TRANSFORMING NEGOTIATION IN THE DIGITAL AGE: ETHICS, CHALLENGES AND PERSPECTIVES

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ABSTRACT: *Digitalization has transformed business negotiation, integrating technologies such as artificial intelligence, blockchain, and data analytics. These solutions increase efficiency and transparency, but also raise ethical issues, such as algorithmic opacity, the risk of information manipulation, and unequal access to technological resources. Key challenges include price discrimination, data security and the impact on SMEs, which may be disadvantaged by automated trading platforms. Blockchain offers solutions for transparency, and strict regulations are essential for the fairness of the trading process. Case studies on Amazon and Walmart highlight both the risks of dynamic pricing and the benefits of blockchain traceability. The future of digital commerce depends on clear and transparent standards, corporate regulation and oversight, ensuring a fair and sustainable framework.*

KEYWORDS: *ethics, negotiation, business, digitalization, algorithms, transparency, blockchain, regulation*

JEL CLASSIFICATIONS: *K12, O33*.

1. INTRODUCTION

In an era of rapid technological innovation and global interconnectivity, business negotiations have undergone significant transformation. The traditional process, based on face-to-face interactions, verbal exchanges, and persuasive tactics, has been replaced or supplemented by digital methods that promise efficiency, speed, and accessibility. The digitalization of negotiations is manifested through the use of advanced technologies such as artificial intelligence (AI), blockchain, big data, online negotiation platforms, and business process automation. These tools significantly improve companies' ability to make data-driven decisions and optimize negotiation strategies.

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However, this technological revolution brings with it a number of significant ethical challenges. These include decision-making transparency, information security and confidentiality, non-discriminatory access to trading platforms, and responsibility in the use of trading algorithms. A fundamental question that arises is whether technology can guarantee a fair and ethical trading process or whether it introduces new forms of manipulation, exploitation, and information asymmetry.

For example, the use of artificial intelligence in negotiation can lead to situations where algorithms act opaquely, making decisions based on parameters unknown to human users. If these systems are trained on biased data sets, the results of negotiations can be unfair, favoring some parties over others. At the same time, blockchain offers a tremendous opportunity to ensure transparency and security of transactions, but it raises challenges related to scalability and regulation.

In addition, the development of the digital economy and the use of e-commerce and freelancing platforms create a complex competitive landscape, in which the parties involved no longer negotiate directly, but through algorithmic interfaces. This situation raises questions about the fairness of algorithms that set prices, contractual conditions or terms of collaboration.

In this article, I aim to analyze the impact of digital technologies on the ethics of business negotiation, highlighting both the challenges they raise and the opportunities they generate for improving decision-making.

This study will contribute to a better understanding of how businesses can balance the use of digital technologies with respect for ethical principles in negotiations, thus ensuring a fair and transparent trading environment for all parties involved.

2. NEGOTIATION IN THE DIGITAL AGE: A PARADIGM SHIFT

Negotiation has always been a fundamental element of economic, social and political interactions, playing a central role in establishing commercial relations, building partnerships and managing conflicts. Traditionally, negotiations involved face-to-face meetings, verbal exchanges, psychological analysis of the interlocutor and real-time adaptation of strategies based on observable reactions. However, in recent decades, technological advances and digitalization have revolutionized this process, moving a large part of negotiations online.

Today, the negotiation process no longer depends exclusively on direct human interactions, but integrates advanced technologies such as artificial intelligence, blockchain, big data and automated decision-making systems. In this new landscape, algorithms play a crucial role, analyzing huge volumes of data and generating optimal solutions in real time. For example, e-commerce platforms and digital marketplaces, such as Amazon Business, Alibaba and Upwork, have completely redefined the way commercial negotiations are conducted, enabling fast transactions, predictive analytics and automatic personalization of offers based on consumer behavior.

The main transformations brought about by digitalization in the negotiation process include:

- Increasing the speed and efficiency of negotiations - Decision-making algorithms can instantly analyze and compare offers on the market, identifying

the most advantageous options without the need for direct human intervention. This significantly reduces the time needed to complete a negotiation and optimizes the resources used.

- Use of electronic trading platforms - Global marketplaces and specialized service platforms allow companies and professionals to negotiate quickly and efficiently, without the need for the physical presence of the parties. These platforms operate on the basis of algorithms that set prices, analyze market trends and facilitate communication between negotiators.
- Automate decision-making with artificial intelligence - AI-based systems can process massive volumes of data to recommend the best negotiation strategies, eliminating uncertainties and reducing decision-making subjectivity. For example, AI can analyze a supplier's transaction history and propose an optimal price, or predict a party's behavior based on past data.

