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IV.6. THE SUSTAINABILITY OF THE LEGAL PROFESSION: LAWYERS' ROLE IN THE FUTURE REGULATION OF PANDEMIC AND WAR RESPONSES

Sustainable development goals and the anchor of human dignity

The Sustainable Development Goals and the 2030 Agenda for Sustainable Development have provided an ambitious roadmap for improving lives across many areas in society.

The role of the legal profession is to set the benchmarks against which the above-mentioned improvements to life are measured. The search for these standards, their articulation and implementation in legal practice, and the creation of barriers against the erosion of such standards are among the main tasks facing the modern legal community.

The Agenda adopted in 2015, designed to create a world of welfare and prosperity, has faced considerable challenges in recent years. The Risk Society that Ulrich Beck wrote about has become a reality. The COVID-19 pandemic and Russia's large-scale war in Ukraine, waged right in the heart of Europe – these shocks affect all areas of life. We are all members of a global community in danger, where fear determines the sense of life and the value of security overrides the value of equality (Beck 1992).

Staying anchored amidst these destructive waves is difficult, but possible. Lawyers who work with social conflicts and social wounds retain the ability to make the most optimal decisions amidst intense struggles between different ways of thinking and social ways of life. The law is backed by broad social practice, complex social interactions, judicial practice, and legal understanding. The task of lawyers is to find opportunities to overcome social gaps, ensure justice, and restore peace.

The role of lawyers in sustainable development can be enhanced by developing the concept of human dignity in legal argumentation and practice. In particular, agenda Goal No. 16 ("Peace Justice and Strong Institutions – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels") can be achieved by countering the impunity of those responsible for the most serious war crimes

and crimes against humanity, protecting the victims of war, and ensuring due respect for their human dignity. The prohibition of human instrumentation and objectification – considering the specific victimhood of victims and ensuring that their voices are heard, which is a manifestation of respect for the human dignity of victims – can develop through the legal argument for human dignity.

The historical development of the idea of human dignity is based on the understanding of human dignity as an intrinsic value status of a person per se, regardless of their other characteristics. To have dignity means to outvalue any possible price and reject any equivalents. Human dignity is the vision of people as the ultimate goals of human intentions and actions. The main meaning of dignity is respect and recognition of a person as having a special value that is inherent in everyone. This concept significantly influenced the development of international law and national legal systems after the Second World War. The purpose of the provisions of the 1948 Universal Declaration of Human Rights regarding human dignity was to emphasize the values and systematic approaches in which human rights are rooted.

The victim-centered approach and the possibilities and limitations of criminal justice

Russia's full-scale invasion of Ukraine on February 24, 2022, and bloody attacks on the lives and dignity of thousands of Ukrainians called into question the rules-based international order and stressed the importance of not only a transcendent dimension of dignity as a key human attribute but also an understanding of human dignity as something embodied and implemented.

The treatment of victims of war is important for the development of the concept of human dignity because, despite the existence of relevant international standards, the perspective of the victim is sometimes ignored or, according to some researchers, becomes embedded in the business logic of international criminal law (Schwöbel-Patel 2016). The point here is that the image of the victim used and created inside and outside the courtroom of the international criminal tribunal is the same image of the victim used by aid agencies and the media in the Western world to appeal to donors and stakeholders. The court focuses on legalizing the suffering of victims, and the courtroom itself focuses on overcoming impunity and spectacle rather than on the victim. Those affiliated with the international criminal justice system – prosecutors and judges – are portrayed as rescuers, while victims contrast sharply with them, being portrayed as weak, emotional, and unskilled. Such an image of victimhood is not new, and it is widespread within so-called "humanitarianism" discourse; in addition to war, humanitarian organizations often focus on other complex contexts, such as poverty, disease, natural disasters, and emergencies. The speeches of the prosecution during the administration of criminal justice demonstrate a panorama from predator to passive victim, and the aesthetics of almost all trials are built on such stereotypical contrasts. Such a simplistic portrayal of victims and disregard for their traumatic experiences actually deprives victims of their voice and stigmatizes them, while humanitarian actors receive dividends from such fundraising, capturing new spheres of influence and emphasizing the importance of their activities which, in fact, may be far from true humanism. Similar risks persist at the level of national persecution.

