

“Come High Water, Come Hell”: Kinetic Weaponization of Water and the Interplay of International Humanitarian Law and International Disaster Law

N Amarawansha[#]

Attorney at Law, Supreme Court of Sri Lanka

#narmadaamarawansha@gmail.com

The reverberating effects of mankind’s continued harnessing of the destructive potential of water and his deployment of such potential as a weapon in armed conflict, either as a means or as a method of warfare, are extensive. Although international law provides, albeit insubstantially, for the protection of persons concurrently affected by armed conflict and disasters, it does not provide explicitly for disasters that are resultant to an ongoing armed conflict. This paper seeks to fill this gap by elucidating the instrumental international humanitarian law framework that implicitly prohibits the deployment of water as a kinetic weapon and the instrumental international disaster law framework that provides for response and relief in the event of disasters eventuated by the kinetic weaponization of water. In exploring the interplay between international humanitarian law and international disaster law pertinent to disasters eventuated by the deployment of water as a kinetic weapon in armed conflicts, the paper justifies why international humanitarian law prevails over international disaster law as *lex specialis* in the provision of protection for persons victimized by such disasters in armed conflicts.

Keywords: *International humanitarian law, international disaster law, weaponization of water*