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Organizational and legal provision of ethical lobbying as a factor of sustainable development: international experience for Ukraine

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ABSTRACT
The purpose of this article is to to study positive foreign experience in the field of lobbying with the aim of adapting and implementing it into the relevant legislation of Ukraine. The research methodology is grounded on dialectical, logical, terminological analysis, comparative legal, systemic and structural, generalization methods. The obtained results indicated that the adoption of the Law "On Lobbying" was an important step on Ukraine's path to the European integration. However, the newly adopted law is not without some shortcomings: flaws in terminology and scope; excessive regulation; weaknesses of subordinate legislation; functionality issues of the Transparency Register. In contrast, the history of lobbying in France and the USA is more than a decade old, which makes it very valuable for the improvement of the newly established institution in Ukraine. Since the process of implementing legal regulation of lobbying in Ukraine is in its initial stages, it is critically important to ensure preventive analysis of potential risks and elimination of systemic shortcomings at the early stages of its incorporation. In this context, a thorough study of international experience is a necessary condition for the formation of a rational national model of lobbying that will guarantee the transparency, coherence, and effectiveness of this institution.

Key words: lobbying, Law of Ukraine «On Lobbying», shortcomings, France, the USA, experience.

1. Introduction

Lobbying is an integral part of the decision-making process in most countries, serving as a bridge between the government and society. However, due to the risks of abuse associated with corruption and conflicts of interest, many states seek to establish a clear legal framework for it.

An analysis of global experience shows different approaches to regulating this institution. The first group of countries, such as the US and Canada, has comprehensive legislation on lobbying. The second one, which includes, for example, Germany regulates only certain aspects of its functioning (codes of ethics, registration rules). The third group consists of countries where active discussions are ongoing about the need to adopt and implement

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such legislation (i.e., Kazakhstan). The fourth group, which until recently included Ukraine, is characterized by insufficient attention to this issue.

However, in 2024, with the adoption of the Law "On Lobbying", the situation changed radically – now our country has a regulatory act defining the general legal and organizational principles of lobbying to ensure transparent and lawful communication with public authorities, as well as legislative support for proper state and public control over its implementation. The enactment of this law was a significant and important step by Ukraine on its path to European integration, overcoming corruption, and introducing an effective system of control over lobbying.

The signing of this act was preceded by numerous discussions and debates, as well as the submission of a number of draft laws to the Verkhovna Rada, which were never adopted. The new law is not without its shortcomings, including regulatory, terminological, technical, and subordinate legislation issues. In contrast, some countries have significant, almost a century of experience in regulating this area, due to which they now have a powerful and comprehensive legal framework for this activity.

Therefore, the purpose of this article is to study positive foreign experience in the field of lobbying with the aim of adapting and implementing it into the relevant legislation of Ukraine.

2. Method

The research methodology is grounded in the dialectical method, enabling a comprehensive analysis of lobbying legislation both globally and within the specific context of Ukraine. The logical method was employed to identify and critique regulatory gaps in current Ukrainian law. To establish a clear conceptual framework, terminological analysis was used to define key categories, including the subjects, objects, and commercial interests inherent in lobbying. Furthermore, a comparative legal approach facilitated an in-depth examination of the regulatory paradigms in France and the United States. By utilizing the systemic and structural method, the functional advantages of these international models were isolated and examined. Finally, the method of generalization allowed for the synthesis of best practices and the formulation of strategic recommendations for their integration into the Ukrainian legal system.

3. Literature Review

The researchers note that the idea of enacting a lobbying law in Ukraine is by no means new and has been circulating in government circles for over 10 years. The first practical attempt to regulate this sphere was made in 1999, when two bills were submitted to the Verkhovna Rada: "On Lobbying in Ukraine" and "On the Legal Status of Groups United by Common Interests (Lobbying Groups) in the Verkhovna Rada of Ukraine". Both bills were of a declarative nature and were not harmonized with other regulatory acts. In November 2003, a bill "On the Activities of Lobbyists in the Verkhovna Rada of Ukraine" was submitted to the Parliament, and in April 2009, the Cabinet of Ministers of Ukraine drafted a bill "On Public Influence on the Adoption of Regulatory and Legal Acts" (which was never submitted to the Verkhovna Rada). In October 2010, a draft law "On the

Regulation of Lobbying Activities in Ukraine" was filed to the Parliament, but received a negative review from the Main Scientific and Expert Directorate of the legislator and was never adopted. On March 6, 2013, the first meeting of the Working Group on the Draft Law of Ukraine "On the Regulation of Lobbying Activities and Public Representation (Advocacy) in Ukraine", established by the National Institute for Strategic Studies (NISS) and the Institute of Professional Lobbying and Advocacy, was held at the NISS (Bakonina & Lopushanska, 2020).

