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I-CReST 2025:058-030 – Regulating Artificial Intelligence: Legal, Technical, and Ethical Dimensions

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ABSTRACT

This study explores how legal frameworks, technical standards, and ethical guidelines collectively shape the governance of emerging technologies, with a focus on consumer protection in the context of artificial intelligence (AI). Adopting a qualitative doctrinal methodology and supported by in-depth expert interviews, the research identifies legal frameworks, technical standards, and ethical guidelines as the three foundational pillars of effective AI governance. Interview data reveal that public perceptions of AI regulation vary significantly across age and gender. Older participants express greater support for regulation, mainly due to privacy concerns, while women tend to show lower levels of trust in industry self-regulation. The findings also indicate a general lack of public understanding of AI risks and operations, limiting individuals' ability to make informed decisions. Respondents emphasize the need for greater transparency in AI systems and improved public education to enhance regulatory trust. Furthermore, participants highlight the challenges of regulating fast-changing AI technologies and call for flexible, collaborative governance involving governments, industry, and consumers. Overall, the study illustrates the complex interdependence of legal, technical, and ethical measures in building public trust and protecting consumer rights in the AI era.

Keywords: AI regulation; consumer protection; legal framework; technical standards; ethical guidelines

1. INTRODUCTION

The rapid advancement of AI technologies, such as machine learning and neural networks, has led to their widespread use across various industries. While these innovations offer benefits like cost reduction, improved efficiency, and new functionalities, they also raise concerns about the lack of human oversight in AI-driven decision-making, which can significantly impact people's lives (Rahwan, 2018). This has intensified the demand for governance structures that can both unlock AI's potential and protect societal interests (Fjeld et al., 2020). AI governance refers to the set of norms, standards, and laws that prevent the use of AI in ways that are untrustworthy, unfair, opaque, or infringe on privacy (Jobin & Ienca, 2019). Current approaches often involve self-regulation by technology companies and technical research into AI risks (Hagendorff, 2020). However, the need for mandatory regulations to safeguard the public from opaque AI systems and preserve user control is becoming increasingly urgent.

The regulation of AI poses significant challenges due to its broad application across various sectors, including retail, finance, healthcare, transportation, and law enforcement (Nosova & Norkina, 2021). This diversity makes it difficult to create uniform, cross-sectoral regulations, and policymakers often find sector-specific governance measures more practical.

Key regulatory questions involve determining responsibility, aligning regulatory timelines with rapid innovation, and addressing potential unintended consequences that prescriptive regulations may cause (Cave & Óhéigeartaigh, 2018). Compounding these challenges is the difficulty in defining AI itself, along with the lack of technical expertise among policymakers, which further complicates the development of effective legal frameworks (Taddeo & Floridi, 2018).

AI systems possess characteristics that, if used irresponsibly, can undermine user autonomy. These systems are often opaque, create power imbalances, and can automate biased decision-making processes, potentially leading to unfair and discriminatory outcomes (Nguyen et al., 2021). Opaque AI systems prevent transparency, limiting individual autonomy by making decisions without clear, understandable reasons (Burrell, 2016). Furthermore, the power imbalance between consumers and AI developers exacerbates this issue, as consumers are often unable to influence how AI-driven systems shape their experiences (Sam, 2019). Overreliance on AI systems can also perpetuate existing biases, reduce human oversight, and lead to unjust outcomes, particularly for vulnerable populations (O'Neil, 2016).

Developing comprehensive regulatory frameworks for AI will require time and effort, but broad principles such as accountability, transparency, fairness, and human oversight can provide foundational guidance in this emerging field (Floridi & Cowls, 2021). Key regulatory principles include preserving human involvement in decision-making for high-risk AI applications, ensuring transparency and auditability of AI outputs, promoting algorithmic fairness, and mandating impact assessments and risk management measures for AI systems that directly interact with the public (Hickman & Petrin, 2021). These principles can help mitigate the risks associated with AI and ensure its responsible use in society.

In light of the rapid advancement of AI, it is crucial for regulations to be adaptive, allowing for modifications based on lessons learned during implementation (Scherer, 2015). One promising approach involves using experimental sandbox environments, where AI systems can be tested and evaluated before widespread market deployment (Mukherjee et al., 2021). Both proactive risk assessments and post-consumer safeguards are essential for balancing the promotion of AI innovation with consumer protection, necessitating adaptive regulatory frameworks. Moreover, policies should be designed to regulate AI systems responsibly, incorporating citizen engagement and addressing public perception (Morley et al., 2020).

