

Korea's AI Framework Act

Int'l and Comparative Approaches to AI Governance

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#KAIFA

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Korea adopts horizontal regulatory approach to AI

- Comes into force on Jan. 22, 2026
- Hints of Brussels (Ottawa) effect (?)
- Conscious effort to strike balance between acceleration and safety
 - Appeasement efforts and closet deliberations lead to contextual incoherency

Emblematic of K-speed: *move fast and fix things*

- Bipartisan support (260:1:3) amid political volatility
 - Chairman of Legislation and Judicial Committee: “...this is a law that needs *departure with an open door* (개문발차)...”
- Potentially significant tinkering to be expected (including follow-on regulations)

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Institutional structuring





- Designates Ministry of Science and ICT as lead regulator of AI
- Establishes National AI Committee, AI Safety Institute, and Private Self-Ordering AI Ethics Committee

Focus on *high-impact AI*

- High-impact AI: AI systems that could have a significant impact or result in harm to a person's life, bodily safety and fundamental rights in certain sectors
 - Includes energy supply, drinking water production, healthcare and devices, nuclear material and facility, biometric data in criminal procedure, loan provision and hiring, operation of transportation vehicles and systems, decision making related to public services, student assessments in lower-/mid-education
- Art. 34 stipulates various obligations of high-impact AI providers and deployers

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Other notable provisions

- Government support for the establishment of AI standards, facilitating adoption, supporting SME and market entry
- Facilitating verification and certification mechanisms for AI safety and trustworthiness 
- Request mechanism for confirming high-impact AI
- Regulation of generative AI and certain (frontier) models 
- Vesting information request, investigation, remedial order authority with MSIT 
- Pursuing international cooperation 

#Transparency

Transparency related provisions in KAIFA

Article 3 (Basic Principles and Obligations of the State, etc.)

- Stipulates principle that those affected by AI system outputs should be able to receive clear and meaningful explanation regarding the important rules and principles used to generate the output to the extent technically and reasonably feasible 


Article 6 (Establishment of Basic Plan for AI)

- Basic plan should include matters related to AI transparency 

Article 31 (Obligations to Ensure AI Transparency)

- Imposes various obligations on businesses related to high-impact AI and generative AI

Article 34 (Obligations of High-Impact AI related Businesses)

- To the extent technically feasible, formulating and implementing measures to explain the final outcome produced by AI, the key criteria utilized by AI to derive that outcome, and an overview of the training data used in AI development and utilization 



Q&A

THANK YOU