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STUDIA
ECOLOGICAE
ET BIOETHICAE



24/2 (2026)

Conservation Bioethics between the Rights of Local Communities and Global Responsibility in Combating Ivory Trafficking

Bioetyka ochrony przyrody między prawami społeczności lokalnych a globalną odpowiedzialnością w zwalczaniu nielegalnego handlu kością słoniową

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Received: 2025-10-14; Revised: 2025-12-18; Accepted: 2026-01-04

Abstract: Once seen mainly as a trade in ivory, the killing of elephants has grown into something much larger – an ecological crisis with deep bioethical implications. This article examines how international conservation regimes, particularly CITES and the EU, impact African rural communities, which often bear most of the costs. Using case studies from Southern Africa, this study examines how reactive conservation, poor implementation of anti-poaching measures, and corruption have contributed to the penetration of international criminal interests into African spaces, while democracy is challenged as rural actors are systematically marginalised from political processes. The research question concerns the ethical legitimacy of conservation policies that impose restrictive prohibitions without equitable mechanisms for participation and compensation. The thesis advanced is that bioethics offers a normative framework capable of reconciling ecological imperatives with social justice, through the principle of shared responsibility. At the European level, Regulation (EC) No. 338/97 and the EU Action Plan against Wildlife Trafficking position the Union as a global leader, but risk reproducing normative paternalism if they ignore local autonomy. The article concludes that a bioethical framework based on shared responsibility—local, regional and global—is essential to ensure that conservation becomes a project of solidarity, justice and ecological integrity, rather than an imposed burden.

Keywords: bioethics of conservation, ivory trade, CITES, European Union, SADC, transnational organised crime, global justice, bioethical responsibility, SDG 15: Life on Land, SDG 16: Peace Justice and Strong Institution, SDG 17: Partnerships for the Goals

Streszczenie: Początkowo postrzegane przede wszystkim jako problem handlu kością słoniową, zabijanie słoni przekształciło się w zjawisko o znacznie szerszym wymiarze, tj. w kryzys ekologiczny o głębokich implikacjach bioetycznych. Niniejszy artykuł analizuje, w jaki sposób międzynarodowe reżimy ochrony przyrody, w szczególności CITES oraz polityki Unii Europejskiej, oddziałują na afrykańskie społeczności wiejskie, które często ponoszą nieproporcjonalnie wysokie koszty tych regulacji. W oparciu o studia przypadków z Afryki Południowej badanie to ukazuje, w jaki sposób reaktywny model ochrony przyrody, nieskuteczne wdrażanie środków antyklusowniczych oraz korupcja przyczyniły się do przenikania międzynarodowych interesów przestępczych do przestrzeni afrykańskiej, przy jednoczesnym podważaniu zasad demokracji poprzez systematyczną marginalizację ludności lokalnej w procesach decyzyjnych. Pytanie badawcze dotyczy etycznej zasadności polityk ochrony przyrody, które nakładają restrykcyjne zakazy bez zapewnienia sprawiedliwych mechanizmów

partycypacji i rekompensaty. Postawiona teza zakłada, że bioetyka dostarcza ram normatywnych umożliwiających pogodzenie imperatywów ekologicznych z wymogami sprawiedliwości społecznej poprzez zasadę współodpowiedzialności. Na poziomie europejskim rozporządzenie (WE) nr 338/97 i Plan działania UE przeciwko nielegalnemu handlowi dziką fauną i florą pozycjonują Unię jako światowego lidera w tej dziedzinie, jednocześnie jednak niosą ryzyko reprodukcji normatywnego paternalizmu, jeśli pomijają lokalną autonomię i sprawczość społeczności dotkniętych tymi regulacjami. Artykuł dowodzi, że przyjęcie ram bioetycznych opartych na współodpowiedzialności—lokalnej, regionalnej i globalnej—jest niezbędne, aby ochrona przyrody mogła funkcjonować jako projekt solidarności, sprawiedliwości i integralności ekologicznej, a nie jako zewnętrznie narzucone obciążenie.

