

Civil liability of electronic sales platforms for failure to verify seller's identity and product quality - Amazon Platform as a Model -

المسؤولية المدنية لمنصات البيع الإلكتروني عن التقصير في التحقق من
هوية البائع وجودة المنتج - منصة أمازون أنموذجاً -

Nassima Amal HIFRI*, University of Ghardaia

nassima_hifri@hotmail.fr

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Abstract:

The importance of establishing civil liability for e-commerce platforms lies in protecting consumer rights and ensuring the security of online transactions, particularly given the rapid global expansion of digital marketplaces. This need arises due to increased problems involving counterfeit or poor-quality products, as well as risks stemming from insufficient or negligent verification of sellers' identities, which ultimately harms consumer interests and undermines trust in electronic commerce overall.

This topic aims to clarify the legal framework through which e-commerce platforms, such as Amazon, can be held accountable for damages resulting from negligence in verifying seller identities and ensuring product quality. Additionally, it seeks to provide legal proposals and practical recommendations to strengthen oversight and accountability standards for these platforms, thereby enhancing market transparency and consumer trust, and protecting involved parties from potential harm.

Key words: Civil Liability, E-commerce Platforms, Consumer Protection, Marketplace, Product Quality.

Introduction:

In the age of digital commerce, e-selling platforms have become an integral part of our daily lives, providing consumers with an easy and safe way to access a wide range of products and services. Platforms like **Amazon** offer an ideal shopping environment, where consumers can buy products directly from companies or individual sellers anytime and from anywhere. However, this digital transformation has brought with it new legal challenges, particularly with regard to consumer protection and product quality assurance.

One of the most significant challenges is civil liability borne by e-sales platforms for damages resulting from default in verification of seller's identity and quality of products. Although these platforms offer great trading opportunities, failing to ensure that sellers comply with legal standards can lead to harms for consumers, such as receiving fraudulent or non-conforming products.

The Amazon platform is one of the world's largest e-commerce platforms and is an ideal model for studying the civil liability of these platforms. Via Amazon Marketplace, Amazon allows individual sellers and small businesses to sell their products directly to consumers, making it more important to monitor these transactions to ensure product quality and protect consumers' rights.

* Corresponding Author

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The legal responsibilities facing e-sales platforms are multiple, as they must ensure that products for sale comply with international and local standards of safety and quality. Furthermore, these platforms have a responsibility to ensure that sellers comply with all relevant laws, such as consumer protection laws.

This study aims to analyze the civil liability of e-sales platforms, focusing on Amazon as a study model, by examining how these platforms deal with issues failure to verify the seller's identity and quality of products. Legal legislation on consumer protection will also be scrutinized, making recommendations that may help improve policies to ensure better consumer protection.

E-selling platforms, such as Amazon, are a key means of trading in the digital age, giving consumers access to a wide range of products. However, these platforms face legal challenges related to their failure to verify the seller's identity and the quality of the products, which can cause harm to consumers. Despite consumer protection policies, e-sales platforms' legal liability for damages resulting from such default remains a central issue.

Hence the following problems: **What are the civil liability limits of e-sales platforms for damages caused by failure to verify the seller's identity and quality of products?**

This study draws on the analytical descriptive approach, where the legal framework responsible for regulating e-sales platforms is described and analyzed, focusing on their obligations in verifying the seller's identity and product quality. The comparative approach is also used to compare different legislation and clarify the extent to which these platforms are liable for damage caused by default, while studying Amazon as an application model.

1- The legal framework of the « Amazon platform » and its obligations towards consumers

With the rapid advancement of e-commerce, digital platforms such as Amazon have become essential in facilitating commercial transactions between sellers and buyers. However, this role raises several legal questions regarding the legal nature of these platforms and their obligations in regulating the transactions conducted through them. Therefore, this study will explore the legal framework of Amazon, focusing on its responsibilities in verifying sellers' identities and ensuring the quality of listed products. The aim is to highlight the balance between commercial freedom and consumer rights protection.

