Digital Policy Alert

How Governments Address AI Data Governance

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Four months after ChatGPT's launch, the Italian data protection authority temporarily suspended it, prohibiting OpenAI from processing Italian users' data with immediate effect on 30 March 2023. The authority cited the lack of legal basis for the mass collection and storage of personal data used to train ChatGPT, missing age checks, and a data breach as reasons. After a month, ChatGPT was reinstated and the authority fined OpenAI EUR 15 million, which a court overturned in 2026. Concerns about data governance and AI, however, keep growing since.

AI models are trained on enormous volumes of data and continue learning as we use them, raising concerns about how data is collected, stored, and processed. Governments regulate the composition of training data, the security of data during usage, as well as the rights of individuals with regard to their personal information when interacting with AI systems.

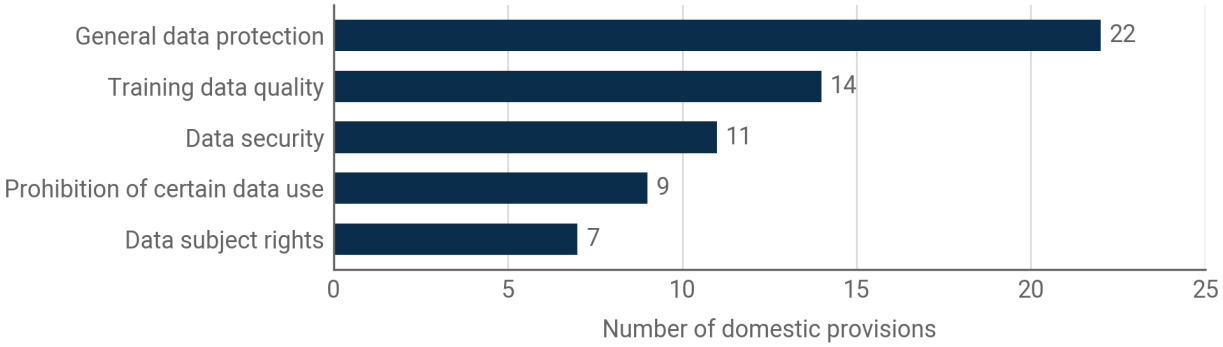
Domestic Regulation

Data governance is a common concern in AI regulation: The DPA has documented 367 domestic policy and enforcement developments on data governance in AI since January 2020. The DPA's systematic taxonomy reveals the following trends in AI data governance regulation:

- The Republic of Korea is the most active jurisdiction (42), followed by the US with 21 federal and 20 state-level developments, China (34), the EU (31) and the UK (21).
- Over half of all developments are in force or adopted (192), while 132 are currently under deliberation and 43 are concluded, rejected, revoked or under investigation or litigation.
- Non-binding guidelines and enforcement outnumber binding rules. There are 143 non-binding guidelines and 116 enforcement cases and inquiries, more enforcement than any other concern. Binding laws number 67 and binding orders 41.

Recently, in September 2026, the President of the Republic of Korea signed an amendment to the Personal Information Protection Act creating a personal information use exception for AI development. Further, UK lawmakers introduced the Personal Data (Digital Twins) Bill, which would require explicit consent before a digital twin of a person can be created. Oversight actions include a lawsuit by the Montana Attorney General against OpenAI for privacy violations in relation to ChatGPT and inquiries by the UK's Information Commissioner's Office into generative AI development and agentic AI systems.

Our text-level analysis of 84 rulebooks across 19 jurisdictions reveals how governments approach data governance in AI in detail. We have identified five regulatory requirements that appear a total of 63 times: general data protection rules on collecting and processing personal data in AI contexts (22 provisions), training data quality standards requiring relevant, representative and error-free datasets (14), data security measures against the loss of or unauthorised access to AI-related data (11), prohibitions of certain data use such as training on sensitive personal data (9), and rights of data subjects, including to access or delete personal information (7).



International Coordination

Our text-level analysis of nine international AI frameworks shows that all cover data governance across 26 provisions. International frameworks address different data governance requirements. General data protection is by far the most commonly mentioned requirement (8), only the OECD AI Principles do not address it. Training data quality (6) and data security (6) are also common. Prohibition of certain data use (3) and data subject rights (2) are rarer. Data subject rights are only mentioned in the UNESCO Recommendation and the ASEAN Guide.

Framework	General data protection	Training data quality	Data security	Prohibition of certain data use	Data subject rights
ASEAN Expanded Guide (Generative AI)	■	■	■	–	–
ASEAN Guide	■	■	■	■	■
Council of Europe Framework Convention	■	–	–	–	–
G7 Hiroshima Code of Conduct	■	■	■	–	–
G7 Hiroshima Guiding Principles	■	■	■	–	–
Joint Declaration	■	■	–	■	–
OECD AI Principles	–	–	–	–	–
UNESCO Recommendation	■	■	■	■	■
UNGA Resolution	■	–	■	–	–

International AI frameworks are diverse in how they focus on data governance and how actionable their language is. Of the 26 provisions, 13 focus on data governance as the core concern, while 13 only touch upon data governance tangentially. 20 provisions across seven frameworks provide actionable language, and six address data governance in non-actionable language (two in the OECD AI Principles and one each in the Council of Europe Framework Convention, the G7 Code of Conduct, the UNESCO Recommendation and the UN General Assembly resolution).

Alignment Between Domestic and International Action

Domestic regulations and international frameworks are closely aligned on data governance. General data protection measures lead domestically and feature in eight of nine international frameworks. Training data quality and data security, the next most common domestic requirements, each appear in six. The gap lies in prohibitions of certain data uses and data subject rights. Domestic rulebooks contain nine and seven provisions on them, not far behind data security (11), but only three and two international frameworks respectively include them. Finally, the international language behind this overlap is mostly concrete: Most provisions are actionable and about half of the provisions are focused on data governance.

To understand how governments tackle AI data governance in depth, readers can explore our AI Governance Hub's data governance page. It shows the relevant DPA entries and the full-text provisions of domestic AI regulations and international AI frameworks, structured using our taxonomy. The page draws data from the DPA's Activity Tracker, which provides daily updates on digital policy and provides tailored notifications, as well as our full-text analysis tool Clairk.

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The independent Digital Policy Alert is a pillar of the Swiss-based St. Gallen Endowment for Prosperity Through Trade

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