There are experts who state that the disclosure of traumatic experiences is useful for the process of psychological recovery of those who have experienced gross human rights violations. However, the belief in a therapeutic effect within the paradigm of transitional justice must be critically considered, considering both the possibilities and the limitations of litigation (Henry 2009). The psychological healing and reconciliation of society after genocide, war crimes and crimes against humanity through transitional justice mechanisms needs to be critically assessed in the light of the diverse experiences of survivors, sensitivity to their suffering, and respect for their human dignity, which should be treated not as an abstract feature but as a particular embodied dignity. The role of the professional legal community in creating such a sensitive environment can be very significant. It is important to avoid "judicial romanticism," with its view that criminal justice can solve all problems, because a simplistic view of victims and witnesses as a homogeneous group with the same expectations and experiences only leads to disappointments. Justice cannot erase the physical and emotional scars of war, nor can it bring back loved ones. However, at the same time, trial can provide the necessary emotional distance where victims can talk about their experiences, and the trial space can become a space where victims' suffering is acknowledged, victims are treated with respect for their dignity, and perpetrators receive proportionate punishment. The task of lawyers is to remind victims and witnesses of the value of their contribution to the restoration of justice. Judges, prosecutors and lawyers should make every effort to make victims and witnesses feel the importance of their participation, as during pre-trial and trial proceedings they often feel a lack of control over the process. Models of restorative justice built on the desire to give victims a sense of autonomy in their own lives, to discover their experiences anew, and to reintegrate into society are important for the fundamental restoration of human dignity and the promotion of the integrity of future generations. While it is clear that full justice goes beyond criminal proceedings and the punishment of perpetrators, the participation of victims and witnesses in such trials is an important aspect of justice, and for them such participation is borne not only out of a desire for retributive justice but also as a way to recognize and restore their dignity. The suffering of victims can be offset not only by the sense of retribution that has befallen the perpetrators, but also by the fact that the suffering of the victims has been listened to with due respect.

In order to acknowledge the dignity of the victim, they must not be molded into the image of the "ideal victim." Avishai Margalit (2011), a philosopher who wrote an outstanding essay entitled "Human Dignity between Kitsch and Deification," argued that kitsch and sentimentality are closely linked, and that kitsch is not just a conversation about bad taste, but a term of criticism that can be used for understanding approaches to human dignity. Sentimentality is a superstructure over cruelty, and kitsch sentimentality seeks to endow marginals with spiritual traits to compensate for their lack of power and portray them as innocent targets attacked by the powerful of this world. However, such kitsch sentimentality creates a culture of victimization. Margalit emphasizes that the idea of respect for human dignity is such that marginals do not need to be precious, pure or sincere to be treated as human beings.

The sensitivity of cases of sexual violence and the dignity of victims

Issues of human dignity are particularly sensitive in cases of sexual violence. Feelings of shame and psychosocial stigma from which survivors suffer are a form of re-victimization. That is why the International Criminal Court (Rules 70, 71 of the ICC Rules of Procedure and Evidence) and other international tribunals and courts have developed rules to protect victims of sexual violence. These rules are as follows:

- prosecutors do not need to provide evidence of the use of force or threat of force to prove the lack of consent;
- sufficient evidence to prove the existence of coercive circumstances already precludes the possibility of giving genuine consent;
- silence or lack of physical resistance does not mean consent;
- victims (witnesses) cannot be asked any questions about consent unless the court holds a closed session, with the prior direct consent of the parties, considering the arguments of the parties, and such an interview will be held during closed session.

In accordance with the principles of international criminal procedure in cases of sexual violence, confirmation of additional facts is not required. In practice, this means that the testimonies of victims, provided they are reliable and credible, can be sufficient evidence of a sexual violence crime, in the absence of any other additional evidence from other witnesses, documents, medical documents, photographs or any other potentially corroborating evidence.

International criminal tribunals prohibit asking questions about the previous and subsequent sexual behavior of victims. Such questions can be particularly derogatory and, in the context of war crimes, crimes against humanity and acts of genocide, are considered unnecessary and inappropriate. Relevant questions relate to the circumstances and whether or not they allowed victims to freely consent to sexual intercourse with a suspected offender in a particular case.

