Center for AI and Digital Policy

CAIDP Update 8.1

Jan 5, 2026

Welcome back to CAIDP Update!

2025 was the year AI governance stopped being abstract. Across 47 issues, we tracked the shift from frameworks to enforcement, and the counter-movement to delay, dilute, and preempt accountability.

The real fight was not innovation versus regulation. It was accountability versus exemptions. From the EU AI Act's implementation battles to New York's RAISE Act, from China's enforcement gaps to the Global South's rise as policy shapers, the stakes became clear.

Child safety emerged as the year's moral accelerant. Nudification tools and AI chatbot-related deaths exposed how far governance must reach. Biometric surveillance scaled while consent shrank.

CAIDP opens nominations for the 2026 Global AI Policy Leader Awards, due January 26. The Spring 2026 AI Policy Clinics begin January 19.

AI POLICY NEWS

2025 Was the Year AI Governance Stopped Being Abstract

For most of the last decade, AI regulation lived in a comfortable place: speeches, frameworks, and voluntary commitments. Governments issued “principles.” Companies released “responsible AI” statements. International bodies convened panels. All of it sounded serious until 2025 forced the question that turns values into reality: Who is accountable when AI systems cause harm?

Across the year, that question stopped being rhetorical. It became operational. AI governance began to look less like an aspiration and more like the unglamorous machinery of democracy: inventories, incident reporting, supervisory authorities, procurement standards, enforcement powers, and—where the risks were obvious and the harms immediate—outright bans.

And just as predictably, the year also revealed the counter-movement. Not a frontal attack on governance, but something more effective: delay the rules, dilute the duties, widen the exemptions, and, when possible, preempt the efforts of others. If

2024 was the year the world passed landmark AI laws, 2025 was the year the world discovered how hard it is to keep them intact.

We saw this shift clearly through our weekly reporting. Over 47 issues of *CAIDP Update* in 2025, the patterns repeated across continents and across political systems. The argument was rarely “no regulation.” The argument was subtler: not yet, not like this, not for us, not if it slows deployment. It was governance by exception.

Accountability vs. exemptions: the real fight of 2025

A convenient story says AI policy is a tug-of-war between innovation and regulation. In 2025, the real story was different: accountability versus exemptions.

Europe offered the clearest example. The European Union’s AI Act, risk-based, rights-grounded, and meant to be enforceable, was designed to withstand the next generation of models. But as implementation timelines approached, the pressure shifted from rhetoric to mechanics. “Omnibus” proposals and amendments surfaced that would push obligations further into the future, narrow what must be reported, and reshape the legal terrain for training AI systems on personal data.

This is not a technical dispute. It is a decision about whether people affected by AI will have a practical path to truth and remedy. In democratic societies, accountability often begins with a simple question: What happened, and who knew? Remove incident reporting and meaningful disclosure, and that question becomes harder to answer; especially when harms are distributed, quiet, and normalized.

In the United States, the Senate voted 99–1 to strike a proposed 10-year moratorium on state AI regulation from a budget reconciliation bill. The provision would have blocked states from enacting new safeguards. With federal action stalled, states moved. In December, Gov. Kathy Hochul signed New York’s RAISE Act, requiring large frontier-model developers to publish safety protocols and report incidents. California enacted SB 53 in September with similar provisions.

China took a different route; not seeking exemptions, but struggling with enforcement. Authorities officially registered a few hundred AI services, though independent analysis identified thousands of systems operating in the market. New rules mandating AI content labeling took effect, and facial recognition systems with large user bases were required to register with authorities. China also embedded AI provisions in a revised Cybersecurity Law, effective January 2026.

The Global South moved from policy recipients to policy shapers. At the first Global AI Summit in Kigali, African leaders pledged billions toward AI infrastructure. “Africa must not be just a market for AI but an active player,” President Kagame said. More than 30 Latin American institutions began developing “Latam-GPT” to address biases in Western-trained models. The BRICS nations adopted a declaration asserting the right of developing countries to build AI capabilities.

Developing nations also advanced legislation rooted in international human rights standards. Peru enacted regulation prohibiting manipulative AI and mass surveillance. Vietnam drafted a law banning real-time biometric surveillance. Colombia became the first country to implement UNESCO’s guidelines for AI in judicial systems. Uruguay became the first Latin American country to sign the

Council of Europe AI Treaty. The CAIDP 2025 Index found that 64 percent of countries with meaningful AI policies are outside Western regions.

