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State Sovereignty vs. Human Rights: Amnesty International's Role in Kashmir and Palestine

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Abstract

Using Kashmir and Palestine as examples this paper investigates the ongoing disputes that exist between state sovereign powers and international human rights norms. Governments throughout both regions have pursued military occupations combined with political oppression and extensive rights violations while using national security together with territorial integrity as reasons for justification. The research utilizes Realism alongside Liberalism and Constructivism alongside Responsibility to Protect (R2P) to study Amnesty International's documentation services and its support for justice procedures and worldwide discussion promotion. Amnesty receives strong criticism from Israel and India through governmental actions which include legal limitations and shutdowns as well as charges of partisanship against the organization. The investigative reports released by the organization have brought important outcomes such as international courtroom cases as well as United Nations resolutions and grassroots level popular movements. States exercise sovereign power to protect national interests but Amnesty International serves as a vital force to expose acts of impunity and maintain public as well as legal scrutiny of human rights violations. The paper employs both case evidence and theory analysis to explore the potential boundaries as well as advantages of foreign advocacy activities in challenging circumstances that have political dimensions.

Keywords: Amnesty International, State Sovereignty, Human Rights Violations, Kashmir, Palestine, International Law, Legal Accountability, Arbitrary Detention, Apartheid, Political Repression, Responsibility to Protect (R2P), Military Occupation.



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Introduction

International relations function on the fundamental principle which gives states unrestricted control over their territories from foreign intervention. State authority to govern their territories and resources emerges directly from the United Nations Charter Article 2.1 (United Nations, 1945). State sovereignty faces direct contradiction with the norms of international human rights which protect people everywhere irrespective of their national affiliation or state control (Donnelly, 2013). Numerous states defend themselves against international investigations by using their sovereignty rights to protect their territorial borders (Cassese, 2005). Nonetheless, a limit between sovereignty and fundamental becomes questionable with examples like Kashmir and Palestine. Both of these mentioned regions till date face limitations imposed by the state, as well as a sustained military occupation and systematic human rights violations, all of which combined make sovereignty boundaries doubtful and ambiguous to be a tool of welfare for people. (Shakoor, 2024).

One of the world's most renowned non-governmental organizations Amnesty International has taken a significant part in recording these violations. This organization has been involved in consistent fact finding missions to uncover forensic evidence and develop a basis for legal analysis, so that justice against the revealed state violence can be demanded. (Amnesty International, 2022). The detailed reports generated by Amnesty International provide evidence to support legal proceedings at both the International Criminal Court (ICC) and the United Nations Human Rights Council (UNHRC) to pursue justice against offenders (Iqbal et al., 2014). Although Amnesty's activities have faced strong opposition. States facing investigations commonly view Amnesty International findings as politically motivated and biased information (Misri, 2019). Amnesty International faced severe criticism in India regarding its internal matter interference thus leading to frozen bank accounts that led to its closure in 2022 (Nadaf, 2020). Israel denied Amnesty's 2022 report about Palestinian apartheid through accusing it of holding anti-Semitic biases while being one-sided (Zia, 2020).

The opposition has not stopped Amnesty International from maintaining its impact on human rights discussions across international organizations and regional communities. The organization's research produces evidence that enables both diplomatic initiatives and grassroots action which opposes official state positions (Ganie, 2022). Through its work the organization highlights that national sovereignty cannot be used to shield against both injustice and impunity.

Theoretical Framework

State sovereignty and human rights have always been such a complex dynamic to exist that experts of international relations have been trying to draw conclusive boundaries from many different theoretical perspectives. A realist lens considers countries as the main actors within a stateless international environment that motivates states to pursue security as well as protect national interests (Mearsheimer, 2001). Within realist theory sovereignty remains sacred because humanitarian interventions generally lead to a breakdown of state power and potentially produce destabilizing effects. The required measures for national security and territorial integrity propel realist states to support militarization and surveillance activities in Kashmir and Palestine. According to Waltz (1979) state-centric realist logic accepts these responses although they face opposition since power dominance outweighs personal distress.

Alternatively, the liberal theory adopts a qualitative framework by focusing on worldwide institutions together with cooperative international partnerships and regulatory structures to promote human well-being. The liberal approach maintains all human rights have universal and

indivisible character that compels states to protect human rights globally (Dunne, 2013). Under this perspective the United Nations along with the International Criminal Court operate as fundamental entities for ensuring states remain responsible for their actions regarding rights abuse. The activities of Amnesty International demonstrate liberal principles because they create openness while facilitating legal adjustments and mounting worldwide opposition against human rights abuses. Liberal ideals face significant implementation challenges because they encounter resistance from powerful states which refuse to submit to international oversight according to Keohane & Nye (1989).

