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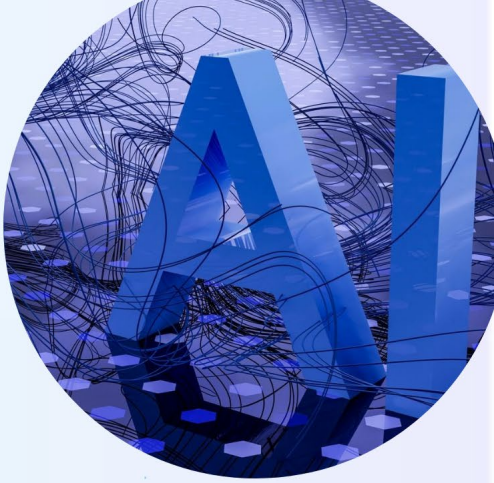


# EU and Global Legal Frameworks for Artificial Intelligence in Higher Education: Key Regulatory Documents and Implications

ERASMUS+ COOPERATION PARTNERSHIP PROJECT
„Empowering Higher Education through Artificial Intelligence Integration – EHEAII”,
Project nr. 2025-1-LV01-KA220-HED-000359026

# CONTENT



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# INTRODUCTION

The rapid development of artificial intelligence is profoundly reshaping higher education at both European and global levels – influencing research practices, teaching and learning processes, institutional governance, student assessment, and ethical decision-making. Alongside these opportunities, there is a growing need for clear and reliable legal frameworks that ensure AI is developed and used in ways that respect fundamental rights, academic freedom, democratic values, and the rule of law. This overview report provides a structured and accessible insight into the most significant EU-level and global legal documents regulating or guiding the use of artificial intelligence, with a specific focus on higher education.

The **target audience** of this report includes higher education specialists, institutional leaders, administrative staff, academic staff, and researchers who are involved in strategic or operational decisions related to the use of AI in teaching, research, and institutional management. The main objective of the report is to raise awareness and understanding of the legal dimensions of artificial intelligence, clarify the core principles of the emerging regulatory landscape, and highlight their practical implications for higher education institutions, particularly in relation to risk management, transparency, human oversight, and accountability.

The report analyses two key legal instruments adopted in 2024 that shape the European and international AI governance landscape – **the European Union Artificial Intelligence Act** and **the Council of Europe Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law.** It outlines the purpose and scope of these documents, their key legal and ethical principles, their relevance for higher education institutions, and the main challenges and good practices that emerge, especially in the context of EU-funded cooperation and research projects.

This specific overview report was prepared by the **University of Genoa (Italy)**, with contributions from **Maria Elena De Maestri** and **Francesco Pesce**, and is based on desk research and analysis of current European and international legal documents.

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# ABOUT THE PROJECT

This report has been prepared within the framework of the Erasmus+ Cooperation Partnership project “Empowering Higher Education through Artificial Intelligence Integration – EHEAII”.

Turiba University from Latvia in cooperation with 5 partner Universities from Lithuania, Spain, Germany, Italy and Slovenia began implementing the ERASMUS+ cooperation partnership project “Empowering Higher Education through Artificial Intelligence Integration” (EHEAII).The initiative aims to equip higher education institutions (HEIs) with tools and methodologies for the responsible and effective integration of Artificial Intelligence (AI) into teaching, learning, and institutional processes.

The project addresses the growing impact of AI on higher education, emphasizing that universities must adapt strategically to ensure AI supports, rather than replaces, essential cognitive and analytical skills. The consortium focuses on developing practical, ethical, and pedagogically sound approaches to AI adoption in academia.

The project delivers a concise set of practical outcomes that support the responsible integration of artificial intelligence in higher education, including an analytical overview of how AI is used in universities, the AI Maturity Test as a self-assessment tool for institutions and educators, guidelines for risk mitigation and cognitive skill development, a collection of best practices and ready-to-use teaching tasks across several disciplines, and a Moodle-based online course “AI Tools and Use in Teaching Process” that strengthens educators’ skills, confidence, and ethical awareness in using AI in teaching.

