

AI Governance in Africa: Aligning Policy and Regulation to Foster Innovation

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Artificial intelligence (AI) presents transformative opportunities for Africa's socio-economic development, enabling advances in public service delivery, financial inclusion, healthcare, agriculture, and digital infrastructure. According to a recent AfDB report on "Africa's AI Productivity Gain"¹, AI has the potential to deliver transformational gains for Africa's economy and could generate up to US \$1 trillion in additional GDP by 2035. The sectors that stand to benefit the most are the sector of agriculture & food systems, wholesale & retail, manufacturing & industry 4.0, finance & inclusion, health & life sciences. However, the ability to harness this potential depends on simultaneous progress across key enablers i.e. Compute & Digital Infrastructure, Data Ecosystems, Skills & Human Capital, Innovation & Capital, and Trust & Governance.

Talking about Trust & Governance; on the 4th of April 2025, at the Global AI Summit on Africa, held in Kigali, Rwanda²; African leaders signed *The Africa Declaration on Artificial Intelligence*³ with the key objectives to 1) *Objective 2.2.1. To leverage the potential of AI to drive innovation and competitiveness to advance Africa's economies, industries, and societies*; 2) *Objective 2.2.2. To position Africa as a global leader in ethical, trustworthy, and inclusive AI adoption*; 3) *Objective 2.2.3. To foster the sustainable and responsible design, development, deployment, use, and governance of AI technologies in Africa*. Specifically, as part of the Key Commitments, under Governance 3.6.1 the declaration indicated that "*We shall support adopting innovative and responsible national AI policies and governance frameworks aligned with the African Union AI Continental Strategy*".

¹ [Africa's AI Productivity Gain - Pathways to Labour Efficiency, Economic Growth and Inclusive Transformation](#)

² [CAIR Rwanda - Global AI Summit on Africa 2025](#)

³ [Africa-Declaration-on-Artificial-Intelligence.pdf](#)

The African Union Continental AI Strategy with its vision to foster a prosperous and integrated Africa where responsible, ethical and African-centric AI is the axes of inclusive growth, resilience, socio-economic development, people empowerment and positioning the continent as a key player in the global AI landscape; has five key focus areas as follows:

- ✓ Maximising the benefits of AI for social and economic development and cultural renaissance
- ✓ Minimising risks and safeguarding AI development and adoption from harm to African people, societies, and environments
- ✓ Building capabilities in infrastructure, datasets, computing, skills and education, research and innovation, and specialised AI platforms
- ✓ Fostering regional and international cooperation; and Accelerating AI investment
- ✓ Creating an inclusive governance and regulatory framework.

The AU high level recommendations for AI Governance and Regulation are for African countries to:

- ✓ Adopt a multi-tiered governance approach grounded in AI ethics and geared toward advancing the equal distribution of AI's benefits for development, ensuring transparency and accountability in the use of AI, fostering innovation, and enabling inclusive, diverse, vibrant, and sustainable AI ecosystems.
- ✓ Ensuring transparency and accountability in the use of AI
- ✓ *Foster innovation and enabling inclusive, diverse, and sustainable AI ecosystems.*
- ✓ Support Member States to develop National AI Strategies in line with the AU AI Strategy
- ✓ *Promote agile, forward-looking and risk-based regulations at national and regional levels that foster accountability and transparency in the design and deployment of AI Systems.*
- ✓ Promote cooperation and experiences sharing on AI regulations including regulatory frameworks and their implementation at national levels.
- ✓ Create regulatory sandboxes for AI innovation to facilitate the availability of diverse and inclusive AI use cases and share experience in designing and implementing regulatory sandboxes.
- ✓ Establish an Advisory Board on AI to support the African Union and Member States, including research on AI governance approaches, technical assistance and capacity strengthening for policymakers. etc.

The world bank report on Global Trends in AI Governance - Evolving Country Approaches, depicted as shown in Figure 1 below, the process for AI governance to provide guidance for policy makers.

