Journal of Science and Social Research ISSN 2615 – 4307 (Print)
Oct 2026, IX (5): 8814 – 8826 ISSN 2615 – 3262 (Online)
Available online at http://jurnal.goretanpena.com/index.php/JSSR

STRENGTHENING TOURIST LEGAL PROTECTION IN ASEAN: A COMPARATIVE STUDY OF INDONESIA, THAILAND, SINGAPORE, AND VIETNAM

Dita Kartika Sari Hasibuan[1], Syahrial Arif Hutagalung[2], Gatot Teguh Arifyanto[3], Khairi Anshor[4], Maulana Ibrahim[5]
Medan State Polytechnic
Email: [1]ditakartika@polmed.ac.id, [2]syahrialarif@polmed.ac.id,
[3]gatotteguh@polmed.ac.id, [4]khairianshor@polmed.ac.id,
[5]maulanaibrahim@unimed.ac.id

Abstract: *This study aims to analyze and strengthen legal protection for tourists in ASEAN through a comparative examination of Indonesia, Thailand, Singapore, and Vietnam. It focuses on identifying similarities, differences, and potential gaps in the legal frameworks governing tourist rights, safety, tourism business liability, information transparency, dispute resolution, and remedies for losses. This study employs normative legal research using statutory, conceptual, and comparative legal approaches. Legal materials are collected through a literature review and examination of relevant legislation and legal documents, then analyzed qualitatively through legal interpretation and cross-country comparison. The findings indicate that all four countries have legal frameworks relevant to tourist protection, although they differ in regulatory structures, the scope of protection, the allocation of business liability, and mechanisms for handling complaints and resolving disputes. Based on these findings, the study proposes the ASEAN Tourist Legal Security Index as a preliminary conceptual framework consisting of six dimensions: clarity of tourists' rights, safety and security, liability of tourism business operators, transparency of information and contracts, access to complaints and dispute resolution, and remedies for losses. The proposed index may provide a structured basis for identifying regulatory gaps and formulating recommendations to strengthen tourist protection across ASEAN. However, further refinement of operational indicators, verification of legal sources, and methodological validation are necessary before the index can be applied as a reliable cross-country assessment instrument. This study contributes to the development of comparative tourism law and offers a conceptual foundation for improving legal certainty and regional cooperation while respecting the legal systems of individual ASEAN member states.*

Keywords: *Tourist Legal Protection; Legal Certainty; Comparative Law; ASEAN.*

Abstrak: Penelitian ini bertujuan untuk menganalisis dan memperkuat perlindungan hukum bagi wisatawan di kawasan ASEAN melalui kajian perbandingan hukum di Indonesia, Thailand, Singapura, dan Vietnam. Penelitian ini berfokus pada identifikasi persamaan, perbedaan, dan potensi kesenjangan dalam kerangka hukum yang mengatur hak wisatawan, keselamatan dan keamanan, tanggung jawab pelaku usaha pariwisata, transparansi informasi, penyelesaian sengketa, serta pemulihan kerugian. Penelitian ini menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan perbandingan hukum. Bahan hukum dikumpulkan melalui studi kepustakaan dan penelaahan terhadap peraturan perundang-undangan serta dokumen hukum yang relevan, kemudian dianalisis secara kualitatif melalui interpretasi hukum dan perbandingan antarnegara. Hasil penelitian menunjukkan bahwa keempat negara memiliki kerangka hukum yang relevan untuk perlindungan wisatawan, meskipun terdapat perbedaan dalam struktur regulasi, cakupan perlindungan, pembagian tanggung jawab pelaku usaha, serta mekanisme pengaduan dan penyelesaian sengketa. Berdasarkan temuan tersebut, penelitian ini mengusulkan *ASEAN Tourist Legal Security Index* sebagai kerangka

konseptual awal yang terdiri atas enam dimensi, yaitu kejelasan hak wisatawan, keselamatan dan keamanan, tanggung jawab pelaku usaha pariwisata, transparansi informasi dan kontrak, akses terhadap pengaduan dan penyelesaian sengketa, serta pemulihan kerugian. Indeks yang diusulkan dapat menjadi dasar yang terstruktur untuk mengidentifikasi kesenjangan pengaturan dan merumuskan rekomendasi guna memperkuat perlindungan wisatawan di kawasan ASEAN. Namun, penyempurnaan indikator operasional, verifikasi sumber hukum, dan validasi metodologis lebih lanjut diperlukan sebelum indeks tersebut dapat digunakan sebagai instrumen penilaian lintas negara yang andal. Penelitian ini berkontribusi terhadap pengembangan kajian perbandingan hukum pariwisata serta menawarkan landasan konseptual untuk meningkatkan kepastian hukum dan kerja sama regional dengan tetap menghormati sistem hukum masing-masing negara anggota ASEAN.