Słowa kluczowe: bioetyka ochrony przyrody, handel kością słoniową, CITES; Unia Europejska, SADC, transnarodowa przestępczość zorganizowana, sprawiedliwość globalna, odpowiedzialność bioetyczna, Cel Zrównoważonego Rozwoju 15: Życie na lądzie, Cel Zrównoważonego Rozwoju 16: Pokój, sprawiedliwość i silne instytucje, Cel Zrównoważonego Rozwoju 17: Partnerstwo na rzecz celów

Introduction

The subject itself was no coincidence. Field visits to Africa showed us firsthand the daily trials of the communities that share the land with elephants: destroyed cultures, threats to their safety, and international regulations under which they rarely have a voice. This disjunction between global conservation discourses—dominated by institutions like CITES and the EU—and local realities has set the stage for today's bioethical reflection.

What once seemed a historical problem—the killing of elephants for ivory – has become a moral scourge, exposing a crisis of biodiversity, human dignity, and global responsibility. Since the 2000s, poaching in East and Southern Africa has skyrocketed, aided by transnational criminal networks such as the Kromah and Shuidong cartels—operating on the backs of corruption and weak governance—to treat ivory as a high-value commodity, on par with narcotics or weapons (Stiles 2021; 2022b).

In this sense, conservation has transcended ecological concerns and become a bioethical issue grounded in the values of justice, solidarity, and responsibility. The ivory trade is a microcosmic reflection of three levels of structural conflict: that between biodiversity as a global common, the rights of local communities to survive and thrive, and the duties of states under international law. In South Africa, communities suffer from land and livelihood

depletion because they are governed by institutions located miles away and do not involve them in decision-making. Their absence raises questions of justice and legitimacy. The inflexible anti-trade policy of CITES, which SADC has decried as undermining community-based conservation, demonstrates the paradox: range states that have invested effectively in conserving their elephant populations are denied the benefits, while the costs fall entirely on local populations (SADC 2022; Zenda 2023).

The EU represents an additional layer here, both as a party to CITES and as a normative power. Council Regulation (EC) No 338/97 sets out rules and provides for stricter measures than those of the Convention, while the new EU Action Plan 2022-2027 lists ivory trafficking as a threat to the environment and security. This concentration of power in Europe for biodiversity governance contributes, on the one hand, to restoring normative coherence at the European level, but, on the other hand, it gives rise to bioethical risks: can the Union rely on moral authority if it ignores the rights and autonomy of communities in Africa? Does not the strict prohibition tend towards normative paternalism? (European Commission 2022).

The article is situated at the intersection of ecological urgency, community responsibility and European responsibility. The central issue, however, is not only a legal or

technical one, but also a normative one: how should local interests be balanced with international responsibilities and EU regulations in a way that is ethically legitimate and prudentially functional?

Research Problem and Thesis Statement

Global conservation is increasingly threatened by deep ethical and political fractures. When local communities are pushed aside, denied a fair share of benefits, and excluded from decisions that affect their lives, the result is a dangerous imbalance—one that fuels poaching, corruption, and even transnational crime. What is at stake goes far beyond the fate of elephants: it concerns the very legitimacy of conservation. Unless responsibility is shared in a way that respects both local realities and global duties, conservation risks turning into an exercise of paternalism rather than a genuine project of justice and solidarity.

The ivory trade illustrates this bioethical challenge at the intersection of conservation, indigenous rights, and global governance. Ironically, although CITES was created to protect endangered species, it often neglects the realities of range states and the property rights of local communities (CITES 2022a, 2022b). Southern African states such as Botswana, Namibia, Zimbabwe, and South Africa argue that their sustainable-use approaches are disregarded in favour of ideological bans, generating dissatisfaction and even threats of withdrawal from CITES (Sunday Standard 2022; SADC 2022). This signals not only a political rupture but also an ethical crisis, as legitimacy is undermined when those who bear conservation costs lose their voice.

Meanwhile, the European Union promotes itself as a global leader in combating wildlife trafficking, with some of the strictest rules worldwide. Through Council Regulation (EC) No. 338/97 and successive Action Plans, the EU has gone beyond CITES, framing ivory trafficking as both an environmental and a security threat (European Commission 2016, 2022). The revised 2022–2027

plan integrates wildlife crime into the EU's security agenda and stresses cooperation with African states. While this prohibitionist approach strengthens the EU's normative authority, it also raises a core ethical question: how can increasingly restrictive policies be justified if they ignore African communities' socio-economic dependence on natural resources and their right to shape conservation?

