Africa - Europe Cooperation on the Governance of Artificial Intelligence

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About This Report

This report provides an in-depth, evidence-based analysis of the evolving landscape of artificial intelligence (AI) governance across Africa and Europe, with a particular focus on opportunities, challenges, and pathways for strengthened cooperation between the two regions. Drawing on global policy frameworks, regional strategies, national regulatory developments, and real-world case studies, it aims to contribute to the growing body of knowledge on inclusive, rights-based, and development-oriented AI governance.

This report adopts a multidisciplinary analytical approach, drawing on primary source material from African and European regulatory institutions, international organisations, and civil society monitors, alongside peer-reviewed scholarship and policy research. It is grounded in desk review rather than original fieldwork. Where practitioner perspectives are incorporated, they reflect the authors' engagement with the policy community through The Lawyers Hub's ongoing Africa AI Policy Lab programme and the consultations conducted for this report. It is grounded in a conceptual framework that emphasizes polycentric governance, human rights-based approaches, and equity and regulatory sovereignty, recognizing the importance of African agency in shaping global AI governance systems.

The report is produced by The Lawyers Hub, a Nairobi-based digital law and policy organisation, with support from the Agence Française de Développement (AFD — the French Development Agency). AFD is France's public development finance institution, operating in more than 115 countries across Africa, Asia, Latin America, and the Pacific. It is accountable to the French government and aligned with EU development priorities, giving it a structurally significant position as a bridge actor between African partner countries and European institutional frameworks capable of translating governance ambition into institutional action, subject to the resource constraints that affect all development finance institutions (DFIs).

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Foreword

Linda Bonyo, Founder and CEO, Lawyers Hub

This report arrives at a moment when African AI governance has moved past the question of whether to regulate. Across the four jurisdictions where Lawyers Hub has been most actively engaged, Kenya, South Africa, Zimbabwe, and Ghana, governments are now working out how, by whom, and with whose participation. Strategies are being drafted faster than the institutions to implement them, and the capacity gap between ambition and delivery is the defining policy challenge of the next decade.

Kenya has now moved beyond strategy into legislative drafting. The proposed Artificial Intelligence Bill 2026, advanced during this quarter, is among the most comprehensive AI-specific legal frameworks attempted on the continent. It establishes an Office of the Artificial Intelligence Commissioner, introduces a risk-based classification of AI systems modelled on the EU approach, sets out obligations for high-risk applications in healthcare, education, employment, and public services, and addresses synthetic media and deepfakes through labelling, consent, and misinformation safeguards. In our work with Kenyan policymakers, regulators, and civil society, we have insisted on one principle throughout: a statute is only as credible as the institution that enforces it. The Office of the Data Protection Commissioner, which carries the closest equivalent mandate today, operates with a fraction of the staff and budget of its European counterparts. The Bill will succeed in proportion to whether the AI Commissioner is funded as a structural priority from day one rather than as a line item to be revisited later.

South Africa entered Q1 2026 with the most mature data protection regime on the continent and exited it with a withdrawn AI policy. The Draft National Artificial Intelligence Policy, which had set out the architecture for a national AI commission, regulator, and ethics oversight body, was withdrawn in April 2026 after fabricated academic and legal references, widely believed to have been generated by AI tools, were discovered in the gazetted document. The Minister of Communications and Digital Technologies acknowledged the failure, suspended officials pending inquiry, and ordered a review of internal drafting processes. The episode is consequential beyond South Africa. It demonstrates that the same verification, accountability, and transparency principles that AI governance frameworks demand of regulated systems must apply to the policymaking processes that produce those frameworks.

The lesson for the continent and for European partners is that institutional independence and protected budgets remain necessary conditions for credible AI governance, but they are not sufficient: epistemic discipline in policy drafting itself is now part of the regulatory baseline.

Zimbabwe launched its National Artificial Intelligence Strategy 2026 to 2030 in March 2026 at the New Parliament Building in Harare. On paper, it is among the most institutionally ambitious AI strategies on the continent. It establishes a National AI Council and an AI Strategy Implementation Office, prioritises computational sovereignty through investments in high-performance computing and national data platforms, embeds an Ubuntu-grounded AI Ethics Framework, and outlines a phased implementation pathway anchored in Vision 2030. The Zimbabwe case is instructive precisely because it shows how a comprehensive strategy can exist on paper while none of its institutions yet exist in operational form. The work for Zimbabwe, and for partners supporting Zimbabwean implementation, is to close that gap before the strategy's political momentum dissipates.

Ghana launched its National Artificial Intelligence Strategy 2025 to 2035 in Accra on 24 April 2026, announced by President John Dramani Mahama. The strategy is structured around eight pillars, proposes a Responsible AI Authority to coordinate execution, establishes a National AI Fund, projects AI contribution of up to 500 billion Ghanaian cedis to GDP by 2035, and integrates ethical safeguards aligned with the UNESCO Recommendation on the Ethics of Artificial Intelligence. It sits alongside the Bank of Ghana's Cyber and Information Security Directive 2026 for the financial sector and a national AI training programme for civil servants delivered with UNDP, UNESCO, and the Government of Japan, giving Ghana a coherent stack of strategy, sectoral regulation, and public-sector capacity. Our engagement with Ghanaian counterparts has emphasised one priority above others: West African AI governance must avoid replicating the fragmentation that has weakened continental data protection. A coordinated ECOWAS approach, anchored in Ghana's strategy and the regional open data framework now advancing through the ECOWAS Commission, would give the region a negotiating posture that individual states cannot achieve alone.

A partnership you cannot leave is not a partnership. It is dependency with branding.

Across all four jurisdictions, the same patterns recur. Strategies are drafted faster than the institutions to implement them. Data protection authorities are mandated to enforce against multinationals operating from Dublin or Singapore, often with five-person teams and budgets that would not fund a single European compliance department.

African regulators are expected to align with European frameworks they had no part in writing, to apply standards set in rooms they were not invited to, and to negotiate with hyperscalers that have more lawyers than the entire continental DPA workforce combined. Q1 2026 added a new pattern to the older ones. The Kenya High Court at Milimani set aside a judgment in which the pleadings had been generated using AI tools outside the recognised legal framework, holding that undisclosed AI use undermined procedural fairness and inviting the Rules Committee to develop a governing framework. South Africa's policy withdrawal followed weeks later. The asymmetry between African institutional capacity and the speed of AI deployment is structural, and it will not correct itself.

This is the political economy that the present report names directly. It is also the work the Africa AI Policy Lab, our flagship initiative supported by the Patrick J. McGovern Foundation, has been doing across all 54 African nations since 2022. The Lab tracks national AI strategies, convenes working groups on financial services AI, democracy and AI, migration AI, and judicial AI, and maintains the continent's most comprehensive AI incidents tracker. The intelligence we generate from that work informs the analysis in this report and the recommendations that follow.

The continental architecture is also beginning to take shape. The East African Community adopted a regional AI fund and coordination framework at its Regional Science, Technology and Innovation Conference in Kigali, anchored on a Regional AI Technologies Fund, an AI Alliance, and a distributed university network. ECOWAS advanced its open data framework through validation in Abuja. The African Development Bank and UNDP launched the AI 10 Billion Initiative at the Nairobi AI Forum 2026, projecting up to 40 million jobs and approximately one trillion United States dollars in GDP contribution by 2035. These are tangible mechanisms, not communiqués. They give African governments instruments to negotiate with rather than positions to defend.

What I want African readers and our European partners to take from this report is a working agenda. The five priority actions, namely the AU and EU AI Regulatory Dialogue, the Africa AI Governance Capacity Fund, the Electoral AI Protocol, GDPR adequacy reform, and the Joint Africa and Europe AI Research Consortium, form the minimum viable institutional core required for the relationship to function as a partnership rather than a one-way regulatory export. Each is sequenced against political windows that exist now and that will close if we do not seize them in this transition period.

African agency in AI governance will be built through deliberate institutional work. African regulators with the resources to enforce, African researchers with the funding to lead rather than assist, African civil society with the institutional standing to monitor and challenge, and African governments that move from declaration to ratification are the actors who will build it. The work in Kenya, South Africa, Zimbabwe, and Ghana shows what each of these looks like in practice, including what failure looks like when verification and oversight are absent. The next stage is to connect them, scale them, and embed them in a continental architecture that can negotiate as a peer.

I want to thank Agence Française de Développement for supporting this work and for understanding that genuine partnership begins with naming the asymmetries honestly. I want to thank the African DPAs, civil society organisations, academics, and policymakers in each of the jurisdictions covered in this report for the long conversations that informed it. And I want to thank the Lawyers Hub team and the Africa AI Policy Lab researchers, whose daily work across the continent produces the evidence base that arguments like the ones in this report depend on.

The Africa Forward Summit is the right place to launch this report because it carries the political weight that turns analysis into action. The window in which European and African governance instruments can be aligned by design rather than by accident is open now. The cost of letting it close is another decade of structural dependency. The opportunity, if we take it, is co-governance built to last.

Sovereignty without enforcement is a declaration, not a reality. Let us leave Nairobi with mechanisms, not communiqués.

