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Artificial Intelligence and Global Governance:Legal and Political Challenges in Regulating AI Across Borders

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ABSTRACT

Artificial intelligence (AI) is a concept that is transforming the world by re-defining economies, governments and even societies. Nonetheless, various peculiarities of AI are the same features that enable it to be borderless i.e. distributed data, global supply chains, and cloud implementation that present a serious challenge to both law and politics. The qualitative research paper will look into how the international governance structures are making efforts to regulate AI through international borders, what are the challenges, and what paradigms of collaboration can improve accountability and equity in a global context. Through document analysis and thematic synthesis of international tools (e.g., OECD Principles on AI, UNESCO Recommendation, EU AI Act) and literature analysis on the topic, one can identify five common patterns, (1) normative convergence but regulatory divergence, (2) jurisdictional uncertainty and enforcement gaps, (3) concentrating the power in the hands of the few businesses, (4) capacity disparities between developed and developing states, and (5) geopolitical tensions behind the AI policy. The paper ends by expressing that multi-stakeholder, modular and capacity-building approaches are the most viable responses to good transnational regulation without taking a hit on human-right principles and democratic oversight.

1. Introduction

Artificial intelligence (AI) has turned into a pan-global economic phenomenon, shifts in control and political development trends, and transforms into the radically new

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type of technology which is no longer regarded as a fantasy. AI technologies have entered the industry in the past decade, and numerous fields are under the scope of AI infrastructures in decision-making in the field of finance, healthcare, government, defense, and digital communication (Crawford, 2021; Bryson, 2022). Governments are becoming increasingly more dependent on AI as the means of delivering all possible types of services to citizens and enhance the efficiency of the administration, and corporations are relying on it to streamline their production and make the market more personalized and improve innovation (Nemitz, 2018). However, it is the same factors, that are enabling AI to become borderless which includes the reliance on transnational data flows, the idea of distributed computing, and transnational supply chains, which are matched with the implementation of the AI management. Because of this, there is an growing tension between the transnational information technology of AI and national territorial limits of regulation by policymakers.

The conventional strategy in the process of managing emerging technologies has been lagging a decade behind the innovation factor. The inaugural efforts on AI ethics such as Asilomar AI Principles (2017), IEEE Ethically Aligned Design (2019) guidelines tried to develop voluntary concepts, such as safety, transparency, and beneficence (IEEE, 2019). The activities, however, were largely mere theories; they lacked mechanisms that would glue them. There has been a new wave of governance in the beginning of 2020s. The initial normative principles on AI were the OECD AI Principles (2019) and the UNESCO Recommendation on the Ethics of Artificial Intelligence (2021) that enabled trustful and people-oriented AI worldwide. At the same time, regional blocs began to inculcate AI governance at a legislative level, specifically, the Artificial Intelligence Act (AI Act, 2024), the Blueprint to an AI Bill of Rights (2022), and the Algorithmic Recommendation Provisions (2021) are laws enforced by the European Union. All these tendencies may be explained as the shift towards codification and the introduction of an ethical discourse into the legal framework (Hacker et al., 2023).

Despite this convergence having occurred in a normative level, radical regulatory dispersion still exists. Compared to the United States (Raji et al., 2022), the risk-based policy of the European Union is more concerned with the rights, privacy, and transparency of individuals (Veale and Binns, 2021), but the United

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States is preoccupied with the models focused on innovation and market-oriented approach based on voluntary adherence and the control of a particular sector (Veale and Binns, 2021). In China, however, AI governance is part of a bigger picture of state security and content control and social stability (Kostka and Zhang, 2022). These gaps in policies point to the deeper political and ideological differences liberal democracies are more satisfied with the rights-based regulation, whereas authoritarian or developmentalist countries view AI regulation as the means of ensuring group cohesion and national competitiveness (Butcher and Beridze, 2019). Due to this, the global artificial intelligence environment remains non-unified and it creates numerous and even contradictory responsibilities on transnational companies besides complicating the process of forcefully cooperate among the states.

The global nature of AI complements the structural legal and political problems. Theoretical algorithms that are typically trained in data that were taken in a location around the planet can make consequential choices about individuals in a jurisdiction that is geometrically far apart the place of composition of the algorithm and consequently the location where the algorithm is enforced (Cath, 2018). The territorially bound separation of control is also a result of the cloud-based deployment, as well as incompatible with the existing concepts of sovereignty, accountability, and due process (Pagallo, 2020). The AI models are constantly updated and retrained as opposed to the sundial items or the digital style of consulting in the old age, therefore, they are difficult to maintain liability or provenance. The jurisdictional obscurity that these structural features may involve can include data collection in Africa, model education in North America, implementation with machine servers in Europe, and impact on the final consumer in Asia could all be present. This kind of difficulty exposes the flaws of the international law, in particular, in such areas as data protection across borders, correcting algorithmic bias, or competition policy.