1.1- The legal nature of the Amazon platform and its role in commercial transactions

Amazon is one of the most prominent e-commerce platforms that has significantly impacted the global economy, providing a convenient environment for online buying and selling. Understanding the legal nature of Amazon requires studying many legal aspects that govern its dealings, both in terms of consumers' rights and supplier companies. Amazon also plays an essential role in business transactions by facilitating payment, shipping, and quality assurance, making it a focal point in modern e-commerce. In this context, it is important to analyze its legal framework and legislation governing its work, and the extent to which such legislation affects different parties dealing with its platform.

a/- The legal nature of the Amazon platform

Amazon was founded in 1994 by Jeff Bezos, who worked on Wall Street before deciding to quit his business and start his own business. Initially, the site was called "Amazon.com," and was officially launched in 1995. In that period, the idea was to create an online store that only sold books. Shortly after the site was launched, but Bezos had a broader vision of expanding the business to other products, and this expansion helped Amazon become one of the world's largest trading companies, becoming Amazon one of the leading e-commerce companies¹.

By 1998, Amazon decided to expand its business to include other products such as music and movies. This expansion contributed to making Amazon a comprehensive shopping platform, allowing it to outperform its competitors in various fields. Initially, Amazon faced challenges in

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offering these new products, but it was able to overcome them through continuous innovation and improving its services.

In the early 2000s, Amazon began launching some technological innovations that enabled the company to improve the user experience and expand its customer base. For example, in 2002, Amazon launched the cloud computing service "Amazon Web Services" (AWS), which is considered one of the greatest factors behind Amazon's success in the modern era.

The Amazon Foundation shined and the Foundation's shares went public. Within years, the Foundation became the largest library on Earth, with more than 566 thousand employees in 2018; Financial figures for the second fiscal quarter of 2016 indicate that the Amazon Foundation outperformed 29.55 billion to \$30.4 billion in income and distributed this revenue to equities to \$1.78 per share. Compared to 2015, Amazon shares rose 40% and were able to make good profits for the fifth consecutive quarter, thanks to lower consumer delivery costs and increased offerings².

The United States occupies the top position as Amazon's \$314 billion offloading market, representing 67% of the world's total markets. and Amazon's products are directed to other markets that are important to Germany with net sales of \$37.33 billion, Britain is worth \$31.91 billion, Japan is \$23.04 billion, while the rest of the world's markets account for \$63.5 billion, with approval rates per market respectively: 8%, 7%, 5% and 13%³.

Today, Amazon is one of the world's largest companies, and its business varies to include e-commerce, cloud computing, video streaming services, smart devices, and many other fields. Amazon continues to innovate new solutions for its customers around the world.

Amazon is classified as an e-commerce business, but it also acts as a broker between sellers and buyers. Legally, Amazon is a business entity subject to domestic and international laws regulating e-commerce activities⁴.

Amazon is one of the world's leading and largest e-commerce platforms, providing a digital environment that connects sellers and buyers around the world. As its activity expands and services are complicated, Amazon has a range of legal responsibilities that regulate its operations and make it operate within a specific legal framework. These responsibilities vary between commercial obligations, protection of users' data, intellectual property rights, tax and licensing regulations. In this context, various legal aspects that determine the nature of Amazon's operation and ensure compliance with domestic and international laws are:

❖ **Business Activity:** Legally, Amazon's business is commercial, subject to several laws that guarantee fair and transparent interaction between different parties. Amazon adheres to e-commerce laws such as the United States Electronic Signatures in Global and National Commerce Act - E-SIGN, which recognizes electronic contracts and allows digital signatures to be used in online business transactions⁵.

❖ **Relationship with users:** Terms of Use are a legal contract between Amazon and users that defines the rights and duties of the parties. These documents address issues such as how transactions are conducted, payment terms, returns, delivery rights, etc., and Amazon is committed to protecting users' data privacy and is subject to numerous personal data protection laws such as the General Data Protection Regulation. (GDPR) in the European Union and the California Privacy Protection Act (CCPA) in the United States⁶.

❖ **Licenses and Regulations:** Business licenses are necessary to ensure compliance with domestic and international e-commerce laws, tax handling, and consumer protection. In some countries, such as the United States, companies like Amazon are required to collect taxes on online sales in accordance with court decisions such as the Wayfair decision in 2018 that obliged companies to collect taxes on online transactions by consumer website.

❖ **Intellectual Property Rights:** Amazon owns a range of intellectual property rights including patents, trademarks and copyright. For example, Amazon has equity on many of the software it operates, including search algorithms and logistics systems. It also has rights to its

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brands such as "Amazon" and "Prime." In addition, Amazon owns copyright to digital content posted on its platform such as e-books and visual content via Amazon Prime Video.

