

MODERN CHALLENGES IN REGULATING CONSUMER RIGHTS WITHIN TOURISM SERVICES

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Annotation: This article examines modern challenges in regulating consumer rights within tourism services in the context of globalization and digitalization. The study analyzes key legal problems related to misleading advertising, unfair contractual terms, online tourism platforms, and consumer protection during emergency situations such as the COVID-19 pandemic. The article also considers international legal standards and proposes measures for improving legal regulation and strengthening consumer rights protection in the tourism sector.

Keywords: consumer rights, tourism services, legal regulation, consumer protection, tourism law, digital platforms, tourism contracts, international tourism, COVID-19 pandemic, dispute resolution.

TURIZM XIZMATLARI SOHASIDA ISTE'MOLCHILAR HUQUQLARINI TARTIBGA SOLISHNING ZAMONAVIY MUAMMOLARI

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Annotatsiya: Ushbu maqolada globallashtirish va raqamlashtirish sharoitida turizm xizmatlari sohasida iste'molchilar huquqlarini tartibga solishning zamonaviy muammolari tahlil qilinadi. Tadqiqotda yolg'on reklama, adolatsiz shartnoma shartlari, onlayn turizm platformalari faoliyati hamda COVID-19 pandemiyasi kabi favqulodda

holatlarda iste'molchilar huquqlarini himoya qilish bilan bog'liq asosiy huquqiy muammolar ko'rib chiqilgan. Shuningdek, maqolada xalqaro huquqiy standartlar tahlil qilinib, turizm sohasida huquqiy tartibga solishni takomillashtirish va iste'molchilar huquqlarini yanada samarali himoya qilish bo'yicha takliflar ilgari surilgan.

Kalit so'zlar: iste'molchilar huquqlari, turizm xizmatlari, huquqiy tartibga solish, iste'molchilarni himoya qilish, turizm huquqi, raqamli platformalar, turizm shartnomalari, xalqaro turizm, COVID-19 pandemiyasi, nizolarni hal etish.

The tourism industry has become one of the fastest-growing sectors of the global economy. The development of international transportation, digital technologies, and online booking systems has significantly increased the number of people using tourism services. Tourism today is not only an important economic activity but also a sphere closely connected with the protection of human rights and consumer interests. In modern conditions, consumers actively use various tourism services, including transportation, accommodation, tour packages, insurance, entertainment, and online travel platforms. Therefore, ensuring effective legal regulation of consumer rights within tourism services has become one of the most important tasks of contemporary legal systems.

The growth of tourism activities has simultaneously led to an increase in legal disputes between consumers and tourism service providers. Tourists often face problems related to poor-quality services, misleading advertising, cancellation of tours, hidden costs, refusal to provide refunds, and insufficient information about travel conditions. In many cases, existing legal mechanisms fail to provide adequate protection for consumers, especially in cross-border tourism relations. Consequently, the issue of improving legal regulation in the tourism sector has gained considerable academic and practical significance.

This thesis analyzes the modern challenges of regulating consumer rights within tourism services, examines international legal approaches, and proposes possible directions for improving national legislation in this field.

Consumer rights in tourism services constitute a system of legal guarantees aimed at protecting individuals who purchase tourism products and services for personal purposes. These rights generally include the right to safety, the right to reliable information, the right to quality services, the right to compensation for damages, and the right to judicial protection.

Tourism services possess several distinctive characteristics that complicate their legal regulation. First, tourism services are usually comprehensive in nature, combining transportation, accommodation, excursions, insurance, and entertainment within a single contractual relationship. Second, tourism relations often involve foreign elements because tourists travel across borders and interact with foreign service providers. Third, the tourism industry is highly dependent on external factors such as political instability, natural disasters, pandemics, and transportation disruptions.

Due to these specific features, tourism services require special legal mechanisms capable of balancing the interests of consumers and business entities. Effective legal regulation must ensure transparency, fairness, accountability, and accessibility of tourism services while also promoting the sustainable development of the tourism industry.

One of the most significant problems in tourism services is misleading advertising and the lack of accurate information provided to consumers. Tourism companies and online booking platforms often exaggerate the quality of hotels, transportation services, or entertainment programs in order to attract customers. As a result, consumers may receive services that do not correspond to the advertised conditions.

The right to receive complete and accurate information is recognized as one of the fundamental principles of consumer protection. Consumers must be informed about all essential conditions of tourism services, including prices, accommodation standards, transportation details, cancellation policies, insurance coverage, and possible risks related to travel.

However, in practice, many tourism contracts contain unclear or ambiguous provisions that create legal uncertainty. Additional service charges, hidden payments, and restrictive refund policies are often disclosed only after the consumer has completed the booking process. Such practices violate the principles of transparency and good faith in contractual relations.

Moreover, aggressive digital marketing strategies used by online tourism platforms may manipulate consumer decisions. The use of false discounts, fake reviews, and time-limited offers may pressure consumers into making hasty purchasing decisions without fully understanding the contractual conditions.

Therefore, modern legal systems must strengthen requirements concerning transparency and disclosure obligations within tourism services.

Another important challenge involves the regulation of contractual relations between tourism service providers and consumers. Tourism contracts are typically standardized agreements prepared by businesses, leaving consumers with little or no opportunity to negotiate individual terms.

As a result, many tourism contracts contain unfair clauses that significantly limit consumer rights. For example, tourism companies may include provisions excluding liability for service failures, limiting compensation for damages, or allowing unilateral modifications to travel conditions without consumer consent.