AI regulation is also associated with geo-political competition and power inequality in the political arena. The research, patent count, and computational resources of AI are centered on China and the United States, and scholars speak about a dual-polar AI order (Allan et al., 2022). European Union is a more regulatory body than the industrialized one since it can implement global standards,

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a concept known as the Brussels Effect (Bradford, 2020). Meanwhile, it means that third-world countries will remain big importers of AI technologies because of the shortage of regulatory abilities, inadequate data infrastructure, and its dependence on external platforms (Taylor, 2020). These unequal distributions of capacities are causing issues of data justice and digital sovereignty, and it is similar to past patterns of technological dependency and data colonialism (Couldry and Mejias, 2019). The problem of resolving such imbalances is paramount in sustaining a reasonable type of AI regulation that represents the various manifestations of social, cultural, and economic actualities.

A response to these concerns is a number of multilateral initiatives instituted to promote AI coherence in its regulation. In 2020, Global Partnership on AI (GPAI) presents an open-source model that helps to link governments, academia, and industry to support the responsible development of AI and its capacity building. This was subsequently elaborated in The G7 Hiroshima AI Process (2023) which sought to reach agreement on AI safety, transparency and accountability among developed economies. At the United Nations tier, the proposal of a UN AI Governance Framework founded on human rights, sustainability and inclusivity by the High-Level Advisory body on AI (2023) (UN Secretary-General, 2023) was introduced. They are however not binding and institutionalized in a fragmented session and the national interests in most cases are marred by conflicting national interests. One the one hand, the major question is What can be the systems of world governance to be effective in regulating AI internationally and simultaneously, not to lose innovation, sovereignty and human rights?

The paper is qualitative research design because it attempts to ascertain legal and political nature on the issue of nationwide regulation on AI. In spite of the fact that quantitative data would facilitate the acquisition of information on adoption patterns or even compliance rates, a qualitative inquiry would allow gaining a deeper insight into the normative, institutional, and ideological nature of AI governance (Silverman, 2020). Specifically, this research will carry out document review of international documents, regional proficiencies, and academic scholarship of peer review to bring out the uniformity of themes and policy rationale within the transnational governance efforts (Bowen, 2009). This interpretation approach

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illuminates the conceptualisation of and bargaining governing a technology that is inherently global by the states, the corporations and the international organisations. Accordingly, this paper pursues two guiding research questions:

- **RQ1:** What are the principal legal and political challenges to regulating AI across borders?
- **RQ2:** Which governance approaches appear most feasible for effective global coordination?

Answering these questions, the paper will add to the literature that is already growing around the topic of global digital governance, and will be linked to many other related issues, including climate change cooperation (Raustiala, 2017), governance of cybersecurity, and harmonization of data protection. The research assumptions include the following: Chapter 2 describes the research design and analysis structure; Chapter 3 presents the thematic results of the document synthesis; Chapter 4 documents the results with respect to the international law and political economy theories; Chapter 5 indicates the practical direction of AI regulation future of the global arena, Chapter 6 implies the practical strategy, and Chapter 7, in its turn, reflects the paper.

Finally, the paper states that AI government in the future does not necessarily need to be with the aspect of having homogenous control over the technology but instead rather to build interoperative and inclusive and customizable models that may interact with the other systems. It is not only a political, but also a legal challenge: to provide the borderless thinking of technology with the limited thinking of the state. The global governing system that will then follow is that of having adopted what has been considered in this paper as a modular multilateralism that is, loose knit framework of standards, uniting and oversight systems which will keep standards of accountability within reach without overwhelming the factor of innovation. The same plan is under the higher context of offering artificial intelligence to satisfy the perfunctory human interest without infringing pluralistic principles and world fairness.

2. Methodology

2.1 Research Design

This research uses the design of document analysis (qualitative document analysis)

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to conduct analysis of conceptualization and regulation of international, regional, and national frameworks of artificial intelligence (AI) across borders. QDA is fundamentally appropriate to investigate new governance emergent phenomena in which discursive implications, law meanings, and normations play a significant role than the measurable outputs (Bowen, 2009; Silverman, 2020). In contrast to surveys or other forms of econometric research, where quantifiable trends are represented, the qualitative analysis of documents allows an in-depth interpretation of the text in order to determine how power, values, and ideology are coded in the tools of governance. This interpretive orientation fits the objective of the study: to find out common legal and political dilemmas and draw conclusions about possible ways of consistent global regulation.

The study takes a constructivist epistemological position, which presupposes that the global governance of AI is a socially constructed process that is defined by all relationships among states, corporations, and international bodies (Charmaz, 2014). Legal texts, policy papers, and academic literature are therefore seen as social artefacts of a given institutional logic as opposed to an impartial description of reality. The research focuses on how these documents framework these issues, and prescribe solutions and outline power relations in the emerging global AI order through systematic coding and thematic synthesis.

2.2 Data Sources and Selection Criteria

A purposive sampling method was used to create the systematic sample made up of 30 most important documents on the issue eligible in 2017-2024: intergovernmental principles, tools of regional regulation, and academic research works. The selection criteria were tripled:

1. Relevance The document should be relevant to AI governance, regulation, or ethics on transnational level.
2. Authority The source has to be created by a recognized institution (ex: OECD, UNESCO, EU, UN) or academic scholarship.
3. Temporal currency To make sure documents published after 2017 were prioritized, documents published later than 2017, which is the post-Asilomar period of formalized AI ethics, were principally preferred.