A. Stelmakh (2021) states that because the absence of the sectoral law, "a distinctive feature of Ukrainian lobbying is the prevalence of "embedded" lobbying, in which a government official or member of the Parliament is simultaneously both the object and the subject of lobbying influence, serving either the interests of their own business or those of financial and industrial groups. The market for lobbying services in Ukraine is underground and fosters corruption. Due to the absence of proper legislative regulators, this institution operates outside the law and is discredited by a phenomenon known as "quasi-lobbying".

In 2016, by signing the Association Agreement with the European Union, the European Atomic Energy Community, and their Member States, Ukraine committed to promoting the institutional development of lobbying activities. It is important to note that the adoption of effective lobbying legislation, as well as the regulation of parliamentary ethics, are also direct recommendations of the Group of States against Corruption (GRECO)—the Council of Europe's key anti-corruption monitoring body (Yevtsenko, 2023, p. 17).

Consequently, in late 2024, President Volodymyr Zelenskyy signed the Law of Ukraine on Lobbying, which came into effect in early 2025. This document established a modern legal framework for lobbying activities in Ukraine that complies with international standards. Due to this law, regulatory oversight of interactions between public officials and lobbyists has been established, transparent mechanisms for their activities have been introduced, and an effective monitoring system has been created. The adoption of this act marked an important milestone for Ukraine in its European integration process (Zakharov et al., 2026, p. 368).

Lobbying has become an integral part of democratic processes in many countries around the world. Despite differences in regulation, they all adhere to a single principle: influence on the government must be open and transparent. For Ukraine, this experience serves as an important guide, especially on the early stages, when the problems and risks connected with implementation of the newly adopted law are quite high. By establishing the institution of lobbying, our State is taking a step toward greater transparency, reducing corruption risks, and harmonizing its legislation with European standards (Fedorenko, 2025).

4. Results and Discussion

The adoption of the Law "On Lobbying" at the end of 2024 and its entry into force at the beginning of 2025 was an important step on Ukraine's path to the European integration. This regulatory act created the legal basis for lobbying activities in accordance with international standards, regulating the interaction of officials with lobbyists, establishing transparent mechanisms for their work, and introducing a control system (Ukraine, 2025).

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Shortcomings of the Ukrainian Lobbying Law

However, the newly adopted law is not without some shortcomings, such as:

1) shortcomings in terminology and scope (the vagueness in the definition of key concepts and the subject matter of regulation creates room for legal uncertainty). For example, the regulatory act lacks clear explanations of the concepts of "commercial interest" and "subject of lobbying", which are decisive for qualifying an activity as lobbying, which does not contribute to the distinction between activities related to commercial interests and those that are not.

2) Excessive regulation – the law establishes some burdensome rules and restrictions preventing lobbying activities from coming out of the shadows. For example, given the burden of obligations and the risk of sanctions by the National Agency on Corruption Prevention (NACP) faced by "official" lobbyists, those who still want to operate in the gray zone will not be sufficiently motivated to register as lobbyists and renounce shadow (corrupt) influence. Moreover, the same level of fines for individuals and legal entities creates an unequal situation, as large corporations have significantly greater financial capabilities. Not every civil society organization has extrabudgetary funds for such expenses. All this may contribute to the creation of a separate closed caste of lobbyists, and law-abiding citizens, businesses, and civil society organizations will have to pay these lobbyists to protect their rights and submit proposals.

3) shortcomings of subordinate legislation issued "in support" of this Law (Information Guide on the Application of Lobbying Legislation and Instructions for Registration and Use of the Public Part of the Register). Thus, the NACP Reference Guide, which should ensure a uniform interpretation of the Law, only partially fulfills this function: it lacks explanations regarding the distinction between lobbying and other activities (e.g., advocacy), the meaning of the concept of "commercial interest" and its subjects, and actions that are not considered to be aimed at influencing.

