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Modest Germinations: Toward Decoloniality in AI Governance in Africa

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Key Points

- Regional, state and multilateral artificial intelligence (AI) governing schemes cater to the peculiar concerns of participating entities. While states from, and entities domiciled in, the Global North dominate most of the key arrangements in this regard, a handful of African states (many of them leaders in AI discourse on the continent) also participate meaningfully in a number of multilateral agreements. Accordingly, strategies and procedures enacted under these agreements often shape AI governance on the African continent.
- African states have implemented, or are in the process of implementing, AI-governing instruments at both the national and regional levels. An important theme common to most of these instruments is the leveraging of AI technologies to improve the conditions of African peoples.
- While there is a noticeable inclination toward correcting for colonially inflected marginalization undergirding AI governance on the continent, there is more room for African states to take bold steps toward placing decolonial praxes at the centre of global and national AI governance both nationally and continentally.

Introduction

The Third Industrial Revolution met most countries on the African continent in the nascent stages of their independence and post-colonial development. By dint of this historical fact, these countries started out backfooted in the digital revolution of the mid- to late twentieth century. But the Industrial Revolution of the twenty-first century (the Fourth Industrial Revolution) is greeted by countries that have matured in their post-colonial life. States on the African continent are positioning themselves as equal players invested in securing appropriate governing frameworks for AI. They are taking measured steps, both nationally and continentally, toward balancing the gains of AI adoption while mitigating the risks that naturally attend any form of innovation. To effectively strike this balance, the peculiar subjectivities of African peoples, including the ongoing effects of Western colonialism on the continent, are relevant considerations for regulatory strategies targeting AI technology. Africa-focused approaches will inevitably map onto other regional, multilateral and global governing schemes in many aspects, but they are also distinctive in other important ways.

This policy brief takes a close eye to major AI governing frameworks around the world that impact governance in Africa. It also studies governance schemes that have emerged from the continent to distill the prescriptions that are common to them, as well as the norms, values and strategies that undergird these prescriptions. It

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focuses on AI-specific regulatory devices, bracketing legislative and policy interventions into related subjects such as data privacy, intellectual property and crime.

Global AI Governance

AI has opened and continues to realize new avenues for both opportunity and risk in human society. In view of this reality, this technology must be effectively governed to ensure due protection of vulnerable interests without unduly impairing innovation (Niazi 2024). Scholars have also advanced arguments in favour of global AI governance, notwithstanding the challenges that necessarily qualify attempts at global governance (especially given how quickly this technology develops and changes) (Tallberg et al. 2023; Veale, Matus and Gorwa 2023; Roberts et al. 2024). In 2023, the world's primary international governing body, the United Nations, formed a High-level Advisory Body on AI (HLAB-AI.) This body was constituted with a view to "foster a globally inclusive approach [to AI]" and was given the mandate to "undertake analysis and advance recommendations for the international governance of AI."[1]

Following months of work and stakeholder engagement, the HLAB-AI identified, among other findings, that there are impermissible gaps in the AI governance landscape, and that these deficiencies can be corrected by operationalizing global governance norms in the AI sector (Advisory Body on Artificial Intelligence 2023). In September 2024, the advisory body published its final report, *Governing AI for Humanity* (Advisory Body on Artificial Intelligence 2024). This report emphasizes that our fast-burgeoning AI ecosystem cannot be left to the regulatory influences of industry or market forces, nor exclusively to national and regional governance. As the report notes, AI is "transboundary in structure and application" and thus "necessitates a global approach" (ibid., 7). The HLAB-AI report holds both empirical and normative aspects, and provides a definitive, though not total, signal of the norms that will inform a stronger and more centralized global AI regulatory system.