Kata kunci: Perlindungan Hukum Wisatawan; Kepastian Hukum; Perbandingan Hukum; ASEAN.

INTRODUCTION

Tourism is one of the strategic sectors that contributes to economic growth, creates employment opportunities, increases community income, and strengthens social and cultural relations among countries. In the ASEAN context, cross-border tourist mobility requires a legal system capable of providing adequate protection before a trip, throughout tourism activities, and after tourists suffer losses. The success of tourism development should not be measured solely by an increase in tourist arrivals; it should also take into account safety guarantees, certainty of information, the liability of service providers, and access to complaint mechanisms and dispute resolution. This approach is consistent with the International Code for the Protection of Tourists, which emphasizes the importance of protecting tourists in emergency situations, providing assistance to tourists, and resolving disputes related to tourism activities (UN Tourism, 2021). In addition, the ASEAN Tourism Agreement positions tourism cooperation as part of a broader effort to promote mutually supportive regional tourism development (ASEAN Secretariat, 2002). Nevertheless, differences in language, legal systems, administrative procedures, and law enforcement mechanisms across countries may create obstacles when tourists encounter legal problems in their destinations. Therefore, legal protection for tourists should be regarded as an essential element in establishing safe, responsible, and sustainable tourism in ASEAN. These concerns also underpin the research report by Hasibuan et al. (2026), which examines the reconstruction of legal protection and legal certainty for tourists through a comparative analysis of the laws of Indonesia, Thailand, Singapore, and Vietnam.

Legal protection for tourists encompasses several interrelated aspects, including the right to safety and security, the right to accurate information, conformity between services and contractual agreements, price transparency, business operators' liability, and the availability of complaint mechanisms and remedies for losses. These aspects have become increasingly important because tourism activities may involve transportation, accommodation, tour services, tour guides, and recreational activities that entail varying levels of risk. Sari et al. (2024) examine regulations governing tourist protection in high-risk tourism destinations, highlighting the importance of treating safety and the regulation of liability as integral components of tourist protection. With the development of digital tourism, relationships between tourists and business operators are also increasingly established

through electronic platforms and online promotional activities. Harefa (2025) examines the legal protection of consumers in digital tourism marketing strategies, a topic relevant to information transparency, marketing practices, and consumer protection in tourism service transactions. Meanwhile, Haque and Sari (2026) discuss consumer protection in high-risk jeep tourism, demonstrating the importance of addressing safety and service providers' liability in tourism activities. From the perspective of legal liability, losses suffered by tourists as a result of service providers' negligence must also be analyzed in light of the legal relationships between the parties and the forms of liability that may be imposed (Junaidi et al., 2025). Accordingly, tourist protection should not be limited to the formal recognition of tourists' rights; it must also be accompanied by clear obligations for business operators, effective oversight mechanisms, and accessible remedies when those rights are violated.

Indonesia, Thailand, Singapore, and Vietnam have national legal frameworks that can be compared to examine how tourist protection is regulated and implemented. In Indonesia, the relevant framework includes Law No. 10 of 2009 on Tourism, as amended and currently in force, and Law No. 8 of 1999 on Consumer Protection. In Thailand, relevant legislation includes the Tourism Business and Guide Act B.E. 2551 (2008) and the Consumer Protection Act B.E. 2522 (1979). Singapore has the Travel Agents Act 1975 and the Consumer Protection (Fair Trading) Act 2003, while Vietnam has the Law on Tourism No. 09/2017/QH14 and the Law on Protection of Consumers' Rights No. 19/2023/QH15. These laws require further analysis beyond simply counting the number of regulations or assessing their formal completeness. The analysis should also consider the scope of protection, the clarity of tourists' rights, service providers' obligations, the authority of supervisory institutions, complaint procedures, and available remedies for losses. Such comparison is important because the recognition of rights in legislation does not, by itself, guarantee that tourists have effective access to problem resolution. For example, a comparative study of consumer dispute resolution mechanisms in Indonesia and Thailand can broaden the analysis of differences in dispute resolution pathways and the roles of relevant institutions (Syah & Riza, 2026). Research on cross-border consumer protection in ASEAN is also relevant to understanding the challenges that arise when transactions and services involve more than one jurisdiction (Cai, 2026). This comparative framework is consistent with the research report by Hasibuan et al. (2026), which examines Indonesia, Thailand, Singapore, and Vietnam as comparative jurisdictions in developing a conceptual framework for tourist protection and legal certainty.

