

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

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

**ENHANCING AIR PASSENGER CONSUMER PROTECTION IN
THE ASIA-PACIFIC REGION**

(Presented by Thailand)

SUMMARY

Thailand has strengthened passenger protection through alignment with ICAO Core Principles and the implementation of Regulation No. 101, ongoing challenges such as regulatory differences, jurisdictional overlap, and extraordinary circumstances highlight the need for enhanced regional cooperation and stakeholder collaboration to ensure consistent and effective protection for air passengers.

ENHANCING AIR PASSENGER CONSUMER PROTECTION IN THE ASIA-PACIFIC REGION

1. INTRODUCTION

1.1 Air passenger transport plays a crucial role in global connectivity and economic development. However, disruptions such as flight delays and cancellations continue to affect passenger rights and confidence in the aviation system. While the International Civil Aviation Organization (ICAO) has established *Core Principles on Consumer Protection since 2013*, implementation across States remains uneven, resulting in varied levels of protection.

Thailand has adopted the ICAO Core Principles as the foundation for its national regulatory framework. The Civil Aviation Authority of Thailand (CAAT) has incorporated consumer protection into national aviation policy and promulgated relevant regulations.

Despite these efforts, challenges persist, particularly in the context of cross-border operations, regulatory overlaps, and extraordinary circumstances such as geopolitical conflicts. These challenges highlight the need for strengthened global and regional cooperation and policy alignment.

2. DISCUSSION

2.1 Global and Regional Trends

Across regions, there is an increasing trend toward strengthening passenger rights regimes, particularly in cases of delays and cancellations. Several States have introduced compensation mechanisms, minimum service standards, and complaint handling systems. However, these frameworks differ significantly, leading to regulatory fragmentation and complexity for airlines operating internationally.

In the Asia-Pacific region, many States are still developing or refining consumer protection frameworks. There is a growing recognition of the importance of harmonizing approaches while maintaining flexibility for national contexts. The ICAO Core Principles continue to serve as a valuable reference point for policy development.

2.2 Common Deficiencies and Challenges

a) Uneven Implementation

Despite the availability of ICAO Core Principles, differences in interpretation and enforcement lead to inconsistent protection levels for passengers.

b) Overlapping Regulations and Jurisdictional Issues

Thailand acknowledges that passenger protection regimes of different States may overlap, particularly in international routes. This creates uncertainty for airlines and passengers, especially regarding applicable laws and compensation standards.

c) Limited Scope of Responsibility

Current frameworks primarily focus on airlines, while other stakeholders—such as airports and air navigation service providers (ANSPs)—may also contribute to delays and cancellations. The absence of shared responsibility limits the effectiveness of consumer protection measures.

d) Extraordinary Circumstances and Operational Constraints

Recent geopolitical conflicts, particularly in the Middle East, have led to significant flight disruptions, including route closures and cancellations. These events have:

- Increased the number of flight cancellations,
- Affected a large number of passengers, and
- Resulted in some passengers being stranded abroad.

Such situations highlight the difficulty in defining and managing “extraordinary circumstances” and ensuring adequate passenger care.

2.3 Thailand’s Approach

Thailand has undertaken several policy and regulatory initiatives, including:

- Adoption of ICAO Core Principles as a basis for national aviation policy.
- Thailand has promulgated Civil Aviation Board Regulation No. 101 on the Protection of Passenger Rights, which establishes minimum standards of care and compensation for passengers in cases of flight delays and cancellations;
- Development of airline guidance to ensure consistent application of passenger protection measures;
- Public awareness campaigns conducted by CAAT through multiple channels;

Thailand emphasizes a balanced approach that ensures passenger protection while maintaining operational feasibility for airlines.

2.4 Regional Cooperation and Best Practices

Thailand recognizes the importance of enhanced cooperation among Asia-Pacific States. This includes:

- Sharing best practices on regulatory frameworks and enforcement;
- Exchanging experiences in complaint handling mechanisms;
- Learning from States’ approaches to passenger rights protection

Such collaboration can help address common challenges and promote more consistent implementation across the region.

3. ACTION BY THE CONFERENCE

The Conference is invited to:

- a) promote regional cooperation in the Asia-Pacific region through the exchange of best practices, lessons learned, and regulatory experiences;
- b) encourage Member States to use the ICAO Core Principles as a reference for developing or refining national passenger protection frameworks; and
- c) invite States to raise any other matter related to Consumer Protection at the 7th Worldwide Air Transport Conference (ATConf/7) in November 2026 in Montreal, Canada.

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