

Analysis of the Supervision Mechanism after the Event in Cross-border Electronic Commerce

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Abstract: *With the gradual rise of Internet and information technology, e-commerce as a means of trade has gradually spread and developed rapidly. As one of the special sub-categories of e-commerce, cross-border electronic commerce has certain difficulties and particularities in supervision. The thesis will focus on cross-border electronic commerce's supervision during and after the event, deeply explore the characteristics of cross-border electronic commerce and analyze how to effectively improve the supervision mechanism according to its characteristics, accordingly conduct good supervision on cross-border electronic commerce and realize the sound and healthy development of cross-border electronic commerce.*

Keywords: *Cross-border electronic commerce; Supervision in the matter; Post-event supervision; Supervision mechanism; Analyse*

1. Introduction

The essence of cross-border electronic commerce is to combine traditional international trade with modern information technology, and rely on the network information platform to conduct a series of transactions and the process of signing contracts. With the support of the Internet and information technology, compared with the traditional international trade process, cross-border electronic commerce is more streamlined and convenient to trade, but at the same time it is more difficult to supervise. With the further development of cross-border electronic commerce in China, it has brought good economic benefits and a series of new challenges for supervision. How to conduct good post-event supervision of e-commerce has become a matter that relevant institutions must fully consider.

2. The Main Problems in Cross-border Electronic Eommerce at Present.

2.1 Lack of effective legal support

As a new type of trade relying on the Internet platform, cross-border electronic commerce has a relatively short development time in China, and its development is relatively barbaric and free. Around the COVID-19 epidemic, cross-border electronic commerce suffered a certain blow, so the state issued a series of favorable policies to promote the recovery and stable development of cross-border electronic commerce. Although in 2018, a series of national institutions including the National Development and Reform Commission, the Ministry of Finance and the State Administration of Taxation issued the basic supervision principles for cross-span e-commerce, on the whole, there are still a series of problems in the supervision level of cross-border electronic commerce, such as imperfect legal basis, insufficient comprehensiveness, weak supervision, unclear identification of responsibilities, and difficulties in protecting consumers' rights and interests^[1].

Secondly, the complex legal relationship between the subjects is also one of the regulatory difficulties in e-commerce, because there are relatively many subjects involved in cross-span e-commerce, including overseas enterprises, domestic enterprises, operators of trading platforms, international shipping-related enterprises, domestic warehousing enterprises and logistics enterprises. In the absence of regulatory laws, the complex relationship between multiple subjects will greatly affect the implementation of the main responsibility, further increasing the difficulty of e-commerce supervision.

2.2 Conflict of applicable standards for products

The conflict of product application standards is also one of the difficulties in cross-border electronic commerce's supervision, because cross-border electronic commerce's trading subjects include both domestic and foreign countries. However, due to a series of differences in national environment, culture, production standards and certification standards, there may be some differences between the standards of some goods in other countries abroad and those in China, especially in some foods, medicines and health care products. Different countries have great differences in the dosage standards and labeling methods for some materials, additives and certain chemical components, and this difference may often lead to some disputes in overseas e-commerce supervision and have a certain impact on the effectiveness of overseas e-commerce supervision^[2].

2.3 Poor coordinated operation of departments

The actual supervision process in cross-border electronic commerce often requires the participation of many government departments with different functions, but so far there is still some lag and backwardness in the coordinated operation of many departments. The main reason is the lack of a unified centralized information processing platform in cross-border electronic commerce, which leads to the problem of limited information transmission in the process of coordinated operation of various departments. At the same time, the problems in information exchange also lead to the market supervision department's inability to fully understand the situation in cross-border electronic commerce, which has a certain impact on the handling of violations of laws and regulations and hinders the formation of a comprehensive supervision system for cross-border electronic commerce.

2.4 It is difficult to protect consumers' rights and interests

Because cross-border electronic commerce involves transactions between domestic and overseas, there is not only a relatively long space distance between domestic and overseas, but also a great information barrier. This physical gap and information difference further make it difficult for consumers to fully protect their right to know. Consumers often cannot judge whether the source of goods is regular and the price is reasonable, and it is also difficult to accurately judge the quality of goods. At the same time, consumers also lack corresponding channels for checking the quality of goods and means to verify the regularity and eligibility of goods. On the other hand, once the subject of responsibility is an overseas enterprise, it is relatively difficult and costly for consumers to investigate the responsibility, which makes it difficult to really protect consumers' rights and interests.