Other protective mechanisms are aimed at ensuring that victims, their family members and close relatives, and witnesses are not exposed to the risk of retaliation or re-traumatization. Such mechanisms can include both structural (in particular, equitable gender representation in the judiciary, staff with experience in dealing with sexual violence trauma, with legal experience in prosecuting gender crimes) and organizational and procedural security (in particular, personal protection, protection of housing and property, issuance of special personal protective equipment and notification of danger, replacement of documents and change of appearance, change of place of work or study, relocation to another place of residence, ensuring the confidentiality of personal information, etc.).

An important emphasis in combating conflict-related sexual violence is the understanding that sexual violence during war is the result of the radicalization of everyday sexist behavior in society. Covert sexist ideas spread in peacetime only intensify during war (Houge 2014; Crawford 2017; Matusitz 2017). Women and girls are the primary target, as gender-based violence is deeply ingrained in everyday life, and such violence is quickly "normalized" in conflict situations. Serious attention has been paid to the study of the links between conflict-related sexual violence and the broader model of sexism in society since the 1970s. Accordingly, Susan Brownmiller (1975) wrote that war

gives men the perfect psychological background to unleash their contempt for women; that the very masculinity of the military, with the brute force of their weapons, with the masculine discipline of giving and carrying out orders, and with the simple logic of hierarchical command, confirms the masculine notion that women are peripheral, that they are passive observers of actions happening at the center of events. These misogynistic subtexts of war emphasize not only the painfulness of sexual violence for the individual lives of victims, but also the construction and perpetuation of gender inequality, which, like a hidden and coiled spring, is contained in the surviving society and in post-war reconstruction, poisoning its potential.

Rosalind Dixon (2002) also offers a noteworthy view of the misogynistic world order, arguing that women do not have their own authority or importance in the criminal justice system, that the whole system works to recreate the existing patriarchal status quo, and that justice in such processes is limited because such justice is not so much for the benefit of the female victims, but to preserve existing norms aimed at maintaining the patriarchal order.

That is why attention to the specific victimhood of female victims is very important, as the prosecution of conflict-related sexual violence must not only address the issue of recognizing it as an act of war deserving of punishment and preserve it in the collective historical memory as a crime that attacks the foundations of the modern international legal order, but must also provide space for victims who have been deprived of their voice to speak about the atrocities committed against them. Etymologically, listening is always a prerequisite for obedience – according to psychoanalyst Mladen Dolar (2006), one of the most renowned modern philosophers who deals with the phenomenon of voice – and therefore listening to the voices of victims destroys the situation of hierarchy and verticality. Ears have no eyelids, as Jacques Lacan repeated, so it is impossible to distance oneself from the sound. Thus, listening to victims becomes synonymous with humanity.

Researchers of victims' participation in trials note that women are often given a passive role, while men are positioned as being actively involved in the conflict. This model, reproduced in the practice of litigation, supports traditional models of active masculinity and passive femininity (Henry 2009). A serious barrier for victims is also the legalization of their suffering during trials, when there is a terrible gap between experience and its linguistic representation, and victims are required to describe the facts legally rather than express their emotions. Therefore, an authoritative institutional atmosphere of criminal justice can be a positive space only if the suffering of victims is acknowledged, the voices of victims are heard and perpetrators are properly punished. The professional legal community is able to do a lot in this area.

The vision of poverty and human dignity in legal reasoning

The argument of human dignity can be no less significant in achieving Goal of Sustainable Development No. 1: "No Poverty – End poverty in all its forms everywhere." While analyzing the perspective of a "decent society," Avishai Margalit (1996) argues that poverty degrades human dignity, focusing on a detailed analysis of how poverty is stigmatized in society by attributing to it the quality

of complete failure of a person. This emerges when poverty is seen as a condition that implicitly includes judgment about a person as one who cannot secure even the minimum necessities for their existence, and under the pressure of stigmatization from others becomes accustomed to this status and loses self-esteem. A society where human dignity is attacked cannot be dignified.

An important decision recently emerged in the case law of the European Court of Human Rights, which took a position on poverty and its impact on human vulnerability and dignity. The relevant judgement in *Lăcătuș v. Switzerland* (2021; European Court of Human Rights) concerned Switzerland's violation of Article 8 of the European Convention on Human Rights. The applicant, a Romanian citizen from the Roma community, illiterate, unemployed, and without social assistance, lived as a beggar during her stay in Switzerland. She was found guilty in the canton, where begging in public places is prohibited by the criminal code, and was sentenced to a fine of 500 Swiss francs. After non-payment, she was sentenced to up to five days in prison.