1 See www.un.org/digital-emerging-technologies/ai-advisory-body.

Appropriate global governance will work to ensure the equitable distribution of opportunities and gains from AI. It will also serve to manage risks connected to algorithmic bias, data privacy and improper surveillance. To secure these goals, the HLAB-AI holds out the established norms that currently organize the international order as a useful blueprint for global AI governance. Accordingly, global norms such as respect for human rights, sustainable development and cooperation among states will apply to the field of AI and inform what is permissible deployment and innovation in the algorithmic space (ibid., 11). This normative posture coheres with earlier published UN recommendations around the ethical deployment of AI. In 2021, the United Nations Educational, Scientific and Cultural Organization (UNESCO) issued "the first-ever global standard on AI ethics," which put forward a normative framework that was accepted by all member states of the organization, including several African states.[2] The UNESCO recommendation's four core values (human rights and dignity; living in peaceful, just and interconnected societies; ensuring diversity and inclusiveness; and environmental and ecosystem flourishing) map tidily onto the recommendations of the HLAB-AI report.

Read together, these two documents, which are both pioneer frameworks for global AI governance, evince an ideological consistency within the broader international regulatory ecosystem, which sets customary international norms as the lodestar for AI governance. Other resolutions, strategies and policies on AI governance, especially the March 2024 UN General Assembly resolution on AI, support this reading.[3] The 2024 Council of Europe (COE) Framework Convention on Artificial Intelligence is also of particular note.[4] While the COE framework is not quite as global as the UN texts, it is certainly trans-regional: most participating parties are drawn from Europe, but countries in Asia and North America are also key participating states. The normative instincts inherent in the COE framework focus on human rights, the rule of law and democracy and are thus consistent with other global governance texts. In addition to these global approaches, the positions adopted by regional, state and multi-national actors also impact AI governance in Africa.

AI Governance in the European Union, the United States and China

States and multinational entities have established (and continue to institute) AI governing frameworks, some of which date back almost a decade and were developed alongside the Fourth Industrial Revolution (Executive Office of the President National Science and Technology Council Committee on Technology 2016). The regulatory environment that evolved from such multiplicity resulted in what scholars have aptly described as a "weak regime complex" in which standards may be voluntary or compelled, with a patchwork of enforcement institutions, some of which are not even empowered to effect sanctions (Roberts et al. 2024, 1276–78; Veale, Matus and Gorwa 2023). Nonetheless, these mechanisms have been critical to ensure the localized disciplining of development and use of AI technology. Different schemes hold different motivations, and they prescribe regulatory regimes that support their specific visions for AI in our world. In other words, while global governance takes direction from global norms and looks to secure the best outcomes globally, schemes developed by regional and state actors centre the particularized concerns of the participating entities in their AI strategies (Roberts et al. 2024, 1279). Methods of governance within the European Union, the United States and China are important to the African context given how largely these three polities loom in the field of AI.

2 See www.unesco.org/en/artificial-intelligence/recommendation-ethics.

3 See www.oecd.org/en/topics/ai-principles.html and United Nations (2024). See also Schmitt (2022, 311), which offers a rich, if somewhat dated, list of some of the major global governing frameworks, and concludes that "the nascent AI regime that emerges is polycentric and fragmented but gravitates around the OECD, which holds considerable epistemic authority and norm-setting power."

4 *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, 5 September 2023, CETS 225, online: <www.coe.int/en/web/artificial-intelligence/the-framework-convention-on-artificial-intelligence>.

The 2024 EU Artificial Intelligence Act[5] prescribes protection for consumers of AI systems as well as disclosure obligations for developers of these technologies. These prescriptions seem directed at managing risks inherent to AI technology, with a view to protecting consumers from such risks. Yet such protective instincts are not without limit: in February 2025, the European Union announced that no "foreseeable agreements" are in view with regard to proposals to adapt a directive toward non-contractual civil liability on producers of AI systems that cause harms to consumers.[6] This recent update from the European Union certainly signals to technology companies that the region remains receptive to technological innovation within its jurisdiction and that it is not over-correcting for consumer protection.