Further information about the project and its partners is available at http://eheaii.eu

Project partners:

Turība University

SMK College of Applied Sciences

Università di Genova

Univerza v Mariboru

FUABformació Escola de Prevenció i Seguretat Integral

FH Aachen University of Applied Sciences

# 1. Overview of Analyzed Legal Documents

This report examines two key legal documents adopted in 2024 that establish a broader European and international framework for the development and use of artificial intelligence across multiple sectors. These documents are not limited to higher education; however, this report focuses specifically on those provisions and principles that are relevant to higher education institutions. The first document is Regulation (EU) 2024/1689 of the European Parliament and of the Council, known as the EU Artificial Intelligence Act, which lays down harmonised and directly binding rules for AI systems across the European Union. While the Regulation applies to a wide range of contexts, this report highlights its implications for higher education, particularly in relation to AI use in research, teaching, and institutional administration. The second document is the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, the first international treaty dedicated to AI governance. Although the Convention has a broad scope and is not yet in force, this report examines its relevance for higher education, focusing on universities' responsibilities in education, research, governance, and their wider role in society.

**ANALYZED DOCUMENTS**

| | |
|---|---|
| Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence (...)<br>The EU AI Act<br>**2024**<br>**European Union** | **LINK** |
| Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law<br>**2024**<br>**Council of Europe** | **LINK** |

# 2. The EU AI Act

The EU AI Act 2024 is the world's first comprehensive legal framework specifically designed to regulate artificial intelligence.

Its **purpose** is to foster the development and deployment of trustworthy AI in Europe, ensuring that AI systems are safe, respect fundamental rights, and align with EU values. The Act aims to create a balanced environment that promotes innovation while protecting citizens from potential harm caused by AI systems.

The Act regulates AI systems based on their risk level, categorizing them into unacceptable risk (banned), high risk (strict requirements), and limited/minimal risk (lighter obligations).

It applies to all AI systems placed on the EU market or affecting people located in the EU, with some exceptions (e.g., AI used for military, defence, or national security).

The Act *does not specifically focus on education, research, or digital skills*, but it does include provisions relevant to these areas:

- **research and Development:** AI systems used solely for scientific research and development are generally exempt from most obligations, encouraging innovation in these fields;
- **general-purpose AI (GPAI):** providers of GPAI models must maintain technical documentation and make certain information publicly available, which can support transparency and knowledge-sharing in research and education;
- **digital skills:** while not a primary focus, the Act's emphasis on transparency, human oversight, and fundamental rights may indirectly promote the development of digital skills and literacy among AI developers and users.

The EU AI Act 2024 establishes a robust legal framework centred on several key principles and obligations to ensure the responsible development and use of AI

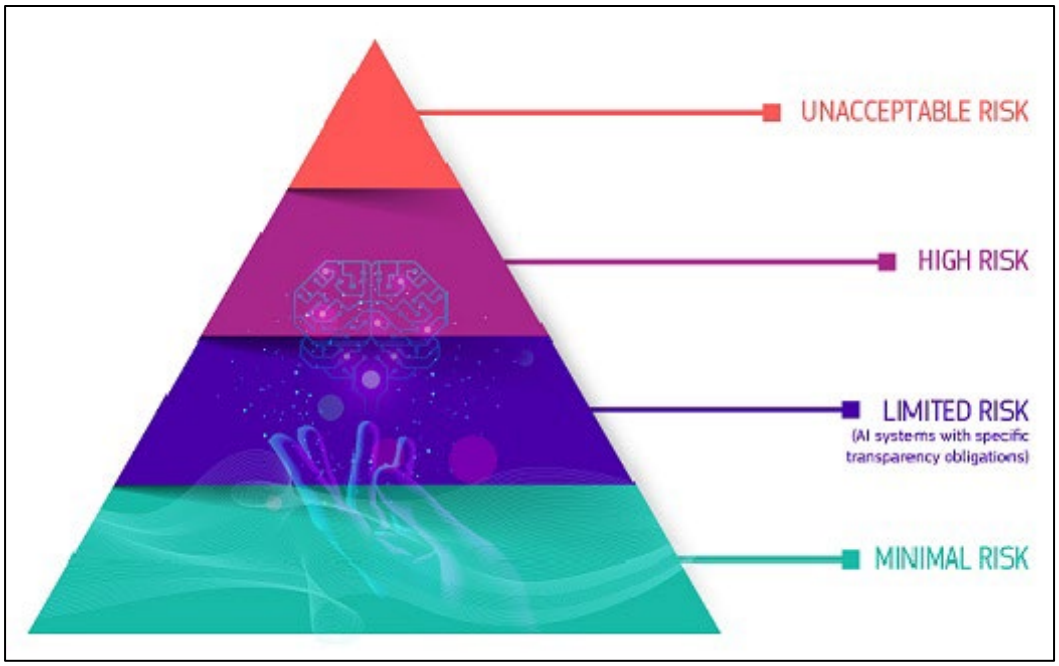
**(1) Risk-Based Regulation.** AI systems are classified into four risk categories—unacceptable, high, limited, and minimal - with corresponding legal requirements. Unacceptable risk systems (e.g., social scoring, manipulative AI) are banned, while high-risk systems (such as those used in critical infrastructure, law enforcement, or employment) face strict compliance obligations, including risk assessments, transparency, and human oversight.

