

Why AI Regulatory Sandboxes Repeatedly Fail to Produce Governance Learning

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Purpose

This brief clarifies a recurring structural limitation observed across AI regulatory sandboxes: despite extensive experimentation, outcomes remain difficult to compare, generalize, or translate into governance learning.

1. Observation: High Activity, Low Transferable Learning

Across jurisdictions, AI sandboxes generate case-specific insights but rarely produce results that can be meaningfully compared or reused beyond their immediate context. Similar pilots yield divergent conclusions without a clear basis for reconciliation.

2. Core Structural Issue: The Object Under Test Is Not Stabilized

Sandbox experiments presuppose a stable governance object. In practice, however, what is being tested varies simultaneously along multiple dimensions:

- system scope and boundary,
- decision authority and responsibility allocation,
- interpretation context and legal reference frame.

As a result, outcomes reflect differing objects rather than differing regulatory approaches.

3. Why Comparison Breaks Down

Without a stabilized object:

- experimental results cannot be meaningfully aligned,
- lessons cannot be aggregated across pilots,
- “success” or “failure” remains context-dependent rather than governance-relevant.

This is not a methodological flaw but a structural condition.

4. Why More Iteration or Oversight Does Not Resolve This

Increasing the number of pilots, tightening oversight, or refining evaluation metrics does not address the underlying issue. These measures presuppose comparability, which is precisely what is missing.

5. Implication (Non-Prescriptive)

Sandboxes may successfully simulate regulatory activity while failing to generate transferable governance knowledge. The limitation lies not in execution effort, but in the absence of a stable reference object.

Note

This brief does not propose reforms, alternatives, or policy actions. Its sole function is to clarify a recurring boundary condition affecting governance learning.