The digital transformation of negotiations brings significant advantages, but also raises key ethical issues. Transparency of algorithms is a major challenge, as many digital platforms do not clearly explain the criteria used to set prices or contract terms. This can disadvantage certain parties who do not understand the decision-making mechanisms.

Another critical aspect is data privacy, as digital negotiations involve sensitive information such as pricing strategies and contract details. If these are not properly protected, there is a risk of misuse or unauthorized access. Although regulations such as GDPR impose strict standards, their implementation remains difficult. Fairness in negotiations is also affected by the reliance on algorithms. Large corporations benefit from advanced AI systems that optimize negotiations, while SMEs may be disadvantaged, exacerbating economic imbalances.

Thus, for the digitalization of negotiations to be ethical and fair, clear measures are needed regarding algorithm transparency, data protection and fair access to technology. International regulations and ethical codes of conduct will be essential to maintain a balance between innovation and ethical principles.

3. ETHICAL CHALLENGES IN DIGITAL NEGOTIATION

The digitization of negotiation processes has brought many benefits, such as increased efficiency and accessibility. However, it has also generated significant ethical challenges that require special attention.

3.1. Lack of transparency in the use of trading algorithms

Bargaining algorithms, widely used by companies, can create advantages for some parties at the expense of others. For example, online platforms often apply dynamic pricing, automatically adjusting rates based on users' purchase history, browsing behavior, or other personal data. This practice can lead to economic discrimination, where different consumers pay different prices for the same product or service without being aware of it (https://payproglobal.com/ro).

A study by the Romanian Competition Council highlights that the use of pricing algorithms can bring companies cost reductions and revenue increases, but can also facilitate anti-competitive behavior, negatively affecting consumers.

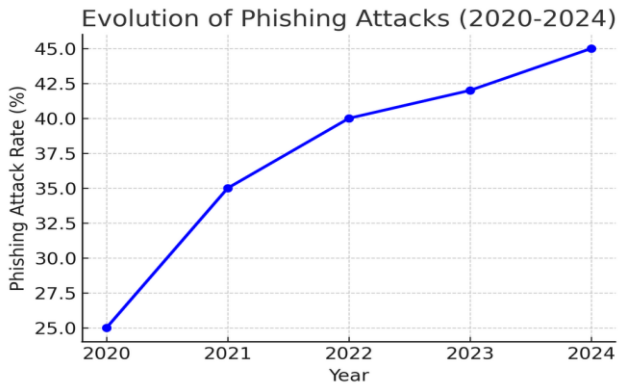
Table 1. The impact of using pricing algorithms on consumers

Appearance	Description
Advantages	• Reducing operational costs • Increasing efficiency in pricing • Possibility of personalizing offers
disadvantage	• Lack of transparency in pricing • Possibility of price discrimination • Difficulty for consumers to compare offers

Source: https://www.consiliulconcurentei.ro/wp-content/uploads/2021/03/15032021_Studiu-BigData_obsCC_necofidential.pdf

3.2. Manipulation and disinformation in digital negotiation

The digital environment is vulnerable to the spread of false information or data manipulation, which can influence negotiation decisions. For example, fake reviews on e-commerce platforms can distort the perception of the quality of a product or service, affecting the fairness of negotiations.



Source: https://www.statista.com/statistics/266155/number-of-phishing-domain-names-worldwide/

Figure 1. Percentage evolution of phishing attacks (2020-2024)

3.3. Data protection and confidentiality

Digital transactions involve the exchange of sensitive information, which increases the risk of security breaches. Cyberattacks, such as phishing or ransomware, can compromise business and personal data. In 2024, the average cost of a data breach was $4.6 million.