❖ **Protection and security responsibilities:** Amazon has a responsibility to protect users' data and ensure the security of information online. It is committed to applying modern encryption techniques to protect customers' personal and financial data.

Amazon's platform reduces the chances of fraud and illicit competition especially with fake or scam-based people in which those companies are not internationally known⁷.

b/- Amazon's platform role in Business Transactions

Amazon plays a pivotal role in facilitating business transactions globally, being one of the largest and most popular ecommerce platforms.

❖ **Facilitating e-commerce:** Amazon's platform mainly facilitates e-commerce by providing a huge online marketplace that brings together sellers and buyers from all over the world, and allows individuals and companies to showcase and sell their products to a huge customer base, fostering online commerce. This digital transformation has accelerated the growth of e-commerce in various industries.

Through its website, the platform provides better marketing of its products and is more effective by reaching an enormous number of consumers globally and 24 hours a day where it can receive consumer demands at any time and respond immediately⁸.

❖ **Accelerate shipping and delivery:** Amazon has a strong logistics network that helps speed up shipping and delivery to customers. The company provides fast shipping options such as Amazon Prime that allow customers to receive products within two days or less in some cases. This service enhances customers' business experience and increases their loyalty to the platform.

❖ **Innovation in payment technologies:** Amazon has played an important role in the development of electronic payment technologies, by introducing systems such as Amazon Bay that allow consumers to pay using their Amazon accounts without having to enter payment details every time. This step made the payment process faster and safer, facilitating business transactions.

Amazon offers advanced payment services such as Amazon Pay, which facilitates payment for buyers and provides financing options for sellers. According to a report from PYMNTS.com, these services contribute to increasing customer confidence and accelerating payment processes⁹.

❖ **Empowering SMEs:** Amazon provides opportunities for SMEs to access global markets through its platform. According to a report from Amazon Annual Report 2022, more than 60% of sales on the platform come from third-party sellers, mostly SMEs¹⁰.

❖ **Using AI to improve customer experience:** Amazon uses AI and machine learning technologies to analyze purchasing behaviors and make customized product recommendations for each customer, this feature enhances conversion rates and increases customer satisfaction¹¹.

❖ **Providing integrated logistics services:** Amazon provides advanced logistics services including storage, packaging, shipping, and delivery via "Fulfillment by Amazon" (FBA). This software allows sellers to store their products in Amazon warehouses, which then handles shipping and returns management. According to an article in Harvard Business Review, these services contribute to accelerating deliveries and improving customer experience¹².

1.2- The obligations of the Amazon platform in verifying the seller's identity and product quality

Amazon is committed to providing a safe and reliable environment for both sellers and buyers. Its obligations include verifying the seller's identity and product quality to ensure a problem-free shopping experience.

a/- Amazon's platform commitment to verify the seller's identity

Amazon is among the world's largest e-commerce platforms and attaches great importance to ensuring that its sellers comply with security and reliability standards. This seller identity

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verification is not only a necessary step to ensure integrity, it is also an essential part of enhancing trust between consumers and sellers, contributing to a safe and reliable shopping environment:

❖ **Vendor Identity Verification Procedures:** Any seller wishing to sell on Amazon must follow a series of procedures to prove their identity. These procedures typically involve the submission of official documents and documents supporting the seller's identity and legal registration¹³. Among the documents that vendors are required to submit are:

Personal Identity: The seller must provide a copy of the official identity such as the national identity card or passport.

Bank Details: To confirm the seller's ability to receive payments, the seller is required to provide bank account details.

Company information (if any): If the seller is a company, it must submit documents proving its company's registration and legal existence, such as a commercial registration certificate or a tax certificate.

In 2016, Amazon was criticized for selling fake products across its platform. At the time, the verification of the sellers' identity on the platform was inadequate, allowing some unreliable sellers to sell counterfeit products, in order to address this problem, Amazon promoted the verification of sellers' identity, requiring sellers to provide photocopies of official identity documents as well as proof of the commercial residence address (Amazon, 2016). After this update, verification of sellers' identity became more stringent, helping to reduce the number of cases in which illegal or counterfeit products were sold.