4) the functionality of the Transparency Register (an information and communication system ensuring the collection, accumulation, protection, accounting, display, processing, and provision of information about lobbying subjects and their reporting) does not meet the requirements of Article 5 of the Law, which provides for the possibility of searching by various parameters (sphere, subject of lobbying, etc.). Currently, it is only possible to search by the name of the entity, which makes effective monitoring impossible.

The table below presents the above provided information in the form of a table.

Table 1. Shortcomings of the Ukrainian Lobbying Law

No.	Category of Shortcoming	Description of the Problem	Example/Explanation
1	**Deficiencies in Terminology and Scope**	Vagueness in the definition of key concepts and the subject matter of	The regulatory act lacks clear explanations of the concepts of "commercial interest" and "subject of lobbying", which are decisive for

		regulation creates room for legal uncertainty.	qualifying an activity as lobbying. This does not contribute to the distinction between activities related to commercial interests and those that are not.
2	**Excessive Regulation**	The law establishes some burdensome rules and restrictions preventing lobbying activities from coming out of the shadows.	Given the burden of obligations and the risk of sanctions by the National Agency on Corruption Prevention (NACP) faced by "official" lobbyists, those who still want to operate in the "gray zone" will not be sufficiently motivated to register as lobbyists and renounce shadow (corrupt) influence. Moreover, the same level of fines for individuals and legal entities creates an unequal situation, as large corporations have significantly greater financial capabilities. Not every civil society organization has extra budgetary funds for such expenses. All this may contribute to the creation of a separate closed caste of lobbyists, and law-abiding citizens, businesses, and civil society organizations will have to pay these lobbyists to protect their rights and submit proposals.
3	**Deficiencies in Subordinate Legislation**	Subordinate legislation issued "in support" of this Law (Information Guide on the Application of Lobbying Legislation and Instructions for Registration and Use of the Public Part of the Register) only partially fulfills its function.	The NACP Reference Guide, which should ensure a uniform interpretation of the Law, only partially fulfills this function: it lacks explanations regarding the distinction between lobbying and other activities (e.g., advocacy), the meaning of the concept of "commercial interest" and its subjects, and actions that are not considered to be aimed at influencing.
4	**Limited Functionality of the Transparency Register**	The functionality of the Transparency Register (an information and communication system ensuring the collection, accumulation, protection, accounting, display, processing, and provision of information about lobbying subjects and their reporting) does not meet the requirements of Article 5 of the Law.	Article 5 of the Law provides for the possibility of searching by various parameters (sphere, subject of lobbying, etc.). Currently, it is only possible to search by the name of the entity, which makes effective monitoring impossible.

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Lobbying in France

In contrast, the history of lobbying in France dates back to the monarchy, when advisory bodies representing the interests of the wealthy (such as the "Trade Council") operated under the king. In the 19th century, the "Law on Freedom of Associations" stimulated the development of trade union lobbying and the representation of the interests of large industries (sugar, tobacco, steel, etc.). Institutionally, lobbying was partially formalized in the 20th century through the creation of the Social and Economic Council, whose status is enshrined in the Constitution1958 and which still performs a lobbying function.

For a long time, the French model of lobbying had its own specifics: the direct use of the terms "lobbying" and "lobbyist" was avoided. This was due to both language policy and the lack of official recognition of lobbying as a political and legal institution. In practice, lobbyists were called "experts" or "pressure groups" (groupes de pression), and the process itself was referred to as "backroom intrigues" (intrigues de couloirs), representing private interests, traditionally claimed to act exclusively in the interests of the people. This created a unique model where lobbying existed but remained largely informal (Bondarenko, 2024, p. 21).

The first steps towards special regulation of lobbying in France were taken in 2008, starting with public hearings in the National Assembly and an appeal by 18 trade unions demanding regulation of interaction with lobbyists. After lengthy debates and external pressure from business and the EU, in 2009 the National Assembly adopted an internal decision on lobbying regulations and a corresponding Code of Conduct (Code de conduite applicable aux représentants d'intérêts). Soon after, the Senate followed suit by adopting similar documents (Code de conduite applicable aux groupes d'intérêt au Sénat).

Thus, the initial stage of lobbying regulation in France took the path of self-regulation by the Parliament through the adoption of internal rules and codes of ethics, rather than through the adoption of a separate law.

On May 1, 2018, a new law on lobbying came into force in France, which is an integral part of the broader "Sapin II" legislative package adopted on December 9, 2016. It created a single regulatory framework for lobbying activities (France, 2016).