At the same time, there are some difficulties in the implementation of commodity quality supervision in cross-border electronic commerce, especially in the supervision level, because many cross-border goods are not shipped from overseas into the hands of consumers, but shipped in the bonded area in China, and the warehouses in the bonded area have the nature of "overseas customs clearance", and some domestic supervision measures and laws are not applicable, which greatly hinders the active supervision of relevant institutions and can only be passively supervised after quality problems appear, which also leads to the damage to consumers' rights and interests [3]

3. The Core of Post-event Supervision in Cross-border Electronic Commerce.

3.1 The key of supervision in the matter

In-process supervision is mainly aimed at the daily operation behavior of market participants, the quality of commodities and the legitimacy of operation. As a special trade type, cross-border electronic commerce includes both domestic and foreign parts, as well as logistics, warehousing and platforms. In order to achieve effective supervision, we must first ensure the comprehensiveness of supervision and ensure that supervision can really penetrate into every link in cross-border electronic commerce, especially in China, which should be managed under the effective supervision of the regulatory authorities and according to different categories and functions of responsible subjects and different legal provisions. For example, when supervising the providers of cross-border electronic commerce platform, we can identify the responsibility of the platform subject according to the E-commerce Law. In this way, we can restrain and manage the participants in cross-border electronic commerce, and avoid illegal operations and operations in cross-border electronic commerce as much as possible. At the same time, in terms of consumer rights protection, ordinary consumers are more concerned about the

source, quality, quality and whether there is price fraud in the process of consumption, so these points should also be the issues that market supervision departments need to pay attention to in the process of supervision. In terms of specific measures, including the market supervision department, customs department and other relevant departments, we should first plan the functions of various departments, fully determine the scope of functions of different departments, and avoid the occurrence of vague functions, overlapping functions and regulatory vacuum zones. At the same time, we should form a situation of full linkage between different departments, pay attention to the key points that ordinary consumers care about in various ways and in all directions, and provide the source protection for consumers' interests.

3.2 The core of post-event supervision

Post-event supervision can be regarded as an extension of post-event supervision, which refers to the disposal of illegal acts that have occurred in trade, operation and product quality, including consumer rights protection and actual illegal acts. Therefore, post-event supervision, as a means of handling, has a natural lag and must be supported by clear laws and regulations to achieve clear results. At the level of post-event supervision, the subject orientation, division of responsibilities and the relationship between e-commerce enterprises and consumers have always been controversial topics. The controversy mainly focuses on whether the relationship between e-commerce platform and consumers is a buying and selling relationship or a principal-agent relationship. If it is a principal-agent relationship and the e-commerce platform itself does not own the cargo rights, it is actually difficult for domestic market supervision departments and other departments of overseas enterprises to achieve good supervision of overseas enterprises once problems arise. Therefore, in order to form a good post-event supervision, the most critical core part is to fully identify the responsibilities of all responsible subjects in the international e-commerce transaction process, and further promote the establishment and improvement of relevant legal provisions to ensure that all participants in the cross-border electronic commerce process can be effectively supervised [4].

3.3 The key of credit supervision

As one of the new supervision methods in cross-border electronic commerce, credit supervision can fully play a role in all supervision links, and the evaluation and comprehensive supervision of market entities can also be realized through the establishment of credit mechanism, which is of vital significance and role in the process of supervision in cross-border electronic commerce. In order to carry out good credit supervision and give full play to the role of credit supervision in cross-border electronic commerce, the key core is the application of information technology and the integration of information. Relying on the current level of information technology, relevant departments can fully integrate the operation status and supervision records of the participating entities in cross-border electronic commerce by establishing an information integration platform, and establish data information models and portraits of relevant entities. On the one hand, information integration can better realize the cooperative supervision of multiple departments, strengthen the supervision efficiency and effect and form a more perfect supervision system. Meanwhile, it can also generate credit evaluation for different responsible subjects, and integrate information from commodity quality, illegal records, consumer rights protection records, enterprise operation risks, etc., to form an integrated supervision linkage mechanism, which further improves the deterrence of supervision.

4. Post-event Supervision Mechanism Optimization of Cross-border Electronic Commerces

4.1 Comprehensively promote the construction of information platform in cross-border electronic commerce.

In the process of management in cross-border electronic commerce, there are relatively many regulatory problems due to the different regulatory functions of various departments and the unsmooth information exchange. Therefore, in order to optimize the post-event regulatory mechanism, the e-commerce information platform based on the Internet and information technology is an essential regulatory tool. On the specific application level, the first thing is to realize the joint construction and joint access of multiple departments so that the customs department, the market supervision department and other departments related to span e-commerce can access into the e-commerce information platform, not only as the information provider, but also as the information audience so as to realize

efficient information interaction relying on the Internet and improve the supervision efficiency. Moreover, in the course of building e-commerce information platform, we should further strengthen its functionality and practicality, actively integrate the concept of digital reform, integrate market supervision, tax management, customs, logistics and other aspects of work through information technology, form a comprehensive information processing window and further realize the supervision and disposal of illegal activities in cross-border e-commerce transactions, and realize the targeted supervision situation of network platform management through network platform [5].