On the other hand, constructivist theory gives another perspective where the main identity elements coupled with normative standards in the society and discursive forces on an international scale are explored. Constructivism differs from realism and liberalism because it shows sovereignty develops as a social construct which evolves through time as outlined by Wendt in 1999. Interpretations by states and non-state actors regarding Kashmir and Palestine events depend on facts in addition to historical records and shared collective understandings as well as political memories of each region. Amnesty International goes beyond reporting statistics through their advocacy work because they redefine both the definitions of human rights violations and the identity of victims according to Finnemore and Sikkink (1998). Through their interpretive methods public opinion gets influenced while international agendas get formed and normative change pressure is created even though it progresses at an unpredictable rate.

R2P emerged as the Responsibility to Protect doctrine while addressing these ongoing debates throughout the early 2000s. R2P developed as a solution to combine state control with protection duties because states bear compulsion to safeguard their people from genocide as well as war crimes along with ethnic cleansing and crimes against humanity (ICISS, 2001). The failure of a state to meet its protective responsibilities gives the United Nations a duty to intervene using diplomatic measures before resorting to coalition military force when necessary. The implementation of R2P encounters liberal opposition across the conflict zones in Kashmir alongside Palestine. Although almost all of the human rights violations have been thoroughly documented across the history, alliances formed with geopolitical interests, along with imbalanced power divisions have only allowed for very inconsistent and in fact selective responses to such violations (Bellamy, 2009).

All these theories present separate perspectives to analyze Amnesty International's work. To understand holistically, while we can refer to realism justifying state resistance, we can also look towards liberalism to establish the legitimacy for international advocacy. Meanwhile constructivism appreciates the discourse power in combination to R2P, which effectively reinforces the limitations of sovereignty being established at the cost of mass suffering. Scholars who experienced conflicts firsthand in areas like Kashmir understand these theoretical frameworks because they apply directly to their interpretation of real-life events and the worldwide inattention toward their suffering.

The Conflict Between State Sovereignty and Human Rights

As of now, global politics are maybe challenged the most by navigating the dilemma of conserving a state's sovereignty against taking up the international responsibility of protecting human rights. State sovereignty functions as the primary component which established the contemporary state system. The United Nations enables countries to create their legal framework while rendering decisions about their citizen population within their national boundaries intact (United Nations, 1945). Human rights norms which developed post-World War II advancement call for protection

of all individuals regardless of their location or their underlying governmental authority (Donnelly, 2013). The two conceptual models create conflicts when states face allegations about suppressing civil dissent or abusing their managed groups.

The conflict becomes visually pronounced in both Kashmir and Palestine. The state governments of India and Israel defend themselves against global criticism by emphasizing sovereignty yet Amnesty International together with other rights organizations claim that protective measures under security pretense violate international human rights law (Shakoor, 2024; Amnesty International, 2022). The following segment examines the principle of sovereignty as established in international law before analyzing its opposition to the human rights approach that disrupts the ownership of domestic matters.

The Principle of State Sovereignty in International Law

Among the fundamental concepts of International Relations, state sovereignty, mainly is interpreted as the sole right to control over territory, population, and governance without any external interference behind national boundaries. This idea is clearly laid out in Article 2(1) of the United Nations Charter (1945), which confirms that all member states are equal in sovereignty and should not be interfered with by other states (United Nations, 1945). Throughout history the political independence, a territorial integrity, and all the internal affairs of a country were protected as the pillars of a state's sovereignty (Cassese, 2005).

Over the years to modern day however, an absolute, unquestioned, untethered and unchecked sovereignty of states has been repeatedly bought into a doubtful limelight. Specifically, the development of international human rights laws prohibiting the almighty freedom of states to treat people within their borders according to their liking and will. States today, by the virtue of instruments like International Covenant on Civil and Political Rights (ICCPR, 1966) and Convention Against Torture, are placed under ethical and in fact legal bindings to protect their masses from grave violations of human rights, specifically including detaining arbitrarily, torturing, as well as disappearing (ICCPR, 1966; CAT, 1984). This means a state can simply not white wash human rights violations concerns as a matter of national sovereignty (Shakoor, 2024).

Such shift in the interpretation of national sovereignty is often now a debate among Scholars. According to new philosophical developments, when human rights are subject to violations to mass degrees in a state, and the state cannot protect their citizens, sovereignty does not remain unconditional. In such scenarios, states' unleashed power and writ have begun to be put under check and even possibly open to external intervention by the virtue of the global norms being standardised and established by international bodies such United Nations and International Criminal Court (Thakur & Weiss, 2009). And as some of most notorious examples of attempts at human rights protection being at conflict with state sovereignty, Kashmir and Palestine are looking up to international justice. Both of these regions are under a strict control of a government who is accused of serious violations of rights and freedoms (Zia, 2019).