Although previous studies have examined tourist protection, safety in high-risk tourism activities, digital tourism marketing, and service providers' liability, these studies have focused on different aspects of the issue. Sari et al. (2024) focus on regulations for protecting tourists in high-risk destinations, whereas Harefa (2025) examines consumer protection in digital tourism marketing. Haque and Sari (2026) address consumer protection issues in high-risk jeep tourism, while Junaidi et al. (2025) examine civil law aspects of negligence by tourism service providers that causes losses to tourists. These studies provide an important foundation, but a comparative approach is still needed to integrate these aspects of protection into a single cross-country analytical framework. In this context, the research report by Hasibuan et al. (2026) proposes the conceptual ASEAN Tourist Legal Security Index to examine tourist protection and legal certainty. The proposed framework comprises six preliminary dimensions: clarity of tourists' rights; safety and security; the liability of tourism business operators; transparency of information and

contracts; access to complaints and dispute resolution; and remedies for losses. These six dimensions can serve as an analytical framework for comparing the laws of the four countries, provided that the indicators are consistently defined and supported by verifiable legal sources. Accordingly, the proposed index is intended not merely to identify the existence of regulations but also to assess the substantive protection afforded by each country's legal framework. Nevertheless, it must be emphasized that this index remains a **conceptual proposal that requires legal-source verification, further refinement of its indicators, and additional validation**. It should not be presented as an officially established or validated ASEAN index.

Based on the foregoing discussion, the study entitled "Strengthening Tourist Legal Protection in ASEAN: A Comparative Study of Indonesia, Thailand, Singapore, and Vietnam" is important for identifying similarities and differences in legal frameworks, assessing the aspects of protection addressed by existing regulations, and identifying opportunities to improve each country's legal framework. This study is expected to explain the extent to which national legislation protects tourists' rights, ensures safety, establishes business operators' liability, provides transparent information, and facilitates access to dispute resolution and remedies for losses. The six dimensions proposed in the report by Hasibuan et al. (2026) can help maintain analytical consistency, while previous research on high-risk destinations, digital marketing, and service providers' liability provides context for the practical problems faced by tourists (Sari et al., 2024; Harefa, 2025; Haque & Sari, 2026; Junaidi et al., 2025). Furthermore, international principles concerning tourist protection can inform the formulation of recommendations without disregarding differences among national legal systems (UN Tourism, 2021). The findings are expected to contribute academically to the development of comparative tourism law and practically through recommendations for strengthening legal certainty regarding tourists' rights, service providers' liability, and remedies available to tourists. Such recommendations should be based on the findings of the comparative legal analysis rather than on the assumption that one country is categorically superior to the others. Ultimately, this study seeks to establish a more structured analytical basis for strengthening legal protection for tourists throughout the ASEAN region.

METHODS

This study employs normative legal research supported by empirical data, using descriptive-analytical and comparative approaches to examine legal protection and legal certainty for tourists in Indonesia, Thailand, Singapore, and Vietnam. It applies statutory, conceptual, and comparative legal approaches to analyze relevant legislation, legal principles, and differences among the four countries (Marzuki, 2021). Data are collected through a literature review of primary, secondary, and tertiary legal materials and, where conducted, semi-structured interviews with purposively selected informants (Majeed & Hilal, 2022). The data are analyzed qualitatively through legal interpretation, cross-country comparison, and thematic analysis of interview findings (Edwards & Holland, 2023). The findings are synthesized to identify similarities, differences, and regulatory gaps and to develop a preliminary conceptual ASEAN Tourist Legal Security Index based on six dimensions: clarity of tourists' rights; safety and security; liability of tourism business operators; transparency of information and contracts; access to complaint mechanisms and dispute resolution; and remedies for losses. The proposed index requires further indicator refinement and validation before it can be

used as a cross-country assessment instrument (Hasibuan et al., 2026).

RESULTS AND DISCUSSION

Tourism development in ASEAN requires more than an increase in international arrivals and economic activity. It also requires legal frameworks that protect tourists throughout their travel experience, including the stages of booking, service delivery, and dispute resolution. As cross-border travel involves interactions among tourists, travel agencies, accommodation providers, transport operators, destination managers, and other tourism businesses, uncertainty may arise when services do not conform to contractual representations or when responsibility for losses is disputed. The ASEAN Tourism Agreement provides a regional context for cooperation in tourism development and the facilitation of travel (ASEAN Secretariat, 2002). The International Code for the Protection of Tourists also provides an international reference for tourist assistance and protection in relevant circumstances (UN Tourism, 2021). Against this background, the present study examines legal protection not simply as the existence of legislation, but as the availability of clear rights, defined responsibilities, accessible procedures, and legally recognized remedies.

