Comparative Analysis of AI Governance: The European Union and Emerging Global Trends

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Abstract

The rapid advancement of artificial intelligence technologies has intensified the need for a shared understanding of priority areas in international governance. This paper provides a comparative analysis of AI governance, focusing on the European Union's regulatory model in relation to emerging global trends. The study examines the extent to which the European Union's approach, characterized by a risk-based regulatory framework, diverges from or aligns with international initiatives and soft law instruments. Particular attention is devoted to the interaction between binding legal norms and non-binding guidelines, as well as to the role of international cooperation in fostering regulatory convergence. Methodologically, the research employs a comparative legal analysis of key legislative instruments, regulation, and international frameworks related to AI governance. It evaluates normative structures, public consultation processes, and implementation mechanisms across different jurisdictions. The paper further explores the development of safe, secure, and trustworthy AI systems, alongside the protection of human rights, particularly privacy and data protection. It also assesses how principles such as transparency, accountability, and human oversight of AI systems are reflected in international legal standards. The findings indicate an emerging trend toward regulatory convergence, driven by shared ethical principles and the transnational nature of technological challenges. This research contributes by highlighting the legal implications of this convergence and assessing the potential for harmonized international AI governance, emphasizing the role of comparative law in bridging regulatory gaps.

Keywords: *right to privacy, data protection, artificial intelligence, AI Governance.*

JEL Classification: K23, K24, K33, K38

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1. Introduction

AI technologies carry immense promises for driving innovation, economic growth and societal benefits. However, unregulated or poorly regulated development can deepen inequalities, erode civil liberties and intensify geopolitical competition.[2]

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[2] Maral Niazi, *How Do Current AI Regulations Shape the Global Governance Framework?* Digital

Artificial intelligence has rapidly evolved into a transformative technology with implications on the legal systems, economic structures, and fundamental rights. Transformative technologies like generative AI promise to accelerate productivity growth across many sectors, but they also present new risks from potential misuse.[3]

In this context, the development of human centered models of AI governance has become a concern for both regional and international actors. Human rights HCI[4] research explores the impacts of AI on people's human rights, particularly people's right to privacy in contexts such as health and surveillance, and the impacts of biased data and algorithms within contexts where privacy is paramount.[5]

The European Union promotes a risk-based approach and a strong commitment to the protection of fundamental rights.[6] At the same time, global initiatives, ranging from international organizations to soft law instruments, have sought to establish common principles for the governance of AI.[7]

These efforts reflect an awareness of the need for coordination and regulatory alignment, given the transnational character of AI technologies. However, the relationship between these global norms and binding regional frameworks remains insufficiently explored. Regional initiatives, such as Africa's Digital Transformation Strategy[8] and the Association of Southeast Asian Nations (ASEAN) Guide on AI Governance[9], reflect growing global consensus on ethical AI and data protection, but enforcement remains uneven. Existing frameworks excel at fostering innovation, capacity building and regional cooperation. However, limited enforcement, insufficient inclusivity and fragmented regulations undermine their effectiveness. They allow influential actors, governments or corporations, to shape AI policy in ways that are likely to sideline concern for human rights.[10]

Policy Hub Working Paper (Centre for International Governance Innovation, March 13, 2025), https://www.cigionline.org/publications/how-do-current-ai-regulations-shape-the-global-governance-framework/.

[3] Daron Acemoglu and Todd Lensman, "Regulating Transformative Technologies," *American Economic Review: Insights* 6, no. 3 (2024): 359–376, https://doi.org/10.1257/aeri.20230353.

[4] HCI: human–computer interaction.

[5] Tara Capel and Margot Brereton, "What Is Human-Centered about Human-Centered AI? A Map of the Research Landscape," in *Proceedings of the 2023 CHI Conference on Human Factors in Computing Systems* (ACM, 2023), 1–23, https://doi.org/10.1145/3544548.3580959.

[6] European Parliament and Council of the European Union, Regulation (EU) 2024/1689 of June 13, 2024, Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act), *Official Journal of the European Union* L, 2024/1689, July 12, 2024, https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng.

[7] For example, United Nations General Assembly, Resolution 79/325, "Terms of Reference and Modalities for the Establishment and Functioning of the Independent International Scientific Panel on Artificial Intelligence and the Global Dialogue on Artificial Intelligence Governance," adopted August 26, 2025, UN Doc. A/RES/79/325, https://digitallibrary.un.org/record/4087699/files/A_RES_79_325-EN.pdf.