The Human Rights Approach to Sovereignty

International law discourse has started favoring the view that states possess sovereignty through a contractual arrangement of responsibilities over absolute claims of power. Society now acknowledges that state legitimacy extends beyond governance capability to include effective human rights protection of its citizens. Former United Nations Secretary-General Kofi Annan (2000) explained that states possess both sovereignty rights and duties through his introduction of “sovereignty as responsibility”. The framework mandates that governments preserve their citizens

from genocide as well as war crimes and ethnic purging and crimes against humanity (Annan 2000).

The Responsibility to Protect (R2P) doctrine achieved its most straightforward presentation when the United Nations adopted it as an official doctrine in 2005. The United Nations established the Responsibility to Protect (R2P) doctrine during 2005 which declares the international community must intervene against states performing inadequate mass-atrocity protection (Evans, 2008). R2P gained international use in both the Libya (2011) and Syria (2012) situations yet faces ongoing debates about its application in conflicts involving Kashmir and Palestine because state officials oppose outside assessments they deem sovereign violations (Shakoor, 2024).

The controversy surrounding human rights abuses led Amnesty International to become one of the central organizations that protects global accountability. The organization uses documentation of human rights violations and public reports to question state arguments that abuse happens because of sovereignty principles (Amnesty International, 2022). Political systems in India and Israel hinder Amnesty International through purging operations in Kashmir and rejecting Palestine apartheid reports (Nadaf, 2020; Zia, 2020).

The international awareness and advancement towards incorporating human rights into defining a nation's sovereignty strengthens day by day, however with occasional setbacks. The international community maintains a legal foundation and moral duty to intervene when states neglect their responsibilities by using various diplomatic mechanisms and economic tools as well as international legal instruments (Thakur & Weiss, 2009). Resistance by powerful states does not stop the developing framework of sovereignty which puts people before power from transforming conflict evaluation models of legitimacy and intervention and responsibility. The evolving discussion between sovereignty and human rights demands continued dependence on NGOs together with international institutions along with legal frameworks to dictate global reactions toward human rights disasters within conflict areas (Ganie, 2022).

Amnesty International's Documentation of Human Rights Violations in Kashmir

The Kashmir conflict has continued throughout seven decades becoming a persistent and dangerous dispute throughout South Asian history. The territory has functioned as a point of conflict which started in 1947 when India and Pakistan engaged in repeated wars and insurgencies and political turmoil. Kashmir exists as a disputed region between India and Pakistan after 1947 as the area consecutively experiences violent conflicts along with insurgencies and grave human rights violations (Zia, 2019). India holds direct administrative authority in Jammu and Kashmir through backing its control with dense military presence.

Among all legal instruments which enable control the Armed Forces (Special Powers) Act (AFSPA), 1990 stands as one of the most controversial pieces of legislation. India exercises direct governance of Jammu and Kashmir through AFSPA (1990) allowing security forces to deploy heavy military troops thus carrying protection from judicial prosecution (Duschinski et al., 2018). The legislation creates an ambience where security forces can operate without consequence through which they carry out arbitrary arrests alongside enforced disappearances and extrajudicial killings.

Amnesty International now holds a key position as the primary watchdog that continually investigates Kashmir human rights conditions. Amnesty International continues reporting human rights violations in Kashmir since India eliminated Article 370 in 2019 to revoke the region's independence under the Indian Constitution (Amnesty International, 2019). The constitutional change led to a widespread enforcement action by Indian security forces. After the decree came

into effect there was a massive detainment of Kashmiri civilians accompanied by rigorous censorship measures and intensified military oppression which brought about the most severe limitation of civil rights in Kashmir's timeline (Amin, 2023).

To bring greater international focus on the systematic violations Amnesty International increased its advocacy activities. Amnesty International has investigated and condemned the violations while demanding both legal reform and restoration of human rights throughout the area (Shakoor, 2024). Amnesty International establishes its documentation function by continuously analyzing the legal repression which causes human suffering while challenging the warranties states use to validate their actions under claims of sovereignty.

Arbitrary Detentions and the Public Safety Act

According to Amnesty International's reports on Kashmir human rights abuses the preventive detention framework serves as a major governing authority to silence dissent. The representatives at Amnesty International recognize the Public Safety Act (PSA), 1978, as a primary concern in Kashmir because it allows authorities to keep people captive indefinitely without court proceedings (Amnesty International, 2019). The governing body uses this law as a political instrument to silence its opponents through suppression of peaceful protests while restricting basic rights of free expression.