Consumers often face difficulties when attempting to challenge such contractual terms, especially in situations involving international tourism relations. Determining the

applicable law and competent court jurisdiction may become a complicated legal issue because different countries may have conflicting legal rules governing tourism contracts.

Additionally, tourists frequently experience problems related to cancellations and refunds. In some cases, service providers refuse to return payments even when services cannot be delivered due to circumstances beyond the consumer's control. Such situations demonstrate the necessity of establishing stronger legal safeguards aimed at protecting consumers against unfair contractual practices.

The rapid digitalization of the tourism industry has fundamentally transformed tourism services and consumer relations. Today, millions of tourists use online booking platforms, mobile applications, and electronic payment systems to organize their travel activities.

Digital technologies provide significant advantages, including convenience, accessibility, and the ability to compare tourism services globally. However, they also create new legal challenges requiring modern regulatory solutions.

One of the major problems concerns the legal responsibility of online tourism intermediaries. Many digital platforms classify themselves merely as intermediaries rather than direct service providers. Consequently, they often attempt to avoid liability for poor-quality services provided by hotels, airlines, or tour operators.

Consumers may encounter serious difficulties when seeking compensation for canceled bookings, technical errors, fraudulent activities, or inaccurate information displayed on digital platforms. Furthermore, online tourism services increase risks related to cybersecurity and personal data protection.

Tourism platforms collect large volumes of sensitive personal information, including passport details, payment information, travel history, and contact data. Weak

cybersecurity measures may expose consumers to data breaches, financial fraud, and identity theft.

Therefore, governments and international organizations should develop clear legal standards regulating the activities of online tourism platforms, electronic contracts, and personal data protection within the tourism sector.

The COVID-19 pandemic became one of the most serious crises in the history of the global tourism industry. International travel restrictions, border closures, quarantine measures, and flight cancellations caused enormous financial losses for both tourism businesses and consumers worldwide.

Millions of tourists faced difficulties obtaining refunds for canceled flights, hotel reservations, and tourism packages. Many tourism companies relied on force majeure clauses to avoid refund obligations, while national legal systems often lacked clear regulations concerning consumer rights during emergency situations.

The pandemic exposed significant weaknesses in existing legal frameworks governing tourism services. In many cases, consumers were forced to accept vouchers instead of monetary compensation, even when they preferred full refunds. Such practices generated numerous legal disputes and highlighted the need for more effective consumer protection mechanisms.

The COVID-19 crisis demonstrated the importance of developing flexible legal regulations capable of balancing the interests of consumers and tourism businesses during extraordinary circumstances. Future legal reforms should establish clear rules regarding cancellations, refunds, force majeure situations, and emergency consumer protection measures within the tourism sector.

International organizations play a significant role in developing legal standards aimed at protecting consumers in tourism services. The United Nations Guidelines for

Consumer Protection emphasize the importance of fair commercial practices, transparency, and effective dispute resolution mechanisms.

The European Union has developed one of the most advanced systems of consumer protection in tourism services. The EU Package Travel Directive establishes strict obligations for tour operators regarding information disclosure, refunds, cancellations, and compensation for damages.

Under European legislation, consumers are entitled to receive comprehensive pre-contractual information and financial protection in cases of insolvency or service failure. Furthermore, EU law provides strong passenger rights concerning flight delays, cancellations, and denied boarding.

Many countries also actively promote alternative dispute resolution mechanisms such as mediation, arbitration, and online complaint systems. These procedures simplify dispute resolution and reduce litigation costs for consumers.

The analysis of international experience demonstrates that effective consumer protection requires comprehensive legal regulation combining administrative supervision, contractual safeguards, judicial protection, and digital regulation mechanisms.

Several important measures should be implemented in order to strengthen consumer protection within tourism services.

First, national legislation should establish stricter transparency requirements for tourism service providers. Consumers must receive complete and understandable information regarding prices, cancellation conditions, insurance coverage, and potential travel risks.

Second, governments should strengthen legal supervision over online tourism platforms and establish clear liability rules for digital intermediaries. Special attention should be devoted to cybersecurity standards and personal data protection.

Third, legal systems should develop accessible and effective dispute resolution mechanisms, including mediation, arbitration, and online complaint procedures. Simplified legal procedures would improve access to justice for consumers and reduce the duration of tourism-related disputes.

Fourth, national legislation should be harmonized with international legal standards and best foreign practices. International cooperation is essential for addressing cross-border legal problems within the tourism industry.

Finally, legal frameworks should include special provisions regulating emergency situations such as pandemics, natural disasters, and political crises. Such regulations should ensure a fair balance between consumer protection and the economic sustainability of tourism businesses.

The legal regulation of consumer rights within tourism services remains one of the most important challenges of modern legal policy. The rapid development of tourism activities, digital technologies, and international travel relations has created new legal risks requiring effective and flexible regulatory responses.

Modern challenges within tourism services include misleading advertising, unfair contractual practices, insufficient regulation of digital platforms, weak personal data protection, and legal uncertainty during emergency situations. The COVID-19 pandemic clearly demonstrated the necessity of improving legal mechanisms aimed at protecting consumers under extraordinary circumstances.

International experience shows that effective consumer protection depends on transparency, accountability, accessibility of justice, and harmonization of legal standards. Strengthening legal guarantees, improving digital regulation, and adapting legislation to modern technological realities are essential conditions for the sustainable development of the tourism industry.

Therefore, further improvement of legal regulation within tourism services should remain a priority for national governments and international organizations in order to ensure fair, safe, and transparent tourism relations in the modern world.

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