[8] African Union, *The Digital Transformation Strategy for Africa (2020–2030)* (2020), https://au.int/en/documents/20200518/digital-transformation-strategy-africa-2020-2030.

[9] Association of Southeast Asian Nations (ASEAN), *ASEAN Guide on AI Governance and Ethics* (ASEAN, 2024), https://asean.org/wp-content/uploads/2024/02/ASEAN-Guide-on-AI-Governance-and-Ethics_beautified_201223_v2.pdf.

[10] Niazi, *How Do Current AI Regulations Shape the Global Governance Framework?*

This paper aims to provide a comparative analysis of AI governance, focusing on the European Union's regulatory model in relation to broader global trends. It examines the extent to which the EU approach converges with or diverges from international initiatives. United States has adopted a relatively decentralized, hands-off approach to AI governance, China has strengthened government oversight over the AI industry, and Europe has primarily adopted a strong regulatory framework focused on mitigating risks posed by AI systems.[11]

Methodologically, the research adopts a comparative legal approach, analyzing legislative instruments, policy documents, and international frameworks relevant to AI governance. It further considers implementation mechanisms and consultative processes, thereby combining normative and procedural perspectives.[12]

The paper also addresses normative objectives underpinning AI governance, including the development of safe and trustworthy AI systems. Also address the protection of fundamental rights, especially privacy and data protection, the promotion of transparency, accountability, and human centered. These principles are examined considering their articulation within international legal standards.

The advanced argument is that, despite existing fragmentation, there is a gradual movement toward regulatory convergence, driven by shared ethical principles and technological challenges. In this regard, comparative law plays a role in identifying patterns of alignment and in facilitating the development of coherent governance frameworks.

The reader is invited to discover how legal science is transformed and comes to life in a space of dialogue between norms, reality and meaning.[13]

2. Conceptual Foundations of AI Governance

In the era of the intelligent science paradigm, AI governance has emerged as a focal point of global attention.[14] Artificial intelligence governance has developed in response to the expanding societal and legal impact of the AI systems. These technologies increasingly shape decision-making across multiple domains. AI has a broader range of applications than previous technologies, with the potential to fundamentally transform disciplines such as urban planning, healthcare, education,

[11] Owen J. Daniels, Mina Narayanan, and Cole McFaul, "Analyzing the Global AI Governance Ecosystem," in *2025 IEEE Conference on Artificial Intelligence (CAI)* (IEEE, 2025), 1500–1501, https://doi.org/10.1109/CAI64502.2025.00257.

[12] United Nations, "Consultations," *Global Dialogue on AI Governance*, https://www.un.org/global-dialogue-ai-governance/en/consultations.

[13] Cristina Elena Popa Tache, Cătălin-Silviu Săraru, Florent Pasquier, Mirella Tarmure-Vădean, and Sergio de Souza Salles, "Applied Methodologies—Integrating Qualitative and Quantitative Methods in Legal Research," in *A Transdisciplinary Legal Methodology Guide and Lexicon for Crisis Response* (Palgrave Macmillan, 2025), 43–58, https://doi.org/10.1007/978-3-032-04653-6_3.

[14] Xu Wang and Fang Xie, "Global Artificial Intelligence Governance Research in the Digital and Intelligent Era: Advances, Trends and Countermeasures," *Journal of Knowledge Management* 30, no. 1 (2026): 30–68, https://doi.org/10.1108/JKM-01-2025-0006.

finance, and law and ultimately impact global socio-economic conditions.[15]

As a result, legal frameworks must address new forms of risk and institutional controls through transparency, accountability and responsibility. As AI develops further, governance frameworks must be created to strike a balance between the threats it poses and its economic advantages. In this respect, businesses need to be proactive in managing the risks connected with AI, even while it presents enormous opportunities.[16] Going forward, the implementation and development of AI across the EU is a great opportunity, but not without challenges and risks.[17] AI governance includes legal rules, policy instruments, and ethical standards and these elements operate together, rather than in isolation. A useful distinction can be drawn between binding norms and non-binding instruments. Binding norms impose enforceable obligations on relevant actors.[18]

Non-binding instruments include guidelines, recommendations, and codes of conduct. Although not legally enforceable, they influence regulatory expectations and institutional practices and in practice, both categories interact closely. Globally, soft law often prepares the ground for future binding regulation.