Table 2. Average cost of a data breach (2020-2021)

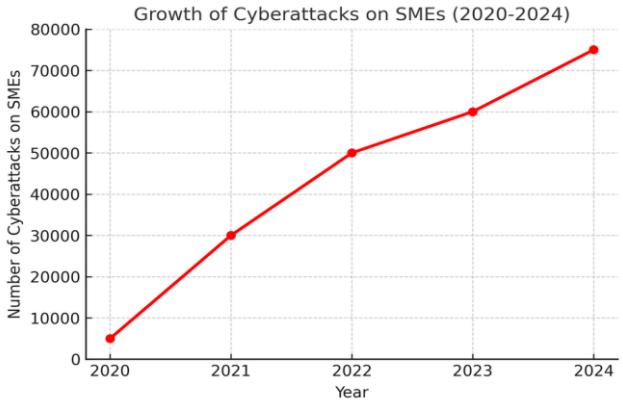
Year	Average cost (USD million)
2020	3.86
2021	4.24
2022	4.35
2023	4.45
2024	4.6

Source: *https://infinilink.com/articole/raport-ibm-costul-breselor-de-securitate-a-datelor-2023/*, *https://www.revistabiz.ro/costul-mediu-al-unei-brese-de-securitate-in-romania-pana-la-1-milion-de-euro/*

Although legislation such as the General Data Protection Regulation (GDPR) imposes strict standards, their effective implementation remains a challenge, especially for small and medium-sized enterprises.

3.4. Fairness in negotiation and access to technology

Digitalization can increase the disparities between large companies, which have access to advanced technologies, and small businesses, which may be disadvantaged due to limited resources. This imbalance affects the fairness of the negotiation process. In 2024, cyberattacks on small and medium-sized businesses increased 15 times compared to 2020, highlighting their vulnerability to digital threats (www.zf.ro).



Source: IBM Security Cost of a Data Breach Report 2024, Verizon Data Breach Investigations Report 2024

Figure 2. Increase in cyber attacks on SMEs (2020-2024)

Without adequate investments in cybersecurity and modern technologies, these companies' risk being excluded from digital negotiations, perpetuating **inequities** in the business environment.

In conclusion, while the digitalization of negotiations offers numerous advantages, it is essential to address the associated ethical challenges to ensure a fair and transparent business environment.

4. OPPORTUNITIES FOR DEVELOPING ETHICAL NEGOTIATION IN THE DIGITAL AGE

Although the digitalization of negotiations presents ethical challenges, it also offers significant opportunities for promoting business ethics.

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4.1. Increasing transparency through blockchain technology

Blockchain technology can play a key role in increasing transparency in business negotiations. This technology allows data to be stored and verified in a decentralized and secure manner, eliminating the risks of information manipulation. For example, the use of blockchain-based smart contracts can ensure compliance with contractual terms without the possibility of fraud.

Table 3. Benefits of using blockchain technology in negotiations

Benefit	Description
Transparency	All transactions are visible and verifiable by the parties involved.
Security	Data is encrypted and distributed, reducing the risk of manipulation or unauthorized access.
Efficiency	Eliminating intermediaries and automating processes reduces the time and costs associated with negotiations.
Immutability	Once recorded, data cannot be modified or deleted, ensuring the integrity of the information.

Sources: https://lew.ro/blockchain-tehnologia-revolutionara-si-aplicabilitatile-sale-diverse/, https://www.europarl.europa.eu/doceo/document/A-8-2018-0407_RO.html

According to a study conducted by Expert-Grup, in blockchain systems, transaction validation is carried out by the computers that form the nodes of the cryptocurrency mining network, thus ensuring increased security and eliminating the need for a centralized intermediary (https://expert-grup.org/ro).

4.2. Developing ethical artificial intelligence

Companies can implement ethical algorithms to ensure a fair and non-discriminatory negotiation process. For example, artificial intelligence (AI) can be programmed to follow clear ethical rules, eliminating any bias in pricing or resource allocation. The European Parliament adopted a resolution on artificial intelligence in the digital age on 3 May 2022, underlining the importance of respecting fundamental rights and ethical principles in the development and use of AI (https://www.europarl.europa.eu).

Table 4. Principles for developing ethical AI

Principle	Description
Transparency	AI algorithms and decision-making processes must be explainable and accessible for evaluation.
Equity	AI must avoid discrimination and ensure equality for all users.
Responsibility	They must be accountable for the actions and development of AI systems.
Privacy	Protecting personal data and ensuring its use in accordance with applicable regulations.

Source: https://pmc.ncbi.nlm.nih.gov/articles/PMC11050155/, https://montrealethics.ai/connecting-the-dots-in-trustworthy-artificial-intelligence-from-ai-principles-ethics-and-key-requirements-to-responsible-ai-systems-and-regulation/

4.3. Standardization and regulation of digital negotiations

Governments and international organizations can play a key role in ensuring clear regulations on the ethics of digital trading. For example, imposing rules on the use of personal data and transparency of algorithms could reduce the risks of abuse.