For the first time, the court had to determine whether a person sanctioned for begging could benefit from the protection of Article 8. To this end, it resorted to the concept of human dignity which underpins the spirit of the Convention. According to the Court, human dignity is seriously violated if a person does not have sufficient means of subsistence. By begging, a person leads a life in such a way as to overcome an inhuman and unstable situation. Therefore, it is necessary to consider the specifics of a particular case, in particular the economic and social circumstances of the individual. While agreeing with the Swiss tribunal that the act of begging is a form of solicitation of others, the Court noted that the right to seek assistance from others is the basis of the rights protected by Article 8 of the Convention. By banning begging altogether, the Swiss authorities prevented her from contacting other people in order to receive help – one of her chances to meet her basic needs.

The Court rejected Switzerland's objection that such a ban was aimed at effectively combating trafficking in human beings and, in particular, the exploitation of children. Firstly, there was nothing in the case to suggest that the claimant belonged to such a network or that she was a victim of the criminal activities of others. Secondly, the Court questioned the punishment of victims of these networks as an effective measure against this phenomenon, noting that the criminalization of begging could make victims of forced begging even more vulnerable.

Finally, the Court did not accept the federal court's argument that less restrictive measures would not have achieved the same or a comparable result. Therefore, the sanction imposed on the claimant was not a measure proportionate to the aim of combating organized crime and protecting the rights of passers-by and residents. The extent to which the claimant, who was extremely vulnerable, was punished for her conduct in a situation where she had no other means of subsistence and, therefore, no other way to survive than begging, affected her human dignity and the very essence of her rights that are protected by Article 8.

As for the claimant's demands under Articles 10 and 14 of the Convention, the court majority ruled that there was no need to consider them separately. However, the judges in some of their opinions drew attention to the need for their separate consideration. The case drew human rights activists' attention to the problem of discrimination, especially given the vulnerability and marginalization of the Roma people. In addition to the issue of discrimination on the basis of ethnicity, there is also the issue of inter-sectional discrimination on the grounds of poverty and/or class.

This judgment demonstrated the development of a policy framework for addressing issues of poverty and human rights in the future, and emphasized the role of legal reasoning in the development of respect for human dignity. A significant part of the modern concept of law is that the legal positions of the parties are supported or refuted by the court as a result of the struggle of the parties' arguments, and are not just an imperative decision of the court, but, in fact, its arguments in response. According to Jeremy Waldron (2011), legal reasoning makes a significant contribution to respecting the right to human dignity. The point is that due to legal reasoning, the law is perceived by the actors as something that can be understood as a holistic "big picture," where the regulation of one set of actions is rationally correlated with the regulation of another, and where the actors of the law dispute are thought of as being able to reflect on and interpret norms, rather than simply apply them mechanically. In this respect, courts, hearings and legal arguments are an integral part of such governance, where respect for human dignity is at the heart of any activity.

Resistance to the anthropocene and the dictates of necropolitics

At the same time, understanding the holistic picture of the world shows that the concept of human dignity based on the ideas of anthropocentrism and Eurocentrism has recently faced considerable challenges. The COVID-19 pandemic, caused by excessive human interference in the ecological balance and life of many species, has significantly exacerbated the urgency of climate issues. Sustainable Development Goal No. 13 ("Climate Action – Take urgent action to combat climate change and its impacts") in its modern interpretation covers the desperate attempt of mankind to find new alternative ways to create a common space where our planet will be a real home for all inhabitants of the Earth.

American biologist Eugene Filmore Stoermer coined the term *anthropocene* in the 1980s, and Dutch chemist Paul Jozef Crutzen popularized it in the early 2000s. Scientists have pointed out that due to anthropogenic influence the Earth began to move from the state of relative equilibrium of the Holocene. Changes in the planet's parameters as a result of human influence have become so significant that researchers at the Stockholm Resilience Centre have identified planetary limits – nine critical indicators, which, if exceeded, will make our Earth uninhabitable. Mankind has already crossed four limits – climate change, land cover change due to land use, biodiversity loss due to species extinction and biological changes associated with nitrogen and phosphorus cycles. The Anthropocene is a hypothesis about a new geological epoch, when human activity has become a force that leads to biogeophysical changes on a planetary scale, changing the face of the planet.