Many thousands of Kashmiri citizens including minors alongside journalists and activists have faced detention by security forces according to the PSA Law and this leads to denied access to legal help and fair trials (Shah, 2021). Amnesty International published the report "Tyranny of a Lawless Law" in 2019 to reveal arbitrary detention examples affecting political figures together with activists for human rights and journalists who challenged government policies (Amnesty International, 2019). The number of detentions increased substantially after Article 370 lost its legal power. After Article 370's termination thousands of political prisoners underwent detention under PSA because maintaining public order remained the justification according to Sharma & Bukhari (2020).

These methods breach all essential requirements established by international human rights instruments. Human rights organizations state that PSA violates basic rights protected under international law while violating the discrimination standards expressed in Article 9 of the ICCPR (United Nations, 1966). PSA requires an immediate repeal according to Amnesty International because the law permits mass detention without proper legal oversight (Shakoor, 2024).

Extrajudicial Killings and the Use of Force

The human rights organization Amnesty International has documented excessive violent actions by Indian security forces in Kashmir that include unlawful detentions as one of the most concerning patterns of abuses. Multiple reports gathered by Amnesty International confirm that Indian security forces in Kashmir use deadly and excessive force excessively. Security personnel has been documented to conduct unlawful executions and enforced disappearances alongside using torture during counter-insurgency operations according to Duschinski et al. (2018).

Pellet-firing shotguns only have caused extensive public controversy when security forces deploy them against civilian demonstrators. Pellet-firing shotguns accelerate to the status of a highly contested weapon for Kashmiri civilian population control because Indian forces direct these weapons at stone-throwing protesters and demonstrators. Thousands of civilians and children suffered permanent vision loss and severe injuries due to pellet gun use during demonstrations according to Amnesty International's 2017 study "Losing Sight in Kashmir" (Amnesty

International, 2017). The weapons cause harm without discrimination while breaking international human rights standards hence Amnesty made an appeal for complete weapon suspension (Zia, 2019).

The concern around enforced disappearances are widespread, even beyond the issue of crowd-control weapons. The Association of Parents of Disappeared Persons (APDP) in union with Amnesty reports that more than 8,000 Kashmiris have experienced disappearance since the 1990s and numerous individuals vanished are assumed to have suffered custodial executions (Bose, 2021). New findings showing mass graves in distant Kashmir regions confirm that Indian security forces are carrying out unlawful executions during suspected disappearances (Amin, 2023). The protection system for perpetrators worsens the existing human rights concerns in Kashmir. Under the Armed Forces (Special Powers) Act (AFSPA), 1990 security personnel gain legal protection against prosecution because of which it becomes extremely hard to hold them accountable for human rights violations (Duschinski et al., 2018).

Amnesty International has regularly contacted the Indian government to eliminate AFSPA since the law violates human rights principles and allows security agents to act without consequences (Shakoor, 2024). National defense requirements as well as counterinsurgency operations remain the justification according to Indian officials for implementing these security procedures (Sharma & Bukhari, 2020).

Suppression of Press and Internet Shutdowns

Amnesty International considers India's actions regarding digital communication control and press suppression crucial to its evaluations of human rights in Kashmir. The removal of Article 370 in 2019 became a central target for Amnesty International condemnation because it led to severe restrictions on Kashmiri press freedoms. A massive democratic information ban occurred after the constitutional alteration which became one of the strictest in any democratic system. Experts estimate the closure of internet access in India following the revocation lasted 213 continuous days between August 2019 and March 2020 (Nadaf, 2020). The government action cut off communication networks and restricted information flow among journalists who aimed to report about the conflict (Shakoor, 2024).

The extension of internet restrictions beyond daily practicalities resulted in an extensive infringement against civil freedom. The worldwide rights organization Amnesty International considers that these internet shutoffs transgress essential rights such as freedom of speech and information access protected under Article 19 of the Universal Declaration of Human Rights (UDHR) from 1948 (United Nations, 1948). Journalists who tried operating independently from the area faced specific persecution in tandem with the digital restriction measures.

The organization compiled evidence regarding journalist harassment coupled with censorship and unlawful detention of reporters who documented Kashmir human rights violations (Bose, 2021). Well-known Kashmiri journalists made up a portion of those journalists whom the organization targeted. Identification of Kashmiri journalists like Gowhar Geelani Fahad Shah along with Asif Sultan as targets follows their arrests through anti-terror law implementation based on the Unlawful Activities (Prevention) Act (UAPA), 1967 for criticizing state actions (Sharma & Bukhari, 2020). Amnesty International labeled these arrests as measures designed to quiet down dissent and bully the media workforce (Amnesty International, 2022).