Glossary Of Acronyms And Key Terms

Term	Definition
AFD	Agence française de développement
AI	Artificial Intelligence: computational systems performing tasks typically requiring human intelligence.
AU	African Union. A continental body of 55 member states, based in Addis Ababa.
BfDI	Germany's Federal Commissioner for Data Protection and Freedom of Information.
CIPESA	Collaboration on International ICT Policy for East and Southern Africa
CNIL	Commission Nationale de l'Informatique et des Libertés — France's national data protection authority.
DAIR Institute	Distributed AI Research Institute.
Data space	A secure, decentralized ecosystem enabling organisations to share data under agreed governance rules while retaining data control. A continental African data space would enable cross-border AI research while protecting data sovereignty.
DFI	Development Finance Institution — provides financing for development projects (e.g. AFD, World Bank, European Investment Bank, African Development Bank).
Do No Digital Harm	A proposed DFI safeguard principle requiring AI impact assessments, rights-based governance, and non-exacerbation of inequality as conditions for all digital and AI programme financing.
DPA	Data Protection Authority — independent national body enforcing data protection law (e.g. ODPC, Information Regulator SA, CNIL).
DSA	Digital Services Act — EU Regulation 2022/2065 governing online platforms, including electoral risk assessment requirements.
ECOWAS	The Economic Community of West African States (ECOWAS) is a regional organization of West African countries that promotes economic integration, political cooperation, and regional stability among its member states.
EU AI Act	Regulation (EU) 2024/1689 — the world's first binding, comprehensive AI legal framework. Risk-based architecture; in force August 2024; phased enforcement 2024–2027.
GAID	General Application and Implementation Directive — Nigeria's NDPC enforcement directive (September 2025).
GDPR	General Data Protection Regulation

Term	Definition
GPAI	General-Purpose AI — AI models adaptable for wide-ranging tasks; subject to specific EU AI Act obligations.
ISO/IEC JTC1 SC 42	International Organization for Standardization / IEC Joint Technical Committee 1 Subcommittee 42 — primary international AI standards body.
NDICI	Neighbourhood, Development and International Cooperation Instrument — EU's primary external development financing instrument.
NDPC	Nigeria Data Protection Commission — Nigeria's DPA, established 2023.
ODPC	Office of the Data Protection Commissioner — Kenya's DPA.
OECD	Organisation for Economic Co-operation and Development
POPIA	Protection of Personal Information Act — South Africa's data protection law (2020)
Regulatory sandbox	A controlled environment where businesses test AI systems under temporarily modified regulatory oversight. Designed to foster innovation while building the evidence base for permanent regulation.
SASSA	South African Social Security Agency — subject to a landmark 2022 DPA enforcement notice for unlawful facial recognition use.
SME	Small and Medium-sized Enterprise — includes African AI startups for whom EU AI Act compliance costs represent significant barriers.
VLOPs	Very Large Online Platforms — EU DSA designation for platforms with 45M+ monthly EU users; subject to enhanced obligations, including electoral risk assessments.

Executive Summary

The governance of artificial intelligence is emerging as one of the defining political economy contests of the 2020s, and Africa is both increasingly central to that contest and systematically underrepresented in the institutions and processes where those rules are made. This report advances three arguments that position it beyond the descriptive literature on digital governance: first, that the Africa–Europe AI governance relationship is structurally asymmetric in ways that replicate historical patterns of regulatory dependence; second, that this asymmetry is neither inevitable nor immutable, but requires deliberate institutional design to correct; and third, that the current transition window opened by the AU Continental AI Strategy (2024), the EU AI Act's graduated enforcement schedule, and the political momentum of the Africa–France Summit represents a rare opportunity to establish a genuinely co-governed architecture before path dependencies lock in. These three arguments structure the report's analysis.

> ...approximately 45 African countries had enacted data protection legislation by early 2026, and around 39 had established operational Data Protection Authorities (DPAs), compared to fewer than 10 in 2015 (Tech in Africa, 2026).

The first, that Africa–Europe AI governance is structurally asymmetric in ways that replicate historical patterns of regulatory dependence. This is developed in Section 3, which maps the global AI governance architecture and Africa's position within it, and in Section 4, which analyses the specific mechanisms through which European actors hold structural advantages in market access, standard-setting, financing, and institutional representation. The second argument, that this asymmetry is correctable through deliberate institutional design is advanced in Sections 4.4 and 4.5, which propose a co-governance architecture, and is operationalised in the Policy Recommendations of Section 10. The third argument, that the current transition window is rare and time-limited drives the sequencing logic of Section 9's Cooperation Roadmap, where each of the nine actions is mapped against the specific political and institutional windows that make it achievable now rather than later. Readers who wish to engage with one argument directly may use these signposts to navigate to the relevant sections.

Governance Progress and the Power Gap

African governance capacity has grown substantially. According to available estimates, approximately 45 African countries had enacted data protection legislation by early 2026, and around 39 had established operational Data Protection Authorities (DPAs), compared to fewer than 10 in 2015 (Tech in Africa, 2026). On the continental AI governance front, three distinct instruments mark the political momentum of 2024–2026. The AU Continental AI Strategy, adopted by the African Union Assembly in July 2024, provides the overarching strategic blueprint for all 55 AU member states. The Africa Declaration on Artificial Intelligence, adopted on 4 April 2025 at the Global AI Summit on Africa in Kigali was signed by 52 of Africa's 54 states plus the African Union and Smart Africa with only Tanzania and Western Sahara absent and announced the establishment of a USD 60 billion Africa AI Fund. The EAC Declaration on Artificial Intelligence, adopted on 1 April 2026 by ministers from the eight EAC Partner States at the 4th EAC Regional Science, Technology and Innovation Conference in Kigali focused on East Africa's AI cooperation architecture, including a proposed Regional AI Technologies Fund and EAC AI Alliance. At the national level, countries like Nigeria, Kenya, South Africa, and Mauritius all rank in the top 75 globally according to the 2025 Oxford Insights Government AI Readiness Index.

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The structural power gap in artificial intelligence (AI) standard-setting has indeed widened, as the European Union (EU) AI Act, the world's first comprehensive legal framework for AI, imposes significant extraterritorial compliance burdens on African firms and governments without having included them in its development. Africa captures an estimated 2.5% of global AI investment. While this percentage is low, experts predict that by 2030, AI could inject USD 2.9 trillion into the continent’s economy, leading to an annual 3% GDP increase, lifting 11 million Africans out of poverty, and creating jobs for 500,000 people annually yet African nations are largely absent from full OECD AI governance bodies, resulting in standard-setting dominated by Europe and North America, which poses risks for local digital sovereignty.

On 26 August 2025, the UN General Assembly adopted Resolution A/RES/79/325, establishing the Independent International Scientific Panel on AI and the Global Dialogue on AI Governance multilateral forums that, for the first time, give every country a formal seat in the AI governance conversation. These bodies create new openings for African participation, though sustained governmental engagement from the continent remains uneven.

Core Findings

Governance progresses without equivalent power.
Africa's regulatory expansion is real, but formal governance progress has not translated into influence over global AI standard-setting. (Section 3)

The EU AI Act creates emerging dependency risks for Africa.
Compliance costs for providers of high-risk AI systems, including establishing the required Quality Management System, is estimated at €193,000–€330,000 in initial costs, rising to over €400,000 with annual maintenance (CEPS, ICF & Wavestone, 2021, commissioned by the European Commission). (Section 3.2 & Case Study 5)

Political economy is the binding constraint, not policy design.
Reform allies exist on both sides: European DPAs needing African counterparts, firms needing African regulatory stability, and governments managing China's AI infrastructure presence. (Section 4)

The Africa Declaration on Artificial Intelligence and Africa AI Fund signal African ambition, but implementation risk is high.
The 2025 Africa Declaration on Artificial Intelligence led to the creation of the Africa AI Fund to support AI development across the continent. However, absent enforcement mechanisms and weak coordination among member states, what the Future Center (2025) identifies as 'institutional paralysis and fragmentation' poses a risk that political ambition outpaces institutional delivery.

DFIs can catalyse co-governance with reformed internal practices. Development finance institutions must embed co-governance principles in project design, technical assistance procurement, and evaluation within realistic resource constraints. (Section 4.4.2)

Priority Actions

Establish a dedicated AU–EU AI Regulatory Dialogue between DPAs.

Negotiate an AU–EU Electoral AI Protocol before the 2027 African election cycle.

Launch a Joint Africa–Europe AI Research Consortium with African Principal Investigators.

Capitalise an Africa AI Governance Capacity Fund (target: USD 200 million over five years).

Reform the GDPR adequacy process to include African participation.

The Five immediate actions are identified as the most urgent, given existing political windows and institutional readiness. A full nine-action cooperation roadmap, covering longer-horizon institutional commitments, is set out in Section 9.

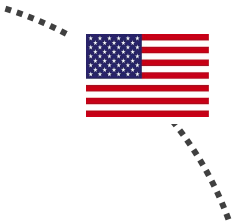
1. The Challenge & Why It Matters Now

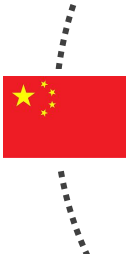
1.1 The Global AI Governance Contest

Global AI governance is not primarily a technical coordination problem; it is a political economy contest over who sets the rules that determine which AI systems can be sold, deployed, and profited from across the world. Understanding the Africa–Europe governance relationship requires beginning here, not with policy frameworks.

Three geopolitical actors are currently driving global AI standard-setting:

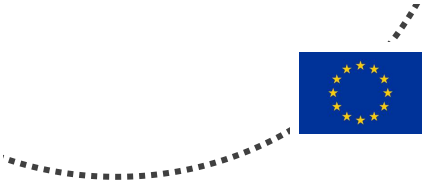
The **United States** is leveraging its technology sector dominance to promote market-led governance. The July 2025 Presidential Executive Order explicitly prioritised 'exporting the American AI technology stack' as a tool of 'continued technological dominance.'





China is investing in AI infrastructure across Africa through Huawei, Alibaba Cloud, and the Digital Silk Road, while domestically operating some of the world's most restrictive AI regulatory regimes.

The **European Union** has positioned its regulatory model as the global rights-based alternative, most prominently through the EU AI Act.



This is not an oversight; it is a structural outcome of an international governance architecture designed before African AI capacity existed. The OECD AI Principles (2019) were negotiated primarily among high-income countries. ISO/IEC AI standardization committees are dominated by European and North American experts. The UN AI Advisory Body, despite producing balanced reports, has no binding mandate. The result is a governance vacuum that powerful actors, states, and corporations fill with their own frameworks, with or without African consent.