Whereas the European Union signals a preference to discipline AI technology, even if within the recently announced limit, the US situation tells a different tale. AI governance in the United States holds heightened relevance because the country hosts the numerically highest number of "big tech" AI companies. Given this fact, governance within the United States inevitably impacts the development and deployment of AI around the world. The United States has yet to enact a comprehensive and central AI legislative instrument, although the proposed AI Bill of Rights (The White House 2022), had it taken hold, would have disciplined AI innovation toward public interest. The bill pushes for risk mitigation and mandates disclosure obligations on high-risk AI developers, similarly to the EU AI Act. However, it is unlikely that the bill and other related proposals will pass, given an observable national posture favouring rapid AI innovation.

China's AI governance framework is effected through a number of related documents and guidelines. Commentators have emphasized that the governance prescriptions in China demonstrate attention to state control over information and data technologies, among other factors typical of AI governance systems (Sheehan 2023). In this regard, while the governance context in China takes global and international trends in AI governance into account, it also reflects the specific investment of China in carefully managing information systems. This regulatory landscape thus holds an observable disciplining aspect, but it also leaves much room to ensure that China can take its position as a world leader in AI innovation.

The regulatory approaches of the European Union, the United States and China have transboundary implications, including on the African continent. They determine the permissions given to, and limitations imposed upon, most of the big players in the AI space. Thus, these jurisdictions impact the innovation environment within which African states — and the rest of the world — exist, and to which they respond. Where EU-domiciled companies may take a conservative approach to AI innovation, companies from the United States and China favour rapid development, with Chinese companies being further subject to measures that ensure heightened state oversight.

It is also worth mentioning the 2023 Bletchley Declaration, to which some African countries are signatories (GOV.UK 2023). The declaration recognizes the benefits that AI can afford to key infrastructure sectors as well as the risks that it may pose for individuals and communities. Its signatories commit themselves to global cooperation, ensuring that AI is "designed, developed, deployed, and used, in a manner that is safe, in such a way as to be human-centric, trustworthy and responsible" (ibid.). Given this wide cast of regulatory influences, African states have much to consider when determining how best to chart their own course in AI governance.

AI Governance in Africa

African states have peculiar subjectivities that must be taken into account for productive adoption, and effective governance, of AI technologies. These subjectivities include factors such as a particularly young median age, infrastructure developments

5 EC, *Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act)*, [2024] OJ, L 2024/1689, online: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32024R1689>.

6 EC, *Annexes to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, COM(2025) 45 final (Strasbourg: EC, 2025), online: <https://commission.europa.eu/document/download/7617998c-86e6-4a74-b33c-249e8a7938cd_en?filename=COM_2025_45_1_annexes_EN.pdf>.

and the level and capacity of digital innovation on the continent (Effoduh 2024a). They also include the continent's experience of European colonization, which continues to inform the position of African states in the global hegemony of states. In Africa, AI governing instruments have emerged, and continue to be developed, at both the national and continental levels, and these documents offer an indication of the policy agenda within the continent.

At the national level, most states have yet to enact decisive policy instruments regulating AI technology, although Rwanda is distinctive here for its 2023 national AI policy. This document demonstrates clear ambitions toward fostering AI innovation and positioning Rwanda to benefit from the resultant technology-enabling environment. The policy also indicates specific sectors that the government is targeting for AI innovation (Ministry of ICT and Innovation 2023):

- → health care, banking and payment;
- → e-commerce and trade;
- → transportation;
- → agriculture;
- → public administration and education; and
- → manufacturing and construction.

These are core infrastructure sectors, and targeted deployment within these sectors suggests a move to apply AI technology toward improving national infrastructure. Applying AI to secure accelerated development of infrastructure in key state sectors is a common feature within other national instruments on the continent. And it is one way in which emergent AI governing approaches within Africa respond to the peculiar challenge of infrastructure development, which is especially heightened on the continent.

