://bostonreview.net/world/katie-cella-united-arab-emirates-stateless-citizens>

course for a collaborative project engaging with the concerns of NYUAD workers. The invitation to attend the concluding week of the course was suddenly withdrawn, as perhaps both NYUAD students and faculty anticipated limits to their own academic and artistic freedoms. This news was soon followed by the denial of a visa to Sukumaran.

Gulf Labor was founded on the demand that the rights of those who construct the museums and classrooms ought to be secured at the same time as those of the artists, teachers, and students who use those buildings. From the outset, administrators at the Guggenheim or NYU had to be pushed hard to acknowledge any responsibility for the laborers' rights, but they were openly confident that their Emirati partners would respect the artistic and academic freedoms at the core of the respective missions. The travel bans proved how ill-founded this optimism had been. Nor did these institutional leaders take strong positions against the restrictions, further reinforcing the appearance of complicity in the UAE's illiberalism. Not only had the core freedoms been infringed, but the UAE authorities seemed to have thought very little about embarrassing the Guggenheim and NYU, leaving their administrators in the inconvenient position of conceding that they had no influence over decisions about whose freedoms would be sanctioned or censored.



Louvre Abu Dhabi dome under construction (Gulf Labor)

In May 2015, 60 leaders from cultural institutions around the globe, including MoMA and the Tate, signed a letter protesting the entry bans on Gulf Labor members.²¹ The letter followed several other statements from museum and artist associations: the International Committee for Museums and Collections of Modern Art (CIMAM); the Association for Modern and Contemporary Art of the Arab World, Iran, and Turkey (AMCA); *L'Internationale*, a European confederation of six modern and contemporary museums; six high-profile Documenta curators; and a petition signed by almost all of the participating artists in Sharjah Biennial 12. Academic organizations, including the

²¹ <http://gulflabor.org/2015/letter-from-sixty-curators-critics-and-museum-directors-to-uae-art-institutions-and-their-affiliates/>

American Association of University Professors, the Committee for Concerned Scientists, and the Middle Eastern Studies Association issued similar letters after the ban on Ross.

Unless there is a concerted effort by those within the UAE, including the newly developing cultural institutions, to resist this pattern of direct censorship, the crackdown on any reporting of violations of human and labor rights will continue, and may well intensify. Yet we hear anecdotal evidence about power struggles within the ruling families over the exact course of UAE's development, and can only assume that there is a tug of war between factions who favor liberalization and the hardliners who want to retain tight control over all aspects of nation-building in the Gulf states.

State managers have their own priorities to pursue, but liberal academic and artistic institutions depend, for their long-term reputation, on the promotion of critical thought and debate. The ability of NYU and the Guggenheim to operate in illiberal Abu Dhabi has been closely watched on account of the common suspicion that the university and museums would be there to serve simply as window-dressing. No doubt, the Gulf Labor bans have gratified those who never believed otherwise. But there is no reason for self-satisfaction on our part, not when the result directly obstructs our capacity to be in the field to promote support for workers. Nor can we ignore that the speech being targeted for censure is so categorically tied to a cause. In the academy, advocacy research of this kind is often demarcated as sub-legitimate, and in the artworld, as beyond the usual vocational concerns. All the more easy to portray it as falling outside of the typical range of intellectual and artistic inquiry, and therefore somehow less deserving of the speech protections at the core of these professions.

A similar kind of boundary marker is used in the cultural industries to separate creative labor— “the talent”—from “below-the-line” technical and manual workers who can display craftsmanship at best. These are class-bound partitions, arguably the most difficult for activists to span, and, in the case of low-wage workers migrating from afar and transferable from week to week, even more challenging. In this regard, the travel bans came as a mixed blessing. On the one hand, the widespread condemnation of the UAE’s heavy-handed restriction of free inquiry threatened to divert attention from the much more extreme hardships confronted by workers and those residing in the UAE whose speech is being restricted. On the other hand, the bans highlight the key links between the curtailment of expressive freedoms of cultural workers and the minimal rights of migrant workers who are building homes for art and culture on a desert island.

Coda

Five years into our campaign, and after hundreds of meetings and interviews, it remains quite clear to us that workers on Saadiyat Island (let alone elsewhere) know their interests best. The existing regulations, policies, and laws that curtail workers’ abilities to represent their own interests can be dissolved. Examples of how to do so abound, and there are many partners available and willing to help bring this about. Before the final phase of museum construction begins, the Guggenheim Foundation and its Emirati partners have the opportunity to do the right thing, and avoid further tarnishing their name.



*The place in the Louvre building where a young Pakistani worker died on June 8, 2015
(Gulf Labor)*