This study argues that only a bioethical paradigm can mediate such contradictions. Local communities must be empowered to manage resources sustainably, range states need fair and science-based plans, and international partners—including the EU—should provide support without paternalism. Bioethics calls for moving beyond a simple use/non-use dichotomy towards mutual responsibility, ensuring that conservation becomes a shared effort to protect what little remains.

1. Literature Review and Research Methods

The debate on the ivory trade and elephant protection has produced a large and diverse body of work. Some researchers describe ivory trafficking as part of organised crime, pointing to cases such as the Kromah network or the Shuidong hub that moved tusks across continents (Stiles 2022a; Titeca 2019). Other studies look closer to the ground, at the daily struggles of rural households that live next to elephant habitats, while most tourism revenues are captured by state agencies or outside investors (Adams and Hutton 2007; Nelson 2010; Ntumi et al. 2020). A different line of literature questions the global rules. CITES, while meant to stop extinction, often collides with the policies of southern African governments, which defend the principle of sustainable use (SADC 2022; Sunday Standard 2022). Within Europe, analyses of the EU Action Plan against Wildlife Trafficking have shown progress in law enforcement but also uneven results and persistent gaps. Scholars note the tension between bans and community-based conservation, where the former signals moral

clarity while the latter tries to give rights and benefits to local actors (Lemaître and Hervé-Fournereau 2020; European Commission 2022). In the background, work on environmental ethics and global justice reminds us that conservation is never just technical; it is also about fairness, rights, and the sharing of responsibilities (Gardiner 2011; Brock 2017). These sources form the theoretical framework on which our analysis is based, providing both empirical data and normative foundations.

In terms of methodology, this article adopts a qualitative and interdisciplinary approach. The analysis relies on a critical reading of policy documents (CITES resolutions, EU regulations, and action plans), academic literature in conservation studies, environmental ethics, and criminology, as well as reports from NGOs and intergovernmental agencies (EIA 2017; Eurogroup for Animals 2024; IMPEL 2024). Rather than generating new empirical data, the method is interpretive, aiming to identify the ethical dimensions that underlie conservation law and to assess the normative coherence of the EU's position in relation to African perspectives. Comparative analysis is used to contrast the prohibitionist stance of the EU with the sustainable-use paradigm promoted in southern Africa, while the bioethical framework provides the lens through which tensions of justice, autonomy, and responsibility are evaluated.

2. Objectives

As will be seen, the present paper has a network of interconnected objectives that ultimately derive from the awareness that the ivory trade cannot be just an object for economic or crime control studies or one that can be subject to the logic of environmental governance but must be considered within the broader framework of bioethics and global justice.

First, the article aims to provide a critical analysis of the normative conflict generated between the restrictive policies promoted by CITES and the EU and the claims formulated

by the governments of the Southern African states and local communities. In doing so, it attempts to demonstrate that the conflict is not only political, but also ethical: about who has the right to determine how natural resources should be used legitimately, on whose shoulders the burden of conservation falls, and who ultimately reaps their benefits. (CITES 2022a; SADC 2022).

Second, the study aims to highlight the structural role of transnational organised crime in sustaining the ivory trade, including how corruption and weak institutions facilitate illicit flows and how global demand, even from Europe and Asia, entrenches them (Stiles 2022a). The aim is simply to highlight that African countries cannot bear this burden.

Third, the article attempts to assess the normative position of the European Union. Regulation (EC) No. 338/97 and the successive EU Action Plans on Wildlife Trafficking—first adopted in 2016 and revised for 2022-2027—establish one of the strictest legal architectures worldwide. Yet it remains questionable to what extent this framework achieves an adequate balance between ecological imperatives, on the one hand, and local rights and socioeconomic interests, on the other. The central question is whether the EU can genuinely arbitrate between its ambition to act as a global leader in conservation and its ethical commitment to avoid paternalism by promoting participatory, community-based models of conservation (Sunday Standard 2022; Zenda 2023; European Commission 2022).

The ultimate purpose of this reflection is to outline a bioethical framework of shared responsibility, one that acknowledges biodiversity as a common good of humanity, affirms the sovereignty and rights of local communities as legitimate custodians, and requires international actors, above all the European Union, to engage through cooperation rather than unilateral imposition. Such a framework seeks to move beyond the sterile dichotomy of trade versus

non-trade, towards a vision of conservation animated by solidarity, guided by justice, and sustained through the intergenerational responsibilities that bind present choices to the future of both human and non-human life.