**(2) Transparency:** Providers of AI systems, especially general-purpose AI (GPAI) models, must document and disclose information about their systems' capabilities, limitations, and training data, fostering accountability and public trust.

**(3) Data Protection and Ethics:** The Act aligns with the EU's General Data Protection Regulation (GDPR), requiring AI systems to respect fundamental rights, including privacy and non-discrimination. High-risk AI systems must undergo conformity assessments and ensure data quality and representativeness.

**(4) Human Oversight:** The Act mandates that AI systems, particularly those in high-risk categories, allow for meaningful human review and intervention, preventing over-reliance on automated decision-making.

These provisions collectively aim to balance innovation with the protection of individuals' rights and societal values.

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The EU AI Act's principles and requirements have specific implications for Universities, research institutions, and teaching contexts, though these sectors are generally subject to lighter obligations compared to commercial or high-risk applications.

AI systems developed **solely for scientific research and development** are largely exempt from the Act's most stringent requirements, provided they are not placed on the market or used in high-risk contexts. This exemption is designed to foster innovation and academic freedom, allowing researchers to experiment with AI technologies without the full burden of compliance.

If universities or research institutions develop or use **general-purpose AI models** (such as large language models or foundational AI systems), they must adhere to transparency requirements. This includes documenting and, in some cases, publicly disclosing information about the model's training data, capabilities, and limitations.

These rules are intended to promote reproducibility, ethical use, and accountability in research.

AI systems used in **teaching or administrative contexts** (e.g., automated grading, admissions, or student monitoring) may be classified as high-risk if they significantly impact individuals' rights or opportunities. In such cases, institutions must conduct risk assessments, ensure data quality, and provide mechanisms for human oversight and appeal.

The Act reinforces the importance of **data protection** (in line with GDPR) and ethical considerations. Universities must ensure that AI systems used in research or teaching respect privacy, avoid bias, and do not discriminate. This is particularly relevant when processing personal data or using AI in sensitive contexts like student evaluations or research involving human subjects.

While not a direct requirement, the Act's emphasis on transparency and human oversight encourages institutions to integrate **AI literacy and ethics** into curricula, preparing students and researchers to develop and use AI responsibly.

In practice, universities and research institutions should assess whether their AI activities fall under exemptions or require compliance, and ensure that any high-risk or market-facing AI systems meet the Act's standards.

| Context | Key Requirements/Implications |
|---|---|
| Scientific Research | Exempt from most obligations, but transparency encouraged for reproducibility and ethics. |
| GPAI Development | Documentation and disclosure of training data, capabilities, and limitations required. |
| High-Risk Educational AI | Risk assessments, data quality, human oversight, and appeal mechanisms mandatory. |
| Data Protection | Compliance with GDPR; avoidance of bias and discrimination in AI systems. |
| Teaching & Curriculum | Encouragement of AI literacy and ethics education. |

The EU AI Act 2024 embeds a robust set of legal and ethical safeguards, explicitly addressing human oversight, integrity, accountability, and bias prevention to ensure AI systems align with fundamental rights and societal values:

The Act mandates that **high-risk AI systems** must be designed and operated to allow for meaningful human review and intervention. This means that automated decisions - especially those affecting individuals' rights, safety, or opportunities - cannot

be made without the possibility of human assessment or override. The goal is to prevent over-reliance on AI and ensure accountability for critical decisions.