1.2 Africa's AI Trajectory: Rapid Deployment, Constrained Regulatory Infrastructure

Africa's AI market is projected to grow from approximately USD 4.5 billion in 2025 to USD 16.5 billion by 2030, representing a compound annual growth rate of approximately 27 percent based on a Mastercard whitepaper released in August 2025; Harnessing the transformative power of AI in Africa. Based on the Microsoft AI Diffusion Report (2025), no African country had surpassed a 20% AI adoption rate, with South Africa ranking highest at 19.3% in early reports. The metric measures active usage of generative AI tools among the working-age population, not general AI familiarity or deployment.

The Oxford Insights Government AI Readiness Index (2025) highlights that while AI is becoming central to Africa's digital transformation, significant structural disparities remain. The core challenge is a deployment-governance mismatch: AI systems are being adopted faster than the regulatory infrastructure to govern them. Fintech AI in Nigeria processes credit decisions without algorithmic accountability mechanisms. Agricultural AI apps in Kenya collect smallholder data under terms of service designed abroad. Healthcare AI tools are deployed without local clinical validation. These are not hypothetical risks; they are current governance failures.

Key Data Points

45 African nations have now enacted data protection legislation as of April 2026

39 fully operational Data Protection Authorities (DPAs) across the African continent

Africa accounts for approximately **1% to 1.5%** of total global AI spending.

There is only one, legally binding international treaty specifically dedicated to AI: the Council of Europe Framework Convention on Artificial Intelligence, and Human Rights, Democracy, and the Rule of Law

The average AI infrastructure score for African nations is approximately 29.12 %

The average AI infrastructure score for African nations is approximately **29.12 %**

Under **USD 1.2M to 6M** estimated average annual budget of an African DPA vs. approx.€28.6 million (2024) for France's CNIL

Sources: AU Continental AI Strategy(2024), Oxford Insights(2025), Tech in Africa (2026), and the African Development Bank (AfDB) funding

2. Conceptual Framework

This report's analytical framework seeks to move beyond two common approaches to AI governance in developing-country contexts: the 'governance gap' frame, which treats African regulatory underdevelopment as a deficit to be filled by importing mature frameworks from elsewhere; and the 'leapfrogging' frame, which assumes African countries can bypass governance failures by adopting advanced regulatory architectures directly. Both frames share a common flaw: they treat governance as a technical problem rather than a political economy process (Ostrom, 1990; Raymond & DeNardis, 2015).

2.1. Polycentric AI governance; Drawing from Elinor Ostrom's theories, requires multi-level coordination rather than centralized control, as single institutions like the UN or EU cannot effectively manage AI alone. A robust framework necessitates integrating diverse actors, including African Data Protection Authorities (DPAs), civil society, and academics to ensure legitimate, context-specific oversight

2.2 Rights-Based AI; Human rights provide the non-negotiable normative floor for AI governance. This is grounded in the UNESCO Recommendation on the Ethics of AI (2021), the African Charter on Human and Peoples' Rights, and the emerging jurisprudence on algorithmic accountability from both African and European courts. A rights-based approach requires that governance processes, not just governance outcomes, respect the dignity and agency of affected communities. This means: free, prior, and informed consent for community data collection; independent oversight of consequential algorithmic systems; effective remedies for AI-induced harms.

2.3 Equity and Regulatory Sovereignty: The concept of digital sovereignty is increasingly prominent in global governance discussions. For African states, it is associated with concerns about data extraction, regulatory dependence, and the potential reproduction of unequal power dynamics in digital contexts (Couldry & Mejias, 2019). For European institutions, it is often linked to considerations around reliance on external AI infrastructure, particularly from the United States and China. A cooperation framework that takes sovereignty into account would recognise the diversity of African regulatory approaches, align compliance expectations with available capacities, and support the development of institutional capabilities to enable effective regulatory oversight. EU European technological sovereignty and digital infrastructure (2025/2007(INI) 22/01/2026)

3. Global & Regional Policy Landscape

3.1 The International Architecture

The global AI governance landscape is characterised by three overlapping architectures that interact without effective coordination: hard law (the EU AI Act; Council of Europe Framework Convention on AI, 2024); soft governance (OECD AI Principles, UNESCO Recommendation, UN AI Resolutions); and bilateral and multilateral technical standards (International Organization for Standardization (ISO/IEC), International Telecommunication Union (ITU), Institute of Electrical and Electronics Engineers (IEEE)). Africa is represented, to varying degrees, in all three, but exercises limited authorship in any.

The UN General Assembly formally established the **Independent International Scientific Panel on AI** and the **Global Dialogue on AI Governance** on August 26, 2025, via Resolution A/RES/79/325. These bodies serve as primary engines for bridging the gap between rapid technological advancement and international law thus addressing the historical exclusion of the Global South from tech governance.The Lawyers Hub, the Collaboration on International ICT Policy for East and Southern Africa (CIPESA), Research ICT Africa (RIA), Paradigm Initiative (PIN), AI4D Africa (Artificial Intelligence for Development) and other African civil society organisations have been early participants in these processes, but sustained African governmental engagement remains uneven.

3.2 The EU AI Governance Architecture

The EU AI Act (Regulation EU 2024/1689) entered into force in August 2024, with a phased implementation schedule: the prohibition of certain AI systems took effect in February 2025, followed by General-Purpose AI (GPAI) model obligations (August 2025), high-risk AI system requirements (August 2026), and the remaining provisions (August 2027)

The November 2025 Digital Omnibus Package introduced significant proposed amendments: relaxing GPAI obligations, extending implementation timelines for high-risk systems by up to 16 months, and narrowing AI literacy obligations. As the Oxford Insights Government AI Readiness Index (2025) notes, 2026 will be a critical year for the EU to drive a common direction. This internal regulatory evolution creates uncertainty for African partners seeking stable compliance guidance.

The EU AI Office, established in June 2024 with more than 125 staff, now leads EU international AI engagement. Its activities include bilateral partnerships, GPAI code of practice development, and participation in ISO/IEC standardisation. While Africa is not among the initial, formal, high-level, bilateral "Digital Partnerships" listed by the EU AI Office, it is explicitly mentioned as a region of focus for international engagement on AI, including collaboration through broader initiatives.

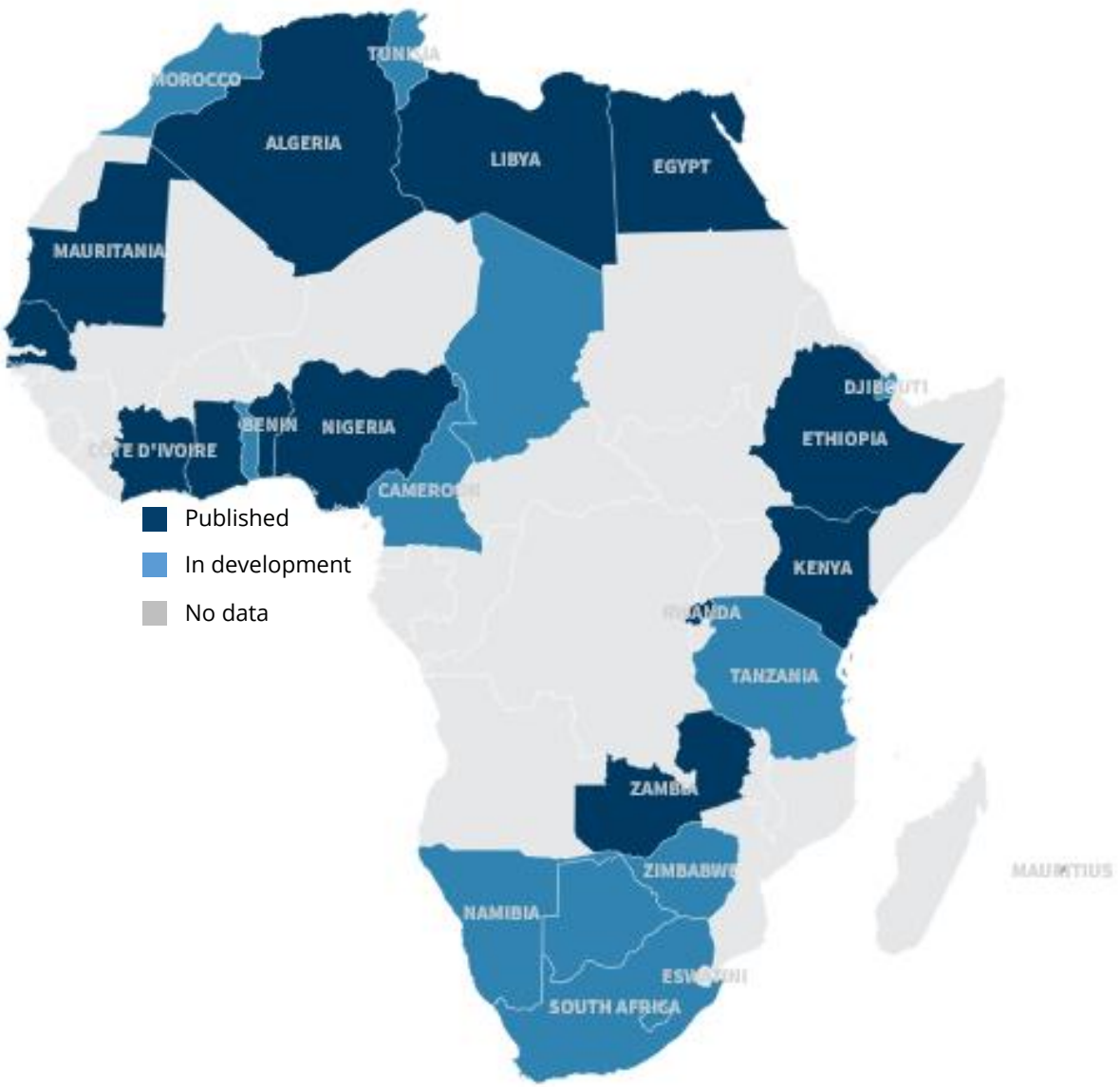
EU AI Act Extraterritorial Impact

The EU AI Act (Regulation EU 2024/1689) features a broad extraterritorial scope designed to regulate the EU market rather than just companies physically located in Europe. Much like the GDPR, it applies to any entity worldwide if their AI system or its output is used within the Union. See Case Study 5 for detail.