In Nigeria, the 2025 National Artificial Intelligence Strategy is the primary instrument that suggests the direction AI governance will take within the country. The document speaks of three broad objectives in "leveraging AI": using AI as a tool for economic growth and competitiveness, social development and inclusion, and technological advancement and leadership (National Center for Artificial Intelligence and Robotics, National Information Technology Development Agency and Federal Ministry of Communications, Innovation & Digital Economy 2024). Kenya's draft national AI strategy, published in January 2025, also speaks of making the country a "leading AI hub for model innovation, driving sustainable development, economic growth, and social inclusion while positioning itself as an AI research and application leader in Africa" (Republic of Kenya 2025). In South Africa, the 2024 National Artificial Intelligence Policy Framework similarly looks to "promote the integration of Artificial Intelligence technologies to drive economic growth, enhance societal well-being, and position South Africa as a leader in AI innovation" (Department of Communications and Digital Technologies 2024). These national instruments in Rwanda, Nigeria and South Africa determine the general tenor of domestic AI governance within the continent.

These governing strategies, policies and frameworks indicate a clear attitude that favours AI adoption; governance in this regard looks to capitalize on the opportunities for global ascendancy that AI technology presents. While the applicable governing texts indicate some attention to the risks that accompany AI adoption and prescribe measures to mitigate such risks, it is manifestly observable that an important and primary goal of these documents is to seize the opportunities presented by the present AI moment. The various national instruments are quite obviously attentive to some subjectivities identified earlier in this brief: they purport to use AI to intervene in infrastructure development and boost the state's digital economy. The respective instruments also suggest that an important goal is to develop the subject country as a leader in the field of AI — if not globally, then at least regionally. In this regard, African governments, taking advantage of the young median age of their citizens (and the consequently large worker demography), are positioning their states as important to global markets. In particular, urban centres such as Kigali, Lagos and Nairobi serve as important data centres and tech hubs that enable modern AI technology globally.

Beyond these national instruments, the July 2024 African Union (AU) Continental Artificial Intelligence Strategy is the primary document that offers the continental posture for AI governance across Africa (AU 2024). This document prescribes a supranational standard that positions AI as an opportunity to secure economic and structural benefits from technological innovation. Crucially, the AU strategy is guided by fundamental global norms such as human rights, principles of ethics and human dignity, among others. These norms are oriented toward the African context, with the stated aim of ensuring that Africans are "well-positioned to embrace innovative technologies and leverage them for economic and

social transformation" (ibid.). This document is thus consistent with the trend observable in other regional and state instruments, which prioritize the peculiar ambitions of participating entities.

The AU strategy emphasizes that appropriate AI governance is foundational to realizing the gains of AI technology on the continent. Appropriate governance encompasses developing capacity within the continent as well as positioning African states as co-creators of global governance policies. The AU governance framework looks to ensure that AI both serves African agendas and does not harm African peoples, societies or the environment. It prescribes that already existing regulatory structures be adapted to serve the goals of AI governance, and that supplementary mechanisms be established to fill in gaps unaccounted for by existing institutions. In this sense, there is much coherence between national governance strategies in Africa, the continental framework and other global and international approaches.

Although the regulatory regime(s) on the African continent declare their attention to the national and continental contexts, there remains one aspect to the African experience — the history and ongoing effects of colonial rule vis-à-vis indigenous social norms and values — that appears to be de-emphasized in the governance conversation. Indeed, engagement with the fact of colonialism is noticeably absent from these instruments.

