Active entry into the world of e-commerce

الدخول الفاعل إلى عالم التجارة الرقمية

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الملخص:

لقد أدى ظهور تكنولوجيا ووسائل الإتصال الحديثة، إلى تسهيل عملية التواصل بين الأطراف في العصر الحديث، وأضحت الكثير من النشاطات التجارية وإدارة الأعمال تتم عبر الشبكة العنكبوتية وهذا ما أصبح يعرف بالتجارة الرقمية (E-Commerce) ونظرا لسهولة الإتصال الذي زاد من حجم التبادل التجاري، وتقوم فكرة التجارة الإلكترونية على تنفيذ وإدارة الأنشطة التجارية المتعلقة بالبضاعة والخدمات، عن طريق تحويل المعطيات عبر شبكة الإنترنت وهذا ما يسمى بالإقتصاد الرقمي، ولكي تستطيع التجارة الإلكترونية أن تنطلق في فضاء العالم وللدخول الفاعل، إذ لا يكون هذا إلا بوجود عناصر وثيقة بين الطرفين ونماء هذا النوع من التجارة لا يكون إلا بإرتباط وثيق، بين البنية التحتية للإتصالات وتقنية المعلومات الصحيحة، على صفحات المواقع والتي تكون مصممة بشكل دقيق، بعرض المنتوجات أو الخدمات للمستهلكين، كما أن للعناصر المادية والمعنوية دور إيجابي في إنتشار التجارة الإلكترونية وهذا لا يتأتى إلا إذا كانت ثقة متبادلة بين الأطراف، إلا أنه لا يمكن أن يكون هذا إلا بوضع آليات إتجاه البائع والمستهلك.

الكلمات المفتاحية: تقنية الإتصالات، شبكة الإنترنت، النشاط التجاري، إدارة الأعمال، الإقتصاد الرقمي.

Abstract:

The emergence of technology and modern means of communication has led To facilitate the process of communication between the parties in the modern era. Many commercial and business activities are conducted via the Internet which known as electronic commerce and due to the ease of communication that increased the volume of trade exchange, and the idea of electronic commerce is based on the implementation and management of activities related to goods and services by transferring data over the Internet what's called the digital economy, in order to be able to trade Electronics should be launched in the space of the world for effective entry, it can only be with the presence of close elements between the two parties, and the development of this type of trade can only be with a close connection between the correct communication and information technology infrastructure, on the pages of websites, which are carefully designed, for the purpose of products Or services to consumers, the material and moral elements have a positive role in the spread of e-commerce, and this can only happen if there is mutual trust between the parties. However, this can only be done by placing mechanisms in the direction of the seller and the consumer**.**

Keywords: communications technology, internet, Commercial activities, business management, digital economy.

Introduction:

Many business activities and business management are now conducted via the Internet, and this is what is called e-commerce, which is a new term in the world of economics, which emerged with the spread of the Internet in the early nineties of the twentieth century. It is one of the topics of what is known as the digital economy (E-economic), which is based on two facts: e-commerce. Information technology, therefore, has played a fundamental role in the real and tangible existence of e-commerce in the age of computing and communication. E-commerce, as it relies on computing, communication, and various technological means for implementing and managing commercial activity[1], has benefited from the ease of communication between parties. This has increased the volume of trade, whether related to goods or services, making this characteristic dominant. Even Western and Arab legislation, including Algeria, which enacted legislation related to e-commerce with Law No. 18/05 dated 24 Sha'ban 1439 AH, corresponding to May 10, 2018, aimed to keep pace with the developments resulting from modern information and communication technologies and their impact on trade, which is now largely conducted electronically. This law defined e-commerce as any activity conducted through an electronic supplier that offers and guarantees the provision of goods or services remotely to an electronic consumer via modern communications. It also defined the concepts related to the electronic consumer, the

electronic supplier, payment methods, and advertising. All these elements were specified in three chapters. This concept first appeared in a resolution issued by the United Nations General Assembly (2205) dated 17/12/1966, also known as UNCITRAL[2], is the United Nations Commission on International Trade Law. Its objective was to unify the legal rules governing electronic commerce. It has achieved many accomplishments in this field, most notably the conclusion of a number of international agreements, the most famous of which is the Vienna Convention on International Sales of 1980. In 1996, as a result of comprehensive studies, issues of distance contracting were approved. UNCITRAL also launched the Model Law on Electronic Commerce in order to help determine the provisions that should be included in such legislation[3].