3.3 African AI Governance Landscape

Africa's AI policy landscape has transformed substantially since the AU Continental AI Strategy's adoption.

Status of AI Strategies and Policies in Africa, 2018 - 2025



Source: Authors' compilations and Africa Tech Policy Tracker

Table 3.1 compares the AI governance readiness of ten African countries, including their global ranking, data protection framework, and key governance characteristics. The column for Data Protection Authority (DPA) Status has been simplified to indicate operational capacity. Oxford Insights global ranks are from the 195-country Government AI Readiness Index 2025.

Table 3.1: National AI Governance Overview — Selected African Countries (2025–2026)

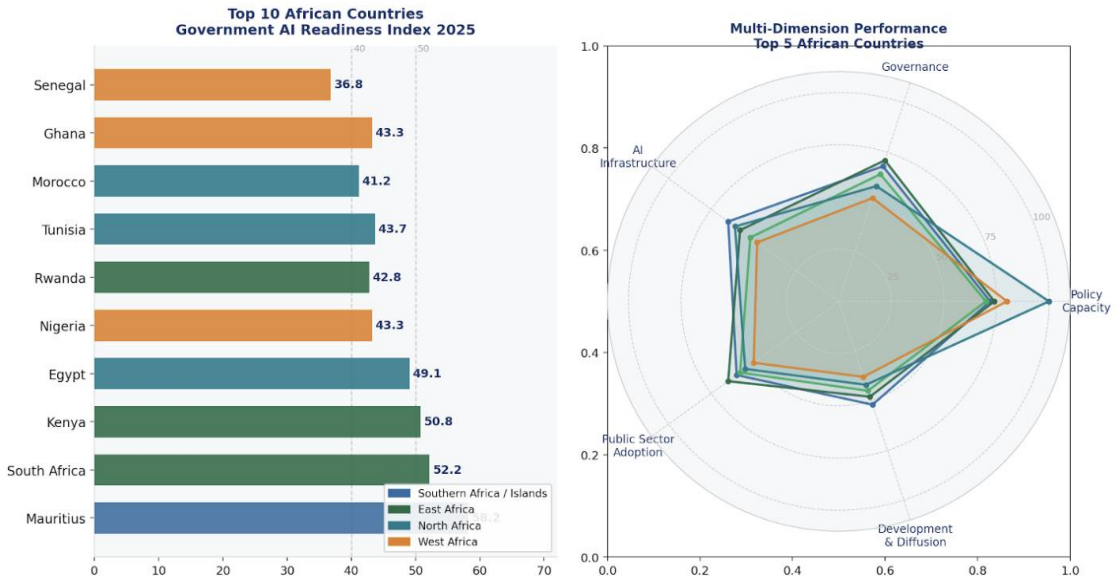
Country	Oxford Insights Rank (2025)	AI Strategy	Data Protection Law	Key Governance Feature
Mauritius	71st (1st Sub-Saharan Africa)	National AI Strategy (updated 2023)	Data Protection Act 2017	Highest overall score in Sub-Saharan Africa, most advanced GDPR adequacy discussions.
Kenya	68th	National AI Strategy2025 –2030	Data Protection Act 2019	Active DPA enforcement, civil society monitoring; regulatory sandbox launched 2026.
South Africa	65th	AI Policy 2025	POPIA 2020	Most mature DPA on the continent, landmark The South African Social Security Agency (SASSA) facial recognition enforcement (2022).
Nigeria	70th	National AI Strategy 2024	Nigeria Data Protection Act 2023	Largest AI ecosystem in Africa, The Nigeria Data Protection Commission (NDPC) launched the General Application and Implementation Directive (GAID), an enforcement framework September 2025.
Rwanda	75th	National AI Strategy 2023	Data Protection Law 2021	State-led deployment model, hosted first Global AI Summit on Africa, Kigali, April 2025.
Egypt	52st	National AI Strategy 2030 (2nd ed.)	Personal Data Protection Law 2020	North Africa leader, 100% Policy Capacity score (Oxford Insights); health and agriculture AI focus.
Ghana	85th	National AI strategy 2025- 2035	Data Protection Act 2012	Active in ECOWAS digital governance processes.

Country	Oxford Insights Rank (2025)	AI Strategy	Data Protection Law	Key Governance Feature
Ethiopia	91st	National AI Strategy 2024	Personal Data Protection Proclamation 2024.	Second low-income African country (after Rwanda) to adopt a formal national AI strategy.
Tunisia	86th	National AI Strategy 2021	Data Protection Law (operational)	Strong technical university base, active startup ecosystem.
Senegal	97th	Digital Senegal 2025	Personal Data Protection Law	Francophone AI governance leader, active in ECOWAS digital governance.

Sources: Oxford Insights Government AI Readiness Index 2025; Tech in Africa (2026); Future of Privacy Forum (2024); national government sources.

Several structural patterns are visible in this data. First, the East and Southern African cluster, Kenya, South Africa, and Rwanda, show strong institutional momentum despite limited budgets, driven by active civil society engagement and political commitment. Second, North Africa (Egypt, Tunisia, Morocco) outperforms on talent and infrastructure but faces governance quality challenges linked to political systems. Third, West Africa presents a bifurcated picture: Nigeria's ecosystem scale is unmatched, but regulatory capacity has lagged ecosystem development by several years. Fourth, the 2024 cohort of new AI strategies (Ethiopia, Ghana, Nigeria, Zambia) signals a continental momentum that has accelerated significantly since 2023.

Figure above shows the Top 10 African Countries Government AI Readiness Index 2025 & Multi-Dimension Performance Radar



Source: Oxford Insights (2025); AI Talent Readiness Index, Qhala/Qubit Hub (2025)

4. Africa–Europe Cooperation Dynamics

This section examines the political economy of Africa–Europe AI governance relations: who holds power in the current architecture, who benefits from its perpetuation, and where the structural levers for change exist. It maps existing cooperation mechanisms, identifies their limitations, and proposes an institutional architecture for genuine co-governance.

4.1 The Political Economy of the Current Architecture: Who Holds Power?

Power in international AI governance operates through four channels. European actors hold structural advantages in all four:

- **Market access:** GDPR adequacy decisions require African countries to demonstrate 'essentially equivalent' data protection to access the EU digital market. No African country has received a GDPR adequacy decision from the European Commission. Morocco submitted a request as early as 2009, which remains pending; Mauritius has had preliminary bilateral discussions but has not filed a formal application; and Senegal, Tunisia, and Cape Verde while having ratified the Council of Europe's Convention 108 on data protection have not entered formal EC adequacy processes.

- **Standard-setting:** ▪ISO/IEC JTC1 SC 42 (Joint Technical Committee 1, Subcommittee 42 - Artificial Intelligence) the primary international AI standards body, has 39 participating member countries and over 60 total participating and observing members. African participating members include the Democratic Republic of the Congo, Egypt, Rwanda, and Uganda, though no African country holds a convenor or secretariat role in any of SC 42's five working groups

- **Financing conditionality:**▪European development finance, including through DFIs and the EU's Neighbourhood, Development and International Cooperation Instrument (NDICI), frequently includes conditionalities that incentivise regulatory convergence with European frameworks. These conditionalities often operate through the selection of technical assistance providers (frequently European consultancies), the design of capacity-building programmes (modelled on European regulatory institutions), and project evaluation frameworks benchmarked against European standards.

- **Institutional representation:** The OECD, which hosts the AI Policy Observatory and produces the most influential AI governance research globally, has no African full members as of 2026. The G7 AI Hiroshima Process and the AI Safety Summit process (Bletchley, Seoul, Paris) have included African participants episodically but without structural representation.

4.2 Regulatory Imperialism and Data Colonialism: A Political Economy Analysis

The structural imposition of one jurisdiction's regulatory template on others, requires careful application. It is analytically misleading to characterize European AI governance as intentionally imperialist; most EU regulators and policymakers are genuinely committed to rights-based AI governance as a global good. The problem is structural, not intentional.

Two main structural mechanisms produce imperial regulatory effects:

The Brussels Effect: As Anu Bradford (2020) documented in the context of GDPR, regulatory market power, the ability to set conditions for the world's largest single market, produces de facto global standards regardless of the sovereign preferences of third countries. The EU AI Act, with its extraterritorial provisions, is on course to produce a comparable effect in AI regulation. African AI developers, fintech startups, and health-tech companies seeking any engagement with European markets face compliance obligations designed for large European corporations.

The Adequacy Trap: GDPR adequacy determinations have created a governance dependency architecture in which African countries must continuously align their domestic data protection frameworks with evolving EU interpretations, without representation in the process of generating those interpretations. On 4 September 2025, the Court of Justice of the European Union ("CJEU") delivered a significant judgment in the case EDPS v. SRB (C-413/23 P). This is the first judgment in which the CJEU has explicitly confirmed that sufficiently strongly pseudonymised data may constitute personal data for the original controller but not for the recipient who cannot reverse the pseudonymisation and cannot identify data subjects by other means. This raises the question as to whether controllers are required to conclude Data Processing Agreements with processors that are unable to identify data subjects. This will require African DPAs to re-evaluate their own guidance, without African courts or regulators having participated in the litigation.

Data Colonialism

As theorised by Couldry and Mejias (2019), data colonialism refers to the extraction of data from populations without meaningful consent, for economic benefit flowing primarily to external actors. In the AI context, agricultural apps collecting smallholder data under US-designed terms of service, health AI training on African patient data without benefit-sharing, and social media platforms mining African user data are relevant examples. US technology platforms are the primary extractors; however, European regulatory frameworks have not been designed to address this dynamic systematically.