Government authorities are beginning to explore regulatory measures aimed at protecting consumer sovereignty. This involves ensuring that consumers have access to information about how powerful AI systems use their data and algorithms, thereby mitigating the influence of AI technologies on consumer behaviour while preserving their benefits. For instance, the *Ethics Guidelines for Trustworthy AI*, part of the *Artificial Intelligence (AI) Act* in European Union (EU), delineate high-risk AI systems and mandate transparency and accountability in their deployment. These regulations focus not on halting technological progress but on protecting consumers and fostering trust in AI. The EU's High-Level Expert Group on AI has further developed guidelines emphasizing human intervention, technical reliability, data protection, non-discrimination, sustainability, and accountability in AI systems (European Data Governance Act, 2024). The *AI Act* outlines specific requirements for providers of high-risk AI systems regarding risk mitigation, documentation, explainability, accuracy, and security. Additionally, the *EU Data Governance Act* (Data Act, 2024) coordinates rules for data access and usage to reduce unfairness risks and promote sustainable AI innovation.

It is worth noting that concerns regarding potential manipulation and bias in consumer choices are on the rise. As the adoption of AI accelerates, safeguarding consumer rights and autonomy in decision-making becomes paramount. The growing use of AI raises concerns about pervasive surveillance, particularly regarding the collection and manipulation of personal data. Addressing these issues is crucial to dispelling politically charged narratives, such as the

fear of "job-killer robots." To counter these challenges, AI systems must prioritize giving consumers greater control and transparency over how their data is used while limiting intrusive surveillance practices. Public reporting of AI results can also bolster accountability and foster new avenues for stakeholder engagement. Consumer perception studies consistently emphasize the importance of transparency and ethical standards in AI development. Ultimately, well-designed AI regulations that actively incorporate consumer feedback can help drive technological progress in a manner that respects and upholds individual autonomy.

2. LITERATURE REVIEW

Business leaders, lawyers, technologists, and regulators are engaging in a global conversation to ensure that AI is developed and deployed in a way that benefits society while protecting critical rights like privacy, fairness, and autonomy. As AI increasingly plays a role in sectors like finance, healthcare, law enforcement, and consumer services, striking a balance between innovation and rights protection is essential (Papyshev & Yarime, 2024). The focus is on creating regulatory frameworks that address the risks associated with AI, such as lack of transparency, discrimination, and privacy violations, while fostering trust and accountability in AI technologies (Tamò-Larrieux et al., 2024). Scholars argue that effective AI governance must include dimensions like transparency, explainability, risk management, and human oversight to ensure that AI systems do not perpetuate bias or violate human rights (Orwat et al., 2024).

AI regulation has been approached differently across various countries, reflecting their distinct legal traditions and technological priorities. In the EU, a proactive governance approach has emerged through frameworks such as the GDPR and the proposed *AI Act*. The GDPR set a global precedent for data privacy, heavily influencing AI regulation worldwide. It introduced strict rules around transparency, accountability, and data subject rights, ensuring AI systems handle personal data responsibly (Gornet & Maxwell, 2024). The proposed *AI Act*, which classifies AI systems by risk levels, adds further oversight, particularly for high-risk applications like healthcare and finance, emphasizing the importance of preventing discrimination and privacy breaches. In contrast, the United States has taken a more decentralized approach. AI governance is largely handled by individual states or through sector-specific regulations. For instance, *California's Consumer Privacy Act* (CCPA) mirrors some of the GDPR's privacy protections but is limited to organizations doing business in California. This fragmented regulatory landscape has led to calls for a unified federal AI framework to achieve consistency and better protect consumers across the country (Schuett et al., 2024). China takes a different path, focusing on government control and national security concerns. Its *New Generation AI Development Plan* prioritizes the role of AI in driving economic growth while aligning AI development with national interests through state supervision. This centralized approach highlights China's emphasis on social stability and its government's strong role in shaping AI's direction (Yu, 2024).