A key element of the latter is the national register ("le répertoire"), which is maintained by the High Authority for Transparency in Public Life ("Haute Autorité pour la Transparence de la Vie Publique", HATVP). Its implementation was carried out in stages: on July 1, 2017, the procedure for registering interest representatives began, and by April 30 of the following year, registered lobbyists were required to report on their activities (France, 2017). To better understand the impact of the new system, HATVP initiated a series of public consultations to gather as much information as possible about its potential impact on interest representatives. The data obtained was used to develop and publish recommendations for registered persons in January 2018.

Under the French system, registration in the national register is mandatory. The law applies to all lobbyists, including foreign ones, with the exception of government bodies and, more recently, religious organizations. All registry data has been open and publicly available since 2018. Currently, there are 3,457 interest representatives (lobbyists) registered in the registry, and they can be searched by name, field of activity, date of registration, etc. (High Authority for Transparency in Public Life, 2026a).

Thus, the adoption of the Lobbying Act was an important step towards legalizing and increasing the transparency of lobbying in France, where this profession had been viewed with some prejudice. It is part of a broader policy aimed at increasing public accountability, which began with the creation of the HATVP in 2014.

French legislation establishes clear criteria for determining which activities are subject to mandatory disclosure. Thus, for an activity to be considered lobbying, it must be "primary" (more than 50% of the interest representative's working time) or "regular" (involving more than 10 contacts (communications) with officials per year).

The specified activity falls under the law if it simultaneously meets the following conditions: it is aimed at influencing a public decision (law, regulatory act); it is carried out through communication with a civil servant; communication takes place at the initiative of the representative of interests (High Authority for transparency in public life, 2019).

Lobbying is considered to be influencing the process of making a wide range of public decisions, including, in particular, regulatory acts at all levels – from constitutional laws to government resolutions and acts of independent regulators. A separate large group consists of decisions in the property and contractual spheres, in particular, large public procurement and concessions (worth more than European thresholds), as well as any contracts related to state property. In addition, the law applies to the influence on individual administrative decisions, such as the issuance of licenses, permits, the provision of financial benefits, and personnel appointments. It is important to note that lobbying can be carried out not only on future decisions that are in the preparation stage, but also on those that have already been adopted, with the aim of changing them (High Authority for transparency in public life, 2026b).

HATVP takes a responsible approach to interpreting key terms and concepts. Thus, the term "civil servants covered by the law" include: 1) as of June 30, 2018 –members of the government, staff of ministerial offices and the Presidential Administration, members of both chambers of parliament, and their assistants. This group also included the presidents of the National Assembly and the Senate along with their staff, officials of parliamentary departments, members of the governing and sanctioning bodies of independent administrative and public institutions, as well as their directors-general and deputies. In addition, the list included high-ranking government officials appointed by the Council of Ministers; 2) from July 1, 2022 – local elected officials: regional council (chair, vice-chair, or delegated advisor), departmental council (chair, vice-chair, or delegated advisor), intermunicipal body (Public Establishment for Intermunicipal Cooperation, EPCI) with its own tax system, with a population of over 100,000 (chair, vice-chair, or delegated advisor), municipality with a population of over 100,000 (mayor, deputy, or delegated advisor); as well as members of their cabinets; 3) from July 1, 2022 – certain civil servants of three types of civil service who hold positions in the central administration, in decentralized services, in state administrative institutions, in local authorities, their groups or their state institutions, or in state hospitals (France, 2013).

"Communication" means physical meetings; phone calls, video conferences; electronic messages, correspondence, private messages; use of social networks with mention of the official's name (High Authority for transparency in public life, 2026c).

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Thus, any person whose main or regular activity consists of initiating contacts with a specific group of high-ranking officials with the aim of influencing their public decisions is required by French law to register as a lobbyist.

The system requires mandatory reporting of every communication made by registered entities. However, the level of disclosure is rather general: it is only necessary to indicate the category of the relevant public decision (without specifying it), the format of the contact (meeting, correspondence, etc.) and the level of the civil servant with whom the contact took place. This leads to some discrepancies in the scope and detail of the declarations submitted.

In the financial section of the declarations, registered persons must select a range of expenses for each of their activities. In addition, consulting and law firms are required to disclose the names of all clients they have represented.