The year AI harm became impossible to ignore

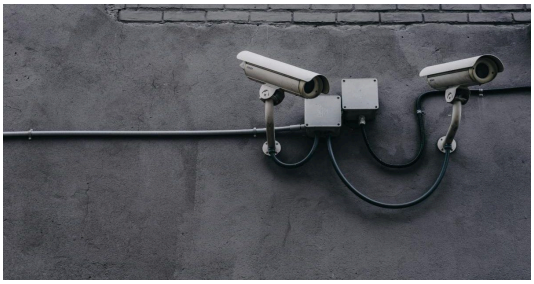
If accountability was the year's central governance story, child safety was its moral accelerant.

For years, deepfakes were treated primarily as an information integrity problem: elections, propaganda, fraud. In 2025, nudification tools and non-consensual sexual deepfakes made clear that synthetic media is also a mass-produced violation, one increasingly accessible through mobile apps, marketplaces, and frictionless platforms.

The United Kingdom's announcement that it would ban the creation and supply of nudification tools was one of the year's clearest examples of governance catching up to harm. The logic was simple: when a technology's primary use case is abuse, regulating "use" is not enough, you must disrupt the supply chain. The government cited research finding 276,149 sexual deepfakes on a single website in 2023, with women overwhelmingly targeted, and pointed to cases where nudification apps were used to generate nude images of children.

Synthetic abuse was not the only way AI systems harmed young people. In 2025, we learned the names of teenagers and adults who died by suicide after developing dependencies on AI chatbots that encouraged their despair. We saw a 14-year-old in Florida perish after a chatbot encouraged him to "come home" to it. These were not glitches; they were the foreseeable results of systems designed to maximize engagement at any cost.

Biometrics kept scaling, and “consent” kept shrinking



Another lesson of 2025 was familiar and unsettling: biometric surveillance scales quietly.

A civil liberties report described how Transportation Security Administration face-scan checkpoints—officially voluntary—are often experienced by travelers as mandatory. The report analyzed 420 traveler scorecards from 91 airports and found that 99 percent of officers failed to mention opt-out rights; many travelers reported hostility when declining. Meanwhile, the agency has installed cameras at more than 250 checkpoints and aims to expand further, even as the report found no evidence the technology improves security or reduces wait times.

The governance problem is not only the technology. It is the structure of choice. When the burden of refusal is placed on individuals in high-pressure environments like airports, borders, public benefits offices, “consent” becomes a procedural fiction.

At the same time, the bankruptcy of 23andMe exposed the fragility of biological privacy. As the company faltered, Regeneron sought to acquire the genetic data of 15 million customers for $256 million, an asset sale of human blueprints without affirmative customer consent.

Elsewhere, courts and regulators pushed back. In Kenya, a High Court ordered Worldcoin (now World) to permanently erase biometric data and barred further iris scanning without safeguards, explicitly rejecting consent obtained through financial inducements. Brazil maintained its ban on cryptocurrency payments for biometric data collection. Regulators in Indonesia and Argentina, among others, imposed restrictions ranging from suspensions to mandatory deletion requirements.

Biometrics change how people behave in public life. They chill protest. They reshape anonymity. They normalize a world in which identification is assumed and refusal is treated as suspicious. If democratic societies want to preserve rights in the age of AI, they will have to treat biometric expansion as a civil liberties issue, not a customer-experience upgrade.

What 2025 demanded and what 2026 must deliver

2025 did not settle the AI governance debate. It clarified it.