Recommendation: A Bold Step Toward Decoloniality

Especially relevant to Africa is the value that a decolonial approach to AI governance can hold for the continent; this approach works to shift the global power imbalances that currently privilege Western approaches to innovation. It is important to emphasize that there is a solid throughline from European colonialism in Africa to the conditions of African states today, especially their marginalization on the international front. A decolonial posture will centre the peculiarities of African states as formerly colonized peoples who today have to navigate a global order constituted by colonial power; decoloniality also encourages the resurgence of indigenous approaches to knowledge production and innovation. The rules prescribed by the various governing frameworks on the African continent align in some ways with the ambitions of decolonial theory. For example, most contain provisions that address the phenomenon of algorithmic bias, which has the capacity to not only reproduce but also exacerbate colonial hegemonies. However, scholars in a 2024 study have demonstrated that of the 10 African countries studied (Cameroon, Ethiopia, Ghana, Kenya, Mauritius, Nigeria, Rwanda, Senegal, Seychelles and South Africa), only one — Rwanda — has installed governance measures that enables decolonized development in the AI space (Ayana et al. 2024). Rwanda's measures include the use of local data to train AI systems, which minimizes the risk of AI systems reproducing colonial biases in their outcomes, as well as strong protections around the use of personal data to pre-empt data colonization. It is certainly an important decolonial ambition to ensure African states resist being the continuous objects of Western action and that they hold control of their (technological) destinies.

However, an important second aspect to decoloniality that appears to be overlooked in these AI governing frameworks is offering a different (non-colonial) vision of development and innovation. Decoloniality, in this regard, requires the revitalization of indigenous knowledge systems, values and norms of the peoples that constitute African states. It appears, for the most part, that ambitions toward AI innovation and development on the continent take much guidance from Western visions of techno-innovation, which privilege the markers of colonially created modernity. So far, not much attention seems to be given to the place of indigeneity and indigenous values, which would, for example, eschew thinking about African peoples as labour that can serve profitably in global capitalist markets. Rather, indigenous values, which emphasize community, respect for the environment and the sacredness of tradition, should have a disciplining effect on how AI technology is both developed and deployed. If the vision is to position Africa and Africa's peoples as strong partners in co-creating an ideal environment for AI adoption, then African states will have to take urgent steps and implement clear directives to impress decolonial praxes on global, regional and industry-governing frameworks.

Conclusion

National, multinational and continental instruments demonstrate that AI governance on the African continent is keeping in step with other AI governing standards around the world. The emerging governance landscape on the continent is consistent with global norms while also being attentive to the governing and socio-political conditions of African states. These instruments are transparent about working to create regimes that put African states in a position to enact just as much as they are enacted upon by the global landscape of AI technologies. Still, it remains to be seen how many African states will account for decolonial ambitions with respect to indigenous peoples in their governing norms.

Works Cited

Advisory Body on Artificial Intelligence. 2023. *Interim Report: Governing AI for Humanity.* December. United Nations. www.un.org/sites/un2.un.org/files/un_ai_advisory_body_governing_ai_for_humanity_interim_report.pdf.

— — —. 2024. *Governing AI for Humanity*. September. United Nations. www.un.org/sites/un2.un.org/files/governing_ai_for_humanity_final_report_en.pdf.

AU. 2024 "Continental Artificial Intelligence Strategy: Harnessing AI for Africa's Development and Prosperity." https://au.int/sites/default/files/documents/44004-doc-EN-_Continental_AI_Strategy_July_2024.pdf.

Ayana, Gelan, Kokeb Dese, Hundessa Daba Nemomssa, Bontu Habtamu, Bruce Mellado, Kingsley Badu, Edmund Yamba, Sylvain Landry Faye et al. 2024. "Decolonizing global AI governance: assessment of the state of decolonized AI governance in Sub-Saharan Africa." *Royal Society Open Science* 11 (8): 231994. http://doi.org/10.1098/rsos.231994.

Department of Communications and Digital Technologies. 2024. "South Africa National Artificial Intelligence Policy Framework." www.policyvault.africa/policy/south-africa-national-artificial-intelligence-ai-policy-framework-2024/.

