

摘 要

在网络走进千家万户的新时代，电子商务的应用逐渐被放大，不论是国内还是国外，任何商品都毫无障碍可言。网络交易平台正慢慢开始取代传统的有形市场，电子商务得到快速发展。而电子商务的飞速发展，使得网上购物成为社会人们的最受欢迎的选择之一。但同样也是买卖双方都处于虚拟的网络空间的缘故，导致了网购一旦发生纠纷，双方沟通效率差，消费者对商家的信任度下降，也为电子商务行业的发展带来了不良影响，使消费者与经营者成为完全对立的关系。本文是根据电子商务的进步和消费者权益争端问题进行讨论，以期望推动国家社会产业的进步和电子商务法的完善，努力使商家和消费者对自身的利益均能满意。

本文主要分为四个部分。第一部分电子商务理论概述。具体论述了电子商务的概念、特征以及电子商务发展对消费者权益保护产生的冲击；第二部分电子商务中消费者权益保护存在的问题。主要对网络经营者市场准入原则不规范、消费者与经营者在网络交易中消息获取不对称、消费者的用户信息及个人隐私被泄露以及消费者网上支付款项存在隐患进行了探讨；第三部分国外电子商务消费者权益保护立法。主要对日本、欧盟和美国在消费者个人信息保护、经营者在线信息披露以及争议解决和救济方面进行阐述；第四部分完善电子商务中消费者权益保护的建議。针对我国电子商务中消费者权益保护的现状以及如何规范电子商务市场，构建和完善电子商务法律体系提出建议。

关键字：消费者；电子商务；权益保护

Abstract

In the network into a new era of thousands of households, the application of e-commerce is gradually magnified, whether at home or abroad, any goods have no obstacles. Online trading platform is slowly beginning to replace the traditional physical market, e-commerce has been rapid development. And the rapid development of e-commerce, so that online shopping has become one of the most popular choices of social people ^[1]. But it is also the reason that both buyers and sellers are in virtual cyberspace, resulting in online shopping once the dispute, poor communication efficiency between the two sides, consumer trust in the business decline, but also for the development of the e-commerce industry has brought adverse effects, so that consumers and operators become a completely opposite relationship. This paper is based on the progress of e-commerce and consumer rights and interests disputes to discuss, in order to promote the progress of national social industry and the improvement of e-commerce law, and strive to make businesses and consumers can be satisfied with their own interests.

This paper is divided into four parts. The first part is an overview of e-commerce theory. The concept and characteristics of electronic commerce and the impact of the development of electronic commerce on the protection of consumers' rights and interests are discussed. The second part of e-commerce consumer rights and interests protection problems. This paper mainly discusses the non-standard market access principles of network operators, the asymmetric information acquisition between consumers and operators in network transactions, the leakage of consumers' user information and personal privacy, and the hidden dangers of consumers' online payment. The third part is the foreign e-commerce consumer rights protection legislation. Japan, the European Union and the United States on consumer personal information protection, operators online information disclosure and dispute resolution and relief. The fourth part is to improve the protection of consumer rights and interests in e-commerce recommendations. In view of the current situation of consumer rights protection in China's e-commerce and how to standardize e-commerce market, the construction and

improvement of e-commerce legal system is proposed.

Keywords: consumers; e-commerce; rights protection

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