In 2021 the organization submitted an appeal to Indian authorities demanding the removal of suppressive policies. The 2021 Amnesty report demands both the immediate freedom to publish without restrictions and the unrestricted availability of internet services in Kashmir because these

measures breach international human rights law obligations of India (Shakoor, 2024). The situation persists unchanged despite continuous demands made by worldwide organizations and civil groups. Digital freedom and press freedoms continue to face restrictions because international pressure has not led to change while the suppression of civil liberties extends throughout the region (Nadaf, 2020).

Amnesty International's Reports on Human Rights in Palestine

International humanitarian law continues to face violations in the Palestinian territories under Israeli occupation making the Israeli-Palestinian conflict a leading militarized international confrontation of its time. The world recognizes Palestine as a territory under intense military control because Israel executes major military actions within Gaza and the West Bank (Shlaim, 2019). These operations from a long-standing occupation have generated massive human rights abuses which receive ongoing international condemnation.

Land confiscation and forced evictions along with indiscriminate attacks and severe movement restrictions have become core elements of the human rights violations that occurred since Israel began its occupation of Palestinian territories in 1967 after winning the Six-Day War according to Amnesty International (2022). The reported actions from Amnesty International stem from a fundamental system of repression that continues today. Through policies that worsen discrimination Amnesty International established “apartheid” as a description of Israel’s conduct toward Palestinians (Amnesty International, 2022).

The depiction of Israeli activities derives from established international legal systems. The ICC adopted the definition of apartheid as inhumane actions to support the dominance of a racial or ethnic group over another group from Article 7 of the Rome Statute (ICC, 2002). Amnesty International’s “Israel’s Apartheid Against Palestinians: A Cruel System of Domination” 2022 report shows that Israeli governmental policy in occupied Palestinian territories violates international humanitarian law by means including land seizure alongside forced evictions and military aggression (Amnesty International, 2022).

Many global professional groups alongside legal experts confirm the existence of these findings. The human rights organizations along with legal scholars and the United Nations strongly condemn these violations because state sovereignty must not protect criminals (Shakoor, 2024). Amnesty International uses the legal apartheid definition to highlight why Israel should face immediate international reforms and why its actions require accountability.

Israeli Settlements and Forced Evictions

The organization Amnesty International continues to issue criticism against Israeli settlement growth activities in the West Bank and East Jerusalem because it violates Article 49 of the Fourth Geneva Convention (1949) by restricting occupied powers from moving their civilian citizens into captured lands (Shakoor, 2024). More than 700,000 Israeli settlers reside today in Palestinian territories occupied by the state under the protection of both state infrastructure and military authority (B’Tselem, 2021).

Forced evictions combined with house demolitions have turned Sheikh Jarrah and Silwan into active scenes of conflict because of their Palestinian population density. Israeli authorities destroy houses and take possession of property areas through discriminatory administrative procedures and legal frameworks (Gordon, 2021). The systematic removal of Palestinian communities has been recognized as ethnic cleansing by both Amnesty International and the United Nations Human Rights Council (UNHRC) per their assessment (Amnesty International, 2022). The worldwide

outbreak of protests against Sheikh Jarrah in May 2021 triggered Gaza to intensify its conflict (Nadaf, 2020).

According to the 2022 Amnesty report such acts constitute war crimes according to International Criminal Court law under Rome Statute provisions while the organization demands that legal bodies begin investigative actions (Shakoor, 2024). The expansion of unauthorized settlements persists through official state claims about their legal basis despite displaying a persistent policy to dominate and displace Palestinian populations.

Use of Lethal Force Against Protesters

During the Great March of Return from 2018 to 2019 thousands of Palestinian demonstrators assembled at Gaza-Israel border areas to pursue their right to return as well as the blockage's dissolution. Amnesty International recorded two hundred fatal casualties among Palestinian protesters who remained unarmed along with more than thirty thousand military injuries that affected medical personnel and journalists and children (Iqbal, Hossain, & Mathur, 2014).

A UNHCR independent review determined Israeli military personnel could have committed war crimes alongside crimes against humanity due to their shooting of protesters who posed no actual threat to them (UNHRC, 2019). The forensic studies conducted by Amnesty showed multiple situations where Palestinians were killed by Israeli forces through the back or while they held non-vital items including medical supplies and flags or camera equipment (Zia, 2020). Under the framework of international humanitarian law, the use of lethal force for such circumstances constitutes an open violation of essential guidelines permitting deadly responses only when life-saving necessities demand them.

Amnesty International requests active military weapons trading restrictions for Israel while demanding ICC investigators evaluate Gaza military behavior (Shakoor, 2024). Israeli officials protect their counter-initiative as an act of defense but human rights organizations present evidence which demonstrates that continuous extreme force use suggests a general pattern of oppression and civilian abuse (Gordon, 2021; Nadaf, 2020).