4.3 Convergence and Cooperation Potential

Convergence between African and European approaches to AI governance is most evident at the level of **normative principles and risk awareness,** while divergence emerges in **regulatory instruments, implementation capacity, and political economy priorities.** Both regions formally anchor AI governance in human rights frameworks: the African Union's Continental AI Strategy (2024) and Data Policy Framework emphasise dignity, inclusion, and data sovereignty, while the European Union's EU AI Act and General Data Protection Regulation operationalise a rights-based, risk-tiered model with binding obligations. This creates meaningful alignment on issues such as algorithmic accountability, data protection, and the need to mitigate systemic risks from high-impact AI systems. However, divergence arises from **asymmetries in institutional capacity and regulatory reach.** European frameworks are highly enforceable and increasingly extraterritorial, whereas many African states, despite rapid progress, including over 40 data protection laws and expanding Data Protection Authorities, face resource and technical constraints that limit enforcement depth. In addition, African policy frameworks tend to prioritise **developmental and innovation objectives,** including digital industrialisation and public sector transformation, while European approaches place comparatively greater emphasis on **risk mitigation and market regulation.**

These differences are not inherently incompatible but require **deliberate calibration** in cooperation designed particularly to ensure that regulatory alignment does not impose disproportionate compliance burdens on African actors while still advancing shared governance objectives grounded in rights, accountability, and inclusive innovation.

Sources: AU Continental AI Strategy (2024); AU Data Policy Framework (2022); EU AI Act 2024/1689; EU AI Office (2025); Oxford Insights (2025).

4.4 Existing Africa–Europe Cooperation Mechanisms and Their Limits

4.4.1 The AU–EU Digital Partnership

The 7th AU–EU Summit(Luanda, Angola, 24–25 November 2025) committed both blocs to a renewed digital partnership, building on the Joint Vision for 2030 adopted at the 6th AU–EU Summit in Brussels.. The partnership encompasses connectivity (Global Gateway investments), digital skills, and cybersecurity. AI governance, however, remains underdeveloped within this partnership architecture: there is no dedicated AU–EU AI working group, no joint AI research programme, and no structured mechanism for regulatory dialogue. The EU's Global Gateway, which set a revised target of mobilising €400 billion in investments by 2027, includes digital infrastructure as a priority domain. However, Global Gateway projects are structured primarily as investment vehicles rather than governance partnerships.

4.4.2 The Role of Development Finance Institutions

DFIs occupy an important position in Africa–Europe AI governance dynamics. Some of them combine operational presence across Africa with accountability to European regulatory frameworks, creating the potential for bridge-building between the two regions. The structural challenge for all DFIs is to embed co-governance principles in project design, evaluation frameworks, and technical assistance procurement, rather than treating such principles as project-specific add-ons. Concretely, DFI bridge-actor potential can be realised through: requiring African-led governance assessments as a condition of all AI-adjacent investments; funding multi-year, flexible technical

The structural challenge for all DFIs is to embed co-governance principles in project design, evaluation frameworks, and technical assistance procurement, rather than treating such principles as project-specific add-ons.

assistance to African DPAs without prescriptive regulatory alignment conditions; commissioning independent AI audits of DFI-financed AI systems; and advocating within the European development finance system for a 'Do No Digital Harm' A proposed DFI safeguard principle requiring AI impact assessments. These actions must be calibrated against realistic resource constraints and existing DFI mandates.

As of early 2026, Mauritius is the only Sub-Saharan African country with adequacy discussions significantly advanced.

4.4.3 The GDPR Adequacy Architecture: Reform Imperative

GDPR adequacy decisions are the most consequential Africa–Europe digital governance instrument that most African policy practitioners have had limited opportunity to influence. As of early 2026, Mauritius is the only Sub-Saharan African country with adequacy discussions significantly advanced. Cape Verde and Senegal have had preliminary discussions; Kenya's Data Protection Commissioner has indicated interest, but the Office of the Data Protection Commissioner (ODPC) lacks the resources for a full adequacy application. Reforming the adequacy architecture to make it enabling rather than coercive requires: African participation in defining what 'essentially equivalent' data protection means for African contexts; recognition of African regulatory diversity; expedited pathways for countries with operational DPAs; and reciprocal assessment mechanisms that evaluate European data practices affecting African data subjects.

4.5 Proposed Co-Governance Architecture

Table 4.2 sets out five institutional elements for a minimum viable Africa–Europe AI governance partnership. Each is individually actionable.

Table 4.2: Proposed Africa–Europe AI Co-Governance Architecture

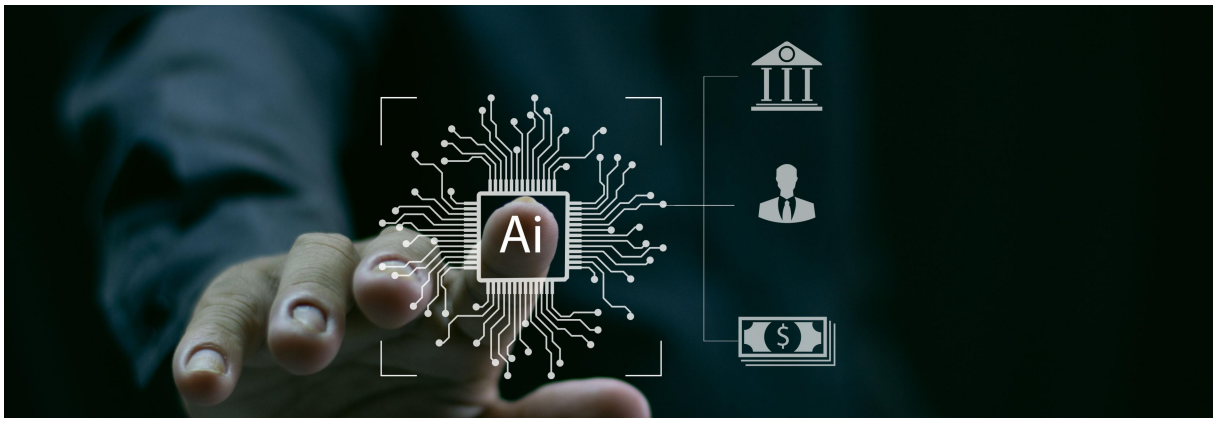
Mechanism	Mandate	Structure	Resourcing
Africa Union –European Union AI Governance Forum	Annual high-level dialogue, joint positions in global forums.	Co-chaired by AU Commission and EU AI Office, civil society participation.	Joint AU–EU funding, DFI secretariat support.
Africa–EU AI Regulatory Dialogue	Technical regulatory alignment, GDPR adequacy reform, conformity assessment mutual recognition.	Data Protection Authorities -to-DPA: ODPC (Kenya), Information Regulator (SA), NDPC (Nigeria), CNIL, BfDI, EU AI Office.	EU Development and International Cooperation Instrument (NDICI) funding, DFI technical assistance.
Joint AI Research Consortium	African-led AI research; African-language models, governance impact assessments.	Africa Union university network and European Higher Education Institutions, DAIR Institute as anchor institution.	EU Funding
Africa AI Governance Capacity Fund	Multi-year DPA capacity building; AI audit training, civil society monitoring.	African-managed fund co-financed by DFIs, World Bank, and EU.	USD 200 million target over five years, no regulatory conditionality.
AU–EU Data Partnership Agreement	Govern cross-border AI data flows, mutual recognition of data protection standards.	Treaty-level agreement between AU Commission and EU Commission.	Built into existing trade and digital partnership frameworks.

Table 4.2 *sets out the institutional design for five core mechanisms of a minimum viable Africa–Europe AI governance partnership defining the mandate, structure, and resourcing model for each. Section 9 returns to these same five mechanisms, alongside four additional longer-horizon commitments, and presents an implementation roadmap with lead actors, DFI roles, and measurable success metrics. Each mechanism is individually actionable*

5. Sectoral Focus Areas

5.1 AI and Democratic Governance

AI and democratic integrity are simultaneously the most urgent and the most under-institutionalised domains for Africa–Europe cooperation. With 19 major African elections in 2024 and a similar calendar in 2025–2026, and with AI-powered disinformation infrastructure becoming widely accessible, the window for proactive governance is narrowing.



The EU's Digital Services Act (DSA) requires Very Large Online Platforms (VLOPs) to conduct electoral risk assessments, a requirement activated for the 2024 European Parliament elections. However, DSA enforcement does not extend to African electoral contexts: platforms are required to assess risk to EU elections, not African ones, even when the same algorithmic infrastructure and disinformation networks operate across both contexts. The 2024 EU-Africa Elections Integrity Initiative, announced at the Addis Ababa AU–EU Summit, represents a first step but lacks the operational mandate and financing to constitute a substantive governance response.

5.2 AI in Health Systems

Healthcare AI represents the highest-impact and highest-risk AI application domain in Africa, and the area where Africa–Europe research cooperation holds the greatest near-term potential. The Lancet Digital Health (2021) documented that the vast majority of AI diagnostic tools have been trained on data from high-income countries, with measurable performance degradation in African clinical contexts. A 2022 United Nations Development Programme (UNDP) analysis found that skin disease detection tools trained primarily on light-skinned patient data performed significantly worse for darker-skinned populations.

The EU's regulatory framework classifies AI medical devices as high-risk, requiring clinical validation and conformity assessments. For European AI health tools deployed in Africa, these requirements do not apply, creating a disparity in which African patients may receive lower regulatory protection than European patients. A joint Africa–Europe AI health governance framework, modelled on the EU-Africa Global Health Strategy, should address this asymmetry through mutual validation requirements and benefit-sharing provisions for African patient data.

5.3 AI in Agriculture and Data Sovereignty

Agricultural AI, encompassing precision farming, satellite-based crop monitoring, pest detection, and digital extension services, is among the most actively deployed AI domains across Africa, with significant EU-Africa development finance involvement. The governance challenge is structural: the data generated by smallholder farmers using AI-powered applications is, in most cases, governed by terms of service designed in the United States, processed on US or European cloud infrastructure, and monetised through data partnerships that return little or no value to the farmers who generated it.