❖ **Use of technology in verification:** Amazon benefits from advanced technologies such as artificial intelligence and image recognition techniques to verify sellers' identity. In recent years, Amazon has used tools such as biometric verification and artificial intelligence to review documents submitted by sellers, sellers can submit a selfie that automatically compares with documents provided, such as a passport or driver's license, to verify their authenticity.

In 2021, Amazon launched a new system that uses machine learning to detect forged documents. It has been reported that this system reduced fraud cases by 30% in the first six months of its application¹⁴.

In 2022, more than 500,000 sellers joined the Amazon Brand Registry program, helping to reduce fraud cases by 40%.

❖ **Reports and reviews as an additional verification mechanism:** Besides official documents, Amazon also uses customer reports and reviews as an additional mechanism to ensure the reliability of sellers, customers can provide feedback on the overall experience with the seller, including the valuation of service and products, and in case of ongoing complaints by customers about a particular seller, their account may be suspended or completely excluded from the platform.

If a seller sells counterfeit products or does not adhere to Amazon policies, customers can file complaints, which leads to an investigation by Amazon. In many cases, sellers were excluded from platforms like Amazon due to quality or fraud issues, such as the case of NewPower in 2018, which was discontinued after receiving numerous complaints about fake products it sold (CNET, 2018)¹⁵.

In 2019, Amazon removed more than 3 billion counterfeit products after a thorough audit of sellers' accounts. Thousands of accounts that could not prove legitimate have been suspended.

❖ **Continuous review of the seller's identity :** Identity verification is not only the first step when registering, it also includes continuous review. Amazon is constantly reviewing sellers on its platform to ensure continuous compliance with standards. This means that even after the seller's identity is verified, it may be subject to periodic checks to verify its compliance with approved policies and regulations¹⁶.

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In 2020, Amazon expanded its ongoing vendor audits by implementing periodic document audits and account updates. For example, sellers may be required to provide annual updates on the status of their business registration or bank accounts¹⁷.

b/- Amazon's platform commitment to product quality verification

Amazon is committed to ensuring the quality of products on its site through a range of policies and procedures aimed at protecting the consumer and ensuring a reliable shopping experience. These obligations include the use of advanced techniques, the application of strict policies, and cooperation with the competent authorities.

❖ **Quality Policy and Vendor Verification :** Amazon imposes strict policies on sellers to ensure that the products they offer meet the required quality standards, including requirements such as providing product quality proof documents, ensuring the products are not fake or against the laws, and Amazon reviews customers' assessments and complaints to identify sellers who do not adhere to quality standards¹⁸.

❖ **Use advanced techniques in quality inspection:** Amazon uses machine learning and computer vision techniques to detect defects in products. For example, the Amazon Lookout for Vision service helps manufacturers detect defects in products through widespread image analysis. This service enables companies to improve production quality and reduce defects.

❖ **Applying strict brand protection and counterfeiting policies:** Amazon implements strict policies to protect intellectual property rights and combat counterfeit products. In its Brand Protection Report 2023, Amazon stated that it banned more than 99% of suspicious listings before any customer could see them, and also seized more than 7 million fake products worldwide to ensure they did not reach customers¹⁹.

❖ **Cooperation with competent authorities to ensure the safety of products:** Amazon cooperates with government agencies and consumer protection organizations to ensure the safety of products on its platform. This cooperation includes exchanging information about non-standard products and pulling them from the market, contributing to enhancing consumers' confidence and ensuring a safe shopping experience.

❖ **Random inspection and removal of offending products:** Amazon performs random inspections of products on the platform, especially those sold by new sellers or products with low ratings. If you detect products that are inconsistent with the standards, Amazon immediately removes them.

Through these procedures and technologies, Amazon seeks to provide a safe and reliable shopping environment that meets consumers' expectations and ensures the quality of products on its platform.

2- The Legal Foundations of Amazon's Liability for Failing to Verify Seller Identity and Product Quality

The issue of Amazon's liability for failure to verify the seller's identity and product quality raises legal problems regarding the nature of its obligations to consumers, and in this context overlaps both tort and contractual liabilities, requiring research into the legal grounds that may make the platform liable for damages resulting from its negligence in this aspect.