Arbitrary Detention and Torture

Through all its reports Amnesty International has labeled Israeli “administrative detention” as unlawful because Israeli security forces keep Palestinian prisoners confined indefinitely without trial. According to Amnesty (2021) over 4,500 Palestinian prisoners remain detained under such circumstances with journalist detainee numbers, children and human rights activist counts included (Amnesty International, 2021). The practice of administrative detention breaches the International Covenant on Civil and Political Rights (ICCPR) Article 9 guarantee that protects people from random detention (United Nations, 1966).

The Israeli Prison Service runs detention facilities where detainees encounter restricted legal access along with insufficient healthcare and psychological threats against inmates. Shin Bet agents use torture methods that include sleep deprivation along with stress positions and enslaves while beating their prisoners according to Amnesty and B'Tselem reports (Gordon, 2021; B'Tselem, 2021). These actions break the law according to the Convention Against Torture and serve as political oppression instruments.

The human rights organization Amnesty focuses its oversight on the Palestinian Authority whereas it identifies random detentions together with instances of torture targeting political fighters and media personnel and activists from civil organizations. News reports show that Palestinian authorities execute systematic repression with Israeli military support (Arif, 2019; Shakoor, 2024).

According to Nadaf (2020) Amnesty International demands international accountability from both Palestinian and Israeli authorities because they commit substantial human rights violations against justice and individual rights (Nadaf, 2020).

Political Pushback Against Amnesty International

The powerful states direct substantial political resistance against Amnesty International because they view its investigative reports as unbalanced and invasive to their national independence. The independent human rights monitoring work of Amnesty splits against the strategic needs of nations when assessing abuses in occupied territories and oppressive political systems and systemic human rights abuses (Shakoor, 2024).

The governments in both India and Israel have taken forceful actions against Amnesty by asserting its interference with domestic matters and promotion of extranational agendas as well as its participation in politically influenced activism (Misri, 2019; Zia, 2020). The states have enforced legal limitations while conducting hostile public relations efforts against Amnesty followed by operational suspension which reduces its ability to evaluate human rights conditions in Kashmir and Palestine.

India's Crackdown on Amnesty in Kashmir

Since 2019 India has shown intense opposition to foreign organizations which review its policies in Jammu and Kashmir after they stripped the area of its semi-autonomous status through Article 370 abolition (Sharma & Bukhari, 2020). The reports of human rights violations in Kashmir by Amnesty International include details about unlawful captures and extrajudicial executions and extended digital shutdowns (Amnesty International, 2019). Amnesty's persistent critical position toward India has led both the government and public to increase their pressure thus forcing Amnesty to face suppression throughout the country.

During 2022 the Indian government immobilized the bank accounts of Amnesty International causing the organization to discontinue all nationwide activities. The Foreign Contribution Regulation Act (FCRA) became grounds for authorities to charge Amnesty with its violation but the authorities also claimed the organization engaged in internal interference that weakened India's sovereignty (Misri, 2019). According to Amnesty the government's actions formed a clear assault against human rights activists while they accused the FCRA of becoming a tool to silence critical voices (Shakoor, 2024).

The systems crackdown happened simultaneously with Indian governmental attempts to prevent international entities from monitoring Kashmir-related developments. The human rights defenders along with independent journalists and civil society groups face rising numbers of harassment and surveillance and legal reprisals and travel restrictions in their efforts to document and uncover abuses within the region (Nadaf, 2020). These actions of the state demonstrate an escalating pattern of authoritarian behavior which immediately represses challenges to its Kashmir policies (Ganie, 2022).

India faces criticism from the international community because it blocks the operations of human rights groups which creates substantial obstacles for monitoring conflicts zones. The United Nations and international governments should force the Indian government to change its decision according to Amnesty International (2022) by permitting independent human rights monitoring in Kashmir. Despite its geopolitical significance India maintains diplomatic protection which prevents substantial international responsibility (Shakoor, 2024).

Israel's Response to Amnesty's Apartheid Report

Israel has passionately disputed Amnesty International's research especially after it released the 2022 report entitled 'Israel's Apartheid Against Palestinians: A Cruel System of Domination and a Crime Against Humanity.' The latest Amnesty International report claimed that Israel implements apartheid through formal discriminatory laws coupled with military occupation that results in the displacement of Palestinians and violates their right to live without segregation (2022).

The Israeli authorities immediately launched a strong response to the report by calling it an untrue and anti-Semitic document with political underpinnings (Zia, 2020). Foreign Minister Yair Lapid declared during that period the usage of apartheid as a description was misleading and charged Amnesty with attempting to illegitimize Israel as the sole Jewish state worldwide (Shlaim, 2019). Israeli officials interpreted the report as part of the Boycott Divestment and Sanctions movement that uses economic sanctions against Israel (Shakoor 2024).

