



WORKING PAPER

**SEVENTH WORLDWIDE AIR TRANSPORT CONFERENCE
(ATCONF/7)**

Montréal, HQ, 16 to 20 November 2026

**Agenda Item 4: Emerging technologies, new business models and other associated aspects
4.1: Economic regulatory frameworks on emerging technologies**

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

(Presented by Republic of Korea)

EXECUTIVE SUMMARY

Member States are increasingly establishing legal and governance frameworks for Artificial Intelligence (AI), and the aviation sector is likely to be included within them. Those frameworks are not structured in the same way. In some States, AI is regulated through a law of general application, under which the criteria and requirements applicable to AI used in aviation are established by the ministry responsible for AI. In others, AI requirements are given effect through the existing aviation regulatory framework, and the civil aviation authority remains competent. International air services are operated in both groups of States at the same time. Differing applications of national AI laws and regulations may therefore result in regulatory duplication, legal uncertainty and reduced international interoperability. Discussions to date have addressed the technical and operational application of AI, and not the conditions under which national AI laws apply to international aviation. This paper requests the International Civil Aviation Organization (ICAO) to lead discussions on common considerations that Member States may use as a reference.

Action: The Conference is invited to:

- a) The Conference is invited to conclude and recommend as set out in section 3.

<i>Strategic Goal:</i>	This working paper relates to Strategic Goal: <i>The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All..</i>
<i>Financial implications:</i>	The activities referred to in this paper are expected to be carried out within the resources already provided for in the Regular Programme Budget.
<i>References:</i>	<i>Framework Act on the Development of Artificial Intelligence and the Creation of a Foundation for Trust (Act No. 20676, in force on 22 January 2026), Republic of Korea</i> <i>Regulation (EU) 2024/1689 (Artificial Intelligence Act)</i> <i>DGCA/61-DP/06/07, Discussion on the application of national AI regulations to international aviation</i> <i>A42-WP/234, Responsible and strategic integration of artificial intelligence in aviation</i> <i>A42-WP/652, Draft text for the report on agenda item 20</i>

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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 the Act includes AI used in the major operation and management of transportation, transportation facilities, and transportation systems within the scope of “high-impact AI”, the aviation industry - along with railways and shipping - falls within the scope of relevant regulation. To provide products and services in this sector, measures to ensure safety and reliability are required.
- 1.3 In the European Union (EU), requirements applicable to AI are given effect through the existing aviation regulatory framework. The *EU AI Act* refers to civil aviation security rules and to the Regulation establishing the European Union Aviation Safety Agency (EASA), and requires the requirements applicable to high-risk AI to be taken into account where AI is used as a safety component in aviation.
- 1.4 The 42nd session of the ICAO Assembly discussed several AI-related working papers (WPs). WPs presented by Member States and regional organizations addressed the broader implications, potential applications and future challenges of AI across the aviation industry, and an information paper presented by the International Coordinating Council of Aerospace Industries Associations (ICCAIA) provided an overview of related developments in industry and in certification.
- 1.5 In particular, A42-WP/234, co-sponsored by the Republic of Korea, proposed that the International Civil Aviation Organization (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.
 - a. The regulation of AI is also being approached in different ways. Some States regulate AI through a law of general application. Under such a law, the requirements applicable to AI used in aviation are set by the ministry responsible for AI. Other States apply AI requirements

through their existing aviation regulations. In those States, the Civil Aviation Authority remains competent. International air services are operated in both groups of States.

- b. This difference has practical consequences. An operator may have to satisfy two frameworks and two authorities in respect of the same system. It may also be unclear whether requirements already met under aviation regulations, or under an international standard accepted by civil aviation authorities, are recognized under the AI law. The timing of application may differ as well, since the obligations do not take effect at the same time in all States.
- 2.4 ICAO should therefore consider providing common principles and/or criteria for the application of national AI laws and regulations to international aviation.

3. **CONCLUSION**

3.1 The Conference is invited to conclude that:

- a) the regulation of AI is being approached in different ways, the criteria and requirements applicable to AI used in aviation being established by the civil aviation authority in some States and by the ministry responsible for AI in others;
- b) international air services are operated in both groups of States at the same time, so that differing applications of national AI laws and regulations may result in regulatory duplication, legal uncertainty and reduced international interoperability; and
- c) discussions to date have addressed the technical and operational application of AI, and have not addressed the conditions under which national AI laws and regulations apply to international aviation or the obligations they may impose on aircraft operators, airport operators and other service providers.

3.2 The Conference is invited to recommend that:

- a) ICAO 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;
- b) Member States be invited to provide, on a voluntary basis, information on their AI laws and regulations, including whether such laws apply to aviation, the authority competent to apply them, and the arrangements for consultation between that authority and the civil aviation authority; and
- c) the ICAO Regional Offices compile the information so provided and identify common regional issues and priorities that may inform the discussions referred to in sub paragraph a).

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