Initiatives to regulate digital negotiations:

- MiCA Regulation: Establishing a regulatory framework for cryptoasset markets, including transparency and reporting requirements.
- National AI Strategy 2024-2027: Romania's plan to support efforts to standardize and regulate AI development in accordance with human rights.

The Council of Europe also adopted, on May 17, 2024, a framework convention on artificial intelligence and human rights, democracy and the rule of law, underlining the need for a legal framework for the use of AI (https://www.wolterskluwer.com/ro-ro/).

4.4. Making companies accountable through ethical business practices

In a digitalized and globalized environment, holding companies accountable for business ethics is essential for maintaining a fair and sustainable business climate. Ethical business practices not only protect the integrity of companies, but also contribute to the development of sustainable business relationships, based on transparency, trust and mutual respect.

Many multinational corporations and international organizations are beginning to adopt codes of ethics and standards of corporate social responsibility (CSR) to ensure that the negotiations they conduct are fair and comply with ethical and legal norms.

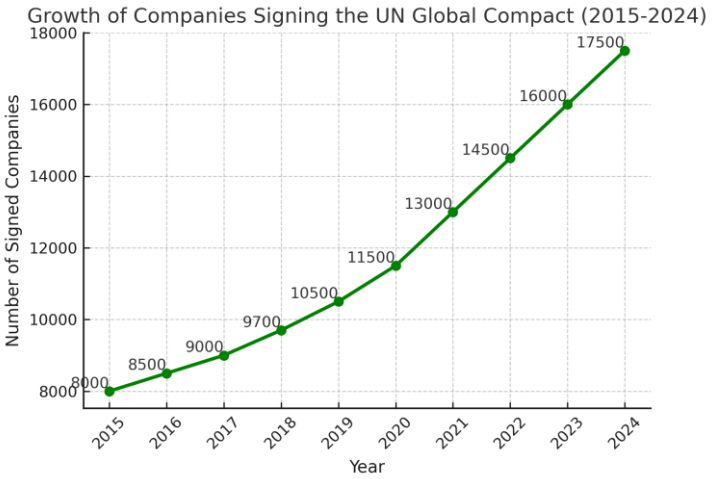
The main areas of application of ethical business practices. Making companies accountable through ethical practices manifests itself in several essential areas of commercial negotiations and processes:

- Transparency: ensuring fair access to information and eliminating deceptive practices.
- Fair competition: avoiding cartels and monopolistic practices.

- Fairness: establishing fair conditions for all business partners.
- Employee protection: compliance with labor standards, avoidance of labor exploitation.
- Sustainability: implementing environmentally friendly and responsible business policies.

Examples of business ethics initiatives and regulations. Many companies and international organizations have adopted initiatives to regulate business ethics and commercial practices, so as to ensure fairness and transparency:

- UN Global Compact - Initiative with over 15,000 companies from 160 countries, promoting ten principles on human rights, labor, environment and anti-corruption, integrated into business strategies (unglobalcompact.org).
- EU Supply Chain Regulation - Companies are required to verify that suppliers respect human rights and environmental standards, preventing the exploitation of workers and the irresponsible use of resources (eur-lex.europa.eu).
- ISO 26000 Standard - International Guide to Social Responsibility and Business Ethics, promoting transparency and sustainability in negotiations.



Source: https://unglobalcompact.org/

Figure 3. Growth in the number of companies signing the UN Global Compact (2015-2024)

The benefits of adopting ethical practices in negotiation. Companies that adopt ethical policies in negotiation benefit from multiple advantages. The study focuses on the internal practices of Sanofi, a multinational pharmaceutical organization headquartered in France and operating in numerous countries globally. In conclusion, ethics in negotiation is not only a moral obligation, but also a smart business strategy with long-term benefits. In a digitalized environment, companies must integrate ethical principles into their negotiation processes, ensuring transparency, fairness and sustainability.

Table 5. The impact of ethical practices on company performance

Indicator	Companies that apply ethical standards	Company that does not apply ethical standards
Positive reputation	85%	40%
Employee loyalty	78%	50%
Reducing legal risks	70%	30%
Access to international markets	90%	55%

Source: World Economic Forum, 2023, https://www.codeofconduct.sanofi/ro/etica-si-cultura-riscului/

For better accountability, companies should:

- Adopt clearly defined codes of ethics, applicable to all negotiation processes.
- Implement technologies such as blockchain to increase transaction transparency.
- Collaborate with governments and international organizations to comply with ethical regulations.
- Educate and train employees in ethical negotiation practices.