Despite global efforts to establish AI regulatory frameworks, several challenges persist. A key issue is the lack of technical expertise among policymakers, which hampers their ability to craft effective legal regulations (Weldon et al., 2024). Moreover, the rapid pace of AI development often outstrips the legislative process, creating a regulatory paradox: overly strict regulations could stifle innovation, while a lack of regulation could expose society to significant risks (Papyshev & Yarime, 2024). Another challenge is the difficulty in defining AI for regulatory purposes, given its diverse applications across sectors like healthcare, finance, and law enforcement. This makes it challenging to create a one-size-fits-all regulation. The inherent complexity and opacity of AI systems, which often include self-learning algorithms, further complicate regulation, as these systems can evolve beyond their initial programming and become difficult to fully understand or control. These issues highlight the

need for adaptive and dynamic regulatory frameworks that can keep pace with technological advancements.

The literature on AI regulation emphasizes the need for comprehensive, multi-dimensional frameworks to address the ethical, legal, and technical challenges posed by AI systems. National and international efforts, particularly the EU's GDPR and *AI Act*, have set important precedents by balancing innovation with consumer protection and societal interests. However, for these regulations to remain effective, they must evolve alongside AI technology. This requires continuous engagement with stakeholders and an iterative approach to responding to emerging risks, ensuring that AI governance remains robust and adaptable in an ever-changing technological landscape.

3. METHODOLOGY

This study adopts a qualitative doctrinal approach combined with semi-structured interviews. The doctrinal part examines legal texts, administrative rules, and scholarly literature in AI regulation. To complement the legal analysis, the study conducts expert interviews with scholars, lawyers, and industry professionals. Participants were selected through purposive sampling based on their professional experience with AI governance. A total of 9 respondents participated, offering diverse views from academia, government, and the private sector. The interviews collected qualitative data that offered in depth insight into the participants' views and experiences of AI governance. Interview data were analysed using thematic analysis. First, all responses were transcribed and coded manually. Themes were then developed based on recurring ideas, regulatory concerns, and ethical reflections. Codes were grouped into higher-level categories, such as "trust in regulation," "risk perception," and "legal-technical integration." This process helped identify shared concerns and variations across stakeholder groups, especially in relation to demographic differences like age and gender.

By integrating legal analysis with qualitative data, this methodology provides a deeper understanding of both normative structures and real-world perceptions. It also allows the study to identify how legal, technical, and ethical elements interact in practice. This combination supports a more grounded and comprehensive evaluation of AI regulation, highlighting areas for reform and future research.

4. FINDINGS

This study employs qualitative legal text analysis combined with expert interviews to systematically explore the core elements of AI regulation and their impact on consumer protection. The research identifies legal frameworks, technical standards, and ethical guidelines as the three fundamental pillars for constructing an effective AI regulatory system.

Interview data reveal significant variations in public perceptions of AI regulation influenced by demographic factors such as age and gender. Older respondents tend to show stronger support for AI regulation, largely due to heightened concerns about privacy protection and control over technology, while female respondents generally express lower trust in industry self-regulation. These findings align with previous research highlighting the important role of demographic factors in shaping regulatory trust and technology adoption (Yanamala & Suryadevara, 2024; Wulf & Seizov, 2024; Williamson & Prybutok, 2024). The study also finds widespread public distrust toward industry self-regulation, with several participants questioning its effectiveness, echoing prior conclusions that self-regulatory frameworks struggle to gain consumer trust and underscoring the need for stronger legal regulations and government oversight (Tamò-Larrieux et al., 2024; Kunz & Wirtz, 2024).

Regarding public understanding of AI technology, interviewees generally demonstrate limited awareness, lacking sufficient knowledge about AI risks and operational mechanisms. This knowledge gap constrains their ability to make informed decisions and effectively exercise their rights (Agu et al., 2024). Consequently, the findings stress the critical importance of enhancing public education on AI technology and risk awareness to build regulatory trust. Consumers' expectations for regulatory measures strongly emphasize transparency and education; respondents widely agree that increased transparency in AI systems improves their sense of security, while ongoing consumer education enhances their capacity to recognize and manage AI-related risks. These perspectives are consistent with arguments in the literature that transparency and education are central to ethical AI deployment and effective regulation (Balakrishnan, 2024; Wong et al., 2024; Schuett et al., 2024).