Tourism development in ASEAN requires more than an increase in international arrivals and economic activity. It also requires legal frameworks that protect tourists throughout their travel experience, including the stages of booking, service delivery, and dispute resolution. As cross-border travel involves interactions among tourists, travel agencies, accommodation providers, transport operators, destination managers, and other tourism businesses, uncertainty may arise when services do not conform to contractual representations or when responsibility for losses is disputed. The ASEAN Tourism Agreement provides a regional context for cooperation in tourism development and the facilitation of travel (ASEAN Secretariat, 2002). The International Code for the Protection of Tourists also provides an international reference for tourist assistance and protection in relevant circumstances (UN Tourism, 2021). Against this background, the present study examines legal protection not simply as the existence of legislation, but as the availability of clear rights, defined responsibilities, accessible procedures, and legally recognized remedies.

Tourists frequently enter into consumer relationships when purchasing transportation, accommodation, travel packages, guided tours, and recreational activities. Their legal position may nevertheless be more complex than that of consumers in ordinary domestic transactions because several providers can participate in a single travel arrangement. A service failure may therefore raise questions about contractual performance, consumer rights, operational safety, and the allocation of responsibility among different businesses. Research on tourist accidents and high-risk tourism in Indonesia illustrates the relevance of consumer protection and tourism law to the assessment of tourist losses (Suryantari & Danyathi, 2024). Research concerning tourism voucher transactions also highlights the importance of legal certainty in consumer relationships involving tourism services (Raditya & Astari, 2025). These issues correspond with the report's emphasis on examining tourists' rights, business responsibilities, transparency, and remedies as connected elements of legal protection (Hasibuan et al., 2026). Consequently, the comparison should consider both sector-specific tourism rules and general consumer protection provisions.

Indonesia's framework is analyzed through the relationship between tourism legislation and consumer protection law. Law No. 10 of 2009 on Tourism provides

a sector-specific legal basis, while Law No. 8 of 1999 on Consumer Protection establishes general consumer rights and business obligations (Indonesia, 2009). This combination is relevant because tourism disputes may concern the quality of services, the accuracy of information, tourist safety, or the responsibility of a provider when a service fails. Studies of tourist accidents and high-risk tourism identify the need to examine the relationship between applicable rules and the responsibility of tourism operators (Suryantari & Danyathi, 2024). The research report places Indonesia within a broader comparison intended to identify the strengths and limitations of the existing framework rather than to assume that the existence of two relevant legal regimes resolves every protection issue (Hasibuan et al., 2026). Further analysis should therefore establish how the relevant provisions interact, which remedies are available, and whether the applicable rules clearly allocate responsibility in different tourism situations.

Thailand's legal framework includes the Tourism Business and Guide Act B.E. 2551 (2008) and the Consumer Protection Act B.E. 2522 (1979). These instruments provide relevant bases for examining the regulation of tourism businesses and the protection of consumer interests (Thailand, 2008). The consumer protection framework is also relevant to transactions in which tourists receive inaccurate information, services that do not match contractual expectations, or other forms of legally recognized loss (Thailand, 1979). The comparative task is to determine how these rules operate in relation to licensing, supervision, safety, business responsibility, and the handling of tourist complaints. The report identifies differences in the structure and focus of national regulation as a key feature of the comparison (Hasibuan et al., 2026). Therefore, Thailand should not be assessed merely by the existence of sector-specific legislation; the analysis must examine the content of the applicable provisions and the legal procedures through which tourists may seek protection.

Singapore's framework includes the Travel Agents Act 1975 and the Consumer Protection (Fair Trading) Act 2003. The Travel Agents Act is relevant to the regulation of travel agency activities and the legal conditions under which such businesses operate (Singapore, 1975). The Consumer Protection (Fair Trading) Act provides a separate basis for examining unfair practices in consumer transactions (Singapore, 2003). These regulatory areas are pertinent to tourist protection because travel arrangements may involve advance payments, package services, cancellation conditions, and representations made by travel providers. The research report positions Singapore as a comparative case in which travel agency regulation and consumer protection must be examined together while recognizing their distinct legal functions (Hasibuan et al., 2026). The analysis should consequently determine how these instruments address the rights of tourists, the obligations of providers, and the availability of remedies. It should not infer that a more specialized regulatory structure necessarily guarantees more effective protection in every category of dispute.

Vietnam's framework includes the Law on Tourism No. 09/2017/QH14 and the Law on Protection of Consumers' Rights No. 19/2023/QH15. The tourism law provides a sector-specific basis for examining the rights and responsibilities associated with tourism activities (Vietnam, 2017). The consumer protection law is relevant to the examination of consumer rights and business obligations in service transactions (Vietnam, 2023). The comparison should assess how the two frameworks relate to tourist safety, the accuracy of service information, the performance of contractual obligations, and the procedures available when tourists experience losses. As emphasized in the research report, the purpose of comparing the four countries is to identify similarities, differences, and areas requiring further

legal examination rather than to rank national systems on the basis of their regulatory labels (Hasibuan et al., 2026). Vietnam's framework should therefore be evaluated using the same analytical dimensions applied to Indonesia, Thailand, and Singapore, while accounting for the specific terminology and institutional arrangements of Vietnamese law.