5. RELEVANT CASE STUDIES

To exemplify the application of ethical principles in digital negotiation, we analyze 2 significant cases:

1. Amazon and the use of dynamic pricing algorithms - The impact of pricing automation on supplier negotiations and purchasing decisions.
2. Blockchain in the Walmart supply chain - How blockchain technology contributes to increasing transparency in commercial relationships with suppliers.

5.1. Amazon and the use of dynamic pricing algorithms

Amazon, one of the largest global online retailers, uses dynamic pricing algorithms to adjust product costs in real time. These algorithms take into account factors such as demand, available inventory, and consumer behavior, which have a significant impact on supplier negotiations and the user experience.

Impact on negotiation with suppliers (European Commission, 2023)

- Amazon's Bargaining Power - Due to its size and market influence, Amazon can impose strict conditions on suppliers, forcing them to accept lower prices and faster delivery times. Dynamic pricing algorithms amplify this power, forcing suppliers to adapt quickly to changes dictated by the platform.
- Lack of price transparency - Suppliers may have difficulty understanding the pricing mechanism, which can lead to a perception of a lack of fairness and tensions in commercial relationships.

Impact on customers (Harvard Business Review, 2022)

- Perception of fairness - Customers may view price fluctuations as unfair, especially if they do not understand the reasons for the changes.
- Purchasing decisions - Algorithms prompt consumers to purchase products within a limited time frame to take advantage of reduced prices. This strategy can induce psychological pressure on buyers.
- Price discrimination - There is a risk that prices will vary based on browsing history, user location, or other personal data, which can create unjustified discrepancies between buyers (Statista, 2023).

Factor analyzed	Impact level (%)
• Perception of fairness	70
• Purchasing decisions	85
• Psychological pressure	60

Ethical considerations

- Algorithm transparency - Lack of clarity in how algorithms work can lead to suspicions of price manipulation, affecting consumer and supplier trust.
- Regulation of dynamic pricing - There is a legislative vacuum regarding the use of dynamic pricing in online retail, which leaves room for opaque commercial practices.

Possible solutions

- Increased transparency - Amazon could provide more information about the factors that influence prices, for both suppliers and consumers.
- Ethical and legislative regulations - Implementing internal policies and external regulations that ensure fair use of algorithms, preventing discrimination and abuse.

5.2. Blockchain in Walmart's supply chain

Context

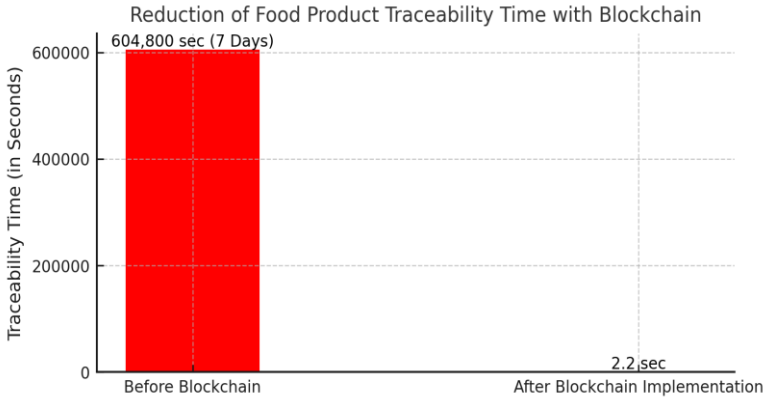
Walmart has implemented blockchain technology to improve transparency and traceability of food products. The initiative, developed in partnership with IBM, aims to increase food safety and consumer confidence by tracking products from source to shelf.

Implementation

- *Pilot projects* - Walmart has tested blockchain for food such as mangoes in the US and pork in China, using Hyperledger Fabric technology. *(lfdecentralizedtrust.org)*
- *Expansion* - After initial success, Walmart has asked its greens suppliers to adopt blockchain for full traceability. *(corporate.walmart.com)*

Benefits obtained

1) *Reduced traceability time* - Identifying the origin of products has been reduced from 7 days to 2.2 seconds. *(lfdecentralizedtrust.org)*
2) *Improving food safety* - Rapidly tracing the source of contaminated products allows for their effective recall, protecting consumers.



