

Research on the Protection of Consumers' Rights and Interests in E-Commerce

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Abstract: With the rapid development of Internet economy, e-commerce is gradually popularized in people's daily life, but at the same time, there are many problems in the protection of consumers' rights and interests in e-commerce. Although China's "Electronic Commerce Law" provides for the protection of consumers' rights and interests, there are still some dilemmas, such as lack of good faith, difficulties for consumers to provide evidence and failure to formulate corresponding litigation procedures. This paper analyzes these problems and puts forward a series of suggestions to strengthen the protection of consumers' rights and interests in the field of electronic commerce, with a view to establishing a scientific and effective protection system for consumers' rights and interests in the field of electronic commerce and better protecting consumers' rights and interests.

Keywords: E-Commerce; Consumers; Rights Protection

Introduction

The rapid development of e-commerce is bound to be a double-edged sword, which brings great convenience to people's production and life. At the same time, it is bound to bring many problems, such as inadequate protection of consumers' rights and interests, which has impacted the traditional legal system of consumer protection. In order to adapt to the current rapid development of e-commerce and ensure consumers' confidence in the consumption and utilization of e-commerce, it is necessary to conduct in-depth research and discussion on the protection of consumers' rights and interests in e-commerce from the legal point of view.

1. Overview of e-commerce

1.1 The characteristics of e-commerce

Compared with the traditional offline transaction mode, e-commerce has the following two characteristics: First, the inconsistency of information transmission. On the online platform, it seems that consumers can choose carefully and shop around, but in fact, consumers' information is not interoperable with each other, and each account is invisibly isolated by the network. In the e-commerce transaction mode, different consumers often see different product prices or preferential information. Big data killing mainly refers to the phenomenon that the price seen by new customers is much lower than that of old customers for the same kind of goods or services. The company will use big data to treat old customers at different prices, and different people will have different prices. Online operators use their collected user information to arbitrarily change the actual price of products or services. Under the cover of the Internet, it is difficult for a single consumer to find out whether the actual consumption amount of different consumers is consistent. Second, the convenience of information collection. It is difficult for businesses that adopt the traditional offline operation mode to collect and analyze user data on a large scale. However, the network has broken through the time and geographical restrictions, and a large number of consumers' personal information can be traced on the network. E-commerce operators excessively collect consumers' personal information, especially the information such as purchased goods. E-commerce operators can directly use cookies technology to grab data traces on the e-commerce platform. Merchants will not delete the data, but choose to use the data twice to

explore more information.

1.2 Performance of consumers' legitimate rights and interests

In the field of e-commerce, there are a lot of false propaganda, and e-commerce operators deliberately exaggerate the effect of products, so as to make the fake genuine and shoddy. In order to obtain more illegal profits, e-commerce operators take advantage of the characteristics of e-commerce transaction mode and infringe on the true meaning of many consumers. The protection of e-commerce consumers' right to know has a long way to go. "Big data killing" is the behavior of e-commerce operators using big data to slaughter the interests of acquaintances. Its implementation steps are three steps, namely, data collection-user portrait-differential pricing. Consumers are divided into different grades through their spending power, so as to achieve the purpose of differentiated pricing. The output price optimization strategies of big data analysis system can be roughly divided into two categories. The first category is white list customers, that is, non-preferential price measures are taken for old customers, price-insensitive customers and loyal customers; The second type is grey list customers, that is, preferential price policies are adopted for new customers and price-sensitive customers to promote them to become "white list customers". Well-known online companies such as Taobao and Didi in China have been exposed to "big data killing".

2. China's e-commerce consumer rights protection problems

2.1 Consumers' right to know is not guaranteed

Because the transactions between the two parties are conducted on the Internet, the understanding of each other's information may not be true, and it is easy to be misled or even cheated. Therefore, we often see various problems caused by consumers' insufficient understanding of commodity information, such as false information of commodities, because in Internet traders, the operators disclose commodity information to consumers, and consumers can't really see commodities, so consumers are in a weak position in the possession of information resources and are easily misled or even cheated. Some operators use the incompleteness and non-publicity of commodity information on the Internet to deliberately provide false information to consumers and deceive them, such as exaggerating product performance and efficacy, false prices, false service promises, etc., and let consumers buy products by various means, but after receiving the products, consumers are actually very different from the situation described by the merchants .

