

Justice, Human Rights and Ethics: Adopting a Uniform Artificial Intelligence Policy and Legal Framework for Africa

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Justice, Human Rights and Ethics: Adopting a Uniform Artificial Intelligence Policy and Legal Framework for Africa

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Abstract

This paper discusses how Artificial Intelligence (AI) can be effectively regulated in Africa. The paper observes that AI is being widely adopted in Africa towards improving governance outcomes. However, the paper also notes that the increased adoption of AI in Africa raises several risks and challenges that can undermine justice, human rights and ethics. In light of its inherent risks and challenges, the paper posits that effective governance and regulation of AI in Africa is crucial toward fostering justice, human rights and ethics. In order to achieve this goal, the paper proposes the adoption of a uniform AI policy and legal framework for Africa towards harnessing the power of technology for Sustainable Development.

1.0 Introduction

With Artificial Intelligence (AI) being widely adopted across various sectors to improve governance outcomes, its regulation has become a matter of global concern in order to harness its benefits while tackling risks and challenges. It has been observed that the explosive growth and adoption of AI tools around the world is yet to be matched by effective, international, regional and national rules, policies and frameworks on how this powerful technology is to be governed¹. For example, the positive impacts of AI are transforming various field including education, transportation, finance, data storage, communications, healthcare, agriculture, justice systems, environmental governance and law enforcement thus providing numerous benefits for people and planet towards Sustainable Development². On the other hand, if not appropriately and ethically harnessed, AI can embed biases, propagate errors, cause and widen socio-economic inequalities, violate human rights and undermine environmental sustainability³.

Regulating AI is therefore key towards maximising its benefits while minimising its risks and challenges. Effective governance and regulation is necessary in order to promote the safe development and adoption of AI that is universal, adapted to cultural diversities all over the world, free from biases and discrimination, upholds human rights, and is respectful of democratic values and fundamental rights and freedoms for every person⁴. It has been correctly noted that in the current era of technology where there is rampant

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¹ United Nations., 'UN moves to close dangerous void in AI governance' Available at <https://news.un.org/en/story/2025/09/1165898> (Accessed on 02/05/2026)

² European Parliament., 'Understanding Algorithmic Decision-Making: Opportunities and Challenges' Available at [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624261/EPRS_STU\(2019\)624261_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624261/EPRS_STU(2019)624261_EN.pdf) (Accessed on 02/05/2026)

³ United Nations Educational, Scientific and Cultural Organization., 'Ethics of Artificial Intelligence' Available at <https://www.unesco.org/en/artificial-intelligence/recommendation-ethics> (Accessed on 02/05/2026)

⁴ French Institute of International Relations., 'Artificial Promises or Real Regulation? Inventing Global AI Governance' Available at <https://www.ifri.org/en/studies/artificial-promises-or-real-regulation-inventing-global-ai-governance> (Accessed on 02/05/2026)

development and adoption of AI tools and systems, it is important to ensure that the right AI regulations are in place in order harness the technology ethically and responsibly⁵.

The United Nations observes that through effective governance and regulation, it is possible to ensure the development of safe, inclusive, transparent, secure and trustworthy AI systems⁶. In particular, it has been observed that since the challenges and opportunities presented by AI are global in nature, the responses also need to be far more uniform, comprehensive and collaborative than the fragmented and siloed solutions that have been embraced so far⁷. Adopting uniform and collaborative approaches is therefore necessary towards effectively harnessing the benefits of AI while tackling its risks and challenges.

This paper discusses how AI can be effectively regulated in Africa. The paper observes that AI is being widely adopted in Africa towards improving governance outcomes. However, the paper also notes that the increased adoption of AI in Africa raises several risks and challenges that can undermine justice, human rights and ethics. In light of its inherent risks and challenges, the paper posits that effective governance and regulation of AI in Africa is crucial toward fostering justice, human rights and ethics. In order to achieve this goal, the paper proposes the adoption of a uniform AI policy and legal framework for Africa towards harnessing the power of technology for Sustainable Development.