3. Theoretical and Bioethical Foundations

Conservation bioethics is based on the belief that protecting nature is not just a technical or economic task, but also a moral one. It involves issues of justice, responsibility, and respect for all forms of life (Jamieson 2008).

The concept of environmental justice provides a link between legal argumentation and the moral process of reflection in conservation. It emerged from the social movement's understanding that environmental pollution and destruction are often associated with crushing poverty and racial inequality (Bullard 1990; Schlosberg 2007). Over the years, equity in the distribution of environmental benefits and burdens has come to mean more than that—including the right of people to play a role in decisions that affect them, while respecting communities whose voices are often ignored. For this study, environmental justice is seen as both a foundation and a companion to conservation ethics. While environmental justice is primarily concerned with equity among human beings, bioethics goes a step further: it considers responsibility for nonhuman life and for future generations. Bioethics redefines the meaning of justice to include ecological balance, social equity, and shared moral responsibility.

The conservation bioethics I refer to draws on the tradition of environmental ethics and theories of justice that transcend human interests. Ecological justice, in this sense, is specifically rooted in the contributions to environmental philosophy of John Baird Callicott (1989) and Bryan Norton (1991), who argued that justice should include the relationships between human and non-human members of the biotic community. We can connect this approach to Robyn Eckersley's concept of ecological citizenship,

which advocates for distributive equity in the sharing of conservation costs and benefits (Eckersley 2004). In this study, ecological justice is understood as an ethical commitment to maintaining the integrity of ecosystems while ensuring equity among those who depend on them.

Intergenerational responsibility builds on the work of Jonas (1979) and, developing his ideas, that of Gardiner (2011), who emphasizes that moral consideration in current ethics must take into account future generations. This is also true in the field of conservation bioethics, and decisions made today to favour or sterilize biodiversity must be based on prudence and care for those who will inherit the planet.

The notion of community rights has its origins in discourses of community and ethics of care that focus on collaborative engagement and human interconnectedness (Gilligan 1982; Noddings 2003). In the field of conservation, this would involve granting moral credit to local communities as agents and stewards of their environment (Adams and Hutton 2007; Nelson 2010). Political ecologists and indigenous rights scholars also argue that conservation ethics must be just at multiple scales—ecological, temporal, societal—for global efforts to be successful, they must respect local autonomy and voice.

All three of these normative frameworks are considered central to the analysis of the ivory trade: ecological justice, intergenerational responsibility, and community rights.

Ecological justice refers to the fair distribution of biodiversity's costs and benefits. Communities in elephant range states bear the heaviest burdens—crop destruction, safety risks, and limits on resource use—while the wider world enjoys the ecological and symbolic value of conservation. The principle is violated when CITES bans exclude sustainable-use models and force local people to carry risks without a fair share of rewards (CITES 2022a; SADC 2022).

Intergenerational responsibility requires looking beyond short-term interests and

conceiving conservation as a duty towards future generations. Thus, the elephant becomes the emblem of this responsibility in both a biodiverse and cultural space. But this horizon must be anchored in the present. Vulnerable populations should not be asked to sacrifice the present for a distant future that exists elsewhere. Responsibility for tomorrow cannot be at the expense of the dignity and fundamental rights to life of those who live with wildlife today. Sustainability, therefore, requires a balancing act of protecting the future while considering the demands of the present.

Community rights emphasise the duty to treat rural people as custodians, not mere beneficiaries of conservation. The SADC bloc's "custodian state" rhetoric is also bioethical, claiming that states meeting conservation benchmarks deserve a strong say in policymaking and, when scientifically justified, the benefits of sustainable use (SADC 2022; Zenda 2023). Denying these rights in the name of a global ethos risks perpetuating local exclusion and loss of agency.

In this context, the normative conflict between CITES and the EU becomes crucial. CITES limits trade to protect endangered species, but critics argue that ideology has often prevailed over science and justice (Sunday Standard 2022). The EU, by adopting and reinforcing CITES through Regulation (EC) No 338/97, has entrenched this restrictive approach.

