

BOOK REVIEW

## Asia and the Drafting of the Universal Declaration of Human Rights

by Robin Ramcharan & Bertrand Ramcharan Singapore: Palgrave Macmillan, 2019. 255 pp. Hardcover: €99.99

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*Asia and the Drafting of the Universal Declaration of Human Rights* is one of the pioneering works on Asian contributions to the drafting of the Universal Declaration of Human Rights (UDHR). Authors Robin Ramcharan and Bertrand Ramcharan detail the Asian values of freedom, tolerance, equality, equity, respect, and diversity in ten chapters, which focus on the drafting of the UDHR, the principles of the UDHR, as well as its implementation and future. The book's focus is on the drafting stages of the UDHR.

The authors' prime contention is that even after 70 years of the adoption of the UDHR, Asian states continue to repose faith in the UDHR both in governance and development. According to the authors, until 1993, Asian states expounded the relativist argument, which disputed the universality of the Western values of individualism on the basis of the lived experiences of Asian societies. The 1993 Bangkok Declaration was a watershed event for human rights in Asia. The Bangkok Declaration recognised that all human rights were universal and therefore must be interpreted in the context of a dynamic and evolving process of international norms. Moreover, the Bangkok Declaration reaffirmed the commitments laid down in the UDHR. These acknowledgments were contrary to the main narrative of Third-World scholars, who perceived the universal nature of human rights as an attempt to impose western practices on Asian countries.

The book discusses Asian approaches to the drafting of the UDHR. The authors point out that, whereas the Western drafters preferred a non-binding instrument, the Asian drafters called for a solid, binding legal instrument. Asian delegates argued for self-determination and emancipation (Romulo), non-discrimination and gender equality (Hansa Mehta), and the freedom of religion (Zafarullah Khan). The Chinese delegate, PC Chang, pointed out that the Western thinkers on human rights had been influenced by Chinese values.

The book also describes the Asian vision for the UDHR, which sought to bring into focus the 'new humanism' of the declaration and its universal values. The authors demonstrate that Asian values influenced concepts in the UDHR, such as the right of self-determination, equality and justice. The authors also provide a comprehensive account of the role of Asian constitutions in the formulation of the UDHR. In this respect, the authors could have delved more into the subsequent developments in terms of Asian contribution in interpreting UDHR, which would have rendered a complete picture of contemporary Asian practice. Having said that, the authors discuss the inefficacy of the regional and national protection systems with the growing human rights violations across countries, arguing that a strong state, the rule of law, and democratic accountability are fundamental for implementing the principles of UDHR.

The authors note that the implementation of the UDHR remains in its adolescence in Asia despite the Universal Periodic Review process and regional and national implementation mechanisms. The authors conclude that, even though UDHR is a non-binding legal instrument, it lays down the yardstick for all States. Several rights which are enshrined in the UDHR have also found support in subsequent human rights instruments, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and a host of regional human rights treaties. In conclusion, the authors' argument that the UDHR reflects Asian values on human rights significantly contributes to the ongoing global dialogue between on human rights norms and reaffirms Asia's stake in the UDHR.