2.0 The Need for Artificial Intelligence Regulation in Africa

Africa is increasingly becoming an important player in the global AI landscape. It has been observed that several African countries have taken positive measures to create enabling environments for AI research, development, innovation and adoption. In the past few years there have been increased private and public investments in AI with many AI startups being established all over the continent with countries also strengthening their institutional capacity on AI⁸. Consequently, AI has been identified as an emerging and defining feature of Africa's digital transformation providing opportunities to foster Sustainable Development and improved quality of life for all Africans⁹. It has been observed that with its transformative potential, harnessing AI can unlock socio-economic development in Africa and accelerate progress towards the goals and aspirations of the continent's development blueprint, Agenda 2063¹⁰.

Through appropriate policies and legal frameworks, AI can transform important sectors of Africa's economies including agriculture, education, healthcare, public services, mining, industry, and financial services thus fostering development¹¹. For example, it has been observed that the integration of AI into agriculture in Africa is driven by a need for more sustainable farming practices, labour shortages and a

⁵ Regulating AI., Available at <https://regulatingai.org/> (Accessed on 02/05/2026)

⁶ United Nations., 'Global Dialogue on AI Governance' Available at <https://www.un.org/global-dialogue-ai-governance/en> (Accessed on 02/05/2026)

⁷ United Nations., 'UN moves to close dangerous void in AI governance' Op Cit

⁸ The Centre for Intellectual Property and Information Technology Law (CIPIT)., 'The State of AI in Africa Report' Available at <https://aiconference.cipit.org/documents/the-state-of-ai-in-africa-report.pdf> (Accessed on 02/05/2026)

⁹ The Centre for Intellectual Property and Information Technology Law (CIPIT)., Op Cit

¹⁰ AUDA-NEPAD., 'AI for Africa: Artificial Intelligence for Africa's Socio-Economic Development' Available at <https://www.nepad.org/publication/ai-africa-artificial-intelligence-africas-socio-economic-development> (Accessed on 02/05/2026)

¹¹ Ibid

rising demand for food due to an increasing population in the continent¹². It has been observed that AI technologies such as precision farming enable farmers to optimize resources and maximize crop yields¹³. Due to its benefits, AI has been described as the future of food security in Africa¹⁴. For example, it has been observed that due to challenges such as frequent and extreme weather events, poor farming practices and conflicts which undermine food security in Africa, AI tools and systems can enable farmers and policy makers to anticipate risks and adjust planting schedules, address labour shortages, monitor threats including pests, extreme weather events and diseases, and optimize food supply chains towards fostering food security¹⁵.

AI is also transforming health systems in Africa. For example, it has been observed that AI is improving the health sector in Africa including through enhanced detection of diseases such as malaria and tuberculosis while also fostering access to medical and health information through online health platforms¹⁶. AI tools have the capacity to analyse vast medical datasets, improving disease diagnosis and prediction thus bolstering health systems and outcomes both globally and in Africa¹⁷. Further, it has been observed that AI-powered platforms facilitate remote consultations and enable healthcare providers to monitor patient conditions effectively¹⁸.

In addition, AI is ensuring access to quality education in Africa. For instance, it has been observed that the integration of AI into education systems in Africa is fostering individualized, accessible and efficient learning tools and methods aimed to address challenges such as teacher shortages, infrastructure gaps in education and inadequate learning materials¹⁹. Further, AI is providing tools and solutions that are bolstering climate action, biodiversity conservation, waste management, and ecosystem monitoring thus ensuring sound environmental governance in Africa²⁰. AI is also improving transportation and mobility in African cities through rideshare and logistics solutions that optimize routes, reduce traffic congestion, and enhance efficiency²¹. The integration of AI into the financial sector in Africa is also transforming traditional lending systems in the continent by improving credit-risk assessment and instant payments, as well as expanding

¹² World Bank Group., 'Is Artificial Intelligence the future of farming? Exploring opportunities and challenges in Sub-Saharan Africa' Available at <https://blogs.worldbank.org/en/agfood/artificial-intelligence-in-the-future-of-sub-saharan-africa-far> (Accessed on 02/05/2026)