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Documents were grouped into three analytical categories:

(a) **International and multilateral frameworks**,

(b) **Regional and national regulations**, and

(c) **Academic and policy scholarship.**

Table 1 summarizes the core dataset used in the analysis.

Table 1. Summary of Key Documents Analyzed (2017–2024)

Category	Title / Instrument	Publisher / Origin	Year	Primary Focus
A. Intergovernmental Norms	OECD Principles on AI	OECD	2019	Human-centered, trustworthy AI principles
	UNESCO Recommendation on the Ethics of AI	UNESCO	2021	Universal ethical standards, human rights
	UN High-Level Panel on Digital Cooperation Report	United Nations	2019	Multilateral governance of digital technologies
	G7 Hiroshima AI Process Outcome Document	G7 Summit	2023	Alignment on AI safety and transparency
	UN Secretary-General's Interim Report on AI Governance	United Nations	2023	Proposal for UN AI Governance Framework
B. Regional/National Regulations	EU Artificial Intelligence Act	European Union	2024	Risk-based AI regulation, rights protection
	U.S. Blueprint for an AI Bill of Rights	White House OSTP	2022	Voluntary principles for fair and transparent AI

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Category	Title / Instrument	Publisher / Origin	Year	Primary Focus
	China's Algorithmic Recommendation Provisions	Cyberspace Administration of China	2021	State-centered algorithmic content control
	Singapore Model AI Governance Framework	Singapore IMDA	2020	Sectoral best practices for responsible AI
	Canada Directive on Automated Decision-Making	Government of Canada	2020	Accountability in public-sector AI use
C. Scholarly/Policy Literature	Crawford, *Atlas of AI*	Yale University Press	2021	Power and political economy of AI
	Butcher & Beridze, "State of AI Governance"	*RUSI Journal*	2019	Overview of global AI governance structures
	Binns, "Fairness in Machine Learning"	*FAccT Proceedings*	2018	Ethical fairness and political philosophy
	Floridi, "Digital Ethics Practices"	*Philosophy & Technology*	2020	Translating AI ethics into regulatory action
	Veale & Binns, "AI in the EU's AI Act"	*Computer Law Review International*	2021	Legal interpretation of risk-based approach
	Hacker et al., "Explainable AI under EU Law"	*Artificial Intelligence Law*	2023	Legal obligations for explainability

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Category	Title / Instrument	Publisher / Origin	Year	Primary Focus
	Dafoe, "AI Governance: Research Agenda"	Oxford AI Governance WP	2023	Frameworks for multilateral cooperation
	Taylor, "Data Justice and AI"	*Big Data & Society*	2020	Global South perspectives on AI and inequality
	Allan, Chan, & Chen, "AI and Geopolitics"	*International Affairs*	2022	Techno-nationalism and strategic rivalry
	Couldry & Mejias, *The Costs of Connection*	Stanford University Press	2019	Data colonialism and dependency critique

2.3 Data Analysis and Thematic Coding

Inductive thematic synthesis was the method used to analyze the data according to the steps taken by Saldaña (2021) and Braun and Clarke (2019). The process was divided into four steps.:

1. Immersion and Preliminary Reading: The complete reading of each document was done to get a contextual insight. Tone, framing, and underlying assumptions regarding regulation, sovereignty, and human rights were noted down.
2. Open Coding: Salient coding was done on a line-to-line basis on the text of salient word, e.g., accountability, transparency, extraterritoriality, capacity building and geopolitical rivalry.
3. Axial Coding: Interrelated codes were clustered and gave an interrelationship between the technical, legal as well as the political aspects.
4. Theme Development:Categories were narrowed down to five overall themes that were repeated across documents:

(1) Normative convergence, regulatory divergence;
(2) Uncertainties of jurisdiction and absence of enforcement options;
(3) Power concentrate of the private-sector;
(4) Capacity differences between developed and developing states; and

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(5) AI policy as geopolitical tension.

These are the empirical themes on which the presented analysis in Section 3 (Findings) is based.

To increase the credibility and reliability, the results were triangulated through the cross-checking of the interpretations of various sources of data- policy documents, scholarly analyses and institutional statements. The coding and proving process was performed more than once and guarantees that interpretations were not based on isolated pieces of evidence but rather, similar trends were developing through out the pieces. Furthermore, memos were kept during the analysis so as to record interpretive choices and reflexive notes (Nowell et al., 2017).

2.4 Researcher Reflexivity and Validity Considerations

There is subjectivity of qualitative interpretation of policy documents by its nature. Epistemological stance of the researcher as an interpreter of the institutional discourse can have an effect on the construction of themes. The analysis used reflexive memoing to answer this, taking into account the possibility of generalization, in particular, assumptions about the Western liberal standards of regulation (Charmaz, 2014). This reflexive orientation was meant to honor plural views of governance including those which were within the non-western and the global south.

There was credibility that was improved by:

- Triangulation: Comparison of observations on the premise of governmental, intergovernmental and scholarly resources.
- Peer debriefing: reviewing new reviews and meta-analyses (e.g., Dafoe, 2023; Hacker et al., 2023) to achieve the conceptual clarity.
- Thick description: Maintaining contextualization in paraphrasing of either provision of policies or ethics.

