

May 26, 2009

Sarah Leah Whitson
Executive Director
Middle East and North Africa Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118

Dear Ms. Whitson:

The Solomon R. Guggenheim Foundation has great respect for the important role that Human Rights Watch plays in bringing attention to issues impacting the rights and conditions of workers. We have carefully reviewed the report released on May 19th and continue to be committed to engaging in a constructive dialogue with the Tourism Development & Investment Company (TDIC) to address the issues that Human Rights Watch raises. We commend some of the initial steps TDIC has taken that have been noted with favor in the report and hope for continued progress on the other key issues. We remain dedicated to working with TDIC to protect the rights of the people who will build the Guggenheim Abu Dhabi Museum.

TDIC is responsible for the construction of the Guggenheim Abu Dhabi Museum, which is not scheduled to begin until late in 2009. Although the Guggenheim will have input into the design and development of the museum and will play a critical role in programming and curatorial matters and in operating the museum after it is built, it will not be a party to the principal agreements governing the construction of the museum, and will not hire or manage the contractors, architect or engineers. TDIC has, however, agreed to work with the Guggenheim to ensure, as our agreement requires, that all contractors TDIC hires to construct the museum will be of high integrity and that the general contractor will be of international standing. The selection process for contractors has not begun but TDIC has recently reaffirmed its commitment to respect the requirements in the agreement with the Guggenheim relating to the selection of contractors for the Guggenheim Abu Dhabi.

As we have discussed with Human Rights Watch and as is acknowledged in the report, many of the issues that have been highlighted are addressed by existing United Arab Emirates laws. The Guggenheim Foundation's agreement with TDIC requires both TDIC and the contractors it hires to comply with those laws. We share Human Rights Watch's concerns about enforcement of these laws but are encouraged by TDIC's formation of an in-house department of Employment Practices. We hope to meet with the department well in advance of the start of the museum's construction to urge them to develop and implement a proactive plan to monitor and address the conditions of workers who are

involved in the construction of the Guggenheim Abu Dhabi Museum. We believe that it is in the mutual interest of TDIC and the Guggenheim to address issues actively before construction begins.

Furthermore, under the Guggenheim's agreement with TDIC, upon opening, the Guggenheim Abu Dhabi Museum is to adopt employment policies and standards that are consistent with those adopted by the Guggenheim museums in New York and Bilbao, with international museum standards, and with the laws of the United Arab Emirates. The Guggenheim will play a key role in collaborating to develop these policies and standards.

We would like to address Human Rights Watch's erroneous assertion in the report that "Of the institutions that discussed workers' rights with us, the Guggenheim and the French Museum Agency said that they felt hampered by pressure from TDIC to remain silent on the issue." The Guggenheim did not make this statement and TDIC has never pressured the Guggenheim to remain silent. In a series of very constructive conversations with our colleagues in Abu Dhabi, we have been explicit about our concern for human rights and fair labor practices. Protecting the rights of workers who will be working on the construction of the Guggenheim Abu Dhabi Museum has always been, and continues to be, a serious topic of conversation with TDIC.

The Guggenheim Abu Dhabi Museum is an historic, bridge-building project. The Guggenheim Foundation believes that one of the most effective ways to have a long-term positive impact on peace and human rights is to open the door to unprecedented cultural exchange. While we may not be able to solve every issue, we can have a dramatic and lasting impact if we engage in a long-term dialogue about a broad range of critical matters, including the conditions of workers. One important aspect of our contribution in the region will be, working with TDIC, to promote the just and respectful treatment of those individuals who will build the Guggenheim Abu Dhabi.

Sincerely,

A handwritten signature in black ink that reads "Richard Armstrong". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Richard Armstrong
Director, Solomon R. Guggenheim Foundation and Museum

cc: Lee Tabler, TDIC
Bassem Terkawi, TDIC