¹³ Ibid

¹⁴ Ibid

¹⁵ World Bank Group., 'Is Artificial Intelligence the future of farming? Exploring opportunities and challenges in Sub-Saharan Africa' Op Cit

¹⁶ Owoyemi. A et al., 'Artificial Intelligence for Healthcare in Africa' Available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC8521850/> (Accessed on 02/05/2026)

¹⁷ Alliance for Science., 'Role of AI in transforming health systems and everyday life in Africa' Available at <https://allianceforscience.org/blog/2025/03/role-of-ai-in-transforming-health-systems-and-everyday-life-in-africa/> (Accessed on 02/05/2026)

¹⁸ Ibid

¹⁹ International Development Research Centre., 'From commitment to action: Advancing the use of AI in education in Africa' Available at <https://idrc-crdi.ca/en/research-in-action/commitment-action-advancing-use-ai-education-africa> (Accessed on 02/05/2026)

²⁰ United Nations Educational, Scientific and Cultural Organization., 'AI for Environment and Ecosystems Toolkit for Policymakers' Available at <https://www.unesco.org/ethics-ai/en/node/288#:~:text=While%20AI%20can%20support%20climate,dynamics%20is%20no%20longer%20optional.> (Accessed on 02/05/2026)

²¹ Alliance for Science., 'Role of AI in transforming health systems and everyday life in Africa' Op Cit

financial services to remote areas²². In addition, AI is also enhancing the delivery of public services in Africa promising efficiency, accuracy, speed, transparency, and accessibility²³.

The adoption of AI in Africa is therefore providing immense opportunities to unlock Sustainable Development. However, the adoption of AI in Africa and the Global South also raises several risks and challenges that require effective governance and regulation. For example, it has been observed that without inclusive and collaborative approaches in AI governance and regulation involving both the Global North and the Global South, there is a real risk that regulatory asymmetries will widen the global AI divide, leaving developing countries at a disadvantage and deepening existing economic disparities²⁴. In particular, it has been observed that risks and challenges including algorithmic biases, breach of indigenous data sovereignty, discrimination including from a gender and racial perspective, and lack of transparency and accountability require effective regulation in order to ensure that the adoption of AI is ethical, appropriate, inclusive and culturally-sensitive²⁵.

AI therefore provides numerous advantages that can foster Sustainable Development for people and planet in Africa. However, in light of its risks and challenges, putting in place effective policy and legal frameworks is vital towards appropriately and ethically harnessing this transformative technology for justice, human rights and ethics.

3.0 Adopting a Uniform Artificial Intelligence Policy and Legal Framework for Africa

The growth and adoption of AI in Africa promises to strengthen governance outcomes towards Sustainable Development. With the right policies, AI can transform education, healthcare, agriculture, transport, communications, environmental governance, justice systems and finance among other key sectors thus unlocking Africa's development agenda²⁶. However, in light of its risks and challenges, governing AI is a key priority if Africa is to fully harness the benefits of this powerful technology.

In order to effectively harness its benefits and tackle risks and challenges, there is need to adopt a uniform AI policy and legal framework for Africa. For instance, it has been correctly noted that fostering international and regional cooperation is important towards effectively responding to the rapid pace at which AI is developing all over the world²⁷. Further, it has been observed that adopting universal rules, policies and standards is necessary in order to broaden access to AI for governments, industry, and civil society especially for developing countries while also ensuring that the adoption of AI responds to differing AI needs among regions, countries, communities and individuals²⁸. Since the benefits and risks presented by AI are global in nature, effective regulation can foster fairness and bias mitigation, accountability and

²² AI-powered fintech and banking are driving Africa's development. Here's how., Available at <https://www.developmentaid.org/news-stream/post/202004/ai-powered-fintech-in-africa> (Accessed on 02/05/2026)