In particular, computer-to-computer transactions across all areas of electronic transportation are considered e-commerce activities with a broad interpretation encompassing all matters arising from commercial relationships and, generally, any activity aimed at generating profit. It's worth noting that this interpretation indicates these activities are not exhaustive. Furthermore, when commerce incorporates modern information and communication technologies, it amplifies the principle that defines commerce in general: speed. This is due to the ease of communication between parties involved in executing commercial activities related to buying and selling goods and providing or receiving services. All of

this can only be achieved through a sound infrastructure and mutual trust among users of this type of commerce, enabling their active participation. This is what propels e-commerce in general and the digital economy in particular into the global landscape. The question then arises:

What are the elements of effective and positive participation in this type of commerce, and how is trust built among its participants?

To discuss this actual problem, it must be studied and divided according to the following plan:

Introduction

- **First Requirement**: The Foundations of Digital Commerce
    - First Section: Communications Infrastructure
    - Second Section: Information Technology

- **Second Requirement**: Elements of Building Trust Between Digital Commerce Parties
    - First Section: Material Elements
    - Second Section: Intangible Elements

Conclusion

The First Requirement: The Foundation of Digital Commerce

The birth and growth of e-commerce are linked to information technology, its existence, and the availability of a sound infrastructure capable of meeting the needs of e-commerce and the information technology industry (including communication and connectivity equipment, internet provision services, maintenance, supply, and development services). To enable active participation in the field of e-commerce and the knowledge economy, a set of elements must be available, based on principles and rules related to communications and information technology infrastructure.

Section One: Communications Infrastructure:

To ensure successful e-commerce and a safe and smooth entry into the information age, the knowledge economy, this depends on the efficiency of the infrastructure, the soundness of communications market policies, investment regulations, the accuracy and international compatibility of standards, and the efficiency and effectiveness of the legal framework governing the communications sector. This ensures the most important support for e-commerce, and indeed, a strong foundation in terms of software, solutions, and human resources. It is the foundation for existence, continuity, and competitiveness, and the integrity of the programs and systems implemented to guarantee organized and effective communications[1]. It also ensures the optimal and sound use of these strategic elements of the

communications infrastructure, as every new business requires Online planning is essential, and this requires a comprehensive and accurate information system[2].

Through this system, the business owner can access the various information needed to ensure the project's success, including storage, reading, analysis, and the generation of statistical and financial reports.

This ensures the information system is complete and integrated. For example, an information system about modern technologies and software, and competitors. Generally, the company or business owner should also prepare a business plan. Furthermore, every online business project needs a website. Every company primarily uses its website to advertise its products and services and then sell them to consumers. The website is a reflection of all the company's business activities. Therefore, careful attention must be paid to the company's website, its content selection, and its design.

A. Websites and Their Classification:

Existing websites can be classified into several categories.

1. Informational Websites:

This type of website focuses solely on providing information about the company, its products or services, and other information on how to contact the company and for maintenance. It may also contain images and videos of the products. Hyperlinks are included on this type of website to facilitate navigation between its pages.

2. Download Site:

This type contains content and information that visitors can download to their computers or suitable servers.

3. Customizable Site:

Visitors can customize the site and its content to suit their needs and requests.

4. Transaction-Oriented Site:

Visitors can connect and interact with the community through chat rooms (text, audio, or video), notice boards, instant messaging, or email.

5. Service-Oriented Site:

This type of site offers various services to visitors, providing assistance and answering their inquiries[1].

The second section: Information Technology:

Information technology is considered the foundation and support for the continuity of competition, and it is linked to the integrity of the programs and systems used, to ensure the application of technology in an organized and effective manner for the optimal and proper use of technical means. Information technology also has what is determined to organize the service obligations of its providers, and sets a clear framework for the parties of the relationship[2].

This supports e-commerce and conducting business transactions via the Internet. Among the most prominent components of this infrastructure are the information technology sector, communication devices such as fax machines, fixed and mobile phones, as well as computers, application and operating software, technical support services, and human capital used in business and e-commerce, in addition to the availability of sectors that

produce information technology. These components provide the appropriate environment for e-commerce, as they serve as the electronic channel or electronic market through which commercial transactions and exchanges take place.

We have already mentioned that e-commerce is a form of commerce that relies on intangible means to facilitate interaction between buyers and sellers. It is often global, as it can even involve parties within the same country. This leads us to define e-commerce as a non-material, interactive, and often global form of commerce. One of its characteristics is that transactions are concluded remotely through mutual agreement or acceptance of the seller's terms, often via email or chat programs. However, regardless of the method, this type of commerce must be built on fundamental principles to function effectively. This requires a solid foundation for successful entry into the e-commerce arena.