By doing so, the EU positions itself as a global guardian of biodiversity but also faces accusations of normative paternalism: stricter standards risk neglecting African socio-economic realities. This divide reflects a broader North–South split in conservation governance. The EU and the Global North promote prohibitionist, protectionist approaches framed in moral discourses, while SADC states emphasise sustainable use, sovereignty over resources, and community rights (CITES 2022a; SADC 2022).

From a bioethical standpoint, no single position can claim absolute legitimacy. The essential task is to reconcile universal

principles with local contexts in a way that renders conservation both biologically viable and ethically justifiable.

These three principles—ecological justice, intergenerational responsibility and community rights—form the analytical lens through which this article examines CITES and EU policies on the ivory trade. They serve both as moral criteria and as interpretive tools for understanding how global conservation norms meet and sometimes clash with realities on the ground.

4. Case Study: African Context and Local Tensions with CITES

Nowhere is the gap between international conservation regimes and what happens at the local level more evident than in Africa.

Botswana, often celebrated as a conservation success, has also revealed flaws in its anti-poaching strategies. The "war on poaching" exposed corruption among officials, limited livelihood alternatives, and the ability of transnational crime networks to infiltrate enforcement. The government's "shoot-to-kill" policy, meant as a deterrent, sparked controversy for human rights violations and alienated local populations, whose cooperation is vital (Mogomotsi and Madi-gele 2017).

Some communities were drawn into trafficking, either as informants or direct participants, since payments often exceeded farming or state subsidies. Thus, poaching emerges not only as an environmental crime but as a symptom of weak institutions and a lack of viable livelihoods.

Meanwhile, the Southern African Development Community (SADC) has argued that its countries are home to some of the largest elephant populations on the planet and have the right to decide their management policies. Some countries, notably Botswana (Izadi 2023), Zimbabwe and Namibia, have argued that conservation through sustainable use, with controlled international trade in commodities such as ivory, can generate funds to support ecological infrastructure and provide a direct incentive for local

people to protect their wildlife, creating streams of benefits that reach them directly (Sunday Standard 2022; Zenda 2023). For them, this is not only about sovereignty but also about justice: those who carry the burdens of conservation should also enjoy its benefits.

The tension is evident: time and again, SADC governments have asked CITES to relax restrictions, delist elephants, or allow limited ivory trade. Each time, the response has been negative. From their perspective, decisions are driven by ideology, not science, and local people bear the cost without compensation (SADC 2022). For families near elephant herds, the reality is immediate—destroyed fields, safety risks, daily human–animal conflict—while the benefits of conservation, such as biodiversity or international prestige, remain distant.

This raises a core bioethical challenge. Communities are asked to sacrifice for a global good designed by distant institutions. If those most affected are excluded from meaningful participation and denied fair benefit-sharing, conservation cannot be ethically justified. The African case shows that without genuine inclusion, conservation risks becoming not solidarity but another form of normative paternalism.

5. Transnational Organised Crime and the Global Ivory Market

At its core, the illicit ivory trade is less a conservation problem than a criminal enterprise—syndicates transcending international borders, manipulating weak institutions, suborning officials, and exploiting entrenched power asymmetries.

On the African continent, the Kromah network and the Shuidong cartel stand out as examples of how transnational organized crime operates in the ivory trade. Other notorious figures, such as the so-called “Ivory Queen” in Tanzania, underline the global reach and adaptability of these networks (Stiles 2022b; “The Long Road to Prosecution of Moazu Kromah” 2020).

When we consider their structure, methods, and reach, one must confront the moral question of who is responsible when demand for a product in distant markets leads to violence and ecological degradation.

Consider first the Kromah network: after years of investigation, Moazu Kromah was convicted of wildlife trafficking in the US. And from testimony and a look at his accounting records, it emerged that a network spanning East Africa had long trafficked fortunes in ivory (US Department of Justice 2022; “The Long Road to Prosecuting Moazu Kromah” 2020). His involvement in prosecutions stemming from his network in Kenya or Uganda has resulted in few, if any, convictions, often the result of corruption, judicial delays, or interference by powerful figures (Stiles 2022b; “The Long Road to Prosecuting Moazu Kromah” 2020). The case also highlights how criminal networks affiliate with sectors of law, politics, or the economy and depend on bribery, forgery, collusion, and transnational logistics to operate (Wildlife Justice Commission 2022).