2.1- Default liability and its role in determining Amazon's liability when damage occurs

Default liability is one of the fundamental legal pillars in determining the extent of Amazon's obligation to compensate for damages that may be caused to the consumer as a result of failure to verify the seller's identity or quality of the product. This type of liability is based on the victim's obligation to be compensated when the error, damage and causation are realized. In this context, it can be examined whether Amazon's failure to take adequate measures to verify sellers and products constitutes negligence resulting in a legal obligation, and whether it bears indirect liability as an intermediary that allows sales without guaranteeing minimum consumer protection.

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Default liability is a legal obligation that arises when damage is caused by negligence or omission without a contractual relationship between the parties. This liability is based on three main elements: Error, damage, and causation, according to the general rules of civil law, obliges the wrongdoer to compensate the aggrieved for the damages suffered, whether the act is intentional or the result of gross negligence. This legal basis is the main reference for determining the extent of Amazon's liability when the consumer is harmed by the failure to verify the seller's identity or the quality of the product²⁰.

Amazon's liability arises for damages to consumers if it is established that the platform acted negligently or did not take the necessary measures to protect users. This includes not verifying the sellers' identity or the quality of products sold via its platform. According to the principles of tort liability, any failure to take precautionary measures may make the platform legally liable, especially if damage can be expected and preventive action taken to avoid it²¹.

In several legal cases, Amazon has been sued for consumer damage caused by the use of defective products sold via the platform, and in some cases Amazon has been held liable for failing to adequately control products that allow them to be displayed on its site, and has been held accountable for delays in delivery or inadequate information on products that have caused harm to consumers.

In this regard, there is a case regarding Amazon's liability for selling a defective product (dog belt) that caused consumer injury, it was discussed whether Amazon could be considered a "seller" under the Defective Products Act of Pennsylvania, and therefore incur default liability²².

Error in tort is defined as any wrongful act that causes harm to others. This includes neglect, which is a failure to take the necessary care to avoid harm to others. In the case of Amazon, negligence may be the failure to verify sellers' data, allowing anonymous parties to sell inferior or counterfeit products that may cause harm to the consumer. According to jurisprudence, companies acting as intermediaries in sales operations must take minimal measures to ensure consumers' safety²³.

Causation is one of the key elements in establishing default liability, as there must be a direct link between Amazon's error and consumer damage. If it can be shown that Amazon's negligence in verifying the seller's identity or quality of the product has resulted in direct harm, it reinforces its legal liability. Jurisprudence indicates that the criterion of causation in default liability may be either direct (damage is a direct result of the act) or indirect (damage is the result of a series of events initiated by the original act).

The platform must provide basic data on the commodity or service by describing the commodity's basic descriptions and characteristics, whether related to its installation, packaging, maintenance, use and destruction instructions. The interventionist must accurately describe the product in place of the contract in order for the consumer to have sufficient clear and unequivocal knowledge²⁴.

In many legal systems, courts have addressed digital platforms' liability for damages resulting from sales through them. For example, in the famous *Oberdorf v. Amazon.com, Inc.*, a U.S. court ruled that Amazon might be liable for defective products sold via its platform, given its role in facilitating the transaction and not verifying the quality of the product or seller. This provision is an important indication that Amazon can be held liable for default if it is found not to have taken sufficient measures to protect consumers²⁵.

Laws on default liability vary from State to State, but many legal systems provide for the responsibility of a digital broker if it is established that it has not taken the necessary measures to protect consumers. In European law, the European Union's directives on electronic commerce impose certain responsibilities on digital platforms to ensure that their platforms are not used in illicit acts. In the United States, legal claims to hold Amazon liable for damages arising from products sold via its platform are increasing if it is found to be negligent in overseeing the sale.

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Table N°1 : Tort Liability of Amazon in Different Countries

Country	Scope of Liability	Possible Legal Actions
United States	Amazon can be sued in some states if negligence in verifying sellers or product quality is proven.	Legal actions at the state level, with varying court rulings.
European Union	Amazon is subject to strict consumer protection laws and can be held liable if it fails to implement regulatory measures.	Compliance with EU consumer protection directives, such as product liability regulations.
United Kingdom	There is a growing trend to hold Amazon accountable for unsafe products sold on its platform.	Legal amendments that could impose greater liability on Amazon for sold products.
India	Amazon may be held responsible if it fails to comply with e-commerce regulations on seller monitoring.	Government-imposed regulatory frameworks mandate Amazon to ensure transparency and consumer protection.
China	Sellers are generally held responsible, but Amazon may be liable in certain cases.	Government oversight mechanisms focus on direct seller accountability.
United Arab Emirates	Liability depends on local consumer protection laws, with sellers primarily responsible.	Legal procedures vary based on commercial contracts and local regulations.