²³ AUDA-NEPAD., 'AI for Africa: Artificial Intelligence for Africa's Socio-Economic Development' Op Cit

²⁴ How Leaders in the Global South Can Devise AI Regulation that Enables Innovation., Available at <https://institute.global/insights/tech-and-digitalisation/how-leaders-in-the-global-south-can-devise-ai-regulation-that-enables-innovation> (Accessed on 02/05/2026)

²⁵ United Nations Educational, Scientific and Cultural Organization., 'Ethics of Artificial Intelligence' Op Cit

²⁶ AUDA-NEPAD., 'AI for Africa: Artificial Intelligence for Africa's Socio-Economic Development' Op Cit

²⁷ Network architecture for global AI policy., Available at <https://www.brookings.edu/articles/network-architecture-for-global-ai-policy/> (Accessed on 04/05/2026)

²⁸ Ibid

oversight, transparency and explainability, and data privacy and security towards ensuring that its adoption upholds justice, human rights, ethics and fairness²⁹.

It has been observed that several African countries have adopted national AI strategies³⁰. Further, the *African Union Continental Artificial Intelligence Strategy* sets a uniform and common framework for the development and adoption of AI in the continent³¹. The Strategy acknowledges that AI can tackle some of Africa's most complex and urgent challenges in healthcare, agriculture, education, finance and public service delivery³². Further, the Strategy also recognises the risks and challenges associated with AI including bias and discrimination, data privacy and security concerns, digital divide, gender and socio-economic inequalities, job displacement, environmental sustainability concerns, and subversion of indigenous knowledge systems and African cultural heritage³³. The Strategy urges African countries to adopt and implement robust AI governance, regulations, standards, codes of conduct and best practices in order to manage its risks and promote its growth³⁴.

The foregoing initiatives are commendable towards strengthening AI governance in Africa. However, in light of the rapid pace at which AI is developing both globally and in Africa, a uniform policy and legal framework is necessary towards effectively maximising its benefits while minimising risks and challenges. A uniform policy and legal framework can ensure that Africa navigates its unique AI needs including through the use of language models premised on African languages and use of indigenous data sets in AI systems³⁵. Further, through a uniform and collaborative approach, it is possible to address AI risks and challenges in Africa, which differ from those in the Global North, including infrastructure gaps, human and institutional capacity limitations and data governance challenges³⁶.

4.0 Conclusion

Africa is witnessing a technological revolution characterized by the widespread development and adoption of AI. This powerful technology has the potential to fast-track the continent's development agenda for people and planet. However, the adoption of AI in Africa also raises several fundamental risks and challenges including bias and discrimination, data security concerns, subversion of indigenous knowledge systems and African cultural heritage and socio-economic inequalities³⁷. Embracing a common and uniform African approach on AI is therefore necessary towards harnessing the benefits of this transformative technology while tackling unique continental challenges. Designing and implementing a uniform AI policy

²⁹ AI Governance Best Practices: How to Build Responsible and Effective AI Programs., Available at <https://www.databricks.com/blog/ai-governance-best-practices-how-build-responsible-and-effective-ai-programs> (Accessed on 04/05/2026)

³⁰ Organisation for Economic Co-operation and Development., 'AI Governance in Africa' Available at https://www.oecd.org/en/publications/oecd-artificial-intelligence-case-studies_c517fcf5-en/ai-governance-in-africa_1ff55135-en.html (Accessed on 04/05/2026)

³¹ African Union., 'Continental Artificial Intelligence Strategy' Available at https://au.int/sites/default/files/documents/44004-doc-EN-_Continental_AI_Strategy_July_2024.pdf (Accessed on 17/02/2026)

³² Ibid

³³ Ibid

³⁴ Ibid

³⁵ Organisation for Economic Co-operation and Development., 'AI Governance in Africa' Op Cit

³⁶ Ibid

³⁷ African Union., 'Continental Artificial Intelligence Strategy' Op Cit

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and legal framework for Africa is therefore necessary towards ensuring its safe, ethical and purposeful development and adoption for human rights, justice, equity and development.

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