Reports are submitted annually, covering all lobbying activities of the previous year, with a deadline for submission of April 30 of the following year (or within 3 months after the end of the financial year).

The Higher Authority for Transparency in Public Life (HATVP) is responsible for monitoring the performance of lobbyists' duties. Created in January 2014, the HATVP has become a key transparency mechanism in France, replacing the previous commission. It is an independent administrative body with a wide range of powers and the necessary tools to exercise them, operating on an autonomous basis (High Authority for transparency in public life, 2026d).

Compliance with strict ethical rules and professional secrecy is mandatory for all employees of this body. To prevent conflicts of interest, each employee must inform their immediate supervisor of any matter that could create such a situation. In response, the case is automatically transferred to another agent. In addition, employees with signing authority are required to submit declarations of their assets and liabilities to the head of the High Authority, as well as declarations of interest, which is an additional mechanism for avoiding potential conflicts.

The main activity of the HATVP is to collect and analyze declarations of financial assets and interests of public officials, including senior officials, Parliament members, and senators. The body also investigates possible violations or inaccuracies in these declarations. In addition, the HATVP's mission covers a wide range of tasks, such as: preventing conflicts of interest; advising and training officials on ethical issues; promoting transparency in public life (Bauer, Thiel & Vlad, 2018).

The HATVP is the key body responsible for regulating and monitoring lobbying activities. Its powers cover several main areas: monitoring submitted declarations and ensuring compliance with established rules; reviewing reports of violations and complaints. To carry out these tasks, the body is authorized to request the necessary documents, access premises, and conduct inspections. Failure to comply with its regulations is subject to severe sanctions for lobbyists – a fine of €15,000 and imprisonment for up to 1 year.

On July 3, 2023, the High Authority for Transparency in Public Life in France published new recommendations, which came into force on October 1 of the same year. The update came amid an unprecedented increase in the number of lobbyists and the intensity of lobbying activities. In its 2022 annual report, the HATVP announced its intention to summarize 5 years of experience with the regulatory system and update its previous

recommendations from 2018. However, like its previous version from 2018, the document does not have the force of law and does not replace its provisions, but is only a tool for better understanding the rules (Fages et al., 2023).

In particular, the new HATVP 2023 Recommendations provide important clarifications on who is a lobbyist and what is considered lobbying activity. For example, the concept of "any other entity with legal personality" now explicitly includes research organizations such as think tanks. At the same time, associations representing elected officials, cultural associations, and public administrative bodies are now explicitly excluded from the scope of the law.

An activity is considered lobbying if it simultaneously:

- involves communication between a lobbyist and a public official;
- is directed at a specific group of high-ranking officials;
- takes place on the initiative of the lobbyist;
- relates to an existing or future public decision;
- aims to influence that decision (Fages et al., 2023).

The approach to interpreting the concept of "communication" has also changed: now, sending a single letter to several recipients at the same time is considered several separate communications. This means that sending an email to more than 10 officials automatically reaches the threshold for mandatory registration. Organizing an event to which civil servants are invited may also be considered lobbying if it involves an exchange of views on a specific public decision.

To clarify the concept of "public decision", HATVP provided specific examples. According to them, lobbying is considered to be, for example, contacting a ministry to persuade it to announce a public tender. However, communication with candidates after the tender has been announced and relations with the winner during the performance of the contract are not covered by this concept (High Authority for transparency in public life, 2023).

The new recommendations have also changed the approach to declaring lobbying activities: under the "old" rules, only those employees declared their activity, for whom the latter was "main" or "regular"; now an organization registered as a lobbyist is required to declare all relevant actions taken by all its directors, employees, and members, regardless of whether this activity is main or regular for them.

The 2018 Guidelines allowed for the non-declaration of activities carried out for clients who did not fall under the definition of a lobbyist (e.g., for government agencies). The HATVP has now abolished this exemption as not provided for by the law. Consulting and law firms are now required to declare lobbying activities carried out on behalf of any third party, including national and foreign public authorities (High Authority for transparency in public life, 2019).

In addition, the possibility of declaring "zero" activity for the reporting period has been introduced. This allows lobbyists who temporarily do not meet the criteria for primary or regular activity to avoid removing from the register and go through the registration process again.