Vietnam's framework includes the Law on Tourism No. 09/2017/QH14 and the Law on Protection of Consumers' Rights No. 19/2023/QH15. The tourism law provides a sector-specific basis for examining the rights and responsibilities associated with tourism activities (Vietnam, 2017). The consumer protection law is relevant to the examination of consumer rights and business obligations in service transactions (Vietnam, 2023). The comparison should assess how the two frameworks relate to tourist safety, the accuracy of service information, the performance of contractual obligations, and the procedures available when tourists experience losses. As emphasized in the research report, the purpose of comparing the four countries is to identify similarities, differences, and areas requiring further legal examination rather than to rank national systems on the basis of their regulatory labels (Hasibuan et al., 2026). Vietnam's framework should therefore be evaluated using the same analytical dimensions applied to Indonesia, Thailand, and Singapore, while accounting for the specific terminology and institutional arrangements of Vietnamese law.

The differences among the four national frameworks concern the structure, focus, and relationship of the relevant legal instruments. Such differences may affect the way rights are expressed, business responsibilities are allocated, and complaints are processed. However, the existence of a regulatory difference does not by itself prove that a country offers weaker protection. A conclusion about a legal gap requires examination of the applicable provisions, implementing rules, institutional authority, and legally available remedies. The research report explicitly cautions against treating the comparative findings as a definitive ranking of legal protection (Hasibuan et al., 2026). This caution is important because a rule that appears general in one jurisdiction may operate alongside detailed implementing provisions, while a specialized statute in another jurisdiction may cover only particular business activities. Accordingly, the comparison should identify what each framework expressly regulates, what remains unclear in the materials examined, and which issues require further verification. This approach produces a more defensible basis for legal reconstruction than a comparison based solely on the titles of statutes.

The first dimension concerns whether tourists' rights are clearly recognized and can be identified from the applicable legal framework. Relevant issues include the right to accurate information, the right to receive services in accordance with applicable obligations, and the availability of legal protection when a provider fails to perform. The research report identifies clarity of tourist rights as a central dimension of the proposed ASEAN Tourist Legal Security Index (Hasibuan et al., 2026). This dimension is important because tourists may be unfamiliar with the legal system of the destination country and may not know which rules govern their transaction. A comparative assessment should therefore identify the legal basis for relevant rights, the scope of those rights, and the duties imposed on the corresponding service providers. It should also distinguish between rights that are expressly stated in legislation and rights that may need to be derived from general consumer, contractual, or civil law principles. The result would be a more precise assessment of legal clarity rather than a general assertion that tourists are protected.

The second dimension concerns the legal arrangements intended to protect tourists' safety and security. It includes the examination of safety obligations, risk

information, relevant operational requirements, and responsibility when a safety-related incident occurs. Research on tourist accidents demonstrates the importance of examining the legal position of tourists who experience harm at tourism destinations (Suryantari & Danyathi, 2024). Research on high-risk tourism likewise highlights the relevance of safety requirements and the responsibilities of tourism service providers (Sari et al., 2024). These studies provide context for the report's inclusion of safety and security as a separate dimension of the proposed index (Hasibuan et al., 2026). The comparative analysis should examine the rules applicable to different tourism activities and identify which actors have legally defined responsibilities. It must, however, distinguish the existence of safety provisions from evidence that those provisions are implemented effectively. A normative comparison can establish what the law requires, but implementation outcomes require additional evidence.

The third dimension examines the responsibility of tourism businesses when tourists suffer losses. Potential issues include failure to provide contracted services, negligence, inaccurate representations, and failure to comply with applicable safety obligations. The legal basis for liability may vary depending on the nature of the relationship, the conduct involved, and the applicable national law. Research on tourism-related accidents and consumer protection highlights the importance of examining the relationship between the conduct of service providers and the legal protection available to tourists (Suryantari & Danyathi, 2024). The research report identifies business responsibility as a separate dimension because the existence of tourist rights does not, on its own, establish which party must answer for a loss (Hasibuan et al., 2026). Comparative analysis should therefore identify the relevant responsible party, the legal grounds for liability, and the conditions under which a tourist may bring a claim. Where several providers participate in one travel arrangement, the analysis should also examine whether the applicable rules clarify how responsibility is allocated.