The term *anthropocene* contains the Greek word *anthropos* (man). However, the Swedish researcher Andreas Malm (2018) believes, for example, that this term should be adjusted to call this era the "capitalocene," because the intersection of planetary boundaries is not caused by any one person but by the way of life of the Western world and its socio-economic model. The fact that many experts say "we," naming humanity as a whole as the cause of these processes, does not negate the

fact that the risks are unevenly distributed and affect the most vulnerable, forcing them to suffer from environmental injustice (Chakrabarty 2009). This alarming tone is also felt in the works of the famous French sociologist Bruno Latour, who has been addressing environmental issues since the early 2000s, fighting environmental skepticism, and emphasizing that humanity needs four or five planets like Earth to reach the standard of living of Americans. However, as Latour says, we have only one Earth.

Climate change leads to the deterioration of natural and anthropogenic systems. The anthropocentric way of thinking, strengthening the binaries of "nature/culture" and "nature/society" and placing man in the center of the world, have led to the fact that "nature" has become an "environment," areas of "collision" between man and nature are considered sources of danger, and apocalyptic sentiments permeate the entire social fabric. The COVID-19 pandemic was the point of singularity where ontological gaps were exposed completely and fully.

Michel Foucault (2004), who introduced the concept of biopolitics in 1976, described it as being composed of political goals and strategies related to the fact that certain phenomena inherent in the human race have entered the realm of political methods. Control of abortion and infant mortality, implementation of health policies, eugenics and "racial hygiene" to "improve the quality of the population," technical and political opportunities to regulate the life of species as such – all of this is how governments manage the population, living the political dream of comprehensive biopolitical discipline and control. The COVID-19 pandemic dictatorship which governments imposed on the entire population under the guise of "care" and "conditions for survival" was a long-awaited dream of the authorities that came true. The government, which constantly produces "bare life" and "exceptional position" (Agamben 1998), replaces politics with biopolitics. Necropolitics, as a kind of biopolitics, studies the mechanisms of mortality control and is manifested in the radical actions of the government to devalue and eliminate "extra" people and decide who lives and who dies. Achille Mbembe (2003), introducing the concept of necropolitics, outlines how democracy began to manifest its dark side – a "nocturnal body" – based on the fears and violence that ruled colonialism. He emphasizes that this has led to growing inequality, hostility, terror and militarization, and a resurgence of racist, fascist and nationalist forces aimed at exclusion and destruction. However, despite his horrific diagnosis, Mbembe promotes the idea of caring as a shared vulnerability to explore how new conceptions of humanism that go beyond existing boundaries may emerge and allow us to treat the Other not as a thing to be excluded but as a human being with which we can build a fairer world.

In particular, Mireille Delmas-Marty – an honorary professor at the Collège de France and author of fundamental works on human rights and the globalization of law, who passed away in early 2022 – proposed the development new humanism. She studied ways to lead people to mutual humanization considering ways of confronting relativism and imperialism, such as the pluralization of the universal (i.e., bringing order to pluralism without destroying it) through dialogue (the reconciliation of differences), translation (the harmonization of differences) and creolizing (the unification of differences through merging the general definition). Delmas-Marty believed in the creative power of law and in the power of the human imagination, capable of creating new legal forms and models in the face of increasingly complex reality. Furthermore, she points out that the forces of imagination live within the creative ability of lawyers, who always operate in a system of certain

values. In her opinion, despite all the recent failures and frustrations in the area of human rights, the path of today's legal civilization is marked by two fundamental values: humanism as a recognition of human dignity, understood as the diversity and irreducibility of people and their cultures; and sustainable development as respect for future generations and the planet. This system of views remains within the anthropocentric paradigm.

Transhumanism also still puts a person at the center, but it is a person with improved physical and cognitive characteristics – a cyborg who exists in a world of technology sewn into the basic "order of things." At the same time, this center is already a transit zone – a border where dualistic ontological boundaries are shifted and the natural and artificial, organic and cybernetic are combined. This cyborg is not just a thought experiment, it is a new political myth connected with other ontologies which reconstructs the old nature/culture connection and undermines the logic of trying to reduce everything to either one or the other (Haraway 1991).