The AU Data Policy Framework (2022) addresses this through data sovereignty provisions, but domestic data protection enforcement in agricultural contexts is effectively non-existent across most of the continent. DFI-funded agricultural AI programmes should include mandatory data governance assessments, community consent protocols, and benefit-sharing mechanisms as standard project conditions.

5.4 Data Governance and Cross-Border AI Data Flows

Data governance is the infrastructure layer on which AI governance depends. For Africa–Europe AI cooperation, three data governance tensions require institutional resolution: the GDPR adequacy architecture (addressed in Section 4.4.3); data localisation mandates that may conflict with AI development requirements (Kenya, Ghana, Nigeria, and Algeria all have localisation requirements for certain data categories); and the absence of an Africa-wide data space equivalent to the EU's European Data Spaces initiative.

A data space is a federated digital infrastructure in which multiple organisations share data under agreed governance rules, technical standards, and trust frameworks, while retaining control over their own data. The EU's European Data Spaces initiative enables cross-border research and innovation while protecting data sovereignty. The AU's ambition to create a comparable continental data space, articulated in the Data Policy Framework, requires both continental political will and substantial technical investment, both of which would benefit from European partnership support that respects African governance priorities.

6. Institutional & Regulatory Capacity

Every cooperation mechanism in this report depends on one condition: that African regulatory institutions have sufficient capacity to exercise genuine governance authority. Without it, formal cooperation produces compliance theatre rather than substantive protection.

6.1 The DPA Capacity Gap

Table 6.1 compares the budgets, staff sizes, AI-specific enforcement capacity, and recent enforcement actions of key African and European DPAs. The contrast illustrates the scale of the governance architecture problem that both continents must address for effective cooperation to be possible.

Table 6.1: DPA Capacity Comparison — Africa and Europe (Estimated, 2025)

Institution	Budget (Est.)	Staff	AI-Specific Capacity	Recent Enforcement
Kenya — ODPC	~USD 1.2M	~50	No dedicated AI officers, training underway.	Biometric data guidance (2023), sector investigations ongoing.
Nigeria — NDPC	~USD 2.5M	~90	GAID enforcement directive launched in September 2025.	GAID framework, major platform notifications issued.
South Africa — Information Regulator	~USD 6.5M	~160	POPIA enforcement unit, building AI assessment capacity.	SASSA facial recognition enforcement notice (2022).
Rwanda — RCA	~USD 0.9M	~35	Limited, WEF C4IR partnership underway.	Fintech AI guidance, health data framework.
Egypt — PDPD	~USD 3.0M (est.)	~80	Building technology sector focus.	Regulatory guidance issued in 2024.
France — CNIL	~€26M	~255	Dedicated AI unit, 12+ specialists.	Google Consent Mode fine, 15+ AI investigations.
Germany — BfDI	~€31M	~230	AI advisory capacity, standardisation engagement.	Coordinated GDPR enforcement, EU AI Act preparedness.
EU AI Office	~€50M (est.)	125+	Full enforcement capacity, GPAI oversight.	GPAI code of practice, investigations initiated in 2026.

Sources: ODPC Kenya (2023); NDPC Nigeria (2024); Information Regulator SA (2024); CNIL (2025); BfDI (2025); EU AI Office (2025). All figures are estimates; actual resources may vary

France's CNIL alone operates at an estimated scale that exceeds the combined budgets of all African DPAs combined. This structural imbalance makes equal-partner enforcement coordination currently impossible and makes capacity investment the prerequisite for all other cooperation.

6.2 The AI Audit & Technical Expertise Gap

AI governance requires technical expertise in machine learning, algorithmic auditing, and bias testing that is globally scarce and concentrated in high-income countries. The Distributed AI Research (DAIR) Institute and the ILINA Research Programme are among Africa's leading independent AI research bodies. As of 2026, no African DPA has conducted a formal technical audit of a major AI system deployed within its jurisdiction.

The Oxford Insights (2025) Data and Infrastructure dimension, where Africa averages 36.5%, captures infrastructure gaps, but the talent and technical governance expertise deficit is at least as severe.

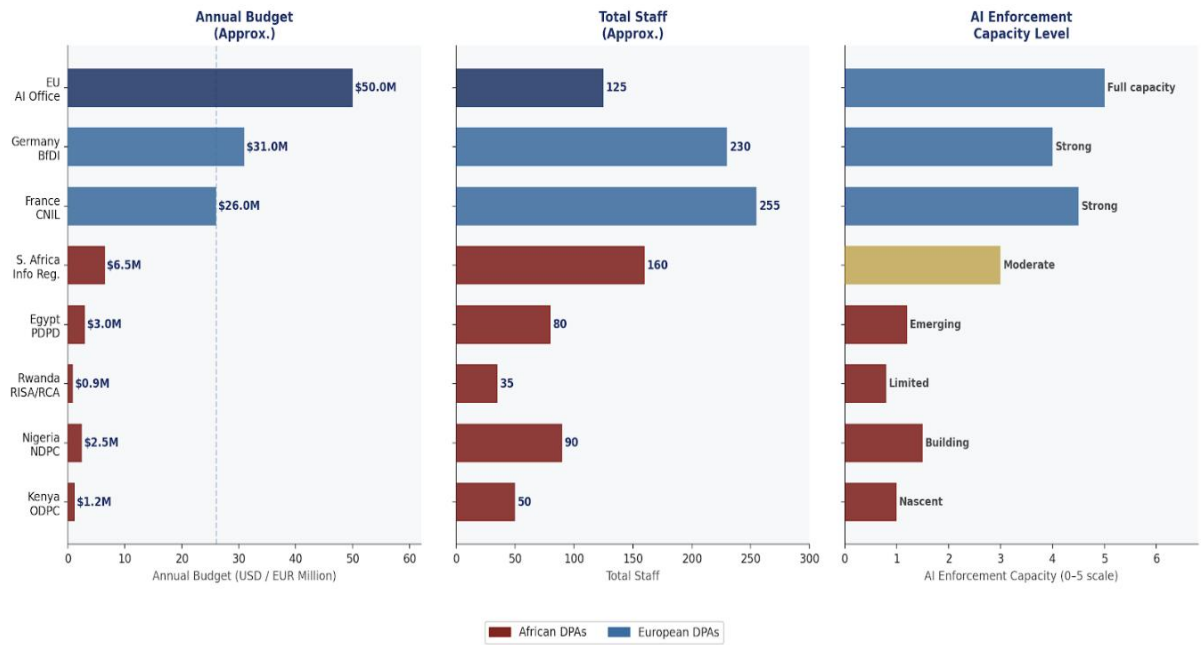


Figure 6.2: Data Protection Authority Capacity Dashboard: Budget, Staff & AI Enforcement Capacity: Africa vs. Europe | Source: National DPA Annual Reports (2024–2025); EU AI Office (2025); Authors' estimates

7. Case Studies

This section presents five in-depth case studies examining AI governance in practice, across Kenya, Nigeria, Rwanda, South Africa, and the EU AI Act's impact on African SMEs. Each case study identifies context, evidence, governance implications, and policy conclusions.

CASE STUDY · Kenya — AI, Elections, and the Regulatory Gap (2022–2025)

Kenya's 2022 general elections, the country's sixth since the reintroduction of multiparty democracy, were contested in a highly polarised environment with extensive digital political campaigning. Kenya's mobile internet penetration (66% in 2022) and active social media ecosystem created both opportunity and vulnerability for AI-mediated political communication.

EVIDENCE The Mozilla Foundation (2022) documented coordinated inauthentic behaviour targeting all major presidential candidates, including AI-generated audio recordings attributed to political figures and synthetic social media content amplified by bot networks. Odanga Madung's research identified influence operations with clear markers of AI content generation, voice cloning, image synthesis, and automated engagement amplification. Africa Check documented at least 23 verified AI-generated disinformation incidents during the campaign period. Voter suppression messaging, falsely attributed to Independent Electoral and Boundaries Commission (IEBC) officials, was distributed via WhatsApp at scale.

GOVERNANCE GAP: The Office of the Data Protection Commission (ODPC) had only 45 staff and no AI-specific enforcement capacity at the time of the election, a figure that had grown modestly to an estimated 50 by 2023 (ODPC Kenya, 2023). No platform risk assessment equivalent to the EU Digital Services Act (DSA) electoral provision was conducted. Civil society monitoring, while active, lacked legal enforcement authority. The EU's DSA electoral requirements applicable to the 2024 European Parliament elections provided no mechanism for Kenyan electoral protection from the same platform algorithms.

2025 UPDATE Kenya's National AI Policy 2025–2030 includes provisions for AI in electoral contexts. The ODPC has initiated a regulatory sandbox in 2026 to prototype policies in real-time and provide a controlled environment for testing high-risk AI-driven innovations. However, no enforcement action related to the 2022 election AI disinformation has been taken, and no cross-platform accountability mechanism exists.

POLICY IMPLICATION A joint AU–EU Electoral AI Protocol, building on the Africa Declaration on Artificial Intelligence commitments and the EU's DSA electoral risk assessment framework, should establish minimum standards for platform transparency, AI content labelling, and civil society access to data for electoral monitoring across both continents.

SOURCES Mozilla Foundation (2022); Africa Check Annual Report (2023); ODPC Kenya (2023); Odanga Madung (2023); European Commission DSA Enforcement (2025).

CASE STUDY · Nigeria — Ecosystem Scale vs. Regulatory Lag (2023–2026)

CONTEXT Nigeria has one of the largest and most dynamic technology ecosystems in Africa. The 'Big Four' AI investment corridor, Kenya, Nigeria, South Africa, and Egypt absorbed approximately 83% of Africa's AI startup investment in Q1 2025, a concentration that has persisted since at least 2019, when the same four markets accounted for 87% of all African AI startup capital raised (Partech Africa, 2025; Briter, 2025). Nigeria alone has over 200 active fintech companies, most deploying AI-powered credit scoring, fraud detection, and customer service systems. This ecosystem operates in a context where the primary regulatory body, the Nigeria Data Protection Commission (NDPC — the national data protection authority established under the Nigeria Data Protection Act 2023), was only established in 2023.