Providers and deployers of AI systems are required to implement **risk management systems**, maintain detailed technical documentation, and log activities for traceability. This creates a clear chain of accountability, making it possible to identify and address issues if systems fail or cause harm. The Act also establishes governance bodies (such as the European AI Office and national authorities) to supervise compliance and enforce penalties for non-compliance.

The Act explicitly prohibits AI systems that deploy **subliminal techniques, exploitative practices, or discriminatory outcomes**. High-risk AI systems must use high-quality, representative datasets and undergo bias assessments to prevent unfair or discriminatory impacts. This aligns with the EU's commitment to equality and non-discrimination, as outlined in the Charter of Fundamental Rights.

AI systems, especially those interacting with the public or making significant decisions, must be **transparent** about their operation. Users must be informed when they are interacting with AI, and providers must disclose the capabilities, limitations, and intended use of their systems. For general-purpose AI models, additional transparency requirements apply, including public summaries of training data and model performance.

The Act is underpinned by the principle that AI must respect **human dignity, freedom, democracy, and the rule of law**. It bans AI practices that pose unacceptable risks to these values, such as social scoring, predictive policing (in certain contexts), and manipulative AI. The Act also encourages the development of codes of conduct and ethical guidelines to further embed these principles in AI development and use.

These provisions collectively aim to ensure that AI systems are developed and deployed in a manner that is **ethical, accountable, and respectful of human rights**, setting a global benchmark for responsible AI governance.

Moving to the perspective of the identification of AI Act's **key insights and implications for HE**, it exempts AI systems used solely for scientific research and development from most obligations, preserving academic freedom. However, if research outputs are commercialized or deployed in high-risk contexts, full compliance becomes mandatory. This duality requires clear internal policies to distinguish between pure research and market-facing applications.

The Act's transparency requirements (e.g., documenting training data, model limitations) align with open science principles. Universities are encouraged to adopt these practices not just for compliance, but to enhance reproducibility and trust in research outputs.

The abovementioned Act's emphasis on bias prevention and non-discrimination also reinforces the need for **ethics review boards and bias audits** in AI research, especially in fields like social sciences, medicine, and public policy, so that it indirectly promotes the integration of **AI ethics, law, and technical standards** into curricula, preparing students to develop and use AI responsibly in their future careers.

On the side of **gaps and challenges**, the boundary between research and high-risk applications (e.g., AI used in student admissions or mental health support) can be unclear. Institutions need guidance on when educational AI tools trigger compliance obligations.

Smaller universities or research groups may struggle with the administrative burden of compliance, especially for transparency and documentation requirements.

Research projects involving non-EU partners must navigate differing regulatory frameworks, potentially complicating data sharing and joint AI development.

While open-source AI is largely exempt, the Act's requirements for high-risk or general-purpose AI could still apply if such models are integrated into educational or research tools, creating compliance challenges.

Finally, coming to the possible **transferable good practices** in the perspective of a EU research project, we found **embed ethics and compliance checks** at the project design stage, using tools like the EU's Ethics Guidelines for Trustworthy AI to align with the Act's principles. Moreover, it is possible to classify the following as good practices:

**(1) Transparency by Design** - adopting **open documentation** of datasets, methodologies, and model limitations, even for exempt research, to build trust and facilitate peer review.

**(2) Bias and Risk Assessment Frameworks** - developing internal **bias assessment protocols** and risk management frameworks, drawing on the Act's requirements for high-risk AI.

**(3) Collaborative Compliance Networks** - establishing **cross-institutional working groups** to share best practices, templates, and tools for compliance, reducing the burden on individual researchers.