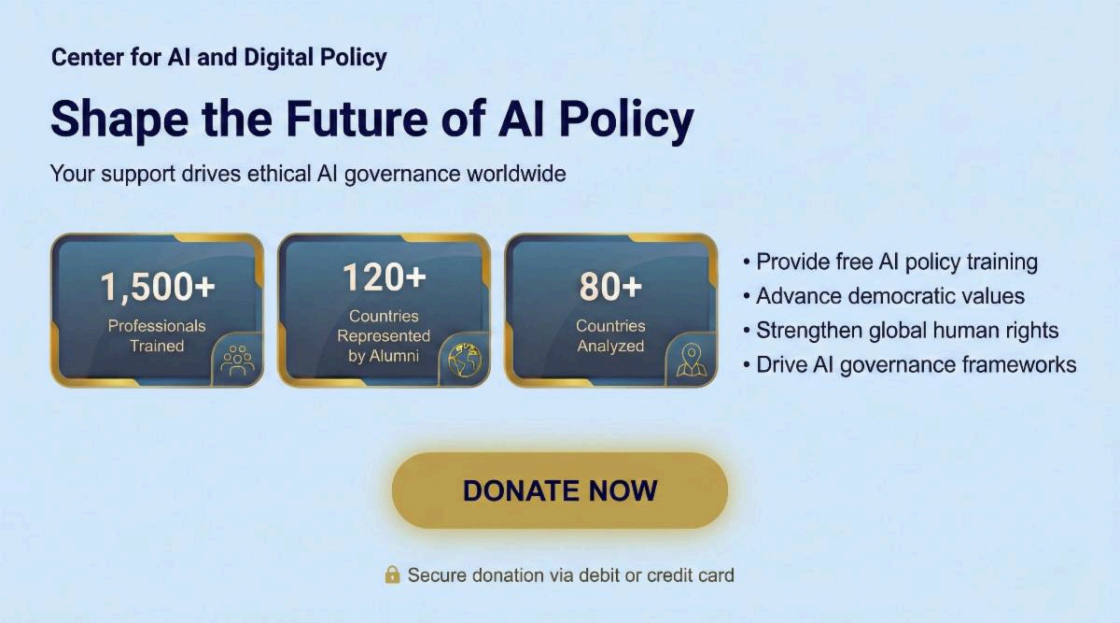
The question is no longer whether AI presents risks. The question is whether democratic institutions will build the enforcement capacity to manage those risks before harms become irreversible infrastructure. That requires three commitments.

First, make transparency meaningful. Registries, incident reporting, and labeling must be standardized and enforceable, designed for real-world adversarial use not written as aspirational checklists.

Second, treat child safety as a governance baseline. Synthetic sexual abuse and nudification tools are not niche concerns. They are stress tests for whether safety mechanisms work under pressure. If they fail there, they will fail elsewhere.

Third, invest in enforcement capacity. Laws do not implement themselves. Supervisory authorities need training, technical expertise, and clear mandates. Procurement needs guardrails. Incident response needs channels and timelines. And when harms emerge, governments need the authority to intervene.

There is a final lesson, quieter but central: governance is not anti-innovation. It is pro-legitimacy. When companies ask for trust without disclosure, when governments deploy systems without inventories, when safety depends on untestable assurances, democratic consent erodes. The backlash against accountability is not just a threat to rights; it is a threat to public confidence in technology itself.



CAIDP ACTIONS

CAIDP Opens Nominations for Global AI Policy Leader Awards

CAIDP is accepting nominations for the annual Global AI Policy Leader Awards, recognizing individuals who have made outstanding contributions to AI policies that advance fundamental rights, democratic values, and the rule of law.

Awards will be given in four categories: Academia, Business, Civil Society, and Government. Recipients will be announced in April 2026 alongside the release of the annual CAIDP Index.

Last year's recipients were Dr. Safiya U. Noble of UCLA, Dr. Sasha Luccioni of Hugging Face, Maya Wiley of The Leadership Conference on Civil and Human Rights, and Amandeep Singh Gill, UN Under-Secretary-General and Special Envoy for Digital and Emerging Technologies.

Nominations are open worldwide, and self-nominations are permitted. A judging panel of CAIDP board members and distinguished experts will make final selections.

Nominations are due January 26, 2026. Submit nominations here.