For a rapidly evolving and expansive technology such as artificial intelligence, comprehensive government regulation is not feasible, at least in the short term. At best, only piecemeal regulatory measures can be implemented during this period. Accordingly, soft law will be the default approach for most global AI governance. For that reason, there is a need to explore ways to indirectly enforce and coordinate the proliferation of soft law measures that have already been proposed or enacted for AI.[19]

Normative principles play an important role in shaping AI governance frameworks. These principles provide orientation in a rapidly evolving technological context.

Human-centricity remains a core idea in most governance models. It emphasizes the need to align AI systems with human values and dignity. As we know, the (potential) impacts of AI on society are immense. Therefore, the discourses, social negotiations, and applications of this technology should be guided by common foundations grounded in contemporary governance techniques. These foundations should also reflect social values legitimized through dialogue and scientific research.[20]

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[15] Peiyu Gu, "Global Artificial Intelligence Governance: Challenges and Complications," *Science Insights* 42, no. 6 (2023): 975–979, https://doi.org/10.15354/si.23.re596.

[16] Sebastian Fritz-Morgenthal, Bernhard Hein, and Jochen Papenbrock, "Financial Risk Management and Explainable, Trustworthy, Responsible AI," *Frontiers in Artificial Intelligence* 5 (2022): article 779799, https://doi.org/10.3389/frai.2022.779799.

[17] Marian Stan et al., "Artificial Intelligence Landscape in the European Union. A Comparative Study," *Proceedings of the International Conference on Business Excellence* 19, no. 1 (2025): 3432–3445, https://doi.org/10.2478/picbe-2025-0262.

[18] Gu, "Global Artificial Intelligence Governance", 975–979.

[19] Gary Marchant, "'Soft Law' Governance of Artificial Intelligence," *AI Pulse*, January 25, 2019, archived September 21, 2019, https://web.archive.org/web/20190921033329/https://aipulse.org/soft-law-governance-of-artificial-intelligence/.

[20] Patricia Gomes Rêgo de Almeida, Carlos Denner dos Santos, and Josivania Silva Farias, "Artificial

Algorithmic transparency is another key principle, it requires that the operation of AI systems can be understood, at least to a reasonable extent. The widespread and growing use of algorithm-enabled technologies across many aspects of public and private life is increasingly sparking concerns about the lack of transparency regarding the inner workings of algorithms.[21]

Accountability ensures that responsibility for AI outcomes can be identified. This is essential in cases involving harm or legal disputes. Accountability is a cornerstone of the governance of artificial intelligence (AI). However, it is often defined too imprecisely because its multifaceted nature and the sociotechnical structure of AI systems imply a variety of values, practices, and measures to which accountability in AI can refer.[22]

Fairness and non-discrimination aim to prevent biased outcomes. These concerns are particularly relevant in automated decision-making processes. Whereas algorithmic fairness aims to mitigate structural inequalities at design-level, European non-discrimination law is tailored to individual cases of discrimination after an AI model has been deployed.[23]

Risk-based regulation has become a widely adopted approach. It allows differentiation between AI systems based on their potential impact. Under this model, higher-risk systems are subject to stricter obligations. Lower-risk AI applications face fewer regulatory constraints; this reflects an effort to avoid unnecessary burdens on innovation.

This approach reflects an attempt to balance innovation and legal protection; it avoids imposing uniform obligations on all technologies. International cooperation plays also an important role in AI governance.

3. The European Union's Regulatory Approach to Artificial Intelligence

The European Union Parliament passed the EU AI Act in 2024. This marks an important milestone towards the first European comprehensive AI law to formally take effect. Although this is a significant achievement, real work begins with putting these rules into action, a journey filled with challenges and opportunities.[24]

The EU approach distinguishes between different categories of AI systems, depending on their potential impact on individuals and society. This classification

Intelligence Regulation: A Framework for Governance," *Ethics and Information Technology* 23, no. 3 (2021): 505–525, https://doi.org/10.1007/s10676-021-09593-z.

[21] Tobias Bitzer, Martin Wiener, and W. Alec Cram, "Algorithmic Transparency: Concepts, Antecedents, and Consequences—A Review and Research Framework," *Communications of the Association for Information Systems* 52 (2023): 293–331, https://doi.org/10.17705/1CAIS.05214.