Source: https://tech.walmart.com/content/walmart-global-tech/en_us/blog/post/blockchain-in-the-food-supply-chain.html, https://www.scnsoft.com/blockchain/food-supply-chain

Figure 5. Reducing traceability time using blockchain

Impact on negotiation with suppliers

1) *Increased transparency* - Suppliers must provide accurate data in real time, reducing fraud risks and improving business relationships.
2) *Shared Responsibility* - All participants in the supply chain are responsible for the data they enter, promoting ethical and secure practices. (World Economic Forum, 2022)

Ethical considerations

- *Data Privacy* - Blockchain provides shared access to data, which can raise concerns about protecting sensitive business information. Walmart uses permissioned blockchains, limiting access based on user authorization (IBM Blockchain, "Food Trust Initiative," 2023).
- *Accessibility and Cost* - Blockchain implementation requires major investments in IT infrastructure and staff training. Small providers may have difficulty adopting, requiring support from large companies.

6. RECOMMENDATIONS

The digital age has fundamentally transformed the business negotiation process, offering both significant opportunities and major ethical challenges. Technological advancements, through the use of artificial intelligence, blockchain, and online negotiation platforms, have led to increased efficiency, reduced costs, and increased transparency. However, these changes have also generated ethical risks, such as the lack of transparency of algorithms, the possibility of information manipulation, and unequal access to technology.

6.1. The need for clear policies for the use of technology in negotiation

Companies should develop transparent and fair strategies regarding the use of digital technologies in negotiations. The following policies are recommended:

Table 6. Recommended ethical policies for companies in digital negotiation

Recommended policy	BENEFITS
Algorithm transparency	Increasing the trust of customers and business partners
User data protection	Reducing the risk of sanctions and building customer relationships
Periodic auditing of processes	Ensuring compliance with regulations and rapid detection of abuse
Adoption of international standards	Increasing competitiveness in global markets

Source: https://eur-lex.europa.eu/legal-content/RO/TXT/PDF/?uri=CELEX%3A32022R2065, https://www.adr.gov.ro/wp-, content/uploads/2024/03/Analiza_strategiilor_nationale_IA.pdf

6.2. The role of authorities in regulating the ethics of digital negotiation

To prevent **abuses and imbalances** in digital trading, governments and international organizations must implement clear and strict regulations. Among the most important measures needed are:

- Standardizing algorithm transparency - Regulations must require companies to provide clarity on how AI and big data technologies are used in negotiation.
- Strengthening data protection - Laws like GDPR should be expanded to include new categories of sensitive data, and companies should be required to inform users exactly how their personal information is being used.
- Implementing strict compliance mechanisms and sanctions - Firms that do not comply with ethical standards must be subject to periodic inspections and financial sanctions to deter improper practices.

6.3. Developing fair mechanisms in digital platforms

Digital platforms play a key role in ensuring a fair and accessible negotiation environment. The proposed mechanisms to ensure fairness in digital negotiations are:

Table 7. Proposed mechanisms for ensuring fairness in digital negotiations

Mechanism	Benefits
Introducing feedback systems	Improving the transparency and fairness of negotiations
Strict pricing rules	Elimination of economic discrimination
Protecting SMEs	Creating a fair competitive environment

Source:https://www.edenred.ro/ro/blog/employee-well-being/cum-sa-oferi-un-feedback-autentic-care-motiveaza-loc-sa-demoralizeze, https://stportalafirprod.blob.core.windows.net/media/media/qyfnf42u/ghid_privind_respectarea_regulilor_de_concurenta_achizitii_publice_-consiliul_concurentei.pdf

7. CONCLUSIONS

Ethical negotiation in the digital age is not only a moral imperative, but also an essential business strategy for building sustainable and trustworthy commercial

relationships. While digital technologies have brought increased efficiency and accessibility, they have also raised issues related to privacy, information manipulation, and economic inequality.

In order to maximize the benefits of digitalization and minimize ethical risks, collaboration between companies, authorities, and digital platforms is imperative. Key measures to be implemented include:

- Adopting clear standards for the use of technology - Companies must establish principles of digital ethics that govern the use of AI and negotiation algorithms.
- Strengthening consumer and supplier protection legislation - Governments must introduce stricter mechanisms to prevent abuse and market manipulation.
- Continuous monitoring of digital platforms - Regulators must periodically verify whether major platforms comply with the rules of transparency and fairness in negotiations.

In the future, emerging technologies such as blockchain and ethical artificial intelligence could help create a fairer and more transparent business environment. However, the success of this process depends on the level of involvement of all actors in the economy.

In conclusion, digitalization can bring major benefits, but only if it is managed responsibly, respecting the principles of business ethics. This is the only way in which technology can become a tool for economic and social progress, maintaining fairness and trust in the global business environment.

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