The fourth dimension concerns the clarity and accessibility of information provided before and during tourism transactions. Relevant matters include prices, additional charges, service inclusions, cancellation conditions, safety requirements, and the terms governing refunds or other remedies. Research on tourism voucher transactions highlights the importance of legal certainty in the relationship between consumers and tourism service providers (Raditya & Astari, 2025). The research report also identifies transparency of information and contracts as a distinct component of the proposed index because unclear information can make it difficult for tourists to assess their obligations and enforce their rights (Hasibuan et al., 2026). The comparative assessment should determine whether relevant legal provisions address misleading representations, incomplete disclosures, or unfair contractual practices. Particular attention should be given to the relationship between the information presented during booking and the services actually delivered. The analysis should remain grounded in the relevant legislation and should not assume that every information-related problem constitutes a legal violation without examining the applicable rule and facts.

The fifth dimension concerns whether tourists can identify and access procedures for raising complaints and resolving disputes. Relevant factors include procedural clarity, the identity of the responsible institution, documentary requirements, cost, time, and language barriers. These factors are particularly important when a tourist has returned home before a dispute is resolved or when several service providers are involved. The research report identifies access to complaints and dispute resolution as one of the six core dimensions of the proposed

index (Hasibuan et al., 2026). This dimension should be assessed by identifying the mechanisms established by applicable national law and examining the scope of their authority. It should also distinguish between the formal existence of a complaint channel and the evidence available concerning its practical accessibility. The comparison can thus identify which procedures are clearly defined and which aspects require further examination. It should not, however, claim that tourists face particular institutional barriers in a country unless that conclusion is supported by legal documents or reliable empirical evidence.

The sixth dimension concerns the legal remedies available to tourists who suffer losses. Depending on the applicable legal framework and the circumstances of the dispute, relevant remedies may include refunds, compensation, cancellation, replacement services, or other forms of legally recognized redress. The research report identifies remedies as a separate dimension because the recognition of a right or the establishment of liability does not automatically establish how a tourist can obtain recovery (Hasibuan et al., 2026). The analysis must determine who may claim a remedy, against whom the claim may be directed, what legal conditions apply, and which procedures are available. It should also distinguish between a remedy expressly provided by tourism legislation and one that may arise under consumer, contractual, or civil law. This distinction is important for comparing national systems with different legislative structures. A useful assessment should therefore map the legal basis for remedies and identify any uncertainty in the sources examined, rather than assuming that all types of tourist losses are addressed in the same way.

The sixth dimension concerns the legal remedies available to tourists who suffer losses. Depending on the applicable legal framework and the circumstances of the dispute, relevant remedies may include refunds, compensation, cancellation, replacement services, or other forms of legally recognized redress. The research report identifies remedies as a separate dimension because the recognition of a right or the establishment of liability does not automatically establish how a tourist can obtain recovery (Hasibuan et al., 2026). The analysis must determine who may claim a remedy, against whom the claim may be directed, what legal conditions apply, and which procedures are available. It should also distinguish between a remedy expressly provided by tourism legislation and one that may arise under consumer, contractual, or civil law. This distinction is important for comparing national systems with different legislative structures. A useful assessment should therefore map the legal basis for remedies and identify any uncertainty in the sources examined, rather than assuming that all types of tourist losses are addressed in the same way.

Cross-border tourism creates practical questions about how tourists can understand and enforce their rights in a jurisdiction with a different language, legal system, and institutional structure. Tourists may need to identify the responsible provider, preserve evidence of a transaction, determine the appropriate complaint channel, and understand the legal requirements for obtaining a remedy. These matters are relevant to the report's focus on clarity of rights, transparency, access to dispute resolution, and recovery for losses (Hasibuan et al., 2026). Digital booking arrangements may add further complexity when a platform, a tourism provider, and a tourist are located in different jurisdictions. Nevertheless, these issues should be treated as analytical concerns rather than proof that a particular country's framework is ineffective. The study's normative and comparative approach can identify the relevant rules and procedural questions, while claims about the frequency or severity of practical barriers would require additional empirical evidence.

The comparison suggests that regional cooperation can be strengthened without requiring all ASEAN member states to adopt identical legal systems. The four countries already demonstrate different regulatory structures, but those differences can be examined through a common set of questions concerning rights, safety, business responsibility, transparency, dispute resolution, and remedies. The ASEAN Tourism Agreement provides a foundation for regional cooperation in tourism development (ASEAN Secretariat, 2002). The International Code for the Protection of Tourists offers an additional international reference for considering tourist assistance and protection in relevant circumstances (UN Tourism, 2021). Within this context, the proposed index could help structure discussion about the clarity of tourist information, the identification of complaint channels, and the legal responsibilities of tourism businesses. Any regional recommendations should nevertheless respect the jurisdiction of national institutions and be grounded in a careful review of the applicable laws. The index should serve as a comparative and policy-development tool, not as a substitute for national legislation.