To support transferability, the description of the document origin and content was provided in a detailed way, making a manner in which the analysis could be replicated or extended by the future researchers. Although the research is an interpretive not a generalized one, it also provides analytical results that can be used in current discourses within the international law, political science, and technology governance.

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2.5 Limitations

The findings have a number of limitations. On the one hand, policy discourse and not implementation reality is captured by the use of publicly available documents. The way systems of AI are regulated in practice may not reflect legislative suggestions and proposals much. Second, no stakeholder interviews or field observations made one unable to evaluate the political negotiations or enforcement dynamics that adopted these paperwork. Third, there can be linguistic and cultural biases since the majority of analysed texts are published in English, which may prefer the western discourse of policies. Lastly, by the nature of the change in AI regulation, the dataset captures a picture in the middle of 2024; new bilateral treaties or amendments to the EU AI Act can change the situation in a different way. However, through their systematic synthesis of authoritative texts and cross-validation of understandings, the research offers a solid background to the perception of the conceptual edges of global AI regulation.

3. Findings

3.1 Overview

The qualitative analysis of the documents demonstrated five themes that influenced cross-border artificial intelligence (AI) governance and were interconnected. These are:

(1) Convergence in norms but divergence in regulations;

(2) Uncertainty in the jurisdiction and gaps in enforcement;

(3) Concentrated power in the private sector;

(4) and the Global South break; and

(5) AI regulation warfare and division.

All the themes were frequent in all the international instruments, domestic regulations, and literature in 2017-2024. Together, they describe a regime ecosystem with a speeding up normative articulation and shallow institutionalization- a situation which some scholars refer to as incipient multilateralism (Dafoe, 2023; Hacker et al., 2023).

3.2 Theme 1: Normative Convergence but Regulatory Divergence

In the intergovernmental fora, there is a striking agreement on such high-level ethical tenets as fairness, accountability, transparency, human-centric design, and

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sustainability (Floridi, 2020; UNESCO, 2021; OECD, 2019). The initial global agreement that the AI is human-centred and trustworthy was the OECD Principles on AI, adopted by the G20 later. Likewise, the normative expectations regarding human rights, inclusiveness, and environmental accountability were established by the normative expectations codifying UNESCO in Recommendation on the Ethics of Artificial Intelligence (2021). These were non-binding but came up with a shared ethics lexicon that is being used by governments, corporations and the civil society to frame AI policies.

But, behind this outward convergence, there is an inward regulatory divergence. Jurisdictions conceptualize moral aspirations in radically distinct legal structures. An example of a rights-based precautionary model is the European Union AI Act (adopted 2024) which categorizes AI systems in terms of risk and ex-ante requirements on high-risk applications (Veale & Binns, 2021; Hacker et al., 2023). The US, in its turn, implements a sectoral, innovation-based framework expressed by the Blueprint of an AI Bill of Rights (White House OSTP, 2022) that focuses on voluntary regulation and technological self-regulation. The regulatory framework of China, represented by its Provisions on Algorithmic Recommendation (2021) and Generative AI Measures (2023), has the characteristics of a state-controlled and socially stable regulatory model, which implements the doctrine of digital sovereignty of the Communist Party (Allan, Chan, and Chen, 2022).

This point of divergence highlights a more encompassed conflict between procedural universality and substantive pluralism. Ethical rhetoric appears to agree universally, but the law implies varying constitutional orders, political ideologies, and development agendas (Nemitz, 2023). These opposite regimes are summarized in table 2 below.

Table 2. Comparative Overview of Major AI Governance Regimes (2024)

Dimension	European Union (EU)	United States (US)	China (PRC)	UNESCO / Multilateral
Regulatory form	Binding regulation (AI Act 2024)	Soft-law guidance (OSTP	Administrative measures, state directives	Non-binding ethical recommendation

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Dimension	European Union (EU)	United States (US)	China (PRC)	UNESCO / Multilateral
		Blueprint 2022)		(2021)
Core principle	Human rights & risk management	Innovation & voluntary responsibility	State security & social order	Human-centric, rights-based ethics
Enforcement mechanism	Market surveillance, fines, audits	Sectoral oversight, limited federal authority	Cyberspace Administration enforcement	Peer review, reporting
Transparency focus	Explainability, documentation	Notice, data transparency	Algorithmic filing & content control	Cultural diversity, inclusion
Global orientation	Extraterritorial impact on AI supply chains	Domestic-market flexibility	Digital sovereignty, tech independence	Global ethical consensus

Lack of an institutional correlation between these paradigms brings about regulatory fragmentation. Companies with cross-jurisdictional operations have conflicting and overlapping requirements, which results in uncertainty of compliance and forum shopping. According to scholars, it has the potential to unleash an AI governance race to the bottom or, alternatively, develops competing regulatory space similar to the Brussels Effect and the Beijing Effect (Bradford, 2020; Jin and Liu, 2023).