[22] Claudio Novelli, Mariarosaria Taddeo, and Luciano Floridi, "Accountability in Artificial Intelligence: What It Is and How It Works," *AI & Society* 39, no. 4 (2024): 1871–1882, https://doi.org/10.1007/s00146-023-01635-y.

[23] Luca Deck et al., "Implications of the AI Act for Non-Discrimination Law and Algorithmic Fairness," arXiv preprint, March 29, 2024, revised June 26, 2024, https://doi.org/10.48550/arXiv.2403.20089.

[24] Huixin Zhong, "Implementation of the EU AI Act Calls for Interdisciplinary Governance," *AI Magazine* 45, no. 3 (2024): 333–337, https://doi.org/10.1002/aaai.12183.

determines the level of regulatory intervention. Its approach reflects a commitment to fundamental rights and legal certainty.

Systems considered to present an unacceptable risk are prohibited. These include practices that undermine fundamental rights or exploit vulnerable groups.

High-risk AI systems are subject to strict requirements before they can be placed on the market. These obligations include conformity assessments, documentation, and risk management procedures.[25]

Transparency obligations apply to certain AI systems that interact with individuals. Users must be informed when they are engaging with AI technologies. It is particularly trust and issues of accountability that drive the contemporary value of the concept, including the narrower scope of transparency found in explainable AI.[26]

To understand transparency in artificial intelligence as an applied concept, it must be examined within its broader context. This includes considerations such as varying levels of literacy, information asymmetries, model-close explainability, and the presence of competing interests. Transparency in AI, consequently, can best be seen as a balancing of interests and a governance challenge demanding multidisciplinary development to be adequately addressed.[27]

To promote responsible innovation, it is important for technological developers to implement appropriate security and data protection measures and to comply with applicable legislation. This can help develop technologies that are beneficial to society and individuals while protecting the fundamental rights and freedoms of users. [28]

The EU model is closely linked to the protection of fundamental rights; it builds on existing legal frameworks, including privacy and data protection law.[29]

Another defining feature is the emphasis on accountability. Providers and users of AI systems must ensure compliance with legal standards throughout the system's lifecycle. In cases of automated decision-making, within the meaning of Article 22(1), data subject may require the controller to provide information about the logic involved. Such information must explain, in a concise, transparent, intelligible, and easily accessible form, the procedures applied in processing personal data by automated means.

It must also set out the underlying principles used to obtain a specific result,

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[25] Artificial Intelligence Act, arts. 8–16 and 43; for fundamental rights impact assessments by certain deployers, see art. 27.

[26] Artificial Intelligence Act, art. 50(1); see also Stefan Larsson and Fredrik Heintz, "Transparency in Artificial Intelligence," *Internet Policy Review* 9, no. 2 (2020): 1–16, https://doi.org/10.14763/2020.2.1469.

[27] Larsson and Heintz, "Transparency in Artificial Intelligence," 1–16.

[28] Daniela Duță, "Responsible Innovation. Confidentiality, Privacy and Data Protection," *L'Europe Unie / United Europe*, no. 20 (2023): 27–35, https://leuropeunie.com/wp-content/uploads/2026/10/20-2023-LEuropeUnie-AI-DIGITAL-EU-20-reg-1.pdf.

[29] European Union, *Charter of Fundamental Rights of the European Union*, arts. 7–8, *Official Journal of the European Union* C 326 (October 26, 2012): 391–407, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT.

such as a credit profile.[30]

GDPR introduces the concept of „privacy by design" and „privacy by default", which guarantees data protection from the outset and, respectively, implicitly.[31] It also requires operators to implement appropriate security, technical and organizational measures. The protection of personal data must be integrated into all technological processes from the beginning and throughout the entire life cycle of the system/product. The regulatory framework also promotes human oversight.[32] This requirement aims to prevent fully autonomous decision-making in sensitive contexts.

In addition, the EU supports the development of technical standards to facilitate the practical implementation of legal requirements.[33] Overall, the EU's regulatory strategy seeks to balance innovation with the protection of fundamental rights.