**(4) Public Engagement and Literacy** - integrating **AI literacy** into public engagement activities, explaining how research aligns with the Act's ethical safeguards and societal benefits.

# 3. The Council of Europe's 2024 Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law

The Council of Europe's 2024 Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law is the first international, legally binding treaty specifically addressing the governance of AI. Its primary purpose is to ensure that all activities within the lifecycle of AI systems—from design and development to deployment and decommissioning—are fully consistent with human rights, democracy, and the rule of law, while also fostering technological progress and innovation. The Convention establishes a common baseline for AI governance, requiring parties to adopt measures that prevent and mitigate risks to these core values, including through iterative risk assessments and transparency mechanisms.

Regarding scope, the Convention applies broadly to AI systems that may interfere with human rights, democracy, or the rule of law, but explicitly excludes national defence matters and most research and development activities—unless the testing of AI systems poses risks to these values. While the Convention does not specifically target education, research, or digital skills, its principles (such as transparency, accountability, and non-discrimination) are relevant to these sectors, especially when AI applications in education or research could impact human rights or democratic processes. The focus is on ensuring that AI deployment in any context respects fundamental rights and democratic integrity, which indirectly supports the responsible use of AI in academic and research settings.

The Council of Europe's 2024 Framework Convention on Artificial Intelligence establishes a set of foundational legal principles and obligations to govern AI development and use, rooted in human rights, democracy, and the rule of law. **Key provisions** include the requirement for parties to conduct iterative risk and impact assessments throughout the AI system lifecycle, ensuring that potential adverse effects on human rights, democracy, and the rule of law are identified, prevented, and mitigated. The Convention codifies core principles such as **transparency, accountability, non-discrimination, privacy, and reliability**, obliging states to adopt legislative, administrative, or other measures to uphold these standards. It also mandates the establishment of independent oversight mechanisms to monitor compliance and foster public awareness and debate on AI's societal impacts. While the Convention does not prescribe specific technical standards, it emphasizes the need for **graduated and differentiated measures** tailored to the severity and probability of risks posed by AI systems, ensuring that both public and private sector activities align with international human rights law

The Council of Europe's 2024 Framework Convention on Artificial Intelligence, while not explicitly targeting higher education, has significant implications for

universities, research institutions, and teaching contexts. The Convention's core principles—such as **transparency, accountability, non-discrimination, and respect for human rights**—directly apply whenever AI systems are developed, tested, or used in academic settings, especially if their deployment could impact individuals' rights or democratic processes. For example, AI tools used in admissions, grading, or student monitoring must comply with the Convention's requirements for risk assessment and mitigation, ensuring they do not perpetuate bias or undermine fairness.

Research institutions are generally exempt from the Convention's scope for most research and development activities, **unless the testing of AI systems poses risks to human rights, democracy, or the rule of law**. This means universities must exercise caution when deploying AI in sensitive areas, such as biometric surveillance, predictive analytics, or automated decision-making, and ensure these applications are subject to ethical review and public scrutiny. Additionally, the Convention's emphasis on **public awareness, informed debate, and interdisciplinary oversight** aligns with the mission of higher education to foster critical AI literacy and ethical research practices among students and researchers.

In practice, universities may need to establish or strengthen AI ethics committees, integrate human rights and democracy considerations into AI curricula, and promote open dialogue on the societal impacts of AI technologies.

The Council of Europe's 2024 Framework Convention on Artificial Intelligence places strong emphasis on **legal and ethical safeguards** to ensure AI systems respect human rights, democracy, and the rule of law. Central to the Convention are requirements for **human oversight, integrity, and accountability** throughout the AI lifecycle. Parties are obligated to implement measures that prevent and mitigate risks, including the potential for bias, discrimination, or other adverse impacts on individuals or society. This includes conducting **iterative risk assessments** and ensuring that AI systems are designed and deployed in ways that uphold transparency, fairness, and non-discrimination.