3.3 Theme 2: Jurisdictional Uncertainty and Enforcement Gaps

International internet of data and distributed systems of AI render traditional principles of jurisdiction: territoriality, nationality, and effects to be incomplete (Kuner, 2021). The extraterritoriality of the EU AI Act is an attempt at combating this through the inclusion of the same, which applies to provider of systems within the EU market, regardless of origin. Nonetheless, it is to be implemented through

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cooperation of national authorities and the availability of technical skills- which vary across the member states (Hacker et al., 2023).

On the other hand, the American model of governance remains to be divided into agencies (FTC, NIST, DoD), and each one of them has a competence claim. This leaves an enforcement gap within which the use of AI tended towards ill intented use such as discriminatory robots during hiring, black box predictive policing and similar applications can get away with (Pasquale, 2020).

In the case of the global level, since there is no adjudicative mechanism or a binding treaty an AI regulation will rely on voluntary conformity. The ethics recommendation made by UNESCO with its vast approval cannot be monitored. This institutional gap was identified by the Interim Report on AI Governance (2023) by the UN Secretary-General, who proposed that an International AI Agency, a successor to the IAEA, would enhance monitoring, capacity-building, and the crisis responsetotally centralized. As early as 2024, modalities of such a body being written by a High-Level Advisory Body on AI were beginning to be composed (United Nations, 2024).

However, it remains jurisdictional uncertainty. The data training is founded on the global clouds, Open-source models and supply chains where chain of responsibility is obscure rendering the imposition challenging. According to scholars, the distributed AI systems would need new legal principles like functional jurisdiction or data territoriality to take responsibility (Kettemann and Tiedeke, 2023).

3.4 Theme 3: Concentration of Private-Sector Power

One of the recurring trends in documents is that AI research, data, and infrastructure are dominated by a few members of the technology conglomerates Alphabet, Microsoft, Amazon, Meta, OpenAI, Baidu, and Tencent (Crawford, 2021; Zuboff, 2019). These companies do not just create frontier models they are also increasingly fundamentalizing normative discourses through appearing in multi-stakeholder fora and also publishing voluntary codes of ethics.

As much as the role of the private sector increases the realism of technical matters it also remodels governance imbalances. Heavy investment in research and standard-setting projects by corporations (e.g., the Partnership on AI, Global

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Partnership on AI) provides de facto agenda-setting authority to such corporations (Jasanoff, 2022). The researchers refer to this process as privatized multilateralism (Nemitz, 2023) which is a type of transnational corporations as the regulator without any democratic responsibility.

A very patchy response has come about by governments. The AI Act under the EU exposes foundation models to the duty of transparency, whereas in the United States, major companies have agreed to the voluntary safety pledge (White House, 2023). China, in its turn, requires the compliance with the algorithmic registration and censorship, the political control. However, none of these models captures the monopolization of the computational resources, which is becoming a characteristic feature of hierarchy of global powers in AI (Bender et al., 2021).

This monopoly makes smaller states increasingly dependent, which entails a dynamic of data colonialism (Couldry & Mejias, 2019). The developing nations are dependent on the imported AI solutions and they are not provided with the datasets, with no access to the compute infrastructure, and human resource needed to develop sovereign AI approaches (Taylor, 2020).

3.5 Theme 4: Capacity Asymmetries and the Global South Divide

The review showed that there was a recurrent worry over the capacity disparity between developed and developing countries with regard to designing, implementing, and regulating AI. One of the pillars of the ethics of global AI that were explicitly identified by UNESCO (2021) is capacity building, whose priority lies in inclusivity in data governance. Still, according to the Global Digital Compact consultations delivered by the UN (2023), most states with low income do not have the institutional, technical, and legal capacities to apply the ethical principles in practice.

Continental Strategy of AI at the African Union and Global Partnership on AI (GPAI) are the two newer endeavors to close this disconnect by the means of knowledge transfer and regional coordination (AU Commission, 2023). However, the resources in the form of funding and the skills, are largely concentrated in the Global North.

This difference is demonstrated in scholarly literature in an alternate way We call this epistemic injustice, the non-integration of non-Western systems of knowledge

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into the AI design and management underpin mechanisms (Birhane, 2021). Although ethical frameworks are universal in rhetoric, they tend to incorporate Western liberalism in regards to privacy, individualism, and consent that can be conflicting with collectivist or community-based epistemologies, which are widespread in some places in Asia and Africa (Hagerty and Rubinov 2022).

Such asymmetry risks to replicate digital dependency, where the Global South will be a passive consumer of AI technologies instead of an active co-governor. The problem is not only technical, but epistemological: to multiply the knowledge base on which worldwide AI norms are based.

3.6 Theme 5: Geopolitical Contestation and Fragmentation

The conclusive and the most widespread theme is the geopoliticization of the AI governance. Technological-nationalism, which is the projecting of AI in terms of national security and industrial competitiveness has shifted the cooperative governance into an arena of contention (Allan et al., 2022). The U.S.China fight on semiconductors, export restrictions and large-language-model dominance shows the obstacle of strategic interests to the multilateral establishment of norms.