The EU's AI Omnibus entered into force on 27 July 2026[34]. More broadly, China, the United States and the European Union appear to be engaged in a race to establish effective frameworks for regulating AI.[35] This regulatory competition is noteworthy, as discussions more commonly focus on the race to develop, deploy and monetise AI, often portraying regulation as an obstacle or a distraction.[36]

The case law of the Court of Justice of the European Union confirms the importance of protecting fundamental rights in the context of digital technologies. In the case of SCHUFA Holding AG, the Court held that the use of automated evaluation systems, such as credit scoring, may fall within the scope of Article 22 of the GDPR,

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[30] Court of Justice of the European Union, *Dun & Bradstreet Austria (CK v. Magistrat der Stadt Wien)*, case C-203/22, judgment of February 27, 2025, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62022CJ0203; see also General Data Protection Regulation, art. 15(1)(h).

[31] European Parliament and Council of the European Union, Regulation (EU) 2016/679 of April 27, 2016 (General Data Protection Regulation), art. 25, *Official Journal of the European Union* L 119 (May 4, 2016): 1–88, https://eur-lex.europa.eu/eli/reg/2016/679/oj/eng.

[32] Daniela Duță, "Le droit à la vie privée et la protection des données personnelles dans le contexte des nouvelles technologies : les droits numériques en Europe centrale et orientale"," in *Droit international et intégration européenne: Perspectives de l'Europe centrale et orientale*, ed. Cristina Elena Popa Tache, Elise Nicoleta Vâlcu, and Cătălin-Silviu Săraru (Paris: L'Harmattan, 2025), p. 101-130, https://liseuse.harmattan.fr/9782336518381.

[33] International Organization for Standardization and International Electrotechnical Commission, *Information Technology—Artificial Intelligence—Management System*, ISO/IEC 42001:2023 (2023), https://www.iso.org/standard/42001; *Information Technology—Artificial Intelligence—Guidance on Risk Management*, ISO/IEC 23894:2023 (2023), https://www.iso.org/standard/77304.html.

[34] European Commission, *Proposal for a Regulation Amending Regulations (EU) 2024/1689 and (EU) 2018/1139 as Regards the Simplification of the Implementation of Harmonised Rules on Artificial Intelligence (Digital Omnibus on AI)*, COM(2025) 836 final, November 19, 2025, https://digital-strategy.ec.europa.eu/en/library/digital-omnibus-ai-regulation-proposal; for the subsequent entry into force, see European Commission, "AI Omnibus Enters into Force," July 27, 2026, https://digital-strategy.ec.europa.eu/en/news/ai-omnibus-enters-force.

[35] Nathalie A. Smuha, "From a 'Race to AI' to a 'Race to AI Regulation': Regulatory Competition for Artificial Intelligence," *Law, Innovation and Technology* 13, no. 1 (2021): 57–84, https://doi.org/10.1080/17579961.2021.1898300.

[36] Mireille Hildebrandt, "Global Competition and Convergence of AI Law," SocArXiv preprint, February 10, 2022, https://doi.org/10.31235/osf.io/j36ke.

thereby reinforcing the requirements concerning transparency and algorithmic accountability.[37]

4. Emerging Global Trends in AI Governance

As artificial intelligence (AI) technologies are developed and used across borders and have the potential to transform societies worldwide, global regulation thereof becomes necessary. However, key differences exist in how the leading players in the field, China, the United States, and the EU, view these technologies and approach their regulation.[38]

As artificial intelligence and governance have become a priority at the international level, multiple actors are now involved in shaping regulatory and ethical frameworks.

International organizations have played a significant role in shaping AI governance by promoting non-binding principles. However, their reliance on soft law contributes both to regulatory flexibility and to fragmentation at the global level.

The Organization for Economic Co-operation and Development adopted one of the earliest sets of AI principles. These emphasize human-centered values, transparency, and accountability.[39] Across all OECD countries, discussions focus on how best to regulate artificial intelligence in order to harness its economic and social potential.

Similarly, the United Nations has promoted discussions on AI governance. Its initiatives focus on human rights and global cooperation.[40]

The Council of Europe has also contributed to this field. It works on legal standards related to human rights and emerging technologies.[41]

The UNESCO Recommendation centers on human rights, dignity, transparency, and fairness.

Its policy areas operationalize these principles across governance, environment, education, health, and social domains.[42] The Universal Guidelines on Artificial Intelligence (UGAI) draw attention to the growing challenges posed by

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[37] Court of Justice of the European Union, *SCHUFA Holding (Scoring)*, case C-634/21, judgment of December 7, 2023, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62021CJ0634.

[38] Sabine Mokry and Julia Gurol, "Competing Ambitions Regarding the Global Governance of Artificial Intelligence: China, the US, and the EU," *Global Policy* 15, no. 5 (2024): 955–968, https://doi.org/10.1111/1758-5899.13444.