The Shuidong network is also a textbook example of how ivory is smuggled into China. The report “The Shuidong Connection” illustrates the extent to which Chinese-led syndicates have become transit hubs for illegally acquired ivory from African states—usually also via ports in Southeast Asia—to Asia, complete with preferred corridors and hideouts or people present who can be paid to look elsewhere (EIA 2017). At its heart is a symbiosis between African supply and Asian demand: the network’s ability to manage shipments, conceal origins, and employ local criminal intermediaries shows that this is an enterprise operating at the cutting edge of global trafficking (EIA 2017; Stiles 2022a).

Related debates, such as the trade in exotic pets, reveal a similar dynamic: global demand fuels ecological destruction and undermines local rights (Fernandez et al. 2025).

Evidence strongly supports the link between poaching, corruption, and trade.

Smugglers form coalitions, recruit brokers, and adapt quickly to law enforcement (Titeca 2019). Genetic studies have mapped ivory hotspots and shown that the same organizations operate across routes and over time (Wasser et al. 2022; Washington News 2022).

Morally speaking, the burden does not lie only with the African nations where the crimes occur, but also with the markets that fuel demand—Europe included. If European consumers, collectors, or trophy importers create demand, then the EU and its member states must accept accountability for the destruction of natural resources, social dislocation, and rural violence. The principle of common but differentiated responsibilities requires that importing states not only enforce bans but also assume ethical liability by providing resources for capacity building and ensuring transparency in trade.

The lesson is clear: conservation ethics must address all levels—traffickers, corrupt officials, intermediaries, consumer states, and regulatory frameworks. Without tackling demand and moral complicity abroad, African communities will continue to pay for crimes they did not commit.

6. European Dimension

The EU occupies an ambivalent place in the ivory debate: it is both a strict regulator and a self-styled moral leader, yet its policies often deepen tensions between global ideals and African realities.

6.1. EU as CITES Party and “Non-Trade” Orientation

From the start, Brussels has pushed for a “non-trade” interpretation of CITES, imposing stricter rules than the convention itself through Regulation (EC) 338/97 and its implementing acts (European Commission 2024). The ivory trade is permitted only for pre-Convention antiques, and even then, under heavy restrictions (Eurogroup for Animals 2024).

In practice, loopholes in the European regulatory framework have allowed segments of the ivory trade to persist under

the guise of legality. A recurrent mechanism is the laundering of ivory through exemptions, particularly by reclassifying objects as “antiques” or “pre-Convention” specimens. Research has demonstrated that these categories are frequently exploited, as documentation can be falsified, provenance obscured, and markets for “collectibles” in art and antiques become a convenient cover for illicit ivory (UNODC 2020; WCS 2017). The World Customs Organization has similarly warned that vague or overly permissive definitions in customs codes enable traffickers to manipulate the legal/illegal boundary, creating what is effectively a grey market for ivory (WCO 2019). Over the years, NGOs and scholars have repeated the same concern: the antique exemption is too wide and too easy to exploit. Some demand that the definition itself be cut down to size; others, more cautious, suggest bringing in radiocarbon testing to prove whether ivory is genuinely old. Others argue that as long as exceptions exist, the credibility of conservation efforts will continue to be undermined (Eurogroup for Animals 2024; Lemaître and Hervé-Fournereau 2020).

From a bioethical perspective, the challenge is not just about closing legal gaps but about credibility: every exception tolerated in Brussels risks sending the wrong message on the ground, where people may see less moral leadership and more complicity.

6.2. EU Action Plan on Wildlife Trafficking

The first Action Plan (2016) signalled a broader approach, combining demand reduction, enforcement, and partnerships (European Commission 2016). Its review highlighted progress but also major gaps: uneven enforcement, resource shortages, and weak prosecutions (Lemaître and Hervé-Fournereau 2020; WCS 2017). The revised 2022–2027 plan treats wildlife crime as part of the EU’s security agenda, with tougher rules on trophies, digital trade monitoring, and criminalisation of all illegal wild-sourced trade (European Commission 2022; IFAW 2022).

IMPEL's 2024 guidance stresses that enforcement cannot be fragmented: if some states act strictly while others are lax, traffickers will exploit the weakest link. The report calls for joint inspections, real-time data sharing, and closer cooperation between customs, environmental authorities, and judges (IMPEL 2024). These are presented not only as technical steps but as essential for the consistent and credible application of EU law.