2.2 Consumers' right to privacy is not guaranteed

The development of e-commerce benefits from the openness of the network, but the open network has caused great difficulties to the protection of personal privacy and also challenged the protection of consumers' privacy. Many shopping websites require consumers to fill in detailed personal information, ID card information, bank card passwords, and even personal preferences, consumption tendencies, etc. Only by providing detailed personal information can the next transaction be carried out. However, as shopping websites and online stores, we don't know whether these personal information of consumers are well protected, and the possibility and risk of improper use of consumers' personal privacy information are also greatly increased. In addition, when consumers do online shopping and other activities, they will unconsciously expose their IP addresses, browsing traces and other information, which may become a hidden danger that online personal data is stolen, disseminated and resold at will. Even some e-commerce merchants publish the information of shoppers and goods on the express list when mailing goods, which seriously exposes the personal information and privacy of consumers.

2.3 Consumers' right to return goods is not guaranteed

In e-commerce, the two parties to the transaction may be far apart, and the cost of returning goods is high. Some e-commerce operators require consumers to bear the travel expenses, transportation expenses and other expenses arising from returning goods themselves, thus hindering consumers' exercise. In addition, some consumers think that goods with tens of dollars need to be returned, and they voluntarily give up the right to return goods in order to reduce trouble, which invisibly affects consumers' protection of their own rights and interests. Other businesses have set preconditions for returning goods, such as not being able to return goods after unpacking, not being able to return goods after trying on them, or having to bear the responsibility of proving that the products are fake and shoddy or that there are quality problems in the goods, before the operators agree to return goods. However, it is difficult for consumers to prove that the products they receive are fake and shoddy products or that there are quality problems in the goods, which

greatly reduces the enthusiasm of consumers to exercise their right to return and exchange.

3. Suggestions on strengthening the protection of consumers' rights and interests in the field of e-commerce

3.1 Improve the relevant system

Before a complete legal system is established, many related systems will be formulated to restrict behavior, and the field of e-commerce is no exception. On the one hand, we should establish and improve the market access system to further standardize and constrain operators. With the continuous development of e-commerce, the business scope of e-commerce is also expanding, from the original physical goods to services, tourism and other aspects. The relevant departments must first clearly define the business scope of e-commerce, which are allowed to operate and which are not allowed to operate, and the business items, business qualifications, funds, places and other elements must also be confirmed online. If the conditions do not meet the relevant laws and regulations, they are not allowed to enter the e-commerce market. The establishment of market access system is to control e-commerce transactions from the source, reduce the possibility of unscrupulous operators entering the market, and reduce the occurrence of false and fraudulent transactions to a certain extent. At the same time, it is necessary to improve the reputation evaluation system of operators in the field of e-commerce. The operator's reputation evaluation system can give consumers a more objective and fair evaluation and help consumers choose the right seller when they consume. At present, the credit rating of operators is mostly accumulated by the quantity of goods sold and the evaluation of consumers who buy the goods.

3.2 Establish a series of transaction security measures

At present, the default mode of most e-commerce transactions in China is that consumers pay first, and operators pay goods or services after receiving the money. In this mode, consumers pay first, which is in a very passive and dangerous position, and it is urgent to seek convincing support from operators. "Alipay" is a good experience and platform. It temporarily remits consumers' money to Alipay platform for safekeeping. After the transaction between the two parties is completed, the platform will pay the seller or refund the money to the buyer. However, because this trading mode is not legally mandatory, there are still a few unscrupulous operators who do not trade through the secure trading platform and force consumers to pay through WeChat, QQ, or bank remittance, which increases the risk of consumers' consumption and makes the rights and interests of consumers who choose such operators not properly protected.

4. Conclusion

This is especially true for the rapid development of e-commerce. Only by establishing and perfecting the legal system for the protection of consumers' rights and interests in e-commerce can we truly protect consumers' legitimate rights and interests, provide a good environment for the development of e-commerce and truly promote the healthy and lasting development of e-commerce.

References

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