Margaret E. Dillaway, The New "W The New "Web-Stream" of Commerce: Amazon and the Necessity of Strict Products Liability for Online Marketplaces, Vanderbilt Law Review, Available at: <https://scholarship.law.vanderbilt.edu/vlr/>, volume 74/issue 01, January 2021.

Amazon's default responsibility is based on the need to take preventive measures to verify the identity of vendors and the quality of products on its platform. If Amazon is found to have failed to verify sellers' data or to impose adequate quality standards, it may incur default liability when consumer harm occurs, and this liability depends on proof of negligence, Damage, and the causation relationship between Amazon's default and consumer damage, necessitating the development of stricter policies to protect users and avoid legal liability.

2.2- Contractual Liability and the Limits of the Platform's Obligations Towards Consumers

Contractual liability is a legal obligation arising from a breach of the terms of the contract between two parties. This liability is based on key elements, including the existence of a valid contract, breach of a contractual obligation, injury to the injured party and a causal link between the breach and the damage. In accordance with the general rules of civil law, the breaching party is obliged to compensate the other party for damages resulting from the breach of contract²⁶.

Amazon is a contractual party to many transactions made through its platform providing a legal framework for selling products through their terms of service. These conditions provide for obligations including ensuring delivery, protecting consumers' data, and The ability to return

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products according to the platform's policies, however, Amazon accurately determines its contractual liability. This may restrict the consumer's right to claim compensation.

Amazon is an intermediary between sellers and consumers, which raises questions about the nature of contractual liability. In many cases, Amazon is not the direct seller, it provides a platform for sellers to display their products. However, Amazon imposes general conditions on consumers that set out their obligations, such as return and recovery policies, which are part of the contract between the platform and the consumer.

In electronic contracts, Amazon seeks to reduce its legal liability through the terms of use it imposes on consumers when making purchases. In many cases, Amazon is merely an intermediary between the seller and the buyer, partly exempting it from contractual liability to the consumer, especially when the product is on offer by a third-party seller.

Contractual breaches arise when Amazon or the seller does not fulfil contract obligations, such as delaying the delivery of products, providing products that do not conform to the description, or violating recovery policies. In some laws, Amazon can be held liable even if it is not the direct seller, if it is proven that it has not provided sufficient supervision of transactions or failed to protect consumers' rights.

Courts in many states have dealt with Amazon's contractual liability in multiple cases. For example, in the famous *Oberdorf v. Amazon.com, Inc.*, a U.S. court held that Amazon could be held liable for defective products sold via its platform, even though it was not the direct seller, and this case highlights the importance of courts interpreting Amazon's role as a potential contractual party in transactions through its platform²⁷.

Table N°2 : Contractual Liability of Amazon in Different Countries

Country	Amazon's Contractual Obligations	Legal Enforcement Mechanisms
United States	Compliance with terms of service and return policies, with the possibility of legal action in case of breach.	Consumers can file legal claims based on Amazon's policies and consumer protection laws.
European Union	Amazon must comply with EU regulations that impose strict consumer guarantees.	EU directives establish clear mechanisms to protect consumer rights.
United Kingdom	Amazon is subject to consumer protection and fair trade laws, with the possibility of being held liable for contract breaches.	Courts can rule against Amazon if it fails to comply with contractual obligations towards consumers.
India	Amazon must ensure that sellers comply with contractual agreements under e-commerce laws.	Consumers can file official complaints against Amazon if it fails to meet contractual terms or warranty policies.
China	Contracts with sellers are generally strict, but Amazon may face legal claims if it does not comply with service agreements.	Legal settlements with consumers are common, along with regulatory interventions.
United Arab Emirates	Amazon complies with contracts under local laws, with a greater focus on shared responsibility between sellers and the platform.	Legal enforcement depends on local regulations, and courts often handle cases based on contract terms.

