British Institute of International and Comparative Law

Short Course: Artificial Intelligence Governance

8 October -10 December 2025

Detailed Course Outline

1) Introduction to AI, Law and Ethics (1 session):

a) Defining "Artificial Intelligence", providing an overview of current capabilities, applications of AI across different sectors and industries: e.g., healthcare, education, autonomous vehicles, financial, legal systems, and the legal profession

b) AI's functionalities: what happens when these systems don't work as intended?
- Bias and discrimination, misinformation, environmental impacts, and more
- Catastrophic Risk

c) Introduction to Regulation AI
- An overview of different modalities of AI Regulation, including ethics codes and frameworks, industry practices, and standards

2) Conceptual & Critical Understandings: Theory and Practice (2 sessions):

Theoretical Frameworks for approaching the regulation of AI
- Sociotechnical approaches: embedding norms, values, and cultures into technical applications
- Political Economy Approaches: supply chain challenges in AI development, deployment and maintenance
- Feminist Approaches: identifying and acknowledging the under-recognised 'work' of AI systems
- Decolonial Approaches: understanding emerging inequalities as reconfigurations of past inequities

Regulating AI in Practice
- The Gap between Ethical Principles and Practice
  - What kind of ethical principles are discussed?
  - What efforts have gone into operationalising these principles?
- Potentials and limitatiosn of AI Ethics
  - Flexible and dynamic nature of ethics
  - Challenges with its self-regulatory frame
  - Whose morals and whose standards?
  - Who is 'responsible' for AI Ethics?

3) Operation of AI and technology in the legal sphere and its impact (2 sessions):

a) Documenting and scrutinizing the operation of AI and Tech in the legal sphere

b) Analysing emerging *legal issues* in AI deployment in the legal sector
- Legal personhood – Accountability and Responsibility
- The impact of AI on rights and liberties broadly – (use cases: predictive algorithms, predictive policing)
- What are AI crimes?
- AI's interference with the due process and access to justice

- AI's interference with democracy

4) Emerging *ethical issues and challenges* in AI deployment (2 sessions):

a) The powers of big tech companies
- How do big tech companies accumulate power
  - Ability to garner copious amounts of information
  - Ability to come across as trustworthy, reliable, and indispensibile
  - Ability to evade regulation
  - Lack of transparency in their obligations
- The impact of big tech
  - On the social
  - The environment
  - The economy
  - And on public administration

b) Presenting several case studies (local & global perspectives) around the following themes:
- AI in court proceeedings and right to fair trial
- AI in warfare
- privacy & surveillance
- justice & fairness
- human dignity (rights-based approach & duties)
- misinformation & trust
- responsible innovation

5) AI Governance and Regulation (2 sessions):

a) Overview & critical analysis of policy initiatives and their implementation based on key areas:
- "Ethical" or "Trustworthy" AI by design
- "Certification" approach that focuses on technical robustness instead of the wider AI ecosystem
- Responsible Innovation (where regulation is seen as compatible with innovation)

b) Ethical Approaches
- Model Frameworks and National Strategies
- Personal Data Protection and the GDPR
- OECD, international organisations and standardisation
- EU AI Act

Debating the case for regulation beyond ethical guidelines and frameworks
- A consideration of other innovative regulatory frames
  - Rule of Law?
  - Trust as Regulation?
  - Hard Laws and Legislative approach?
- A comparative approach: What are other countries doing?

c) Comparative Regional Approach to AI governance
- The critical role of governance in addressing the social, economic and political reservations towards AI technologies should not be underplayed yet much of this debate has evolved and continues to be centred in the West. Asia's contributions and perspectives to this discussion have been minimally articulated, or scattered across the region at best.
- Mapping out and exploring AI ethics principles from an communitarian perspective
- Inquiring into other possible regulatory framework and design for AI technologies across Asia

d) EU Approach
    - Rights and data protection GDPR
    - AI Act
    - Data sovereignty

e) AI and the Business and Human Rights Framework
    - State duty to protect
    - Corporate responsibility to respect
    - Access to remedy

f) How does our understanding of 'effective' AI governance sit in relation to the dual-focus on addressing both the near- *and* long-term challenges of AI?
    - Do we have equal responsibility in ensuring equitable outcomes for present citizens and for future generations? → Drawing from critical literature around future studies & foresight methodologies to inform governance approaches?
    - Is there a potential for AI technologies to shift from being a source of disruption (and thus the subject of governance control) to being the solution to prevent disruptive effects (and thus a tool to assist with governance mechanisms)?
      → Put simply, given the current challenges/social harm done by AI technologies, is the solution to create more + better technology? What are the potential and limitations in this "techno-solutionism" as a governance approach?

6) Looking into the future – Disruptive Regulation (1 session):
- Trust and AI in community
- Digital self determination
- Access to justice
- Sustainability of legal service delivery
- Law as a commodity or a communal resource?