The ASEAN Tourist Legal Security Index is the principal conceptual contribution proposed by the research report. It is intended to provide a common analytical framework for comparing tourist protection in Indonesia, Thailand, Singapore, and Vietnam. The six dimensions are clarity of tourists' rights; safety and security; liability of tourism business operators; transparency of information and contracts; access to complaints and dispute resolution; and remedies for losses (Hasibuan et al., 2026). These dimensions should be translated into operational indicators with clear definitions, identifiable legal sources, and consistent assessment criteria. The report discusses a preliminary three-level scoring approach in which a score of zero means that no relevant legal basis or mechanism was found in the sources examined, a score of one indicates that the relevant arrangement exists but has limitations in its scope or clarity, and a score of two indicates that the regulation and its procedures can be identified with relative clarity (Hasibuan et al., 2026). Such a scale must be interpreted cautiously: failure to identify a provision is not proof that no protection exists, and a clear legal provision is not proof of effective implementation.

Before numerical scores are used to compare countries, the indicators, scoring rules, and treatment of unavailable information should be established transparently. The report also emphasizes the importance of verifying current legal provisions, reviewing relevant implementing rules and official documents, and validating the assessment criteria (Hasibuan et al., 2026). Equal weighting may be considered as an initial methodological option where no defensible empirical basis exists for assigning different weights to the dimensions. However, the final scoring model should be established before the legal materials are coded, rather than adjusted after results are known. Expert review and checks of consistency between assessors would further strengthen the instrument. These steps are necessary to prevent the index from producing apparently precise numerical rankings that are not supported by a transparent and reproducible assessment process.

The findings of the comparative analysis support the development of a structured framework for examining tourist protection across the four countries. All four have relevant legal instruments, but the regulatory structures and areas of emphasis differ. The principal analytical challenge is therefore to determine how the applicable rules address tourists' rights, safety, business liability, information transparency, dispute resolution, and remedies, while distinguishing normative provisions from evidence of practical

effectiveness. The research report proposes the ASEAN Tourist Legal Security Index as a means of organizing this comparison and identifying areas requiring further legal examination (Hasibuan et al., 2026). The next stage should focus on verifying the legal sources, refining the operational indicators, applying the same assessment procedure to all four countries, and validating the resulting framework. Recommendations for legal reconstruction should then be linked to specific gaps or ambiguities identified in the reviewed materials. Properly developed, the index could support further comparative legal research and regional policy discussions while respecting the different national legal systems. It remains a proposed conceptual instrument, however, and should not be presented as an official ASEAN index or a validated ranking until the necessary methodological work has been completed.

CONCLUSION

This study concludes that Indonesia, Thailand, Singapore, and Vietnam have legal frameworks relevant to tourist protection, but differences remain in their regulatory structures, the scope of protection, business liability, and dispute resolution mechanisms. The comparative analysis provides the basis for developing the proposed ASEAN Tourist Legal Security Index, consisting of six dimensions: clarity of tourists' rights, safety and security, liability of tourism business operators, transparency of information and contracts, access to complaints and dispute resolution, and remedies for losses. The index is a preliminary conceptual framework that requires further refinement of indicators, verification of legal sources, and validation before it can be used as a comparative assessment instrument. Its development is expected to support legal certainty, strengthen tourist protection, and encourage regional cooperation in ASEAN while respecting the legal systems of individual member states.

REFERENCES

Aldy, A., & Norma, N. (2026). Perlindungan hukum konsumen dalam wisata jeep berisiko tinggi. *JURNAL USM LAW REVIEW, 9*(1), 460–474. https://doi.org/10.26623/julr.v9i1.13252

ASEAN Secretariat. (2002). *ASEAN Tourism Agreement*. ASEAN Secretariat.

ASEAN Secretariat. (n.d.). *ASEAN tourism sector*. https://asean.org/our-communities/economic-community/asean-tourism-sector/

Brinkmann, S. (2022). *Qualitative interviewing: Conversational knowledge through research interviews* (2nd ed.). Oxford University Press. https://doi.org/10.1093/oso/9780197648186.001.0001

Cai, Y. (2026). ASEAN consumer data protection in e-commerce. *Journal of Consumer Policy, 49*, Article 26. https://doi.org/10.1007/s10603-026-09630-8

Competition and Consumer Commission of Singapore. (2025). *Overview of the Consumer Protection (Fair Trading) Act.* https://www.ccs.gov.sg/consumer-protection/legislation-and-guidelines/overview-of-the-consumer-protection--fair-trading--act/

Edwards, R., & Holland, J. (2023). *Qualitative interviewing: Research methods*. Bloomsbury Academic.