Interviews further highlight the challenges of regulating rapidly evolving AI technologies and emphasize the necessity of multi-stakeholder collaboration and dynamic regulatory strategies. Participants broadly support the view that AI regulation must adapt flexibly to technological changes (Walter, 2024) and endorse multilevel governance frameworks involving governments, corporations, and consumers working together in regulatory processes (Choung et al., 2024). Collectively, these insights demonstrate the complex interplay between legal frameworks, technical standards, and ethical guidelines in shaping public perceptions and trust in AI regulation.

5. DISCUSSION

5.1 Legal Frameworks

Legal frameworks form the foundation of AI regulation, reflecting different countries' institutional arrangements and value orientations regarding AI governance. Interviewees unanimously emphasized the significant role current legal regimes play in protecting data privacy, ensuring user awareness, and promoting algorithmic transparency. Legal frameworks are being introduced globally, with the EU taking the lead through regulations like the *General Data Protection Regulation* (GDPR) and the *Artificial Intelligence (AI) Act.* The GDPR mandates transparency and accountability for organizations using AI to process personal data, requiring them to explain how AI algorithms handle data and giving individuals control over their information (Huang et al., 2024; Lathem et al., 2018). The AI Act, however, focuses on categorizing AI systems by risk levels (low, medium, and high), applying stricter requirements to high-risk sectors such as healthcare and finance, including mandatory risk assessments, transparency measures, and human oversight (Gornet & Maxwell, 2024). This approach aims to prevent discrimination and privacy violations by ensuring responsible AI design and deployment.

The United States takes a decentralized approach, lacking a comprehensive federal AI law but relying on sector-specific regulations and self-regulation. The proposed Algorithmic Accountability Act seeks to hold companies accountable for automated decision-making systems by requiring impact assessments on fairness and bias. States like California have also enacted privacy laws such as the *California Consumer Privacy Act* (CCPA), which restricts how AI systems use personal data and empowers consumers with opt-out rights. In China, the *Interim Measures for the Management of Generative Artificial Intelligence Services* (2023) introduced a classified and graded supervision system, imposing obligations on AI providers for content moderation, data security, and algorithm fairness. Chinese courts have also begun to address algorithm-related legal issues, such as platform liability and algorithmic discrimination, indicating a growing body of jurisprudence on AI governance. These various legal strategies reflect different regulatory philosophies: the EU emphasizes fundamental rights

and preventive controls, the US fosters innovation through soft regulation, and China uses a top-down administrative approach to manage social risk and steer technological development.

However, many interviewees noted the significant lag between legal developments and the rapid evolution of AI technology. A senior legal scholar stated, *"Laws often lag behind technological advances, lacking dynamic updating mechanisms, which makes it difficult to address emerging and complex risks."* Additionally, regulatory divergence across jurisdictions presents challenges for cross-border governance. Experts widely advocate for enhanced international cooperation and flexible legal frameworks capable of adapting to global AI challenges.

5.2 Technical Standards

Technical standards play a critical role in ensuring that AI systems meet specific performance and safety criteria. These standards enable compliance within legal frameworks by demanding algorithmic traceability, auditability, and transparency, thereby enhancing user trust. A technical expert noted, *"Technical standards are not only technical specifications but also serve as the vital bridge linking legal norms with AI technologies."* Organizations such as the International Organization for Standardization (ISO) and the Institute of Electrical and Electronics Engineers (IEEE) have developed guidelines to ensure the ethical use and technical robustness of AI (Jedlickova, 2024). In the EU, standard-setting bodies such as CEN and CENELEC are developing harmonized technical standards aligned with the AI Act, covering issues like transparency, traceability, and human oversight. For instance, Siemens integrates ISO/IEC technical standards into the development of its AI-powered medical devices to comply with EU conformity assessments.

China is also actively advancing national AI standards. The national standard *Cybersecurity Technology--Generative AI Data Annotation Security Specification* focuses on data security and model controllability. Local governments such as Shenzhen have launched AI regulatory sandboxes that rely on these technical standards to test and approve innovative systems in a controlled environment. Major Chinese tech firms like Baidu and Alibaba participate in drafting international standards, indicating China's growing influence in global AI governance. In the US, although technical standards are not mandatory, the National Institute of Standards and Technology (NIST) has issued the *AI Risk Management Framework 1.0,* a voluntary guide that helps organizations identify and manage AI-related risks. Large technology companies such as Google and Microsoft have adopted internal standards for explainability and bias detection, integrating ethical and technical guidelines into their product development cycles.