Meanwhile, regional blocks want to have strategic independence. The regulatory activism by the EU — commonly known as the Brussels Effect — is meant to display normative force onto other states, forcing them to adhere to the standards of the European market in order to enter its market (Bradford, 2020). The Digital Silk Road of China is filled with the idea of a different model based on state sovereignty and infrastructural control. The United States, by the G7 Hiroshima AI Process (2023) proposes an innovative, flexible model of approach with an interoperability-based approach, as opposed to a harmonization approach.

These conflicting paradigms have led to the creation of a polycentric governance environment - there are many overlapping regimes and little coordination. It is like complex interdependence (Keohane and Nye, 1977) in which the power is divided between states, firms, and organizations but has no hierarchical coherence on an international-relations perspective.

A High-Level Advisory Body on AI offered by the United Nations (2024) tries to address this fragmentation by suggesting a model of networked governance the physical linkage of bodies instead of creating a single treaty regime. Yet,

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analysts warn that unless there is some commitment to enforcing this or even a unanimous agreement on accountability mechanisms, this coordination would remain superficial (Bryson, 2024).

3.7 Cross-Theme Synthesis

The paradox in the five themes as discursively assimilating AI ethics has picked up pace faster than the institutional globalization is lagging a long way behind in trying to match. The world has gone through the augmentation in precepts and the absence of enforcement infrastructure. This absence of fit produces what Dafoe (2023) calls a governance deficit does not have an alignment between normative purpose and regulation possibility.

The documents collectively suggest that effective cross-border governance will require:

1. Regulatory mechanisms in place which are interoperable and in which the risk-assessment standards are mutually recognized;
2. Multistakeholderism institutionalized and creates a balance between the influence of the privacies and democratic accountability;
3. International capacity building measures to check normative dependency of the developing states.

In the absence of these, fragmentation can become permanent artificial intelligence sovereignty blocs, each promoting standards that are incompatible with each other, thus disrupting both innovation and human rights protection (Nemitz, 2023).

4. Discussion

The thematic results state that the problem of managing artificial intelligence (AI) across borders is not only technical and legal, but rather structural. They are based on qualitative incompatibility between the worldwide scope of AI technologies and national jurisdiction of domestic law, aggravated by political and economic inequality among states. These processes could be discussed in terms of global-governance theory, especially, the institutionalist focus on cooperation in the context of anarchy (Keohane, 1984) and the idea of legalization as a spectrum of obligation, accuracy and delegation (Abbott and Snidal, 2000). In this context, AI governance is characterized by the vision of legal fragmentation, the prevalence of a strong agency

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and the geopolitical complexity involved, limiting the ability to coordinate multilaterally.

4.1 Legal Fragmentation and the Limits of Extraterritoriality

The most immediate hindrance to the regulation of AI is legal fragmentation. Despite the prevalence of a general set of ethical values such as transparency, fairness, and accountability, the regulatory architecture in every state has its variation in scope and implementation. The European Union (EU) AI Act sees a biased effort to cover borders with extraterritorial liabilities of any provider whose system is used by EU nationals. This is what legal theorists refer to as, so-called normative spill-over; that is, one jurisdiction howls its standards to the rest of the world exercised through the power of the market (Veale and Binns, 2021). However this unilateral extraterritoriality can never replace the actual cooperation: when there is no mutual recognition or a common enactment there are going to be a duplication or a contradiction in the needs of transnational firms.

This dilemma is emphasized by the comparative experience in various areas of policy. Similar issues occurred in environmental law in which Basel Convention on hazardous waste and Paris Agreement on climate change were not coordinated through centralized enforcement but through transparency, reporting, and peer review (Raustiala, 2017). Similarly in cybersecurity governance, voluntary measures of confidence building, expressed boundaries of disjointed norms (Tikk & Kerttunen, 2022). The AI governance might follow these examples and emulate these precedents to create interoperable reporting, independent audit, and mutual evaluation frameworks as the alternatives to the pursuit of a single treaty. These architectures would be respectful to regulatory pluralism and would reduce the incoherence.

4.2 The Political Economy of Private Governance

The second understanding is the increased prominence of the rule of privacy. The power of multinational technology corporations to exercise regulatory power has become similar and sometimes greater than that of states. Firms are able to create the de facto regulations of AI development and deployment through platform policies, terms of data sharing and model release restrictions. This situation is congruent with what researchers refer to as platform governance (Gillespie, 2018).

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The corporate infrastructure, which may include cloud services, compute power, and proprietary expertise, are more and more used by the governments, making the line between the regulator and the regulated unclear (Birhane, 2021).

This addiction creates information asymmetries which destroy accountability. Auditors have no easy way to audit opaque, large-scale models, and corporations are in charge of narratives of technical feasibility and risk (Raji et al., 2022). This imbalance of power can be seen through the governance of generative models: red-teaming, content filtration, ethical release, and responsible release policies are established mainly by industry consortia. The credible transnational regime, in this case, has to institutionalize such mechanisms as the independent audit, compulsory disclosure of datasets and measures of evaluation, and the representation of the public-interest groups in technical-standardization bodies. Current innovations including ISO/IEC 42001 (2023) which creates management-system standards of AI, exemplify one option of formalizing such oversight across jurisdictions.