EVIDENCE Nigeria's policy capacity scores 80.5% among the highest in Africa. Yet this policy score masks implementation gaps: the NDPC's General Application and Implementation Directive (GAID), launched in September 2025, introduced an enforcement framework, but the Commission had fewer than 90 staff to regulate over 220 million people and hundreds of AI-deploying organisations. The National Information Technology Development Agency (NITDA — Nigeria's IT regulatory and development agency) partnership with KOICA for the Start-Up Digital Innovation Academy (January 2026) signals capacity investment, but the ecosystem-regulation gap remains wide.

AI HARM EVIDENCE PRISM (Privacy Rights Initiative for Social Media) documented 43 cases of algorithmic credit exclusion affecting smallholder agricultural loan applicants in 2024. AI credit scoring systems trained primarily on urban, banked-population data systematically underscored rural applicants without available recourse. No enforcement action was taken; the NDPC lacked both the technical capacity to assess the algorithms and the legal precedent for algorithmic accountability.

GOVERNANCE IMPLICATIONS Nigeria's trajectory, strong policy ambition, growing ecosystem, and nascent enforcement are a paradigm case for the capacity argument. When regulations exist but enforcement cannot follow, the regulatory framework may legitimise the ecosystem without adequately protecting affected communities. EU AI Act conformity assessment requirements for Nigerian fintech firms operating in European markets create additional compliance burdens precisely when domestic enforcement capacity is most needed for domestic protection.

SOURCES Oxford Insights (2025); NDPC Nigeria (2024); Tech in Africa (2026); AI Reports Africa (2025); NITDA (2026); PRISM (2024, anonymised research).

CASE STUDY · Rwanda — The State-Led AI Deployment Model (2019–2026)

CONTEXT Rwanda's AI governance model is among the most studied on the continent. The government's Smart Rwanda Master Plan and Vision 2050 agenda have embedded AI across public health, education, agriculture, and urban management with a speed and coordination capacity that many African governments have found difficult to replicate. Rwanda hosted the first Global AI Summit on Africa (Kigali, April 2025) and co-signed the Africa Declaration on Artificial Intelligence with 52 African states plus the AU and Smart Africa. Rwanda ranks 75th globally in the Oxford Insights Government AI Readiness Index 2025.

EVIDENCE: Rwanda has deployed AI-powered diagnostic support in primary health care, AI-assisted drone delivery (Zipline), predictive analytics in agriculture, and computer vision in urban traffic management. The Ministry of ICT and Innovation, working with Carnegie Mellon University Africa and the World Economic Forum Centre for the Fourth Industrial Revolution (WEF C4IR), has developed regulatory frameworks for data governance, cybersecurity, and AI ethics.

DEPLOYMENT ACHIEVEMENT: Rwanda has demonstrated that state-led AI deployment at scale is achievable in an African context within a compressed timeframe. AI-powered diagnostic support tools are active in primary health care facilities across the country; Zipline's drone delivery network, the largest of its kind globally operates with AI-assisted logistics across all provinces; predictive analytics are embedded in the national agricultural extension service; and computer vision is deployed in urban traffic management in Kigali. These are not pilots or proof-of-concepts. They are operational systems serving millions of people, built in under a decade. Rwanda's governance model has achieved this by concentrating AI deployment authority through the Ministry of ICT and Innovation and the Rwanda Information Society Authority (RISA), enabling the speed and coordination that more fragmented governance structures have struggled to match. The governance tension is that this same concentration has proceeded without an equivalent development of independent oversight, civil society monitoring, or judicial accountability mechanisms.

AFRICA-EUROPE LESSON Rwanda demonstrates that state-led AI deployment at scale is achievable in African contexts. However, it also illustrates that effective deployment without robust independent oversight may create accountability deficits over time. European governance frameworks that emphasise independent oversight could contribute meaningfully to Rwanda's AI governance architecture if offered as a technical partnership rather than regulatory compliance.

SOURCES Oxford Insights (2025); WHO Africa (2023); Government of Rwanda Ministry of ICT (2025); WEF C4IR Kigali (2025); AU Kigali Declaration (2025).

CASE STUDY · South Africa — Enforcement in Practice: POPIA, SASSA, and the FRT Precedent

CONTEXT: South Africa has the most developed data protection enforcement architecture on the continent. The Protection of Personal Information Act (POPIA, 2020) is closely aligned with the GDPR; the Information Regulator, established in 2016, is operationally independent; and South Africa has a constitutional tradition of rights-based judicial review that provides a legal foundation for AI accountability challenges.

THE SASSA CASE: In 2022, the Information Regulator issued a groundbreaking enforcement notice against the South African Social Security Agency (SASSA) for deploying a facial recognition system to verify social grant beneficiaries without a lawful basis under POPIA. The Regulator found that biometric processing was conducted without adequate consent, that data retention periods were not specified, and that no data protection impact assessment had been conducted. SASSA was ordered to cease the processing pending compliance remediation. This is the most significant AI enforcement action by any African DPA to date.

SIGNIFICANCE FOR COOPERATION: The SASSA enforcement demonstrates three points: (1) rights-based AI enforcement is achievable in African contexts with adequate DPA capacity; (2) AI-specific legislation is not a prerequisite — POPIA provisions, like GDPR Article 22, provide sufficient authority for algorithmic accountability challenges; (3) the Information Regulator's institutional independence, including a constitutionally protected budget, is the structural prerequisite for enforcement credibility. DFI investment in African DPA institutional independence should consider this example.

POPIA-GDPR ALIGNMENT: South Africa's POPIA is sufficiently GDPR-aligned to support adequate discussions with the EU. However, these discussions have not advanced, partly because the adequacy application process requires resources and institutional attention that the Information Regulator is directing toward domestic enforcement. EU reform of the adequacy process to reduce application burdens for high-compliance jurisdictions would unlock significant cooperation benefits.

SOURCES Information Regulator South Africa (2022); POPIA (2020); European Commission GDPR Adequacy Unit (2024); CIPESA (2023).

CASE STUDY · EU AI Act — Compliance Impact on African SMEs and Developers

CONTEXT: The EU AI Act's extraterritorial reach applies to any AI system that 'affects' persons in the EU, regardless of where the provider is based. This scope provision — designed to close regulatory arbitrage loopholes for large technology corporations — has significant unintended consequences for African AI developers, startups, and governments with EU-facing operations.

SECTOR-SPECIFIC IMPACTS Health-tech firms in Kenya and Rwanda that have developed AI diagnostic tools used by clinicians in the African diaspora in France or Germany face high-risk classification for medical device AI. Agricultural AI platforms connecting African smallholder data with European commodity markets may be subject to algorithmic transparency requirements. Legal AI tools used by African law firms with European practice areas require conformity assessments. In each case, compliance obligations were designed for large European technology providers and impose disproportionate burdens on smaller, under-resourced African innovators.

A STRUCTURAL DISPARITY The AI Act does not impose equivalent governance requirements on AI systems deployed exclusively within Africa, including high-risk applications in healthcare, credit, and public administration. Correcting this disparity requires either extending equivalence protections through bilateral agreements or co-developing global AI governance standards that apply to AI systems wherever deployed.

POLICY IMPLICATION The EU should consider establishing an Africa-specific AI Act compliance support mechanism — including reduced-fee conformity assessment pathways for African SMEs, technical assistance for conformity documentation, and a regulatory sandbox for African AI innovators seeking EU market access. European DFIs should collectively consider funding such a mechanism as part of the AU–EU Digital Partnership.

SOURCES OECD (2024); European Commission (2024); EU AI Act 2024/1689; Digital Omnibus Package (November 2025); The Lawyers Hub (2025); CIPESA (2023).

SOURCES OECD (2024); European Commission (2024); EU AI Act 2024/1689; Digital Omnibus Package (November 2025); The Lawyers Hub (2025); CIPESA (2023).

8. Key Findings

Five findings synthesise the report's analysis. Cross-references indicate where detailed evidence appears..

Governance progresses without equivalent power.
As of April 2026, approximately 45 African countries have existing data protection laws, and 39 have operational DPAs. The Africa Declaration on Artificial Intelligence (2025) represents a 49-country political consensus. Yet Africa holds no OECD AI governance membership, is absent from EU AI Office bilateral priorities, and captures only 2.5% of global AI investment. See Sections 1 and 3.

The EU AI Act creates emerging dependency risks for African developers and firms.
Extraterritorial provisions and compliance costs estimated at €100,000–€300,000 per high-risk system (OECD, 2024) impose disproportionate burdens on African SMEs. EU bilateral AI engagement includes no African country. See Sections 3.2 and Case Study 5.

Political economy is the binding constraint reform that requires identifying allies.
European DPAs need African counterpart capacity; European firms need African regulatory stability; European governments need African AI governance partners. This shared-interest framing should drive the cooperation strategy. See Section 4.

Electoral AI integrity is the most time-sensitive cooperation domain.
AI-driven disinformation threatens elections across Africa, with no mechanism connecting EU DSA electoral protections to African contexts. An AU–EU Electoral AI Protocol is the most urgent near-term action. See Sections 5.1 and Case Study 1.

DFIs can enable a shift from aid to co-governance with internal reform.
Commissioning African-led research, funding flexible DPA capacity support, requiring data governance assessments, and adopting a 'Do No Digital Harm' principle are co-governance activities, not donor activities. See Section 4.4.2.