Posthumanism already exists in the coordinates of the non-anthropocentric world, where subjectivity is radically rethought. The theory of agent realism, developed by queer theorist and quantum physicist Karen Barad (2012), stems from the position that the world is constantly developing and is engaged in dynamic intra-action; this world is not closed, it is constantly open. Based on quantum ontology, Barad states that wave and particle do not exist outside of certain practices, and that vacuum is not emptiness but quantum fluctuations associated with virtual particles on the verge of being/non-being. From this point of view, materiality is thought about in a new way. Individuals do not exist as separate entities, but materialize in certain intra-actions in constant reconfiguration. The very difference between them is constantly changing – it is not a constant but a bunch of agency. That is, certain entities are formed and have significance only in the creative act of interaction.

Therefore, human existence today is an attempt to resist the anthropocene and the dictates of necropolitics by reinventing oneself in relations with others in such a way as to go beyond one's own thoughts – to see the world in all its multiplicity and depart from anthropocentric discrimination. Most importantly, Rosi Braidotti (2020) concluded that the human race needs to stop practicing humanity as a quality that is distributed according to a hierarchical scale based on the assumption of the predominance of masculine, white, Eurocentric, heterosexual, reproductive, able-bodied, and urbanized actors speaking one of the main languages. The task of lawyers is to expose the government's presumptions about the existence of a dominant category of human – that some may be "less human," dehumanized, and excluded from "real" humanity compared to others.

Decolonization and new legal solidarity

Since one of the most important influences on modern legal reality is colonial thinking, the issues of decolonization in law, the maintenance of equality and diversity, and legal protection against discrimination in modern social discourse require special attention. Obviously, sustainable development Goal No. 10 ("Reduced Inequalities — to reduce inequalities, policies should be universal in principle, paying attention to the needs of disadvantaged and marginalized populations") cannot be achieved while ignoring these legal aspects.

The colonization of existence – as a system of knowledge creation that supports the division of people by declaring some of them insufficiently subjective and insufficiently legitimate – reinforces and reproduces inequality and non-discrimination. Rosi Braidotti (2020) writes that viruses caused by human interference in the environment commit acts of discrimination using human trajectories and their force. COVID-19 was an indicator of strong social inequality, which the ruling neoliberal political classes would like to deny. However, it was neoliberal governance that contributed to the spread of the infection, exacerbating social and economic power inequalities.

Therefore, it is critical to understand that consciously countering apocalyptic thinking is possible only by rethinking the question of who "we" are on a global scale and how pandemic experiences we lived through can become a reliable alternative to discriminatory unitary categories based on Eurocentric, masculine, anthropocentric and heteronormative assumptions. We are united – that is, we are ecologically connected through numerous relationships that we share within the natural and cultural continuum of our earthly environment. However, we are very different in terms of our location and access to social and legal rights, technology, security, prosperity and quality health care.

COVID-19 has exposed the systemic nature of inequality that structures our society. We have seen that the majority of coronavirus deaths were people whose lives, even outside of epidemics, are in constant danger due to discrimination in all aspects of their existence. The pandemic has shown how the destruction of the natural environment – the pollution of air, water, and food, exacerbated by various forms of social discrimination – weakens humanity, makes it vulnerable to disease and leads to a catastrophic process: Planeticide (Glikson and Groves 2016). Therefore, the time has come for the diverse and collective "we" to go beyond the Eurocentric humanistic skills of representation that once formatted it, and to express the understanding that "we" – all living things – live in one common planetary home (Braidotti 2020). In this regard, decolonial theories and indigenous theories are an important source of understanding, as for most people on earth the difference between nature and culture does not matter, and fear of death and extinction, epidemics, deprivation of property and environmental destruction have been and continue to be characteristics of colonial conquests as well as integral parts of colonized cultures.

In view of the above, it is essential to understand that efforts to decolonize thought and existence sometimes fail, and instead help to reproduce colonial behavior and colonial attitudes. Decolonization is a direct and honest challenge to the dominance of the usual actor in power and the destruction of the systems of thought that treat it as a standard. This is the value of talking about what Others have done. This is a major overhaul of the entire system, not the exploitation of certain images without due respect and authority.