4.3 Global Inequality and the Politics of Capacity

The third theme is associated with structural inequality of global governance. The AI value chains replicate the colonial relationships of data theft and reliance: data, labour, computer servers are redirected to the Global South to fuel the innovation in the North (Couldry and Mejias, 2019). It is an asymmetry that constitutes regulatory capacity and epistemic authority. The developed economies control the standard-setting bodies and research agenda and the developing states are reliant on the imported technology. These hierarchies are defined within the scope of a novel type of digital colonialism by the discourse on AI sovereignty (Brevini, 2023).

Global AI governance runs the risk of strengthening dependency and enhancing inequality without information redistribution (Taylor, 2020). Successful collaboration will hence entail capacity-building and consistency of norms. The Recommendation on the Ethics of Artificial Intelligence, proposed by UNESCO (2021) includes the focus on technology transfer and education but does not include specific funding. A multilateral funding institution, on similar footing with the Green Climate Fund, would facilitate the developing nations to set up regulatory bodies, testing facilities and legal infrastructure. Such efforts as the World Bank AI for Development program (2023) are early signs of acknowledgment of this

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necessity, but are small scale. Financing would help in embedding the concept of governance in line with distributive justice, no matter the global agreement itself.

4.4 Geopolitics and the Realpolitik of Cooperation

Lastly, the regulation of AI cannot be taken off the context of geopolitical competitive rivalry. The technological leadership is now behaving as a proxy of economic and military authority (Allan et al., 2022). States are afraid that the restrictive regulation can destroy strategic advantage, which means creating a collective-action problem, similar to the security dilemma. However, this highly selective collaboration is becoming a reality in precisely delimited areas including safety research, interoperability testing and ethics auditing (Dafoe, 2023).

Such pragmatic and more recently performed minilateralism can be seen through recent initiatives aimed at creating standards via coalitions, which include willing states, and do not need to be backed by universal consensus, such as the G7 Hiroshima AI Process (2023), the Global Partnership on AI, and the UN High-Level Advisory Body on AI (2024). These minilateral arrangements can develop further to wider legitimacy by mutual recognition and open reporting. The question is how to promote sovereignty and interdependence, how to build a flexible, yet resilient enough, system of governance that will manage to withstand geopolitical tensions and demands accountability at the same time.

5. Pathways Toward Cooperative Governance

Developed on the basis of the thematic synthesis, there are five policy streams that are interconnected and can bolster globally operating AI governance without disregarding the independence of the nation-states. These are the channels that can be taken to the institutionalist logic of incremental cooperation, which is the creation of shared procedures and transparency mechanisms that facilitate trust, followed by the binding obligations.

5.1 Interoperable Core Standards

Instead of seeking an elusive global treaty, the states must meet halfway based on a standard of interoperable standards with regards to transparency reports, dataset documentation, and human-rights impact assessment. Such standards are codified in international standard bodies, like the OECD, and ISO, as well as IEEE, which offer neutral forums (OECD, 2019; Hacker et al., 2023). The implementation of ISO/IEC

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42001 (2023) is an early move in the direction of a world-system of management-systems. Interoperability lightens compliance costs, enables cross-border trade and increases trust through similar recognition of certification schemes.

The OECD AI Policy Observatory (2024) also recommends a so-called structured interoperability whereby national regulations are mapped to the states in terms of shared reference indicators. This model allows legal variety as well as settling fundamental accountability systems a feasible basis of international dispersion of dependable-AI values.

5.2 Cross-Border Regulatory Sandboxes

Sandboxes between regulators: This would assist regulating agencies and businesses to testing multijurisdictional projects, which would eventually allow them to test AI in numerous legal jurisdictions at the same time. The sandboxes influence mutual learning and regulatory trust as they are offered on a concurrent basis (Veale and Binns, 2021). Singapore has obtained an example of a successful implementation of a proof of concept in its AI Verify project and the United Kingdom belongs to the AI Sandbox Program (2023). A regional with the supply-chain transparency ASEAN EU sandbox can also be aligned in its risk-assessment regimes of privacy and data-protection. Typically, common delivery sandbox practices may be applied in different countries in future benchmarking on the rate at which practices may be aligned collaboratively on safe-innovation practices.

5.3 Transparency and Independent Auditing

In any transnational governance system, transparency is the pillar. Information asymmetries can be avoided by the mandatory disclosure of the provenance of training-data, model-parameters and evaluation-methodologies. Such legal status of independent third-party audits should be introduced in jurisdictions just like that of financial auditing (Gebru et al., 2021). The conformity-assessment model provided by the EU AI Act includes the institutionally-precedential paradigm which balances between protection of the trade secrets and access to regulation.

In order to operationalize transparency, the international organizations might have repositories of audit reports and risk categories. One prototype of such knowledge sharing is what the UNESCO Global AI Ethics Observatory (2024) will be. Such connections to the ISO certification and OECD monitoring would promote

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a multilayered accountability ecosystem that acknowledges the trade secrets as well as societal control.