[39] Organisation for Economic Co-operation and Development, *Recommendation of the Council on Artificial Intelligence*, OECD/LEGAL/0449, adopted May 22, 2019, amended May 3, 2024, https://legalinstruments.oecd.org/public/doc/648/648.en.pdf.

[40] United Nations System Chief Executives Board for Coordination, *Principles for the Ethical Use of Artificial Intelligence in the United Nations System*, September 2022, https://unsceb.org/products/principles-ethical-use-artificial-intelligence-united-nations-system/.

[41] Council of Europe, *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, CETS no. 225, opened for signature at Vilnius, September 5, 2024, https://rm.coe.int/1680afae3c.

[42] UNESCO, *Recommendation on the Ethics of Artificial Intelligence*, adopted November 23, 2021 (UNESCO, 2022), https://unesdoc.unesco.org/ark:/48223/pf0000381137_eng.

intelligent computational systems.

They propose concrete recommendations to improve and guide their design. At their core, the UGAI aim to promote transparency and accountability in these systems and to ensure that individuals retain control over the systems they create.[43]

Despite their non-binding nature, such instruments exert normative influence. They shape expectations and guide national regulatory developments.

National approaches to AI governance vary considerably. Some states prioritize innovation, while others emphasize risk prevention and fundamental rights.

Some Asian countries are moving from 'soft regulation' through strategies and guidelines to 'hard regulation' through rule-setting and laws on AI. We argue that their AI governance approaches are greatly influenced by the existing internet governance frameworks and suggest the importance of historical understandings of Internet, telecommunications, and digital technology and governance to identify the connections and influences – and 'path dependency' of past policies upon their current AI strategies and governance.[44]

We anticipate that the AI regulatory landscape in Asia will become a diverse and contentious space due to global AI competition among the EU, China and the U.S. as well as the pragmatic paths that many Asian countries may take considering their own histories, economies and politics.[45]

At the same time, these debates emphasize the need to minimize the risks associated with this technology. For comparison Austria and Australia, two democratic high-income countries with differences in geographic location, political system, and economic structure. While both countries aim for a balance of innovation, ethics, and regulation in their AI strategy, the chosen elements for obtaining this balance vary remarkably regarding structures, processes, and tools.[46]

Overall, global AI governance is characterized by a tension between regulatory divergence and emerging convergence driven by shared ethical principles and technological challenges.

5. Comparative Analysis and Regulatory Convergence

The promises and risks of Artificial Intelligence permeate current policy statements and have attracted much attention by AI governance research.[47]

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[43] The Public Voice, "Universal Guidelines for Artificial Intelligence," *OECD.AI Catalogue of Tools and Metrics*, accessed October 7, 2026, https://oecd.ai/en/catalogue/tools/universal-guidelines-for-artificial-intelligence.

[44] Jian Xu, Terence Lee, and Gerard Goggin, "AI Governance in Asia: Policies, Praxis and Approaches," *Communication Research and Practice* 10, no. 3 (2024): 275–287, https://doi.org/10.1080/22041451.2024.2391204.

[45] Xu, Lee, and Goggin, "AI Governance in Asia", 275–287.

[46] Peter Biegelbauer, "AI Governance in Austria and Australia: Learning from the Antipodeans," *fteval Journal for Research and Technology Policy Evaluation*, no. 55 (2024): e8, https://doi.org/10.22163/fteval.2024.664.

[47] Laura Liebig et al., "Subnational AI Policy: Shaping AI in a Multi-Level Governance System," *AI & Society* 39, no. 3 (2024): 1477–1490, https://doi.org/10.1007/s00146-022-01561-5.

In general, the EU emphasizes regulation, while the U.S. emphasizes innovation and military action as means to grow and wield global influence. The European Union adopts a comprehensive and binding regulatory approach, aiming to lead globally in the development of artificial intelligence law. In contrast, the United States has not enacted equivalent federal legislation, favoring a more hands-off approach and prioritizing investment in innovation to maintain its competitive advantage. Both governments' policies suffer from fragmentation along different dimensions.[48]

A comparative perspective reveals both similarities and divergences in AI governance. These patterns are essential for understanding regulatory evolution.

In contrast, many global initiatives favor flexible instruments; these include guidelines, principles, and voluntary commitments. Despite these differences, common normative foundations can be identified. Most frameworks emphasize human rights and responsible innovation.