Amazon, Conditions of Use, September 14, 2022,

<https://www.amazon.com/gp/help/customer/display.html?nodeId=GLSBYFE9MGKKQXXM>

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Amazon's contractual liability arises when it breaches obligations agreed with consumers equitable return policies, whether in terms of product delivery, quality assurance or equitable return policies, This liability shall be determined by the contractual terms set forth in the employment agreements. where Amazon may be directly liable if it is the seller, or indirect liability if external vendors are not adequately controlled The extent of Amazon's legal commitment depends on domestic legislation and the courts' interpretation of contractual terms, It is therefore necessary to improve compliance policies to protect consumers' rights.

Hence, a comparison can be drawn between civil and tort liability for verifying the seller's identity and product quality by Amazon.

Table N°3 : Default and contract liability with respect to Amazon's failure to verify the seller's identity and product quality

Type of Liability	Cases of Negligence	Legal Responsibility	Preventive Measures
Tort Liability	If Amazon allows unverified sellers to sell counterfeit or dangerous products, causing harm to consumers.	Amazon can be sued for negligence if it fails to take sufficient measures to verify seller identity and product quality.	Implement stricter verification systems, such as reviewing seller history, customer reviews, and blocking suspicious sellers from the platform.
Contractual Liability	If Amazon fails to comply with contractual terms by allowing the sale of non-compliant or substandard products without providing quality guarantees.	Amazon may be liable for breach of contract if it does not ensure seller verification or product quality, especially if contractually obligated.	Establish clearer terms in contracts with sellers and provide consumer protection guarantees, such as refunds for non-compliant products.

Table prepared by the researcher

Tort and contractual liabilities overlap in the determination of Amazon's obligations to consumers, with the platform incurring contractual liability for breaches of sale terms, such as delays in delivery or breaches of return policies, while tort liability arises if Amazon is found to be negligent in verifying the identity of sellers or the quality of products, causing harm to consumers. Amazon's scope of liability depends on local laws, and courts interpret its role as a direct broker or seller, forcing it to strengthen safety standards and ensure consumers' rights to avoid legal disputes.

Conclusion:

In conclusion, the civil liability of e-sales platforms in verifying the seller's identity and product quality is arguably vital to maintaining the platform's credibility and protecting consumers. These platforms must take the necessary action to ensure that the products offered are in line with recognized quality and safety standards, and that the vendors have integrity and transparency in their dealings.

The Amazon platform, while adopting control mechanisms to avoid risks associated with electronic commerce, still has challenges in ensuring full transparency and effective verification

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of the seller's identity and product quality. Thus, platforms need to strengthen their policies and procedures to ensure greater consumer protection, contributing to improved e-shopping experience and increased trust between consumers and online sales.

The study concluded a set of results, the outcome of which is as follows:

- Electronic sales platforms such as Amazon have legal liability in case of failure to verify the seller's identity and product quality, thereby reinforcing the need to improve control mechanisms.
- Electronic sales platforms adopt effective product and seller verification policies that contribute significantly to protecting consumers' rights and reducing legal problems related to e-commerce.
- Lack of effective oversight so that some e-selling platforms fail to perform accurate checks of sellers and product quality, sometimes causing problems for consumers.
- Increased transparency and reliability in verifying products and sellers enhances consumers' confidence in electronic platforms.

Based on all what have been said, the study concluded a set of recommendations:

- Amazon's platform improves the mechanisms for verifying sellers' identity more accurately, including verifying their business history and reputation in the market to ensure their credibility.
- The need to strengthen control over the quality of products sold on Amazon's platform, including inspection of products by competent teams or accreditation of independent companies to verify quality.
- Develop complaints and compensation mechanisms so that it is important that Amazon provide an effective and expeditious mechanism for consumers to complain about the quality of products or the identity of sellers, while ensuring fair compensation if necessary.
- Enhance transparency in product valuations by taking strict action to verify the credibility of users' assessments, as assessments must be ensured to reflect real and correct experiences from buyers.
- Expand consumer protection tools by providing more information about the product, such as quality certificates or safeguards, to reduce the risks associated with shopping.
- Improved communication with sellers: Amazon must improve communication with sellers to ensure that they comply with the platform's policies, while constantly monitoring the quality of their services and their adherence to agreed standards.

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⁴ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce), Official Journal L 178, 17/07/2000, pp. 1–16.

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