It should be noted that to facilitate the process of adapting to the new rules, reports for 2023 could be submitted according to both old and new recommendations. In addition, to facilitate the transition, HATVP conducted so-called "training control" to ensure that

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lobbyists were familiar with the new regulatory framework. We believe that our competent authority in this area – the National Agency for Corruption Prevention – can successfully apply this experience. To this end, the NACP needs to hold additional consultations, meetings, and discussions with lobbyists. These measures should be aimed at clarifying the legislation, resolving issues related to registration and reporting to the Registry, and summarizing the experience gained. Taking into account the requests received, the NACP should refine and make appropriate adjustments to its guidelines.

At the same time, HATVP has already proposed further steps to reform the system. Key proposals include simplifying registration (assessing the existence of 10 contacts at the level of the legal entity as a whole, rather than for each individual employee), extending the reporting obligation to communications initiated by civil servants, and allowing groups of companies to submit a single consolidated report. These proposals indicate that further changes in lobbying legislation aimed at improving the effectiveness of the system should be expected (Bauer, Thiel & Vlad, 2018).

Lobbying in the USA

The US is a world leader in the transparency of lobbying activities. It is the first country to directly develop legal regulation of lobbying. It is believed that the concept of lobbying originated from the right to petition, enshrined in the First Amendment to the US Constitution (Bill of Rights) of 1789. Subsequently, the term "lobbying" began to be officially used in congressional documents.

The first step toward transparency was the mandatory registration of lobbyists, introduced by the Congress in 1876. However, comprehensive legislative regulation did not appear until 1946 with the adoption of the world's first federal law on lobbying. Half a century later, in 1995, this law was replaced by a new, stricter "Lobbying Disclosure Act". It not only increased liability by adding the possibility of imprisonment, but also gave a broad definition of lobbying as an attempt to influence any decision of the legislative or executive branch.

In 1998, technical amendments were made to the 1995 Federal Lobbying Disclosure Act, establishing a double standard for the use of terminology: lobbying in the executive branch is governed by definitions enshrined in the Tax Code, while in the legislative branch (Congress) it is governed directly by the provisions of this act.

The Honest Leadership and Open Government Act, adopted in 2007, became an important tool for combating corruption. It strengthened control over contacts between officials and lobbyists, in particular, extended the cooling-off period for former congressmen from one to two years, prohibited the receipt of gifts worth $50, increased penalties to $200,000 (with the threat of up to 5 years in prison), and introduced quarterly reporting instead of semi-annual one.

Presidential Executive Order No. 13490 regulated the phenomenon of "revolving doors" by establishing strict rules and restrictions for former lobbyists who are appointed to government positions in executive bodies.

At the state level, the legal regulation of the process was completed in the early 1990s. Whereas previously the legislation was fragmented, now all 50 states have their own regulatory framework governing lobbying activities (Parshykova, 2015, pp. 9 – 10).

The main document regulating lobbying activities in this country, as we have already established, is the Federal Lobbying Disclosure Act, adopted in 1995. This document takes a very scrupulous approach to the interpretation of basic terms and concepts, in particular: 1) the term "lobbying" is understood as a complex process including not only direct contacts with officials, but also preparatory work: strategic planning, conducting research, and coordinating efforts with other participants in the process. At the same time, the law clearly distinguishes between lobbying and public or administrative activities. In particular, lobbying does not include official statements by civil servants, the work of journalists, public appearances in the media, testimony in Congress upon request, or communication within the framework of court proceedings or law enforcement investigations. 2) A lobbyist is a person who provides services to a client on a paid basis, makes more than one lobbying contact, and whose activity takes up at least 20% of the working time spent on this client during a six-month period. 3) Lobbying contact is defined as any form of communication (from verbal conversations to e-mails) with the representatives of the federal legislative or executive branches. The subject matter of such contact is the development or amendment of laws, the formation of public policy, the management of federal programs (including tenders and grants), and the appointment of officials who require Senate approval (The 104th United States Congress, 1995).

Under the US law, lobbyists are required to register with the Secretary of the Senate and the Clerk of the House of Representatives within 45 days of their first contact or hiring. However, if a lobbying firm's income from a specific client does not exceed $5,000 per half-year (for organizations with in-house lobbyists, this limit is $20,000 in expenses), registration is not mandatory.

The registration form must contain comprehensive information about the registrant, client, and third parties who finance (more than $10,000) or control the activity. Particular attention is paid to foreign beneficiaries with a share of ownership of 20% or more. It is mandatory to disclose the names of lobbyists and their previous experience in public office over the past 2 years (The 104th United States Congress, 1995).