Figure 1: Process for AI Governance⁴

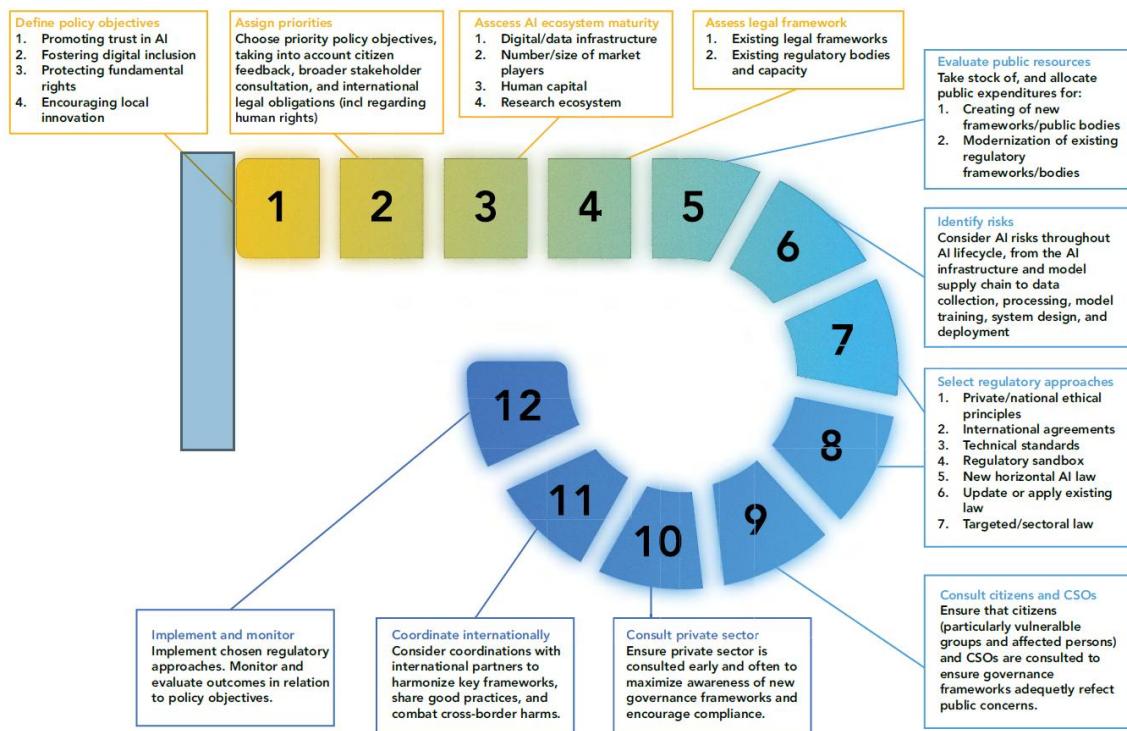


Figure 1 above, underscores the need for AI governance frameworks to be adaptive, flexible, and future proof.

Many countries on the African continent have launched their national AI Strategies. According to Intelpoint, as of July 2025, 16 African countries have launched a national AI strategy; and over thirty countries remain at the early or inactive stage with no clear roadmap⁵. Table 1 to Table 3 below show examples of countries approaches to AI Governance in some countries in Africa and globally.

Table 1: Example of countries approaches to AI Governance in Africa

Country	Soft Law / Regulatory Sandbox	Hard Law
Nigeria	<p>Nigeria National AI Strategy adopted in 2025.</p> <p>Aims to establish a well-respected and diverse AIEEG (AI Ethics and Expert Group) providing independent and objective advice.</p> <p>Establish an AI governance regulatory body to oversee implementation of the national AI principles, ensure compliance with ethical standards, and mediate potential disputes.</p>	<p>Currently there is no bidding AI laws or regulations. However, there are several existing legal frameworks that could apply to AI systems.</p>
Kenya	<p>Kenya AI Strategy 2025 – 2030 adopted in 2025.</p>	<p>Currently there is no bidding AI laws or regulations. However, there are several</p>

⁴ [Global Trends in AI Governance : Evolving Country Approaches \(Page 85, Figure 7\)](#)

⁵ [Only 16 African countries have launched national AI strategies as of July 2025 - Intelpoint](#)

	<p>Aims to implement AI ethical and safety standards through conformity assessment schemes/safety audits and technical specifications/regulations.</p> <p>Develop a flexible regulatory environment using regulatory sandboxes to inform the development of an AI regulatory framework and standards.</p>	existing legal frameworks that could apply to AI systems.
Rwanda	<p>Rwanda adopted its first National AI Policy in 2023.</p> <p><i>Operationalize and share Rwanda's 'Guidelines on the Ethical Development and Implementation of AI' led by RURA.</i></p> <p>Actively contribute to shaping responsible AI principles & practices in international platforms.</p>	Rwanda does not have any binding AI laws at present . However, there are several existing legal frameworks that could apply to AI systems.