9. Pathways To Cooperation

The mechanisms in this roadmap are not all original to this report. A dedicated AU–EU regulatory dialogue, an Africa-managed capacity fund, an electoral AI protocol, adequacy reform, and a joint research consortium have each appeared in earlier blueprints including the AU–EU Digital Partnership commitments, the Smart Africa Manifesto, the Datasphere Initiative, and multiple GIZ and AUDA-NEPAD programme designs. This report's contribution is not to invent new mechanisms but to sequence them according to political economy logic identifying which reforms have existing reform allies, which institutional preconditions must be met before binding commitments are viable, and which windows will close if not used in the current transition period and to define the minimum viable institutional core that must be in place before path dependencies lock in. The nine actions below are ordered by that logic, not by ambition alone

The cooperation roadmap presented here is designed around three principles derived from the political economy analysis in Section 4: build on **existing institutional momentum** rather than creating new structures from scratch; target **reform allies** rather than attempting system-wide transformation; and **sequence actions** to build trust incrementally rather than attempting binding commitments before the institutional preconditions exist.

Table 9.1 sets out nine specific cooperation actions, ordered by time horizon. For each action, it identifies the lead actors, the DFI role where relevant, and the measurable success metric.

Cooperation Action	Lead Actors	DFI Role	Success Metric
Establish AU–EU AI Regulatory Dialogue: quarterly DPA-to-DPA technical exchange with EU AI Office participation.	ODPC (Kenya), Information Regulator (South Africa), NDPC (Nigeria), CNIL (France), BfDI (Germany), EU AI Office.	Provide administrative host and technical assistance funding.	First meeting convened, joint work programme agreed.
Launch Africa AI Governance Capacity Fund with no regulatory conditionality, targeting USD 200M over five years.	DFIs, World Bank, European Investment Bank, and African DPA consortium.	Lead co-investor and governance design partner.	Fund capitalised, first grants disbursed to African DPAs within 12 months.

Cooperation Action	Lead Actors	DFI Role	Success Metric
Negotiate an AU–EU Electoral AI Protocol establishing minimum standards for platform AI transparency in African elections.	AU Electoral Assistance Unit, EU AI Office, DSA enforcement bodies, and civil society.	Provide technical assistance for African electoral authorities.	Protocol signed before the 2027 election cycle.
Pursue GDPR Adequacy Reform: expedited pathways for high-compliance African DPAs, with a reciprocal assessment mechanism.	European Commission, national DPAs, AU Commission, African DPAs.	Advocate within EU institutions, provide technical support to African applicants.	Two additional African countries to be in advanced adequacy discussions by 2028.
Establish a Joint Africa–Europe AI Research Consortium with African-led research and African Principal Investigators.	AU university network, European HEIs, African research institutions, and EU research funders.	Provide co-financing and reform procurement to enable African-led research contracts.	First joint research programme operational, African researchers lead as Principal Investigators.
Develop the EU AI Act Africa SME Support Mechanism with reduced-fee conformity assessment and technical assistance.	EU AI Office, European conformity assessment bodies, DFIs, PROPARCO.	Co-finance mechanism and establish an African SME registry.	200+ African SMEs supported by the end of Year 3.
Negotiate AU–EU AI Data Partnership Agreement: treaty-level, mutual recognition of data protection standards.	AU Commission, EU Commission, and national governments.	Provide secretariat support and technical expert deployment.	Treaty signed by 2030.

Cooperation Action	Lead Actors	DFI Role	Success Metric
Secure African full membership in OECD AI governance processes through expanded OECD AI Policy Observatory partnership.	OECD, AU Commission, and African governments.	Advocate within OECD, fund African participation.	Three or more African countries as OECD AI governance partners by 2029.
Establish a binding Africa–Europe AI Cooperation Framework with shared principles, mutual enforcement, and joint standard-setting.	Heads of State, AU, EU, and UN bodies.	Provide long-term institutional support within available resources.	Framework signed and ratified by 2030.

*The proposed USD 200 million over five years **AI Capacity Fund** supports Africa's data protection ecosystem through USD 150 million in core grants to 30 DPAs, USD 25 million for regional coordination hubs, USD 15 million for a pan-African audit and technical facility, and USD 10 million for administration. Funding would be phased, starting with the most operational DPAs and expanding as capacity grows. The estimates align with comparable international programmes and will be refined through detailed needs assessments.*

*A minimum viable AU–EU **Electoral AI Protocol** should specify at minimum; Platform transparency obligations, AI content labelling standards, Civil society data access, Disinformation response protocols & Jurisdiction*

***GDPR Adequacy Reform:** Introduce a pre-application dialogue to guide countries before full adequacy submissions; revise criteria to recognise diverse African regulatory approaches beyond strict legislative alignment; and establish a reciprocal review mechanism allowing African DPAs to raise concerns on EU data practices. These changes can be implemented within existing GDPR provisions and supported through AU–NADPA coordination with EU institutions.*

10. Policy Recommendations

10.1 African Governments and the AU Commission

- Accelerate AU Continental AI Strategy Phase I: establish the AU AI Advisory Board, designate national AI focal points, and develop an African AI Readiness Index.
- Domesticate the Africa Declaration on Artificial Intelligence commitments through national AI governance action plans with measurable targets and parliamentary oversight.
- Establish statutory funding floors for national DPAs, comparable to other independent regulatory institutions.
- Develop an AU AI Governance Protocol, an African-authored standard for algorithmic accountability, AI safety, and data sovereignty.
- Secure African representation in global AI bodies: OECD observer status for AU; African presence in ISO/IEC JTC1 SC 42; African seats on the UN Global Dialogue on AI Governance.
- Integrate AI and electoral integrity provisions into continental electoral frameworks..

10.2 European Institutions and Governments

- Include African DPAs, the AU Commission, and African civil society in EU AI Office bilateral engagement priorities.
- Reform GDPR adequacy processes: expedited pathways for operational African DPAs; eliminate exact replication requirements; introduce reciprocal assessment of EU data practices.
- Apply a ‘Do No Digital Harm’ principle to EU development finance for digital and AI programmes.
- Restructure Global Gateway digital investments to include AI governance as a measurable deliverable, with African co-design.
- Fund African participation in EU AI Act conformity assessment processes through NDICI.
- Advocate for OECD AI governance reform to include African member states.

10.3 Development Finance Institutions

- Revise project design guidance to require AI governance assessments; mandate African-led research and implementation in technical assistance procurement.
- Capitalise the Africa AI Governance Capacity Fund as an African-managed institution with no regulatory conditionality.
- Commission and publish independent AI audits of all DFI-financed AI system deployments.
- Fund the Joint Africa–Europe AI Research Consortium with 50:50 co-financing and African Principal Investigators.
- Advocate within European DFI coordination bodies for system-wide AI governance safeguards.
- Consider serving as co-secretariat for the AU–EU AI Regulatory Dialogue.

10.4 Civil Society, Academia, and Multistakeholder Platforms

- Establish the Africa–Europe Civil Society AI Dialogue as a permanent, funded institution with formal advisory status in AU–EU bodies.
- Build a pan-African AI audit network connecting DAIR Institute, ILINA, CIPESA, and peer institutions.
- Commission and publish independent algorithmic impact assessments of AI systems in elections, social protection, and healthcare.
- Develop multilingual AI governance literacy resources in African languages, in partnership with organisations such as Masakhane.
- Advocate for African youth participation in AU–EU AI governance, as persons under 25 are 60% of Africa's population.

Conclusion:
From Dialogue To Co-Governance

The governance of artificial intelligence will be one of the defining political contests of the twenty-first century. The frameworks established in the next five years about who sets standards, who enforces them, who bears the costs of non-compliance, and who benefits from AI's economic returns will shape the distribution of power and prosperity for decades. Africa's position in that contest is not predetermined. It depends on political will, institutional investment, and the quality of partnerships forged in the current transition window.

This report has argued that the current Africa–Europe AI governance relationship involves significant structural asymmetries that, if left unaddressed, risk entrenching patterns of regulatory dependence. The EU AI Act, GDPR adequacy architecture, and development finance conditionality structures all contain mechanisms that constrain African regulatory sovereignty without adequate African participation in the rule-making processes that generate those constraints. These are not insurmountable problems; they are structural features of the current architecture that require deliberate institutional reform.

The reform case is compelling, and it can be advanced in the language of mutual interest rather than grievance: European Data Protection Authorities need African counterpart capacity to enforce cross-border data protection rights; European firms operating in Africa need regulatory predictability; European governments concerned about the governance of AI infrastructure across the continent need reliable partners. The political economy of reform has potential allies on both sides of the relationship.
What is required now is not another dialogue or declaration, but the establishment of permanent institutions: a funded AU–EU AI Regulatory Dialogue, an Africa AI Governance Capacity Fund, an Electoral AI Protocol, a GDPR adequacy reform process with African participation, and a Joint AI Research Consortium with African leadership. Building these institutions will take political will, financial resources, and a genuine commitment from all partners to operate as co-governance actors rather than regulatory exporters. **The Africa Forward Summit in Nairobi, in May 2026,** represents a significant opportunity to advance that commitment.

The Core Imperative
Africa and Europe must move toward a model of co-governance, building the rules of the AI age together, as partners. This requires African agency in standard-setting, European reforms to adequacy and extraterritoriality, and DFIs functioning as co-governance enablers within their mandates. The window is open. The cost of inaction is continued structural dependency.

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About The Organisations

Lawyers Hub is a law tech organization headquartered in Kenya, focused on Digital Policy and Justice Innovation. We run several initiatives at the confluence of Law and Technology, including capacity building under the Africa Digital Policy Institute, and offer technical legal support to innovators and startups through the Africa Startup Law Accelerator. Additionally, we convene weekly policy discussions and bring together digital policy change actors annually at the Africa Law Tech Festival in July and judicial actors during the Africa Legal Innovation Week every December. The Lawyers Hub is also the publisher of the Africa Journal on Law & Tech. Our thematic focus areas include AI and Data Governance, Digital Platforms and Infrastructure Regulation, Intellectual Property, Internet Governance, Justice-Tech, and Digital Democracy. The Lawyers Hub runs the Africa AI Policy Lab, an evidence-based platform shaping responsible AI governance across African nations. www.lawyershub.org

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