A. Basic Infrastructure Requirements for Communications and Information Networks:

The state must improve the level of communication services and ensure their availability throughout the country. This includes increasing global and local connection speeds, enhancing the role of private sector companies in providing essential communication services by establishing and developing the digital network, and continuously reducing the costs of using digital communication networks.

B. Requirements for organizing data, information, and web page content:

This is done by regulating data and information content to allow its flow and increase, including Arabic content on the internet, organizing advertising, and linking all information and knowledge centers and their sources on the internet[1].

C. Technical Requirements and Standards:

Technical standards are of great importance to long-term business success on the Internet, as they allow products and services offered by different vendors to work together, and they encourage competition. This is achieved by using international technical standards and benchmarks for security, confidentiality, monitoring, securing communications, holding video conferences, and electronic data interchange[2].

The spread of the internet also depends on the availability of computers, phones, and calculators, and the ability to access the internet by knowing the number of users, subscribers, and potential internet users[3].

Developing appropriate strategies to ensure the success of e-commerce models, in addition to five areas (Support Services): It should be noted that company websites serve as the main gateways for getting to know the company and its various activities. Therefore, attention must be paid to the company's online presence, and it must be designed meticulously to ensure the accuracy and validity of the information and content of the

products and services offered to others. The elements of successful websites will be discussed in Unit Five.

a. Users (People): This includes sellers, buyers, intermediaries, information systems specialists, and other highly qualified e-commerce employees.

b. Public Policy: This includes legislation governing electronic and tax matters, protecting user privacy, and establishing guidelines and professional codes of conduct for electronic transactions.

c. Marketing and Advertising: Companies need online shopping and advertising for products and services to target potential new customers.

d. Support Services: This includes designing attractive websites, providing logistical support, offering electronic payment methods, and implementing necessary security systems to ensure the successful execution of e-commerce. Electronic payment systems will be discussed further. e. Business Partnerships: This involves establishing partnerships and exchanging information with other businesses, such as suppliers, customers, and others, to improve business performance and access new markets[1].

The second requirement: Elements of trust-building among e-commerce stakeholders:

One of the most crucial elements, and a major challenge to the success of e-commerce, is building trust among its stakeholders and encouraging them to embrace it. This depends on certain conditions that must be met to build trust with the customer (or consumer) regarding the accuracy and clarity of online advertisements, as well as

ensuring the delivery of the product to the consumer. For the seller, it's also essential to guarantee payment. One of the most significant challenges to the success of e-commerce is building trust among internet users and encouraging them to adopt and accept e-commerce. The elements of trust-building can be categorized into two types: tangible and intangible. **Section One: Tangible Elements:**

1. Reducing connection costs:

Internet access costs have decreased in various countries worldwide and are free in many. However, the main problem in the Arab world, which hinders the widespread use of the internet and keeps the number of subscribers low and below the high growth rates seen in other countries, is the cost of internet access.

The elements of the national strategy in the field of pricing policy are represented in adopting a successive program of reducing communication costs until they reach free or symbolic, based on setting a certain limit of cost to be paid in light of the duration of use. These elements are also represented in not being subject to the conditions of strategic partners in the field of communications allocation, and in conforming to policies for liberalizing services that should not be selective and should be implemented in accordance with national precautions, which is available and permitted in the field of implementing our international obligations.

2. Domain Name Control:

Internet Service Providers (ISPs) are keys to network operations, and international trends regarding the

regulation of this service vary. The prevailing trend is towards not imposing restrictions. However, problems have arisen from the inefficiencies or failure to meet high-quality service standards. The success of these providers and, conversely, the security of their products depend on the existence of a legal framework that balances the need to encourage this sector with the need to protect users.

3. Domain Name Liberalization:

Domain names remained the exclusive domain of international registration bodies, particularly in the United States, without any consideration of subjecting them to general regulatory rules. However, this trend is beginning to shift. There is now a growing interest in establishing regulatory bodies to oversee and protect domain names, especially after this issue was treated as a matter of intellectual property related to information technology, and after the realities of trademark and brand name infringement through the use of domain names and website addresses became apparent[1].

4. Attracting Customers to the Website:

Through the internet, we find hundreds of thousands of websites selling almost everything, from household goods to cars and yachts. Once a website becomes well-known and popular, the company begins to generate profits, which in turn attracts customers.