5.4 Capacity-Building and South–North Solidarity

International equity requires tangible expansion of capacity. The development agencies and international financial institutions are to consider the addition of AI-governance help in the digital-transformation initiatives (UNESCO, 2021; World Bank, 2023). Local oversight competence can be improved with technical fellowships, AI observatories in various regions, and joint research centers. This was illustrated in the African Union Continental AI Strategy (2024) which showed that regional structures are able to define national priorities in alignment with international standards.

It should be the creation of an AI Governance Facility, funded by major AI economies in proportion. The expenses might be covered in training regulators, ethics-review boards, and civil-society organizations. This kind of mechanism makes capacity-building not a voluntary act or charity, but an actual component of a fair governance system.

5.5 Multi-Stakeholder and Democratic Oversight

Inclusive public legitimacy is a requirement. Participatory governance, where citizens, labor unions, and civil-society groups are directly involved in the development of AI norms, is supported by the so-called society-in-the-loop framework (Rahwan, 2018). It is possible to democratize the process of setting standards, and reverse corporate control, by embedding these mechanisms within global forums, either by way of consultative assemblies, or online deliberations.

The current programs offer exemplary examples. No formal treaty power has been institutionalized but instead, multi-stakeholder participation has been formalized by the Internet Governance Forum and the Open Government Partnership. The adaptation of these models to AI may produce a Global AI Forum bringing together countries annually under the auspices of the UN, to complement intergovernmental talks as a deliberative body.

6. Policy Recommendations

Based on the discussion and some of the pathways, the following recommendations can be made to discuss what can be done to facilitate the incorporation of

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transparency, accountability, and equity into cross-border AI governance. They move out of normative backgrounds to institutional means and mechanisms of implementation.

1. Adopt an International AI Governance Charter via the United Nations which must include shared values, standards of responsibility, and principles of cooperation founded on the UNESCO Ethics Recommendation (2021) and G7 Hiroshima Process (2023).
2. Establish a Global AI Observatory, which would strengthen the opportunities of UNESCO as a universal repository of national policies, dangers and audit results to make possible transparency and mutual learning.
3. Create multilateral enforcement bridges with Memoranda of Understanding between data-protection and competition authorities to examine harms that algorithms have induced on a cross-border basis.
4. In addition to ISO/IEC 42001 (2023) and OECD best practices, this is a requirement to have data documentation and model documentation, including datasheets and model cards, as a precondition to access the market.
5. Contribute an AI Governance Facility with a contributor position of obstructive contribution of the key AI economies aiming at the aim of allocation of resources to low- and middle-income states in the framework of growth of regulatory capacity.
6. Endorse the concept of cross-regional regulatory sandboxes, which is a particular collaboration of publics, higher education and commerce to trial interoperable standards in the high impact of the economy, such as health, education, and finance.
7. Form multi-stakeholder councils at OECD, UN and GPAI levels, to include a civil society and labor representation and Global South in standard-setting and reviewing policy.
8. Incorporation of the algorithmic-impact evaluation with the current human-rights reporting mechanisms, including the Universal Periodic Review, to make AI accountable as per international law.
9. Promote open, transparent AI ecosystems, not only to insure innovation, but also to remove such a dependency on proprietary models owned by a small number

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of corporations.

10. Promote international collaboration in AI safety and ethics, maintain the capacity to engage in the scientific exchange despite geopolitical confrontation and maintain a global epistemic commonwealth.

7. Conclusion

One of the challenges of governance in the twenty-first century is represented by artificial intelligence. It is revealing its limitlessness of operation that presents the boundaries of the national law and makes it clear that collective regulation should be urgently sought. The qualitative analysis of the current study shows that the normative agreement on ethical principles is not yet achieved, but the successful functioning of the cross-border governance is still limited due to the legal fragmentation, private concentration of power, structural inequality, and geopolitical competition. These limitations represent long-running tensions of the international order: between sovereignty and interdependence, innovation and precaution, autonomy and accountability.

The results however, also lead to pragmatic ways ahead. Multilayered architecture Multilayer Multilayered architecture is a combination of interoperable standards, cooperative sandboxes, independent auditing, capacity-building, and inclusive oversight. Policymakers must foster regimes of adaptation that are able to engage in continuous learning rather than trying to achieve instant harmonization that is universal. This way is similar to effective directions in the governance of the environment and finances where soft coordination slowly transformed into systematic cooperation.

Further studies are needed to empirically evaluate the functioning of these architectures in practice, that is, to carry out case studies of joint audits, outcomes of cross-regional sandboxes, and experiments with participatory governance. The comparative analysis of the efforts, including the G7 Hiroshima Process and UN AI Advisory Body will give an understanding of the circumstances in which the process of minilateralism may be amplified into multilateral authority. The political economy of the AI infrastructure also requires further investigation, especially how the power of regulation is created by asymmetries of compute, data, and intellectual and intellectual property.

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Finally, the world AI system should reflect the principles it should implement: the principles of transparency, responsibility, and fairness. The institutionalization of these values cross-border, cross-sector, and cross-community will also make artificial intelligence a mechanism of the common good and not an instrument of control or disparity. AI governance, similar to the pre-AI governance of the environment, will challenge the human ability to solve problems through co-operation in the globalised world. It will only be successful when there is a moral and institutional imagination to rule judiciously in the time of intelligent machines not only through technological prowess.

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