4.2 Carry out the construction of credit system on the basis of cross-border electronic commerce information platform

The credit system of cross-border electronic commerce is an extension and summary of post-event supervision, and it can be fully applied to the process of in-event management. Through cross-border electronic commerce's credit system, it can greatly strengthen the effectiveness and deterrence of in-event supervision and ensure the effectiveness of law enforcement by customs departments and market supervision departments. Through the concrete implementation, firstly, relying on cross-border electronic commerce information platform, we should completely judge and make portraits of the supervised subjects through multi-department information sharing, establish an independent database for the subjects, and do a good job in credit evaluation. When some responsible subjects are supervised afterwards and punished illegally, the illegal records and punishment records should be included in the database in detail, and the basic principle of "comprehensive inclusion" should be followed during the establishment of the database. Accordingly, the authenticity, accuracy and effectiveness of the information should be fully guaranteed, and it should be used as the basis for credit evaluation of relevant subjects, and the second illegal behavior of relevant responsible subjects should be severely investigated [6].

In order for the credit system to play a good role, we need to do the following three aspects: first, we need to strengthen the further alliance between different departments, which are the basis of credit and the premise of credit judgment. For example, the market supervision department should fully consider its illegal customs records when supervising and ensuring the unity of the credit system among departments. Secondly, it is necessary to further strengthen the collection of credit information in cross-border electronic commerce, mobilize all departments to form a smooth and convenient information collection channel and information delivery channel, speed up the operation of information processing, and strengthen the application effect of credit information in the actual supervision process. Finally, it is essential to strengthen differentiated supervision services, further widen the service differences between high-credit subjects and low-credit subjects, fully protect the vital interests of trustworthy subjects and consumers through the principle of differentiation, and improve the illegal cost and form a good restraint effect on illegal activities.

4.3 Improve the relevant laws of cross-border electronic commerce and form a long-term mechanism to promote the development of cross-border electronic commerce.

Perfecting the relevant laws in cross-border electronic commerce is the key to the good post-event supervision of cross-border electronic commerce. Only under a sound legal system and supported by proper legal provisions can cross-border electronic commerce's supervision be more legitimate and authoritative. In the process of perfecting relevant laws, first of all, relevant departments and personnel should fully consider the uniqueness and complexity of e-commerce, and deeply analyze its uniqueness and complexity to explore a more reasonable and scientific legal and regulatory system. It is significant to consult the legal academic circles at the theoretical level and absorb the debates and discussions of legal research institutions. It is also vital to explore the relevant legal provisions of cross-border electronic commerce through the establishment of a comprehensive experimental area. In the course of discussion and exploration, we should first study the incompatibility of different standards and laws in and outside cross-border electronic commerce. What's more, from the standpoint of the people, we should scientifically define and divide the responsibilities of each subject in the whole process of cross-border electronic commerce, so as to ensure that consumers' due rights and interests can be well and conveniently protected when their rights and interests are damaged. Furthermore, cross-border electronic commerce's legal system should also fully cover the main norms, circulation supervision, customs clearance supervision and other aspects, and also penetrate into every link of cross-border electronic commerce in contract signing, shipping, mainland logistics, trading platform operation and so on, so as to fully ensure the effectiveness of supervision [7].

5. Conclusion

To sum up, cross-border electronic commerce, as a new thing, has not developed for a long time in China, and it will also have certain Internet characteristics. In addition, the relevant laws and regulations are still not perfect, only with the guidance of the general direction, and it lacks the support of actual legal basis in many specific aspects. Therefore, in order to achieve good supervision after the event in cross-border electronic commerce, we must first improve the relevant laws and regulations system, achieve a breakthrough in the content of regulatory disputes as soon as possible, and standardize the market system in cross-border electronic commerce. At the same time, we should make full use of cross-border electronic commerce's Internet characteristics, establish an information platform in cross-border electronic commerce, strengthen supervision ability through information integration, and establish a credit system in a targeted manner, focusing on cracking down on repeated illegal acts, so as to form effective and deterrent supervision.

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