The Convention explicitly calls for **independent oversight mechanisms** to monitor compliance and address grievances, reinforcing the principle of accountability. It also underscores the importance of **bias prevention**, requiring that AI systems do not perpetuate or exacerbate inequalities, particularly for vulnerable groups. By mandating public awareness, consultation, and informed debate, the Convention promotes a culture of ethical responsibility and democratic oversight in AI development and use, aligning legal obligations with broader societal values

Moving to the perspective of the identification of AI Act's **key insights and implications for HE**, the Convention establishes that AI in higher education must align with human rights, democracy, and the rule of law, pushing universities to embed ethical considerations into AI research, teaching, and administration.

Institutions must conduct iterative risk assessments for AI systems, especially in high-impact areas like admissions, grading, or research involving sensitive data, ensuring compliance and mitigating harm.

The emphasis on transparency and independent oversight encourages universities to adopt clear AI governance frameworks, fostering trust and public accountability.

On the side of **gaps and challenges**, while most R&D is exempt, the Convention's scope becomes unclear when AI testing could impact human rights or democracy, leaving universities to navigate complex compliance boundaries. Implementing risk assessments, oversight mechanisms, and ethical training requires significant resources, which may strain smaller institutions or research projects. At the same time, balancing ethical safeguards with the need for innovation in AI research remains a challenge, particularly in fast-moving fields like machine learning or biometrics.

Finally, coming to the possible **transferable good practices** in the perspective of a EU research project, it is possible to classify the following as good practices:

**(1) Ethics by Design** - integrate human rights and democracy principles into AI project design, using the Convention's risk assessment frameworks as a guide.

**(2) Interdisciplinary Oversight** - establish AI ethics boards with diverse expertise (legal, technical, social sciences) to review projects and ensure compliance.

**(3) Public Engagement** - foster open dialogue with stakeholders, including students, researchers, and the public, to align AI development with societal values and democratic norms.

**(4) Collaborative Compliance** - leverage partnerships with regulatory bodies, industry, and civil society to share best practices and resources, reducing the compliance burden on individual institutions.

The Convention provides a robust ethical and legal foundation for AI in higher education, but its successful implementation will depend on proactive governance, resource allocation, and a culture of responsible innovation. For EU research projects, early adoption of these principles can enhance credibility, foster public trust, and ensure alignment with evolving international standards.

# 4. Key Findings and Conclusions

The European and international legal landscape for artificial intelligence has evolved significantly with the adoption of two major instruments in 2024 that shape the governance of AI across sectors, including higher education. Regulation (EU) 2024/1689, the EU Artificial Intelligence Act, establishes a directly binding and enforceable framework within the European Union, while the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law set a broader international reference point for AI governance, pending ratification by member states. Together, these instruments define the legal context within which universities develop, deploy, and use AI technologies.

Both frameworks are built on shared foundational principles, including transparency, accountability, non-discrimination, and respect for fundamental rights. At the same time, they differ in regulatory intensity and implementation. The EU AI Act introduces a detailed, risk-based system of obligations, particularly for high-risk AI applications, whereas the Council of Europe Convention focuses on aligning AI systems with human rights, democratic values, and the rule of law through risk assessment, oversight, and public accountability mechanisms.

For higher education institutions, these frameworks have clear and practical relevance despite not being designed exclusively for the academic sector. Universities are required to ensure that AI systems used in teaching, research, admissions, grading, and institutional administration are deployed responsibly, with appropriate safeguards, transparency, and human oversight. While research and development activities are largely exempt under both frameworks, this exemption is limited and does not extend to AI systems that are deployed in sensitive contexts or prepared for broader use, increasing the importance of internal governance and compliance structures within universities.

At the same time, the implementation of these legal requirements presents notable challenges. Higher education institutions must navigate resource constraints, uncertainties regarding the boundary between exempt research and regulated AI applications, and the complexity of aligning EU-specific rules with international standards in the context of cross-border cooperation and EU-funded projects. Addressing these challenges requires clear institutional policies, interdisciplinary expertise, and sustained investment in governance and capacity building.

Overall, the EU AI Act and the Council of Europe Convention jointly steer higher education toward a more structured and responsible approach to artificial intelligence. Universities are positioned not only as regulated users of AI technologies but also as key actors in shaping trustworthy, transparent, and accountable AI practices through education, research, and institutional leadership within the evolving European and global AI governance landscape.