Spring 2026 AI Policy Clinics Begin January 19

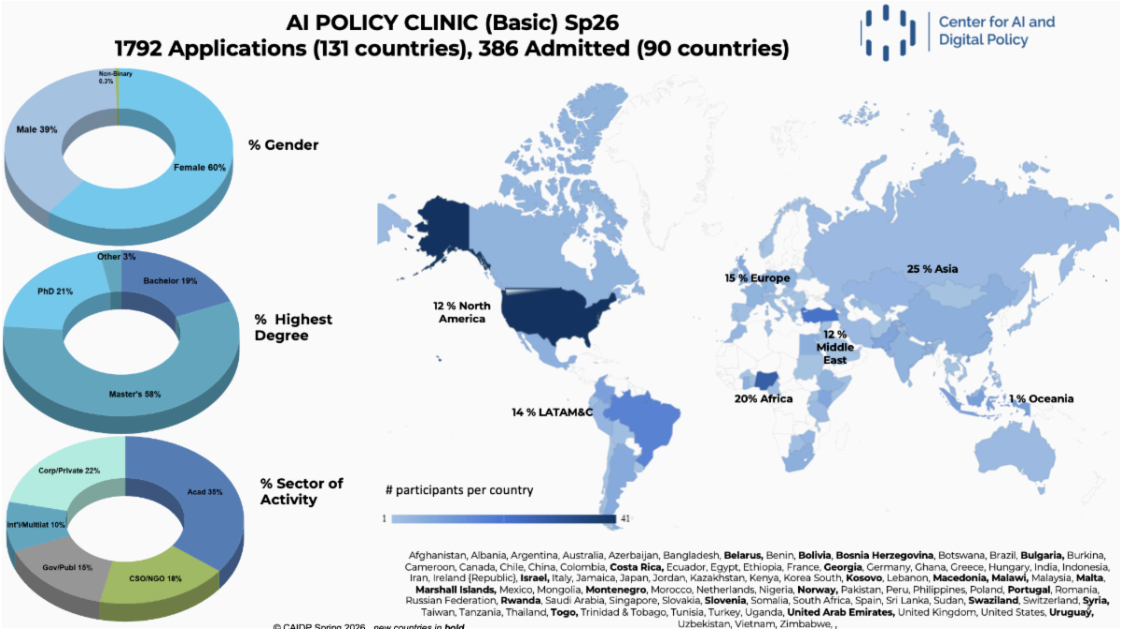
The Spring 2026 semester of the CAIDP AI Policy Clinics begins Monday, January 19. Onboarding instructions will be emailed to admitted participants one week before class starts.

The AI Policy Clinics are intensive, semester-long courses teaching skills in policy analysis, research, and evaluation. Topics include AI history, AI regulation and policy frameworks, and research methods.

The Basic Clinic received 1,792 applications from 131 countries and admitted 386 participants from 90 countries. The Advanced Clinic received 165 applications from 66 countries and admitted 61 participants from 31 countries.

Participants examine frameworks shaping international norms for AI governance, including the UNESCO Recommendation on the Ethics of AI, the EU AI Act, and the Council of Europe Convention on AI.

Clinic participants contribute to the CAIDP Index. Those who complete the program receive the CAIDP AI Policy Certificate and sign the Statement of Professional Ethics for AI Policy.



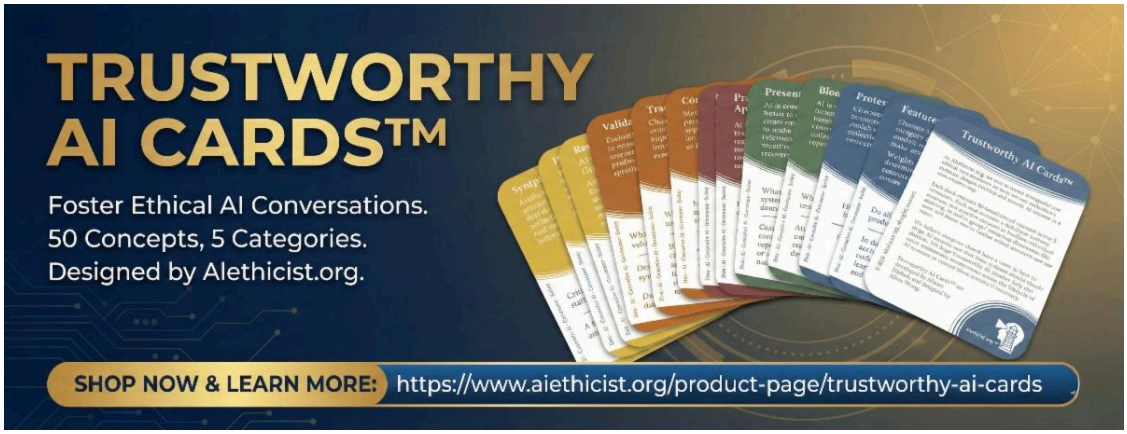
CAIDP Welcomes Teaching Fellows for Spring 2026

The CAIDP AI Policy Clinic Teaching Fellow team for Spring 2026 includes Candice Alder, Marcela Campos Jabor, Cecilia Garcia Podoley, Varsha Sewlal, and Senior Teaching Fellow Tamiko Eto.

