

**60th CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS**

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

**ADDRESSING PASSENGER PROTECTION GAPS ARISING
FROM ONLINE TRAVEL AGENCIES**

(Presented by Thailand)

SUMMARY

Online Travel Agencies (OTAs) have become integral to the way air travel is booked and managed. While they offer convenience and broad access to flight options, their operations are largely outside the scope of civil aviation laws. As a result, issues such as lack of pricing transparency, inflated fares, poor communication about flight disruptions, and refund difficulties are increasingly affecting passengers. The Civil Aviation Authority of Thailand (CAAT) has initiated efforts to raise public awareness about both the benefits and drawbacks of using OTAs. However, effective passenger protection requires collaboration among multiple authorities, both domestic and international. This paper outlines the challenges, CAAT's current actions, and the need for coordinated oversight to ensure fair and transparent treatment for passengers.

ADDRESSING PASSENGER RIGHTS CHALLENGES IN THE AGE OF ONLINE TRAVEL AGENCIES

1. INTRODUCTION

1.1 Online Travel Agencies (OTAs) have reshaped the air ticket sales landscape by providing passengers with easy access to a wide range of airline services through a single digital platform. This offers travelers the advantages of simplified fare comparisons, potential cost savings, and a more convenient booking experience. However, alongside these benefits, OTAs have introduced several challenges. While they do not operate flights themselves, their central role in ticket distribution gives them significant influence over the passenger journey. Problems arise when OTAs bundle additional services without clear disclosure, omit essential pricing information, or fail to notify passengers of flight changes, leading to negative impacts on travelers.

1.2 Moreover, OTAs generally fall outside the scope of civil aviation law, limiting aviation authorities' ability to directly enforce consumer protection regulations on these entities. This regulatory gap is increasingly concerning as the volume of online bookings continues to grow worldwide.

2. DISCUSSION

2.1 Online Travel Agencies (OTAs) offer several notable advantages to both air travel consumers and the broader aviation sector. They provide passengers with the flexibility to search for and book flights at any time and from any location. By aggregating flight options from a wide range of airlines—including low-cost carriers and regional operators—OTAs enable broader and more transparent fare comparisons. Many OTAs also offer comprehensive travel packages that include flights, accommodations, insurance, and car rentals, thereby enhancing convenience for travelers. Moreover, by expanding market visibility and increasing competition among airlines, OTAs can contribute to lower airfare prices. These benefits have positioned OTAs as valuable tools, particularly for travelers seeking affordable, flexible, and customizable travel arrangements.

2.2 Despite their advantages, OTAs present several consumer protection challenges. In some instances, OTAs include ancillary services—such as baggage, travel insurance, or seat selection—within the fare without clear or prior disclosure, resulting in unexpectedly high prices. Additionally, the initial fares displayed may exclude taxes and fees, leading to discrepancies between advertised prices and final costs. Such practices can create confusion and erode consumer trust. Prices offered by OTAs are also often significantly increased during peak travel periods, such as public holidays, and may not align with airline-set base fares. Furthermore, when airlines cancel or reschedule flights, OTAs may fail to promptly notify affected passengers. Travelers have also reported frequent difficulties in reaching OTA customer support during emergencies. These challenges can undermine passenger confidence and lead to frustration, particularly when the line of responsibility between the OTA and the airline is unclear.

2.3 A core issue contributing to these challenges is that most OTAs do not fall under the jurisdiction of civil aviation law, which is generally limited to air operators and airport service providers. Consequently, aviation regulatory bodies such as the Civil Aviation Authority of Thailand (CAAT) are restricted in their ability to directly investigate or impose penalties on OTAs under the current aviation legal framework. OTAs are typically governed by consumer protection, e-commerce, or digital trade regulations, thereby requiring coordination with other responsible authorities. In addition, many OTAs operate from overseas jurisdictions, further complicating efforts to enforce national regulations and highlighting the necessity of international cooperation to ensure effective oversight and passenger protection.

2.4 In response to these limitations, the Civil Aviation Authority of Thailand (CAAT) has reacted by working through the airlines to resolve the issues. CAAT has also taken proactive steps to protect passengers. These efforts include public education campaigns to clarify the respective roles and responsibilities of OTAs and airlines. CAAT actively encourages travelers to review complete fare details, understand refund and cancellation policies, and determine the entity responsible for post-sale

services. Simultaneously, CAAT has engaged with agencies responsible for consumer affairs and digital commerce to explore appropriate regulatory solutions. Dialogue has also been initiated with OTAs and airlines to promote greater transparency and emphasize the importance of timely and effective communication with customers. While these measures have yielded positive outcomes, their overall impact remains constrained without broader regulatory coordination across sectors and jurisdictions.

2.5 International cooperation is crucial in safeguarding passenger rights in the context of online travel agencies (OTAs), which often operate across borders. A foundational step would be the establishment of a basic, harmonized framework outlining core passenger rights—such as transparency in pricing, refund policies, and dispute resolution procedures—that participating countries and OTAs must adhere to. This framework would ensure a minimum standard of protection regardless of where the service is accessed or the traveler’s nationality. In addition, effective enforcement requires cooperation among national regulatory bodies, consumer protection agencies, and international organizations. Such collaboration could include joint investigations, information sharing, and mutual recognition of enforcement actions to address breaches swiftly and uniformly. This international coordination would help build trust in digital travel platforms and ensure consistent protection for consumers worldwide.

3. ACTION BY THE CONFERENCE

3.1 The Conference is invited to:

- a) acknowledged the issues that arise from the use of online travel agencies without proper regulations in place;
- b) acknowledged the process Thailand and other states that can be extended into further cooperation in the region; and
- c) consider possible cooperation with in the region to establish basic frameworks for passenger right toward the use of digital travel platforms.

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