Yet even as enforcement has tightened, deeper questions remain about legitimacy and fairness, which are essentially bioethical.

6.3. Bioethical Aspects: Moral Guardian or Normative Paternalist?

The EU presents itself as a global moral leader through strict bans on ivory, trophy hunting, and reinforced customs controls (European Commission 2022; Eurogroup for Animals 2024). Yet from a bioethical standpoint, this self-image is deeply ambivalent. What is celebrated in Brussels as solidarity often feels, in Africa, like paternalism: policies imposed from afar that sideline local knowledge and marginalise sustainable-use models promoted by SADC states (SADC 2022; Zenda 2023).

In principle, these rules aspire to safeguard ecosystems and future generations. But when they exclude community voices, they risk becoming what critics call "neocolonial normativity": conservation shaped in the Global North and imposed on the Global South, without regard for the rights and aspirations of those most affected (SADC 2022; Biondo et al. 2025).

These perceptions do not only come from countries in the South. Academic research has shown that the implementation of EU actions against wildlife trafficking remains fragmented and uneven across member states, with limited resources and a low conviction rate (Lemaître & Hervé-Fournereau 2020). More recently, Biondo and colleagues have drawn attention to the fact that gaps in monitoring species trade call

into question the EU's credibility as a global leader (Biondo et al. 2025).

6.4. The Security Level: Crime, Cooperation, and Liability

The EU now frames ivory trafficking as a security issue tied to organised crime (European Commission 2022). Europol and Eurojust coordinate cross-border cases, from seizures worth millions (Europol 2021) to prosecutions where traffickers disguised ivory as antiques (Eurojust 2020). Operation Thunderstorm showed how routes ran from East Africa through EU ports to Asia, overlapping with arms and drug smuggling (INTERPOL/Europol 2018). These cases reveal that ivory trafficking is not a stand-alone conservation issue but part of wider criminal economies.

From a bioethical perspective, the lesson is clear: African range states cannot carry the burden alone. European markets, ports, and consumers are integral parts of the chain. Recognising this shared responsibility—across producers, transit hubs, and end-users—is essential both for justice and for effective enforcement (UNODC 2020; Wyatt 2021).

7. Ethical Dilemmas and Tensions

CITES bans, reinforced by EU law such as Regulation (EC) 338/97, pursue biodiversity protection through strict prohibition. Yet, for villagers in Botswana, Zimbabwe or Namibia, elephants mean ruined crops, unsafe homes and lost land, while decisions are taken in distant forums (SADC 2022; Zenda 2023). Botswana is praised as a conservation success, but farmers there see little of the tourism revenue or international prestige (Sunday Standard 2022). In Zimbabwe, communities near Hwange Park report constant losses while most benefits are absorbed by governments or foreign operators (Nelson 2010). Namibia's CBNRM model promised local benefits, yet critics argue that EU ivory bans erode its foundations (Murphree 2009).

Where legal options are blocked, prohibition risks backfiring: poor or conflict-hit areas often turn to traffickers, fuelling poaching and corruption (Stiles 2022a; Titeca 2019). Bans without alternatives make crime more attractive. A bioethical lens demands more: participation so villagers have a voice, equity in sharing burdens and benefits, solidarity from richer actors like the EU, and proportionality so rules do not harm the poor more than they protect elephants.

The imbalance is stark. Conservation is a global public good, yet its costs fall locally. Studies in Zimbabwe and Tanzania show that tourism revenues rarely reach the communities coexisting with elephants (Nelson 2010; Adams and Hutton 2007). In Botswana, human-elephant conflict worsens while money from tourism or hunting bans bypasses households (Rozemeijer and van der Jagt 2020). From a justice perspective, affluent consumers of biodiversity—including the EU—have an ethical duty to support those carrying the heaviest load (Gardiner 2011; Brock 2017).

The EU has invested—over €700 million between 2014 and 2020 (European Commission 2020)—but evaluations note that funds often stall at the state or NGO level, with little reaching households (OECD 2019; WWF 2020). In Mozambique's Niassa Reserve, EU-backed projects reduced poaching, but locals still face predation, crop damage and land-use restrictions with little compensation (Ntumi et al. 2020; Niassa Carnivore Project 2016). Across Africa, protected areas need over \$1 billion annually to function effectively (Lindsey et al. 2017). Without fair and transparent sharing of benefits, aid risks reproducing North-South inequities under the guise of conservation.

