

LOBBYING IN THE UKRAINIAN PUBLIC ADMINISTRATION SYSTEM AT THE PRESENT STAGE

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Lobbying in the Ukrainian public administration system is a crucial element of interaction between businesses, non government civil society organisations, and political institutions with the government authorities. In the countries of developed democracy, this mechanism is legally regulated, ensuring transparency in decision-making and balancing the interests of those involved. However, in Ukraine, the lobbying process remains largely informal, promoting risks of corruption and non-transparent decision-making. Given Ukraine's aspirations for European integration and the strengthening of democratic institutions, the issue of both legalising and regulating lobbying activities, as well as shaping an appropriate public perception of this process, becomes increasingly relevant. This would contribute to the openness of the political process and effective public administration.

To begin our analysis, we should define what lobbying is, according to L. Krokhmalyuk, who describes it as “a lawful influence executed on representatives of the legislative and executive branches of power to adopt ‘necessary’ decisions” being made [4].

The objects of lobbying include law-making bodies, except for the Ukrainian people in nationwide referendums as well as territorial communities in local referendums. The subject of lobbying is a regulatory and legal act that is influenced

to be adopted, amended, or repealed.

Lobbying as an issue for legislative regulation has only recently emerged in Ukraine. The law «On Lobbying», adopted on February 23, 2024 (No. 3606-IX) [6], establishes the legal framework for lobbying activities in the country. According to this law, lobbying is conducted based on a contract between the lobbying entity and the client, which clearly defines the subject of lobbying, its scope, duration, beneficiaries, and the law-making entity involved. This approach formalises relationships between involved parties and enhances transparency of the lobbying process.

Key Objectives of Lobbying in Ukraine:

- engaging citizens, civil society institutions, and businesses in policy-making;
- ensuring freedom of activity for non-governmental organisations and representing public minority interests as a factor of political pluralism;
- influencing administrative decisions through the insurance of citizens' constitutional rights;
- reducing corruption and preventing corrupt practices in public administration.
- increasing transparency and efficiency in the work of government bodies and officials [1, p. 15].

To ensure openness and oversight of lobbying activities, a Transparency Register has been established, administered by the National Agency on Corruption Prevention (NACP). This register contains information on lobbying entities and their various reports, allowing the public and media to monitor who influences state decision-making. The data in the register is open and publicly available, significantly increasing trust in the lobbying process.

Main Lobbying Mechanisms in Ukraine are direct contact with government representatives, participation in public hearings, submitting written appeals and proposals as well as organising information campaigns. Direct contact with government representatives includes meetings, negotiations, and consultations where

lobbyists can directly influence decision-making. Participation in public hearings allows lobbyists to publicly present their positions and arguments, promoting transparency in decision-making.

One of the most influential is submitting written appeals and proposals, which enables lobbyists to formulate their demands and suggestions in official documents, ensuring detailed reasoning and better understanding by government officials. Organising information campaigns such as press conferences, media publications, any allowed way of spreading information to attract public and governmental attention to specific issues [2].

The Impact of Russia's full scale invasion on Lobbying in Ukraine

The war in Ukraine has significantly changed the lobbying process, influencing its effectiveness and application areas. On the one hand, the war creates new opportunities for businesses and civil society organisations to interact with government agencies; on the other, it presents additional challenges related to security, resource constraints, and the need for adaptation to a rapidly changing environment.

It is the security and defence issues becoming increasingly important which require lobbyists to refocus and consider these aspects in their relationship with government authorities. The conditions of war may necessitate Government Relations (GR) specialists to modify their strategies and methods of interaction with the authorities, actively influencing decisions on security, humanitarian aid, and economic recovery [3].

Naturally strengthening oversight and transparency, The Law on Lobbying also includes strict requirements for the reporting required from lobbying entities. Under martial law, this is particularly crucial as it ensures additional control over lobbying activities and prevents potential abuses. Timely and comprehensive reporting enhances public trust in the lobbying process and state institutions.

Still the numerous advantages of legalised Lobbying should be mentioned. According to A. Martynov and A. Rusanov, lobbying is an essential step in combating corruption. These include:

- establishing legal mechanisms for influencing government bodies during the adoption of regulatory and legal acts.
- ensuring transparency in public service activities.
- minimising corruption in public administration through systematic oversight of lobbying activity [5, p. 258].

Besides these advantages, the legalisation of lobbying promotes balanced representation of diverse social groups' interests, allowing government agencies to receive comprehensive information and consider different perspectives while shaping policies. This leads to more substantiated and effective decisions that would meet societal needs.

Additionally, the legalisation of lobbying increases the transparency of the political process, as all participants must register and report their activities. This allows the public and the media to monitor who influences state decisions, reducing the risks of corruption and strengthening trust in government institutions.

Lobbying in Ukraine's public administration system is an important tool that enhances the efficiency and transparency of decision-making. The legal regulation of lobbying, particularly with the adoption of the Law on Lobbying (No. 3606-IX) on February 23, 2024, ensures balanced representation of various social groups' interests, providing government agencies with comprehensive information for policy-making that aligns with public needs.

Due to legislative regulation, lobbying has the potential to become a transparent process, reducing corruption risks and increasing public trust in government institutions. If properly regulated, lobbying in Ukraine can serve as an effective mechanism for state-society interaction, contributing to the development of democratic institutions and improving public administration, especially in the context of the ongoing Russia-Ukraine war.

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