

**61ST CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGION**

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**AGENDA ITEM 6: ECONOMIC DEVELOPMENT OF
AIR TRANSPORT**

**DISCUSSION ON THE APPLICATION OF NATIONAL AI
REGULATIONS TO INTERNATIONAL AVIATION**

(Presented by the Republic of Korea)

SUMMARY

This discussion paper addresses the need for ICAO-led discussion on the application of national Artificial Intelligence (AI) laws and regulations to international aviation. As AI governance frameworks are increasingly introduced by Member States, aviation stakeholders may become subject to differing national requirements, creating risks of regulatory duplication, legal uncertainty, and reduced international interoperability. The Republic of Korea urges ICAO to identify common considerations that Member States may refer to when establishing or refining legal and institutional frameworks for aviation AI.

Action: The Conference is invited to request ICAO to lead discussions on common considerations for the application of national AI regulations to international aviation.

DISCUSSION ON THE APPLICATION OF NATIONAL AI REGULATIONS TO INTERNATIONAL AVIATION

1. INTRODUCTION

1.1 Member States are increasingly establishing legal and governance frameworks in response to the rapid development of Artificial Intelligence (AI), and the aviation sector is likely to be included within such frameworks as the use of AI expands across aviation.

1.2 The Republic of Korea has established a legal foundation for AI governance through the Framework Act on the Development of Artificial Intelligence and the Creation of a Foundation for Trust. As Article 2, subparagraph 4 of the Act includes AI used in the major operation and management of transportation, transportation facilities, and transportation systems within the scope of high-risk AI, the aviation industry may also fall within the scope of relevant regulation.

1.3 The EU AI Act refers to civil aviation security rules and the EASA Regulation, and requires its high-risk AI requirements to be considered where AI is used as a safety component in aviation.

1.4 The 42nd ICAO Assembly discussed several AI-related papers under the agenda item “Innovation in Aviation.” Among them, A42-WP/234 and A42-WP/489 addressed the broader implications, potential applications, and future challenges of AI across the aviation industry.

1.5 In particular, A42-WP/234, co-sponsored by the Republic of Korea, proposed that ICAO establish a collaborative platform on aviation AI, conduct a study on current AI applications and oversight readiness, engage relevant panels, and develop foundational guidance material such as a circular or manual.

2. DISCUSSION

2.1 ICAO discussions have mainly focused on the impact and potential applications of AI in areas such as aviation safety, aviation security, air traffic management, training, and oversight, as well as the need for guidance and capacity-building to support the safe and trustworthy adoption of AI

2.2 However, there remains a lack of high-level and comprehensive discussion on the conditions under which national AI laws and regulations may apply to international aviation, and on how such laws and regulations may impose obligations or regulatory measures on aircraft operators, airport operators and other service providers

2.3 International aviation may involve multiple jurisdictions at the same time. Different applications of national AI regulations may therefore result in regulatory duplication, legal uncertainty, and risks to international interoperability. ICAO should therefore consider providing common principles and/or criteria for the application of national AI laws and regulations to international aviation

3. ACTION BY THE CONFERENCE

The Conference is invited to:

- a) request ICAO to lead high-level discussions on common considerations for the application of national AI laws and regulations to international aviation, so that Member States may use them as a reference when establishing or refining their legal and institutional frameworks for aviation AI; and
- b) request the ICAO Asia and Pacific Regional Office to review Member States’ AI laws and regulations, examine their potential applicability to the aviation sector, and identify common regional issues and priorities that may inform future ICAO-led discussions.