COMPARATIVE ANALYSIS OF CONSUMER PROTECTION LAWS IN E-COMMERCE: A STUDY OF PAKISTAN AND THE EUROPEAN UNION

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ABSTRACT

This thesis presents a comparative analysis of the e-consumer laws of Pakistan and the European Union. Alongside this analysis, it outlines the importance of e-commerce and the necessity of its protection. As e-commerce grows increasingly prevalent, this ongoing and progressive change demands adequate legal safeguards. The prosperity of digital consumers relies on reliable, effective, and strong e-commerce laws, as well as their proper enforcement. Pakistan, as an emerging digital market, lacks sufficient laws and mechanisms for the effective regulation of e-commerce. To date, the Pakistani government has not introduced specific legislation for the regulation of e-commerce. E-commerce in Pakistan continues to operate under traditional commerce laws, including the Punjab Consumer Protection Act 2005, the Sindh Consumer Protection Act 2014, the Balochistan Consumer Protection Act, the KPK Consumer Protection Act 1997, and the Islamabad Consumer Protection Act 1995. Additionally, general digital regulatory enactments, such as the Prevention of Electronic Crimes Act 2016 and the Electronic Transactions Ordinance 2002, primarily address cybercrimes and the validation of digital transactions and receipts. However, there is no comprehensive legislation specifically tailored for e-commerce. In contrast, various jurisdictions have introduced diverse legislation to safeguard e-commerce. The European Union, for instance, has enacted advanced, comprehensive, and specific laws for the e-commerce sector. These include the Digital Services Act (DSA), the Digital Markets Act (DMA), the General Data Protection Regulation (GDPR), and several other directives. A detailed analysis reveals that, under the current consumer protection laws and mechanisms, digital consumers in Pakistan are more vulnerable to consumer rights violations, such as fraud, misrepresentation, deceptive pricing, impersonation, and other threats. In this regard,

the EU's e-commerce laws can serve as a model for countries like Pakistan. Adopting advanced frameworks and concepts from EU e-commerce legislation would not only address the current challenges faced by Pakistan's e-commerce sector but also provide a foundation for addressing future vulnerabilities.

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