5. Making the Website Attractive: Several factors contribute to making a website more appealing. These include a good and attractive design, avoiding excessive use of colors and focusing on concise, engaging content

presented in short paragraphs. Regular updates are also crucial to encourage repeat visits. This can be achieved by offering free samples, utilizing search engines, providing software downloads, and other promotional offers, such as showcasing a customer's purchase. Furthermore, ensuring easy and fast navigation within the website is essential. Customers should not be required to fill out purchase forms more than once, and upon their next visit, they should be welcomed by name and provided with further explanations[2].

6. Payment Methods:

Cash payments have been largely replaced in the e-commerce environment by payments via smart cards, such as bank cards (SmartCards) and others[1].

Section Two: Intangible Elements:

Intangible elements are no less important than tangible elements in building trust among e-commerce stakeholders. These elements can be summarized as follows:

1. Security:

This refers to maintaining the integrity of electronic communications and global technology systems. The main security levels in an information technology environment include awareness of security issues at all levels of functional performance, physical protection, performance protection, internal protection, and protection from external risks. Effective security is based on well-considered needs that ensure suitability and balance between the protected area, the source of the

risk, the scope of protection, system performance, and cost.

2. Technical Protection:

Technical protection is a means of prevention and defense, and in certain cases a means of attack. The protection system is not complete without legal protection through legal texts that protect against the misuse of computers and networks in what is known as computer, internet and communications crimes. Thus, e-commerce legislation is integrated with legal texts for information protection, and without it the body of protection remains with only one wing[2].

3. User-Friendly System:

Referring to the common Windows operating system, there are file sharing and printing options, as well as the use of antivirus software, which is a protective measure. Avoid running programs from unknown sources, as this increases the likelihood of website hacking. Also, use firewalls as a security measure to prevent hacking.

4. Authentication System:

The authentication system was developed to enhance trust in electronic transactions. It acts as a guarantor or guarantor of the services or sales provided, ensuring the delivery of products to consumers in our country. It also refers to an electronic documentation technology between contracting parties to authenticate their electronic commercial transactions. This is done by verifying the identity of the parties, the content of the transaction, and its validity, ultimately resulting in the issuance of electronic authentication certificates to prove

such transactions. When it is confirmed that commercial websites are not credible and offer illegal or unsafe products, the buyer or service requester will not deal with that company. Losing one customer can lead to losing thousands of customers[1].

5. Electronic Signatures:

Article 2 of the United Nations Convention on Electronic Signatures, adopted in July 2001, addresses electronic signatures. It stipulates that a certification service provider, which is a person who issues certificates, may also provide other services related to electronic signatures.

We can draw guidance from Articles 5 and 6 of the 1996 United Nations Model Law on Electronic Commerce, which state that data provided by certification service providers is admissible as evidence. Article 5 states that "information does not lose its legal force, validity, or enforceability simply because it is in the form of a data message." Article 6 states that "where the law requires information to be in writing, a data message satisfies that requirement."

Therefore, a data certificate issued by a certification service provider is admissible as evidence because the provider stores this data until requested. Some argue that the European Directive 1999-93, issued on December 13, 1999, concerning electronic signatures, includes provisions that equate electronic documents with traditional documents in terms of their value and evidentiary weight, provided that the signature affixed to the document is reliable and the document meets certain

conditions: continuity, immutability, and an inseparable link between the signature and the document[2].

It also established a simple legal presumption regarding the validity of electronic documents, thus accepting them as full written evidence, provided that a certificate of authenticity for the electronic document is submitted from a specialized body whose establishment and operations are subject to oversight by the competent authorities in the EU member state[3]. Arab countries have adopted the system for accessing e-commerce. Tunisia was the first, stipulating in Law No. 83 of 2000 concerning electronic transactions that "the preservation of an electronic document is legally recognized as the preservation of a written document. The recipient is obligated to preserve this document in the form in which it was received. The electronic document is stored on an electronic medium that allows access to its content throughout its validity period, and it is preserved in its final form in a manner that ensures the integrity of its content and the preservation of information pertaining to its source." Arab countries followed suit in adopting and recognizing electronic documents. Jordanian law, in accordance with Law No. 85 of 2001 concerning electronic transactions, Article (2), and the United Arab Emirates Law No. 2 of 2002, stipulated that an electronic document, whenever possible Storing it on an electronic medium had evidentiary value, as was the case in the Kingdom of Bahrain, which issued its Electronic Commerce Law on September 13, 2002. Egypt, on the other hand, issued Electronic Commerce Law No. 1 of

2004, Article 1/b of which stipulates that an electronic document is nothing more than a data message containing information that is created, integrated, stored, transmitted, sent, or received, wholly or partially, by electronic, digital, optical, or any other similar means. It should be noted that French law, the European Directive, and the United Nations Model Law on Electronic Commerce have recognized documents exchanged between contracting parties and granted them evidentiary weight, provided that the presenter of such evidence is a neutral person appointed with the government's approval. This is something that Arab countries, which are relatively new to this type of commerce, lack.