Table 2: Example of countries approaches to AI Governance (Brazil, USA, China)

Country	Soft Law / Regulatory Sandbox	Hard Law
Brazil	<p>Launched a regulatory sandbox pilot program for AI and Data Protection.</p> <p><i>Endorsed both the OECD and G20 AI Principles and has referenced the OECD Principles as guidance for developing its own national AI strategy.</i></p> <p>Endorsed the UNESCO Recommendation on the Ethics of AI and completed the UNESCO Readiness Assessment Methodology.</p>	<p>Brazil AI Act: takes a risk-based approach that prohibits excessive-risk AI systems and imposes additional safety requirements on high-risk AI systems.</p> <p>The Bill imposes obligations on AI system providers and operators, whether they are natural or juristic persons.</p> <p>Apply to AI development, deployment, and use.</p>
United States	<p>NIST AI Risk Management Framework (RMF) provides guidance for risk mitigation across the value chain.</p> <p><i>NIST convenes multistakeholder experts to develop guidance for generative AI and on safety concerns such as synthetic content, capability evaluations, red-teaming of AI systems etc.</i></p> <p>President EO on America AI Action Plan, 2025.</p>	<p>The United States does not have any comprehensive federal legislation on AI, or a single national AI governance strategy.</p>
China	<p>The National Information Security Standardisation Technical Committee of China ('TC260') released TC260- 003 Basic security requirements for generative artificial intelligence service.</p> <p><i>Provides companies with practical guidance on complying with the 2023 Generative AI Measures' requirements regarding training data security, model security, internal governance measures etc.</i></p>	<p>The first pillar of China's AI regulatory regime concerns the governance and management of online content.</p> <p>Data protection is governed by the 2021 Personal Information Protection Law.</p> <p>Algorithmic governance: Security assessments play a key role in Chinese AI regulation, admin. by the CAC.</p>

Table 3: Example of countries approaches to AI Governance in EU

Country	Soft Law / Regulatory Sandbox	Hard Law
Estonia	<p>AI Strategy aims to support the development and use of AI in a human-centered and trustworthy way.</p> <p><i>Endorsed the OECD AI Principles and the UNESCO Recommendation on the Ethics of AI.</i></p> <p>Signed a declaration on 'AI in the Nordic-Baltic region' establishing a collective framework for 'AI in the region.'</p>	<p>Member of the EU and therefore the EU AI Act is applicable within its territory.</p> <p>EU Digital Services Act also imposes some obligations on online intermediaries and platforms that use AI.</p> <p>Other relevant laws applicable to AI systems include: GDPR, EU Charter of Fundamental Rights</p>
European Union	<p>Codes of Practice & Voluntary Guidelines: encourages the creation of codes of conduct that enable voluntary compliance with certain AI requirements beyond the legal minimum.</p> <p>Voluntary Standards & Harmonised Technical Standards: Once published by EU standardisation bodies certain standards act as presumption of conformity with legal obligations.</p> <p>The Commission and EU AI Office may issue guidelines, opinions, or interpretive material to clarify how hard rules apply. These help with consistency but are not legally enforceable on their own.</p> <p>Regulatory sandboxes combine hard law (Member State obligation) with voluntary participation and soft-law guidance within a controlled framework.</p>	<p>The AI Act is a binding EU Regulation.</p> <p>Risk-Based Obligations - Providers and deployers of AI systems must comply with obligations depending on the risk category of the AI: Unacceptable-Risk, High-Risk Systems, Transparency & Limited-Risk Categories.</p> <p>General-Purpose AI (GPAI) Obligations: General-purpose and foundation models (e.g., large language models) face binding transparency and safety duties.</p> <p>The AI Act establishes hard enforcement mechanisms: National supervisory authorities in each Member State, EU AI Office (Commission entity supervising GPAI and cross-EU issues).</p>

Given the above, this paper recommends a pragmatic, risk-based, and context-sensitive approach to AI governance – one that is adaptive, future-proof, and that leverages existing national policies, regulations, and legislation (e.g. data protection, Intellectual Property, Cybersecurity, competition, and sector-specific regulation), as well as relevant continental frameworks; that complement and strengthen them, while addressing regulatory gaps and emerging policy areas in order to mitigate and safeguard against AI-related harms.

