

International Court of Justice (ICJ), the International Tribunal for the Law of the Sea (ITLOS), international criminal tribunals and regional human rights courts, handle General Principles. Saunders' intervention in the ongoing debate on General Principles is rich, succinct, and traverses new terrains, including the various push and pulls of General Principles – are they rules, principles, or customs? Using the tetrahedral framework to develop her arguments, the duality of General Principles becomes clear (p. 137). Saunders forcefully argues that General Principles are “not simply European norms, or Western norms” (p. 274); that period of development, for Saunders, was only a certain point in time, which is necessary to understand, but the world has since moved on.

The first six chapters deal with the treatment of the historical evolution of General Principles by the international judiciary, while the seventh and eighth chapters offer a contextual discussion. This approach is familiar, but with a twist – the application of the tetrahedral framework. Throughout the discussions in the book, the ever-present tetrahedral framework of analysis reminds us of how essential the function, methodology, type, and “jurisprudential legitimacy” of General Principles are. For example, in the fourth and seventh chapters, judges at the PCIJ and the ICJ have rarely discussed the jurisprudential legitimacy criteria (or the norm content). Yet, it is a criterion that touches and shapes “all other” (p. 5) aspects of the tetrahedral framework. The book gives an account of a controversial area in international legal scholarship in order to understand the *source* of origins of General Principles and their contemporary relevance. Part of that relevance has to do with the global world in which we live, and therefore General Principles have a global function that requires taking into account other legal systems.

While Saunders recognizes that it was impossible to fully develop all her arguments in the book, this should not detract from the bigger picture of how General Principles and their dualities (principle/rule distinction, p. 270), sit within the fragmented approach of situating them at the doctrinal level and in the international judiciary. On a personal level, I suspect that since Saunders had developed some of her ideas in an earlier PhD project (most noticeably the tetrahedral model), it meant others have built upon her ideas and published their works prior to her excellent study. Nevertheless, since some of those works had “unsustainable” (p. 208) methods and applications, Saunders in her contribution manages to separate the “wheat from the chaff”.

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Business and Human Rights in Asia: Duty of the State to Protect

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Business and human rights discourse has, in the last decade, advanced to the centre of global debates on the protection of the dignity of rights-holders with an evolving focus on Asia. This monograph critically evaluates the state of business and human rights in Asia, particularly from the perspective of the responsibilities and obligations of states. It is edited by James Gomez and Robin Ramcharan, from the Asia Centre in Bangkok, which is one of the leading civil society organisations in Southeast Asia. The book is divided into three parts with thirteen chapters, each of which are written by experts from an array of business and human rights backgrounds in the region.

The editors wisely follow a mixture of substantive and geographical approaches to business and human rights. In the first part, Michael White discusses in Chapter 2 the development of national actions plans on business and human rights in Asia. Thereafter, James Gomez and Robin Ramcharan highlight the traits, impacts, and deficiencies of national action plans on business and human rights. In the second part, Nukila Evanty and Nurul Ghuftron explore business and human rights in Indonesia, and argue for normative reforms. In the following chapter, Saul Takahashi critiques business and human rights frameworks in Japan and argues for a more binding approach. In Chapter 6, through an examination of cases from Japan and Western Australia, Matthew Storey provides an account of the deficit of the free, prior, and informed consent of indigenous peoples in extractive industries. In Chapter 7, Hanh Nguyen, Min Zar Ni Lin, and Samukelisiwe Ngwenya examine the right to a minimum wage and its impact on the labour market in Myanmar. Further, in Chapter 8, Iman Prihandono and Fajri Hayu Religi debate access to remedy frameworks in Indonesia concerning business-related human rights abuses. In Chapter 9, Socheata Sao addresses the judicial and non-judicial avenues available to rights holders to enforce corporate and state responsibility for alleged land grabbing in the ASEAN member states. Lastly, the third part employs an innovative approach to business and human rights in Asia. In Chapter 10, Jonathan Woodier and Andreas Zingerle critically assess several business and human rights challenges in a smart city in the Republic of Korea. In Chapter 11, Daniel Polomski, Emily Klukas, and Matthew Mullen provide an empirical account of ethical consumptions and investigate whether consumers can bring about change in Southeast Asia.

This book discusses different case studies and provides a critical analysis of existing normative frameworks on state obligations to protect human rights together with both theoretical and practical perspectives. On the one hand, it demonstrates the concerns and plight of ordinary rights holders who have often suffered the negative impacts of business-related human rights abuses. On the other hand, it theoretically scrutinizes how states should move forward to advance business and human rights in Asia. As this book employs both bottom-up and top-down approaches, it fits nicely in the debates on recent developments in Asia, which has witnessed the adoption of national action plans on business and human rights in Thailand, Japan, and most recently in Pakistan. This book is a particularly helpful reference tool for Asian academia, civil society, and those who not only aim to work in the field of business and human rights, but who also wish to live in societies where businesses are required to pay attention to human rights, the environment, and good governance.

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