6. Electronic discourse:

Electronic discourse, or what is known as commercial advertising, is a means of marketing and a tool for informing the public about services and products. It is required that it not be false or misleading and that it be clear. The advertisement includes all the data and sufficient information about the good and service. All of this is in order to form an informed and conscious will, and a conscious and discerning thought in the consumer before he proceeds to conclude the contract. French law has indicated that electronic commercial transactions and the accompanying advertising must be clear about the product or service offered in a way that allows the consumer to give consent to the contract with full awareness and understanding[1]. Furthermore, the Algerian legislator prohibited false advertising, as stipulated in Article 13 of Executive Decree 90-367 of November 10,

1990, as amended and supplemented by Executive Decree No. 05-484 of December 22, 2005, concerning the labeling of food products. This article prohibits the use of any sign, mark, or name, whether presented, labeled, or through any advertising, display, or sale method that could mislead the consumer. The Egyptian legislator followed suit in this regard.

The United Nations General Assembly also adopted a Convention on the Use of Electronic Communications on November 23, 2005, which aims to promote legal certainty and commercial predictability. It addresses the location of a party in an electronic environment, the time of sending and receiving electronic communications, and methods of electronic authentication. E-business includes customer service and conducting transactions, in addition to the process of exchanging, selling, or buying products. An e-marketplace means a marketplace where buyers and sellers meet to exchange goods, services, money, and information via the internet[2].

E-commerce begins with online advertisements and promotions. These advertisements must include all the necessary data and information about the product or service. This fosters informed and conscious decision-making in the consumer before entering into a contract. French law stipulates that e-commerce transactions and their accompanying advertising must clearly present the product or service offered, allowing the consumer to give their consent to the contract with full awareness and understanding[1].

As for Algerian Law 18-05 concerning e-commerce, the section on requirements for commercial transactions conducted electronically mandates that every e-commerce transaction be preceded by an electronic commercial offer and documented by an electronic contract ratified by the online consumer. The offer must be presented in a visual, legible, and understandable manner, accompanied by the tax identification number, physical and electronic addresses, and the supplier's telephone number[2].

7. Protective Requirements:

To protect e-commerce, it is essential to ensure the privacy of personal data and information by establishing rules and procedures for managing software acquisition and balancing transaction privacy. Protection can be achieved through the encryption of sensitive data, aligning data encryption requirements with the need to combat crime and misuse, and safeguarding societal principles and traditions.

8. Intellectual Property Protection:

Protecting intellectual property rights is one of the greatest challenges facing nations in achieving economic and social growth as they enter an era where information and knowledge contribute to shaping and strengthening their economic structures. For e-commerce to succeed, intellectual property protection programs must be adopted. This can be achieved on several levels, such as improving the legislative framework for intellectual property protection, enhancing institutional capacities,

and raising awareness at the national, institutional, and individual levels.

Conclusions:

The birth and growth of digital commerce are linked to information technology and its availability, the existence of a sound infrastructure capable of meeting the needs of e-commerce, and the information technology industry (production of computing devices, software, communication and connectivity equipment, supply services, internet access, maintenance services, and development).

The Algerian E-Commerce Law No. 18-05, a recent development to keep pace with Western and Arab countries in embracing the world of e-commerce, establishes the legal foundations and rules governing it. This has given impetus to effective entry into this field, which operates in a virtual world. One of the difficulties hindering e-commerce is the varying legislation of countries, especially when it comes to international e-commerce. Each country seeks to apply its own national law. Therefore, it should be noted that unifying the rules of e-commerce law is essential to avoid legal problems in case of disputes between parties.

To achieve effective entry into the field of e-commerce, key technical requirements must be met, in addition to keeping pace with developments in each. Trust also plays a positive role in the spread of e-commerce. The electronic market does not lose customers; on the

contrary, the trust it fosters encourages more customers and businesses to enter the world of e-commerce.

Studies on the reality of e-commerce in the Arab region, or at least most Arab countries, have shown that it suffers from problems in the field of communications and digital networks, as well as disparities in data speed. Arab markets still lack e-commerce solutions, and the Arab environment is also affected. Furthermore, the markets for selling hardware and software, and internet service providers, lack sufficient oversight regarding international standards and specifications. The problem of declining maintenance, technical support, and development is also a concern. As a result, technology companies have become reliant on their internal staff and the internet to keep pace with evolving solutions in the field of technology.

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