The real question is how to balance ecological needs with social justice. This means moving beyond token consultation and making sure communities genuinely shape decisions. Fair compensation—whether through revenue-sharing, direct payments,

or real community projects—must be central (Murphree 2009).

For the EU and other donor states, the challenge is to prove that conservation is not a burden imposed from afar, but a shared responsibility. Only then can it become not just an ecological policy, but a moral one.

8. Rethinking Conservation: Towards Justice and Partnership

The dilemmas outlined above call not for resignation but for change. Conservation can only remain credible if ecological goals are tied to justice, participation, and solidarity.

First, local communities must be recognised not as passive “beneficiaries” but as moral and legal actors. Their rights to land, resources and decision-making must be embedded in national and international frameworks. Recognition here means genuine co-management of protected areas, fair access to wildlife benefits, and influence over policies that shape daily life (Murphree 2009; Nelson 2010). Without this, conservation risks repeating exclusion and paternalism.

Secondly, CITES procedures require reform. Voting is often shaped by blocs and ideology, sidelining the perspectives of states that host most elephants. SADC's sustainable use vision deserves serious attention (SADC 2022; Zenda 2023). Giving range states greater decision-making weight or embedding socio-economic impact assessments into trade decisions would make outcomes more balanced (CITES 2022).

Third, the EU must rethink its role. While presenting itself as a moral leader, it should act less as a rule-maker and more as a partner. Support for anti-poaching and technical assistance is vital, but equally important is respect for the autonomy of African states and communities. Stronger community-based conservation, fair benefit-sharing and local enforcement capacity should guide EU–Africa cooperation (European Commission 2022; Lemaître and Hervé-Fournereau 2020).

Finally, bioethics provides the lens to move forward. Principles of participation, equity and co-responsibility push conservation beyond the sterile “trade vs. non-trade” divide. They remind us that burdens and benefits must be shared fairly, present needs balanced with intergenerational duties, and global actors held accountable for the effects of their choices. Rooting bioethics at the heart of governance may turn the ivory crisis into an opportunity for a more just and sustainable future.

Conclusions

Saving elephants and stopping the ivory trade is not just a matter of biology or law. It is a question of how much humanity is willing to share responsibilities, rights and sacrifices for a global common good. If we see the problem only in terms of controls and trade bans, we lose sight of the moral dimension.

The data clearly show that conservation policies are not neutral. The strict measures imposed by CITES and the EU, although motivated by noble intentions, fall most heavily on the shoulders of rural African communities. Where people live next to elephants, people bear the damage and dangers, while decisions are made far from them. The ethical legitimacy of conservation cannot be based on such imbalances.

With its economic power and regulatory ambition, the EU could lead the way in this area. But for this leadership to be accepted, it must not look like a paternalistic gesture, but like a real partnership: support for community programmes, respect for the sovereignty of the custodian states and a fair sharing of costs and benefits. Only through such consistency can the Union’s moral authority remain credible.

The central idea of the article is that the solution lies in a bioethical framework of shared responsibility. In such a model, local communities manage and benefit directly, regional organisations such as SADC are recognised as stewards, and global actors—including the EU—assume

their share of responsibility through consumption and support. Conservation thus becomes a collective enterprise, linking justice, solidarity and ecological survival from the local to the global level.

Beyond its specific case study, this article contributes to the broader field of bioethics by reframing wildlife conservation as a matter of justice and responsibility across scales. By linking the African experience with European regulatory practices, it highlights the ethical consequences of excluding local voices from decision-making and of framing conservation only through prohibition. In doing so, it offers not only a critique of existing regimes but also a constructive vision of ethical partnership, one that may guide both scholarship and policy towards more balanced and inclusive approaches to global biodiversity governance.

Statements

Author Contributions: Conceptualization, A.D., I.F. and I.B.; Research A.D., I.F. and I.B.; Writing – Original Draft, A.D., I.F. and I.B.; Writing – Review & Editing, A.D., I.F. and I.B.; Visualization, A.D., I.F. and I.B. All authors have read and agreed to the published version of the manuscript.

Funding: This research received no external funding.

Institutional Review Board Statement: Not applicable.

Conflicts of Interest: The authors declare no conflict of interest.

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