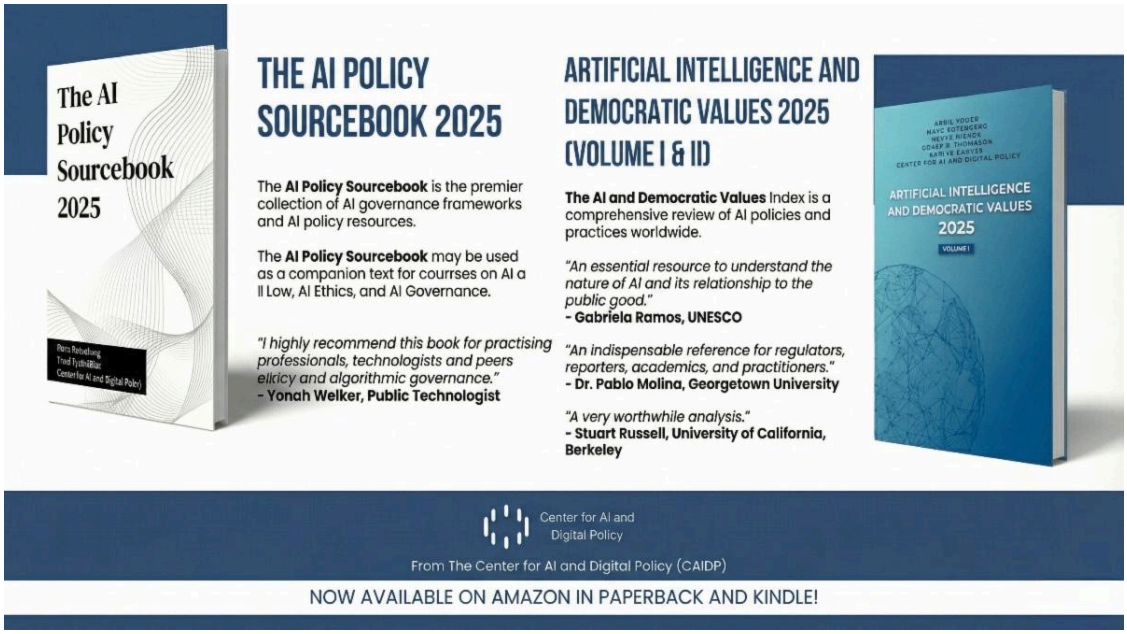
CAIDP thanks Julian Theseira for his work as Policy Group Coordinator in 2025, during which the 35-person team completed over 50 policy submissions to countries and international organizations. Julian previously served as Policy Group Team Leader for the Global Majority from 2022 to 2025.

Ren Ben Lee Dixon takes on the role of Policy Group Associate after serving as Research Fellow in 2025 and Policy Group Researcher in 2024. In her new role, Ren provides strategic leadership for Policy Group research and statement production.

CAIDP AI POLICY EVENTS



- Hiroshima Global Forum for Trustworthy AI with Merve Hickok (CAIDP), Hiroshima, Japan, Jan 15-16, 2026
- Keep The Future Human, Future of Life Institute, with Marc Rotenberg (CAIDP), New Orleans, January 26-28, 2026
- The World Forum on the Future of Democracy, AI/Tech and Humankind and Cinema for Peace & Democracy Gala with Marc Rotenberg (CAIDP), Berlin, February 15-17, 2026
- India AI Impact Summit, New Delhi, February 19-20, 2026
- International Association for Safe and Ethical Artificial Intelligence (IASEAI) with Marc Rotenberg (CAIDP) and April Yoder (CAIDP), Paris, February 24-26, 2026
- Antidiscrimination Law x AI, Stanford Law School with Marc Rotenberg (CAIDP), Palo Alto, March 12-13, 2026
- HAIP 2nd In-Person High-level Meeting with Merve Hickok (CAIDP), Tokyo, Japan March 15-16, 2026
- Emergent Global Trends in Data Governance, with Marc Rotenberg (CAIDP), Fordham Law School, New York City, March 2026
- Release of CAIDP Index 2026, Washington DC and online, April 2, 2026
- CAIDP AI Policy Clinic graduation, Washington DC and online, April 13, 2026
- Competing Visions Shared Futures - CPDP Conference 2026, Brussels, Belgium, 19 — 22 May 2026
- G7 Leaders' Summit, Haute-Savoie, France, June 14-16, 2026



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