The organization maintained its position throughout this political conflict because Amnesty International insisted apartheid constitutes a legal category defined within international law. The organization held Article 7 of the Rome Statute of International Criminal Court (ICC) to be authoritative because it stated that apartheid consists of “inhumane acts committed to establish the domination of one racial group over another” (ICC, 2002). The analysis from Amnesty shows that Israel's actions involving land seizure and settlement growth and West Bank/East Jerusalem military command meet the guidelines of international law (Gordon, 2021).

The Western countries led by the United States alongside the European Union have offered diplomatic and military support to Israel while backing its rejection of these racist policies accusations (Nadaf, 2020). The UNHRC and Human Rights Watch together with B'Tselem now join multiple such international human rights organizations in affirming systematic discrimination against Palestinians by Israel (Shakoor, 2024).

The government of Israel implemented various measures to control operations of foreign Non-Governmental Organizations within Palestinian occupied territories. Israel practices three specific measures aimed at restricting foreign human rights work in Palestinian territories by excluding rights experts and suppressing publications and policing Palestinian activism (B'Tselem, 2021). The leader of Amnesty International demanded ICC leadership to launch a comprehensive probe targeting Israeli enforcement approaches in both the West Bank and Gaza region while arguing that the international community needs to pursue legal actions versus Israel regarding possible human rights violations (Amnesty International, 2022).

The Impact of Amnesty International's Work

Through intense political opposition and work challenges Amnesty International has successfully contributed to legal discourse formation and international policy decisions as well as worldwide understanding of massive human rights infringements. Since its establishment by Shakoor in 1961 Amnesty has used fact-backed research and long-term advocacy and its partnerships with international law bodies to maintain its position as an influential human rights advocate worldwide (Shakoor, 2024).

Investigations from Amnesty International have shaped international reactions toward current global crises especially in Kashmir and Palestine while these two locations experience military rule alongside violent state enforcement alongside civil liberty limits (Amnesty International, 2022). International campaigns and justice efforts have been activated after Amnesty published its

findings thanks to its ability to inspire United Nations resolutions and spark legal proceedings (Gordon, 2021).

Legal Proceedings: Amnesty International and the ICC

The documented evidence provided by Amnesty International plays a vital role in legal proceedings from the International Criminal Court (ICC) and other judicial authorities which prosecute war crimes together with severe human rights violations (ICC, 2002). The research by Amnesty stands as crucial evidence for ICC investigators who look into war crimes carried out by Israeli forces throughout Gaza Strip and West Bank and East Jerusalem (Amnesty International, 2022).

The ICC announced through its official decision in 2021 that it would start investigating war crimes occurring within Israel's occupied Palestinian territories based on findings of unwarranted bombings and illegal killings together with organized mistreatment (UNHRC, 2021). Amnesty's apartheid report from 2022 added substantial weight to the investigation case by exposing Israel's practices of population transfer combined with settlement policies and military strikes which might amount to Rome Statute-defined crimes against humanity (ICC, 2002; Shakoore, 2024).

International legal discussions rely on Amnesty's findings related to arbitrary arrests and extrajudicial executions and enforced disappearances which occur in Kashmir under Indian control (Zia, 2019). The failure of India to agree to the Rome Statute does not protect it from international monitoring of its actions in Kashmir because human rights bodies still ask both the United Nations and international courts to prosecute India (Ganie, 2022).

Amnesty has established vital routes for courts to examine state actors who violate human rights by performing legal advocacy together with forensic investigations and expert witness statements. Regardless of this however, it will always remain a constant challenge to establish a framework of accountability which can be actually enforced. Since this challenge will always owe to the varying and complex geopolitical interests along with the reluctance of powerful states to submit to international legal oversight (Nadaf, 2020).

Amnesty International's Role in United Nations Resolutions

The human rights advocacy of Amnesty International has profoundly influenced both the contents and wording of multiple UN resolutions that examine human rights violations in Kashmir and Palestine (Amnesty International, 2019). Records from the organization surface frequently during deliberations held by the General Assembly and the Human Rights Council and Security Council hearings about occupation and state repression and violence (UNHRC, 2021).

The UN Human Rights Council adopted a 2021 resolution about independent investigations of Israeli conduct in occupied areas based on Amnesty's documentation of civilian abuses such as home destructions and targeted assassinations and forcible attacks (Gordon, 2021). The United Nations reports on Kashmir duplicate Amnesty's critical findings about the Public Safety Act (PSA) combined with pellet gun usage and widespread media oppression and unjustified arrests (Sharma & Bukhari, 2020).