Effoduh, Jake Okechukwu. 2024a. "Africa's AI Awakening." *AI Summer School* (blog), December 17. www.law.kuleuven.be/ai-summer-school/blogpost/Blogposts/africas-ai-awakening.

— — —. 2024b. "Artificial Intelligence and Human Rights in Africa." In *Artificial Intelligence and the Law in Africa*, edited by Caroline B. Ncube, Desmond O. Oriakhogba, Tobias Schonwetter and Isaac Rutenberg, 43–88. Johannesburg, South Africa: LexisNexis. www.researchgate.net/publication/378555631_Artificial_Intelligence_and_the_Law_in_Africa.

Executive Office of the President National Science and Technology Council Committee on Technology. 2016. *Preparing for the Future of Artificial Intelligence.* October. https://obamawhitehouse.archives.gov/sites/default/files/whitehouse_files/microsites/ostp/NSTC/preparing_for_the_future_of_ai.pdf.

GOV.UK. 2023. "The Bletchley Declaration by Countries Attending the AI Safety Summit, 1–2 November 2023." Policy Paper. Updated February 13. www.gov.uk/government/publications/ai-safety-summit-2023-the-bletchley-declaration/the-bletchley-declaration-by-countries-attending-the-ai-safety-summit-1-2-november-2023.

Ministry of ICT and Innovation. 2023. "The National AI Policy." Republic of Rwanda. www.ictworks.org/wp-content/uploads/2023/12/Rwanda_Artificial_Intelligence_Policy.pdf.

National Center for Artificial Intelligence & Robotics, National Information Technology Development Agency and Federal Ministry of Communications, Innovation & Digital Economy. 2024. *National Artificial Intelligence Strategy.* August. https://ncair.nitda.gov.ng/wp-content/uploads/2024/08/National-AI-Strategy_01082024-copy.pdf.

Niazi, Maral. 2024. "Conceptualizing Global Governance of AI." Digital Policy Hub Working Paper. www.cigionline.org/static/documents/DPH-paper-Niazi.pdf.

Republic of Kenya. 2025. *Kenya Artificial Intelligence Strategy* 2025–2030. March. https://ict.go.ke/sites/default/files/2025-03/Kenya%20AI%20Strategy%202025%20-%202030.pdf.

Roberts, Huw, Emmie Hine, Mariarosaria Taddeo and Luciano Floridi. 2024. "Global AI governance: barriers and pathways forward." *International Affairs* 100 (3): 1275–86. https://doi.org/10.1093/ia/iiae073.

Schmitt, Lewin. 2022. "Mapping global AI governance: a nascent regime in a fragmented landscape." *AI Ethics* 2: 303–14. https://doi.org/10.1007/s43681-021-00083-y.

Sheehan, Matt. 2023. "China's AI Regulations and How They Get Made." Carnegie Endowment for International Peace Working Paper. July. https://carnegie-production-assets.s3.amazonaws.com/static/files/202307-Sheehan_Chinese%20AI%20gov-1.pdf.

Tallberg, Jonas, Eva Erman, Markus Furendal, Johannes Geith, Mark Klamberg and Magnus Lundgren. 2023. "The Global Governance of Artificial Intelligence: Next Steps for Empirical and Normative Research." *International Studies Review* 25 (3). https://doi.org/10.1093/isr/viad040.

The White House. 2022. "Blueprint for an AI Bill of Rights." https://bidenwhitehouse.archives.gov/ostp/ai-bill-of-rights/.

United Nations. 2024. "General Assembly Adopts Landmark Resolution on Steering Artificial Intelligence towards Global Good, Faster Realization of Sustainable Development." Press release, March 21. https://press.un.org/en/2024/ga12588.doc.htm.

Veale, Michael, Kira Matus and Robert Gorwa. 2023. "AI and Global Governance: Modalities, Rationales, Tensions." *Annual Review of Law and Social Science* 19: 255–75. https://doi.org/10.1146/annurev-lawsocsci-020223-040749.

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