Drawing on global best practices—including the EU AI Act, UNESCO's Recommendation on the Ethics of Artificial Intelligence, and the OECD AI Principles—and informed by the African Union Continental AI Strategy, this paper proposes fourteen high-level policy recommendations to guide the development of adaptive, inclusive, and innovation-enabling AI governance frameworks in African nations as follows:

High-Level Policy Recommendations for AI Governance in African Nations

1. Consider adopting a continentally harmonised, risk-based AI governance model, drawing lessons from international approaches such as the EU AI Act's tiered risk classification (e.g. unacceptable, high, limited, minimal risk), while localising risk definitions and thresholds to reflect African realities, including service delivery impact, socio-economic sensitivity, and development priorities.

2. Design AI governance frameworks to be modular and scalable, enabling specific components (e.g. risk classification, standards, enforcement mechanisms) to be updated or replaced over time without requiring a complete overhaul of the overall framework, thereby ensuring adaptability and futureproofing.
3. *Align AI governance regimes with existing national policies, regulations, and legislation, as well as relevant continental and regional frameworks, with a view to augmenting existing instruments, addressing regulatory gaps and policy areas to safeguard against AI-related risks and harms.*
4. Promote alignment between national data governance policies and continental data governance frameworks, such as the AU Data Policy Framework and Smart Africa's pan-African data governance blueprint, to foster interoperable, trusted, and harmonised data ecosystems that enable the free, secure, and responsible flow of data, and thus, facilitate cross-border data sharing for AI development within Africa.
5. *Establish multi-jurisdictional regulatory sandboxes, at sub-regional or continental level, to allow innovators to test AI solutions in controlled and supervised environments, while enabling regulators to develop fit-for-purpose, evidence-based rules informed by real-world testing and experience.*
6. Create mechanisms for mutual recognition of AI certifications, conformity assessments, and impact assessments across African Union Member States, based on a common set of standards, to reduce regulatory fragmentation and compliance burdens while supporting cross-border AI deployment.
7. *Invest in and fund regional AI testing and assurance facilities, including independent testing labs capable of conducting third-party audits, providing regulatory toolkits, and issuing certifications, thereby addressing capacity gaps, supporting regulators, and lowering compliance costs for innovators.*
8. Prioritise investment in local/regional data infrastructure, compute capacity, and AI skills development, enabling African countries to develop and deploy AI models tailored to local contexts, and development needs, and to promote sustainable local innovation ecosystems.
9. *Leverage sub-regional and continental institutions to coordinate AI policies, standards (including technical standards), and best practices, thereby ensuring consistency across jurisdictions and strengthening Africa's collective position in global AI governance discussions*
10. Consider the development of a continental AI ethics framework, aligned with global standards such as the UNESCO Recommendation on the Ethics of AI, OECD AI Principles, and relevant ISO/IEC AI standards, while reflecting African values, development priorities, and societal contexts.
11. *Ensure continuous, inclusive multi-stakeholder engagement—including the private sector, academia, civil society, and relevant government entities—in the design, implementation, and periodic review of AI governance frameworks, to ensure that regulations are practical, context-specific, and supportive of Africa's AI startup and innovation ecosystem.*
12. Collaborate with experts across emerging technologies, ethics, law, economics, and social sciences to anticipate future technological developments, and invest in continuous capacity-building and education for regulators, developers, and policymakers to keep pace with rapid AI evolution.

13. *Actively participate in international AI governance and standard-setting fora, including OECD and UN-led initiatives, to support global learning, coordination, and alignment with international standards and treaties, while reducing regulatory fragmentation.*
14. Establish continuous research, monitoring, and evaluation mechanisms to identify emerging risks, assess the effectiveness of AI governance tools, and ensure that AI systems developed and deployed in Africa are inclusive, fair, sustainable, and socially just.

Africa's approach to AI governance must be grounded in African realities—our institutions, economies, cultures, and development priorities. The fourteen high-level policy recommendations outlined above provide a pathway for developing AI governance frameworks that are adaptive, future-proof, and aligned with existing national, regional and continental policies. These frameworks are designed to complement and strengthen current instruments, address regulatory gaps, support socio-economic development, and mitigate AI-related risks. Ultimately, they aim to enhance Africa's role in the global AI ecosystem while safeguarding societal values and public trust.