Although the United Nations has issued these resolutions India together with Israel has rejected them by stating they represent political discrimination which violates their political autonomy (Shakoore 2024). The government bodies assert that external examination of their internal policies disrupts both defense security and democratic purity. Amnesty's ongoing work plays an essential role in molding the international diplomatic dialogue and facilitates diplomatic actions through

economic sanctions as well as international arms embargoes and joint public pressure directed at states that violate established human rights principles (Nadaf, 2020).

Global Awareness and Grassroots Mobilization

The organization uses both legal and diplomatic interventions with its outreach focused on global awareness campaigns and grassroots movement development regarding human rights violations in Kashmir and Palestine. It refers to academic works and investigative journalism as well as civil society initiatives in its reports which helps to strengthen such voices of victims alongside human rights defenders and disadvantaged communities (Ganie, 2022).

Due to Amnesty's strategic choice of various instruments and approaches for public awareness, not only solidarity movements but also an overall sentimental shift can be observed across borders. Those choices of public awareness campaigns mostly consist of digital activism, global petitions, and various education programs across multiple settings regarding human rights. These strategic initiatives have dramatically increased worldwide understanding of actual conditions especially illegal arrests military actions and civil rights restrictions in both territories (Shakoor, 2024). Millions of people have seen the social media efforts of the organization which present documented experiences of how state-sanctioned repression affects Kashmiris and Palestinians (B'Tselem, 2021).

Local groups together with independent reporters and academics form partnerships with Amnesty to develop truthful counter assertions against misleading government propaganda (Nadaf 2020). The organization plays an essential role by translating solitary events into enduring international academic discussions about the situations in Palestinian apartheid and Kashmir an authoritarian rule (Zia, 2019).

The operational limitations and censorship together with political pressure have not prevented Amnesty International from motivating public interest and driving policy adjustments and enduring accountability structures. Future human rights frameworks will suffer accelerated development from Amnesty due to increasing global awareness and the rising strength of transnational activism according to Gordon (2021).

Conclusion

Theory has always clashed regarding state sovereignty and international human rights but people in Kashmir and Palestine experience this conflict in its most impactful human form daily. Regional and legal protections granted by states allow governments to maintain sovereign power which subsequently leads to sustained military occupations along with discriminatory laws that deny fundamental rights to their citizens. The use of sovereignty to silence dissent and withhold justice creates strongly needed questions about international community responsibility to document and respond accordingly.

The study utilizes Realism and Liberalism and Constructivism and the Responsibility to Protect frameworks to research the intricate connections between state power and humanitarian accountability. Realist principles help establish why states persistently resist monitoring from outside actors since domestic interests tend to take priority over international evaluation and review. International norms develop from effective partnerships that exist between legal frameworks and civil society organizations according to the perspectives of both liberal and constructivist approaches.

The use of the Responsibility to Protect principle reveals a developing interpretation of state sovereignty which places protection responsibilities on government authorities above the exclusive exercise of governing power.

The organization Amnesty International maintains a permanent presence together with periodic confrontations in this historical field. Through its detailed work in Kashmir and Palestine Amnesty International attracts worldwide attention to overlooked abuses in addition to supplying legal materials for organizations like the International Criminal Court and the United Nations. The documented evidence of forced evictions along with arbitrary detentions and internet shutdowns and excessive force conducted by Amnesty International directly opposes state positions and interprets repression through international legal terms.

These attempts to defend rights have encountered widespread opposition during their execution. India and Israel have taken stern disciplinary actions against Amnesty by freezing its financial assets and placing operational restrictions and by accusing the organization of foreign-based bias. The growing intolerance toward human rights groups manifests through various negative reactions in countries which claim international responsibility but show limited capacity to accept domestic criticism. The counteraction demonstrates the enormous obstacle which arises when powerful states maintain sovereign power to defend themselves from international norms enforcement attempts.

This paper proves that Amnesty International along with its kind plays a significant role which extends beyond legislative power and political influence to represent symbolic importance. Organizations generate formal acknowledgment of individuals who lack official representation because their rights have been denied. The familiarity I hold with Kashmir as my place of origin links with my understanding of Palestine because both face similar patterns of displacement through occupation. The process of independent documentation together with international solidarity waves a message about justice that exists through time.

The worldwide community needs to develop more than simple statements of concern regarding future actions. To provide a profound deterrence against impunity, an enhanced legal framework and mutually sanctioned penalties is ardently needed for global community which will demand for sustained diplomatic interventions as well. The spread of truths government tries to suppress requires both scholars and journalists along with regular citizens who will help make these truths visible to the world. Human rights advocacy efforts in wartime settings demand institutional existence alongside brave individuals who testify about truth.

The crucial function of Amnesty International continues even though it faces many obstacles. This paper demonstrates that the organization's mission extends beyond exposure because it shows people that unchecked power without responsibility leads to permanent conflict and passive acceptance makes no difference.

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