This caveat is linked to the fact that the modern human rights movement lacks political momentum. Human rights initiatives are increasingly depleted, and communication on the issues of combating injustice, inequality and discrimination is often based on the rules of branding, advertising and building business models, where celebrity and consumption logic are used to raise awareness and expand markets. Creating media content with a slogan against violence or taking selfies at a human rights event has become a fashionable and important part of self-presentation, but while supposedly aimed at supporting victims of violence, increasing solidarity, care and recognition, such actions mostly support platforms and genres focused on the inner self rather than on objective conditions that give rise to inequalities and stratification. The civic sector is increasingly becoming

involved in corporate logic, is concerned about finding ambassadors among celebrities, is becoming increasingly depoliticized, is losing its human rights impulse, and cares less for large-scale political initiatives than its own digital projections with the "proper" tags and slogans. This situation is reminiscent of the concept of "greenwashing" created in fashion law to distinguish between sustainable brands and brands that only call themselves eco-friendly, but do not actually operate in accordance with environmental requirements, following them only superficially. Tags, selfies, and likes with support from global human rights initiatives are in fact becoming a manifestation of colonial thinking, where self-presentation combined with caring for "distant others" is an easy step within the mainstream that is taken without actually participating. The creeping alienation that keeps the right actors in a state of "measured" activism and keeps political apathy hidden behind the external façade of activity are typical manifestations of colonialism, where the transparent cultivation of oppression and domination impoverishes the political space and produces pornographic political dialogue. A reality without meaning, a simulacrum that communicates but does not change, leads to the formation of impenetrable zones of power, where alienation from real problems grows and a powerful potentially active political spectrum is suppressed.

It is possible to counteract these tendencies by restoring true solidarity, which will create new frames for interaction policies. Velvet triangles – a heuristic concept developed by Alison E. Woodward (2003) to describe the interactions between policy makers, academia, and the feminist human rights movement to coordinate and influence the political process – could be important experiences in this regard. Although significant changes have taken place since the development of this concept, its aspects may nevertheless be relevant to the current situation. Certain things may be reborn in new forms such as rejecting bureaucratization, co-opting important issues with colonial approaches, insensitivity to local contexts, and increasingly organized violence. It is possible to overcome numerous forms of exhaustion and build various platforms of new formation together, provided that we feel a sense of belonging to the common world.

Global Judicial Dialogue can play an important role in creating this unity. Authors who study this phenomenon (Frishman 2013; Slaughter 2003; L'Heureux-Dube 1998) emphasize the importance of the global conversation in finding solutions to the global complex of human rights issues. At the same time, the awareness of the limitations of the language of human rights and the understanding that no court has universal authority to interpret certain rights gives rise to a constant process of challenging and contextualizing the universalist claim regarding rights. While judges around the world seek each other for convincing authority, cross-pollination and trans-legal communication between courts is taking place. Such a dialogue is quite capable of becoming a generative force that will open the horizon of possible actions and create a multitude of alternatives to overcome the symptoms and causes of necropolitics, colonialism, discrimination and inequality on planet Earth.

Conclusions

The role of the legal profession in sustainable development in the light of the challenges of the COVID-19 pandemic and Russia's full-scale war in Ukraine can be enhanced by developing

the concept of human dignity in legal reasoning. UN Sustainable Development Goal No. 16 ("Peace, Justice and Strong Institutions") can be achieved by combating impunity for the most serious war crimes and crimes against humanity and protecting victims of war and ensuring due respect for their human dignity.

A no less important argument of human dignity can be embodied in Sustainable Development Goal No. 1: "No Poverty." The current debate over how the welfare society and poverty are related and whether poverty degrades human dignity is answered with the link to current legal practice which has faced this challenge.

Sustainable Development Goal No. 13 – "Climate Action," which covers an attempt to resist the anthropocene and the dictates of necropolitics – is creating an impetus for lawyers to expose the presumptions that someone may be "less human," and may be excluded from "real" humanity compared to others. The practices of decolonization in law, the promotion of equality and diversity, and legal protection against discrimination support the struggle against colonial thinking. Obviously, Sustainable Development Goal No. 10 ("Reduced Inequalities") cannot be achieved by ignoring these legal aspects.

The task of lawyers is to restore true solidarity and find legal instruments for legal communication that will preserve the commitment to fundamental legal values and meanings.

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