Haque, A. D., & Sari, N. (2026). Perlindungan hukum konsumen dalam wisata jeep berisiko tinggi. *JURNAL USM LAW REVIEW, 9*(1), 460–474.

https://doi.org/10.26623/julr.v9i1.13252

Harefa, S. (2025). Legal protection of consumers in tourism digital marketing strategies in the digital economy era. *JELAJAH: Journal of Tourism and Hospitality, 6*(2). https://doi.org/10.33830/jelajah.v6i2.11709

Hasibuan, D. K. S., Hutagalung, S. A., Arifyanto, G. T., & Anshor, K. (2026). *ASEAN Tourist Legal Security Index: Rekonstruksi perlindungan dan kepastian hukum bagi wisatawan melalui perbandingan hukum Indonesia, Thailand, Singapura dan Vietnam* [Laporan akhir penelitian reguler mandiri]. Politeknik Negeri Medan.

Indonesia. Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen.

Indonesia. Undang-Undang Nomor 10 Tahun 2009 tentang Kepariwisataan beserta perubahan yang berlaku.

Indonesia. Undang-Undang Nomor 18 Tahun 2025 tentang Kepariwisataan beserta perubahan yang berlaku.

Junaidi, J., Fransisco, W., & Suharto, B. (2025). Civil law aspects in the case of negligence of tourism service providers that result in losses for tourists. *Jurnal Hukum dan Keadilan, 2*(5), 61–72. https://doi.org/10.61942/jhk.v2i5.428

Kosasih, J. I., Styawati, N. K. A., & Majid. (2026). Legal protection for the security and safety of tourists visiting tourist destinations in Raja Ampat Regency. *Jurnal Hukum Prasada, 13*(2), 178–186. https://doi.org/10.22225/jhp.13.2.2026.178-186

Kuntariningsih, A., & Supriyadi, A. (2026). The impact of tourism regulations on tourist visit performance: A comparative analysis of Indonesia and Singapore. *An International Journal Tourism and Community Review, 3*(1), 1–11. https://doi.org/10.69697/tourcom.v3i1.366

Majeed, N., & Hilal, A. (2022). Approaches and methodologies in comparative legal studies: An abstract framework as methodology. *Pakistan Languages and Humanities Review, 6*(3), 474–488. https://doi.org/10.47205/plhr.2022(6-III)41

Marzuki, P. M. (2021). *Penelitian hukum* (Edisi revisi, cetakan ke-15). Kencana.

Rahmad, M., & Hastriana, E. (2026). Analisis mekanisme perubahan institusional dalam UU No. 18 Tahun 2025 tentang Kepariwisataan: Kajian legal transplant dan layering kelembagaan. *PARIWISATA: Jurnal Studi Pariwisata Indonesia, 1*(2), 80–97. https://jurnalpariwisata.id/index.php/pariwisata/article/view/14

Sari, N., Fajri, C., Winiarti, S., Ahdiani, U., & Zulhuda, S. (2024). The regulations of protection tourists in high-risk tourism destination. *Journal of Human Rights, Culture and Legal System, 4*(3), 803–821. https://doi.org/10.53955/jhcls.v4i3.366

Singapore. *Consumer Protection (Fair Trading) Act 2003*.

Singapore. *Travel Agents Act 1975*.

Singapore Ministry of Trade and Industry. (n.d.). *Consumer Protection (Fair Trading) Act*. https://www.meti.gov.sg/resources/laws-and-regulations/consumer-protection-fair-trading-act/

Syah, T., & Riza, F. (2026). The role of consumer dispute resolution institutions in Indonesia and Thailand: A comparative legal study on non-litigation mechanisms of consumer protection. *JHSS*. https://doi.org/10.33751/jhss.v10i02.390

Tangian, D., Polii, B. D., Pontorondo, I. C., & Rondonuwu, B. F. (2025). Legal protection for tourists in air-

travel tour packages in Indonesia: Mapping airline rights–obligations and the need for joint liability standards. *EDUCATIONE, 4*(1), 227–233. https://doi.org/10.59397/edu.v4i1.184

Thailand. *Consumer Protection Act B.E. 2522 (1979)*.

Thailand. *Tourism Business and Guide Act B.E. 2551 (2008)*.

United Nations World Tourism Organization (UN Tourism). (2021). *International Code for the Protection of Tourists*. https://www.unwto.org/international-code-for-the-protection-of-tourists

Vietnam. *Law on Tourism No. 09/2017/QH14*

Vietnam. *Law on Protection of Consumers' Rights No. 19/2023/QH15*.