The comparative analysis of the main normative and soft law instruments in the field of artificial intelligence governance highlights the existence of a common core of principles.

These include transparency, accountability, fairness, human oversight, as well as requirements concerning reliability and risk management. However, the degree of convergence varies significantly depending on the nature and function of each instrument.

Thus, UGAI provide the closest terminological correspondence to these principles, explicitly articulating concepts such as fairness, accountability, and the right to a human determination. By contrast, instruments such as the UNESCO Recommendation on the Ethics of Artificial Intelligence and the Council of Europe Framework Convention integrate these principles within a broader human rights framework. However, they do not uniformly reproduce the terminology used in the UGAI.

The OECD principles formulate these values at a more general level, oriented toward public policy and international cooperation. As regards European Union law, the Artificial Intelligence Act translates these principles into concrete legal obligations, particularly for high-risk systems.

However, it does not always establish them as autonomous principles, but rather frames them as operational requirements. Consequently, it can be concluded that there is a degree of normative convergence at the level of values and objectives. However, significant differences persist in the conceptualization and implementation of these principles across various AI governance instruments.

[48] Samantha Podnar, Gemma Marolda, and Steve Lund, "Barreling towards 'Significant Misalignment': A Comparative Examination of AI Regulation in the European Union and United States," *Pittsburgh Undergraduate Review* 4, no. 1 (2025), https://doi.org/10.5195/pur.2025.111.

6. Fragmentation and Regulatory Competition

Global artificial intelligence and governance remain structurally fragmented. This fragmentation reflects differences in legal traditions, economic priorities, and political systems. Major regulatory actors pursue distinct governance strategies and these strategies often reflect broader geopolitical and economic objectives rather than purely legal considerations.

The United States has adopted a relatively decentralized, hands-off approach to AI governance, China has strengthened government oversight over the AI industry. Europe, by contrast, has primarily developed a robust regulatory framework focused on mitigating the risks posed by AI systems.[49]

These divergent approaches contribute to a competitive global regulatory environment. Each actor seeks to shape international standards and influence global governance structures. Regulatory competition may stimulate innovation in governance design. However, it also risks deepening fragmentation across jurisdictions.

This dynamic encourages a degree of regulatory convergence. It operates even in the absence of formal international agreements. However, convergence remains partial and uneven.

Regional differences remain particularly visible in emerging economies. Some regions prioritize development objectives over strict regulatory control.

In addition, disparities in institutional capacity affect implementation. Fragmentation is further reinforced by rapid technological change. Legal systems often struggle to keep pace with innovation.

The interaction between competition and convergence defines current AI governance dynamics. This tension is likely to persist in the foreseeable future. This dynamic suggests that global AI governance will continue to evolve through a complex interplay of competition, convergence, and institutional adaptation, rather than through uniform regulatory harmonization.

7. Conclusions

The development of AI technology has an impact on daily life and industry creation, and how to govern AI has become a hot topic.[50]

With global-scale, rigorous interaction, and integration, a technologically connected world emerges and a community with a shared future. In such a context, no nation, organization, or individual can be shielded from AI's potential dangers or face its challenges alone. To safeguard the common interests and future development of humanity, it is essential to accurately assess the potential dangers posed by AI,

[49] Daniels, Narayanan, and McFaul, "Analyzing the Global AI Governance Ecosystem", 1500–1501.
[50] Xianrui Liu and Mengting He, "AI Governance Network Analysis: From the Perspective of US and EU Policy," in *Proceedings of the 24th ACM/IEEE Joint Conference on Digital Libraries* (ACM, 2024), 1–3, https://doi.org/10.1145/3677389.3702563.

establish an international framework for AI governance, and develop strategic plans.[51] Artificial intelligence represents a complex and evolving field of law. It reflects the interaction between technological innovation and legal adaptation. At the global level, governance frameworks remain diverse. However, shared principles are increasingly visible across jurisdictions.

As seen by its current state, global AI governance is still in its early stages. It is important that states, international organizations, multinational corporations, and global civil society reach agreement on guidelines for global AI governance.

Such coordination is necessary to address the numerous security risks created by artificial intelligence. It is also crucial that the development of institutions and norms keep up with AI's development to advance the development of AI security governance and prevent potential crises that could arise from AI's unrestrained development.[52]

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