Nevertheless, the interviews revealed several challenges in the adoption and enforcement of technical standards, including insufficient international harmonization, high compliance costs for enterprises, and difficulties in quantifying certain AI technologies. Multiple experts suggested strengthening international coordination and mutual recognition of standards, while recommending government subsidies and policy incentives to reduce the compliance burden and promote widespread application.

5.3 Ethical Guidelines

Ethical guidelines are essential in regulating AI's societal impacts. The EU's High-Level Expert Group on AI has outlined principles for Trustworthy AI, focusing on human agency, technical robustness, privacy, and accountability (Weldon et al., 2024). These guidelines advocate for the development of AI systems that respect human rights and avoid causing harm

to society. Together, these dimensions—legal frameworks, technical standards, and ethical guidelines—form a multi-layered approach to effective AI regulation.

These ethical principles have begun to materialize in policy. In Canada, the *Algorithmic Impact Assessmen*t is mandatory for federal departments using AI, requiring them to assess and publish the potential risks of automated systems. In the UK, the Centre for Data Ethics and Innovation promotes the principle of "cautious experimentation," encouraging developers and regulators to jointly evaluate ethical and societal implications. In the US, the White House Blueprint for an AI Bill of Rights outlines core protections such as algorithmic fairness, data privacy, and human oversight, serving as a soft-law framework for future regulatory action. China's *New Generation AI Ethics Guidelines* states that embed moral considerations across the entire AI lifecycle, aiming to promote fairness, equity, harmony, and safety, while mitigating issues such as bias, discrimination, privacy breaches, and information leaks (National Committee for New Generation Artificial Intelligence Governance, 2021). Leading firms like Huawei have established internal AI ethics committees to review high-risk projects, while universities are incorporating AI ethics into legal and technical curricula, fostering interdisciplinary governance capacity.

Interviewees emphasized that legal and technical measures alone cannot fully address AI's social implications; ethical norms fill regulatory gaps, especially regarding discrimination, bias, and social injustice. One interviewee explained, *"Ethical guidelines guide developers and regulators to focus on human dignity and social values, preventing technological misuse and alienation."* Interviewees broadly agreed that ethical principles should form an integral part of AI governance to promote industry self-regulation and public participation. Yet, they also noted current ethical guidelines lack enforceability. As one interviewee argued that implementing ethical guidelines remains challenging due to their abstract nature, varying cultural interpretations, and the lack of enforcement mechanisms. Future progress will depend on embedding ethics into binding legal and technical structures—such as mandatory ethical impact assessments and third-party certification schemes—to enhance accountability and operational effectiveness.

6. CONCLUSION

The findings highlight the interdependent relationship between legal frameworks, technical standards, and ethical guidelines as the foundational pillars of effective AI governance. Participants emphasized that regulation based solely on a single dimension—whether legal, technical, or ethical—is insufficient to address the multifaceted and evolving risks posed by AI. Instead, a multi-layered and adaptive regulatory system is necessary, one that balances innovation with risk mitigation and actively involves governments, industry actors, and civil society. This research through its methodological integration of legal text analysis and qualitative interviews, enabling a deeper exploration of how the three regulatory dimensions interact in shaping public perceptions and regulatory effectiveness. Legal frameworks provide institutional legitimacy and enforceability; technical standards ensure operational clarity and consistency; and ethical guidelines serve to fill normative gaps, promoting equity and justice where legal rules may fall short. The study finds that clear laws, transparent technical benchmarks, and coherent ethical codes significantly enhance public trust in AI regulation. In contrast, vague self-regulatory mechanisms and the absence of ethical oversight diminish consumer confidence.

Moreover, this study contributes to the broader discourse on AI governance by offering a holistic model that integrates legal, technical, and ethical tools within a collaborative and responsive governance framework. The research underscores the need for continuous monitoring, stakeholder engagement, and regulatory adaptability to keep pace with rapid

technological developments. Further research could expand on these findings by exploring comparative experiences across legal systems and cultural contexts. In particular, investigating international cooperation and cross-border regulatory alignment can offer valuable insights for constructing globally coherent AI governance models. Such research is essential to address the transnational nature of AI and to support the development of inclusive, trustworthy, and sustainable AI ecosystems.

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