The US law establishes a clear structure for periodic reporting by registered lobbyists. Thus, an individual registration form and a separate report are submitted for each individual client. At the same time, multiple contacts with the same client are combined into a single registration.

Previously, reports were submitted twice a year (no later than 45 days after the end of the six-month cycles beginning on January 1 and July 1). However, the Honest Leadership and Open Government Act of 2007 amended this provision, requiring lobbyists to report quarterly and exclusively in electronic form. Lobbyists are now required to disclose information about their financial contributions and provide a complete list of all previous positions held in Congress or the executive branch. The report must also contain updated information about the registrant, a detailed list of issues lobbied (with reference to the numbers of bills and executive acts), the names of government agencies contacted, and the names of lobbyists involved. The role of foreign beneficiaries must also be disclosed. In addition, such documents must include data on requests for targeted budget funding. Particular attention is paid to "bundled contributions": if the amount of combined contributions exceeds $5,000 per quarter, the lobbyist must submit a separate report, after

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notifying the recipient of the funds and giving them the right to challenge the information before the report is submitted (The 110th United States Congress, 2007).

The administrative bodies of Congress (the Secretary of the Senate and the Clerk of the House of Representatives) act as a coordination and control center in the field of lobbying. Their key responsibilities include: developing uniform standards, rules, and providing advice on registration procedures; regularly checking submitted reports for completeness, accuracy, and timeliness; creating digital accounting systems and public registries accessible to the public; posting reports on lobbying activities for public review within 48 hours of their submission; notifying the lobbying entity in writing of any violations found (if not remedied within 60 days, the case is referred to the U.S. Attorney's Office for the District of Columbia).

For deliberate non-compliance with the requirements of the law (in particular, for ignoring the requirement to correct errors in reporting within 60 days), the 1995 Act provided for civil liability. The amount of the fine was determined by the court depending on the severity of the offense, but could not exceed $50,000 (The 104th United States Congress, 1995). The 2007 law tightened civil penalties for technical violations: the maximum fine was increased to $200,000. Strict criminal penalties were also introduced for deliberate evasion of the law – up to 5 years' imprisonment (The 110th United States Congress, 2007).

It should be noted that the legal framework for lobbying in the US is not limited to legislative acts; the ethical component plays a crucial role. Professional standards were institutionalized through the creation of the American League of Lobbyists, which became the center of self-regulation for the industry back in 1979. Through educational activities, the publication of specialized newsletters, and reputation-building measures, the League has shaped the image of lobbyists as highly qualified and ethical professionals. In 2013, the League was renamed the Association of Government Relations Professionals (AGRP). This step reflected the evolution of the industry, where strategic communications, PR, and public policy analysis were added to traditional lobbying. The new structure not only trained specialists but also actively defended the right to lobby as an integral part of democratic petitioning. Their Code of Ethics played a special role, becoming a key document prohibiting any actions that could discredit democratic institutions or undermine public trust in the government. Although AGRP ceased to exist in 2017, its achievements became the basis for the work of a new regulator, the National Institute for Lobbying and Ethics (NILE).

NILE currently functions as a leading specialized institution that brings together experts in the fields of public policy and interaction with government authorities. The organization's strategic goal is to strengthen professional standards through the development of educational programs and the protection of citizens' constitutional right to petition (in accordance with the First Amendment to the US Constitution).

NILE's key areas of activity include: 1) institutional promotion of transparency (the institute's leadership was directly involved in the development of federal legislation on the registration of lobbyists); 2) ethical control (introduction of a strict Code of Ethics, mandatory for members of the organization); 3) professional certification (introduction of a specialized certification program in public policy, which confirms the high qualifications of lobbyists and their deep understanding of legislative and regulatory mechanisms) (National Institute for Lobbying & Ethics (NILE), 2026).

5. Conclusion

Thus, we have examined in detail the system of regulation of lobbying activities in two leading countries in this area – France and the United States – which has allowed us to identify aspects that Ukraine should adopt in order for the newly established institution of lobbying to function effectively and fully in our country.

Firstly, the legislation of the countries studied pays considerable attention to the interpretation of basic terms and concepts. For example, in France, the High Authority for Transparency in Public Life provides very detailed explanations of terms such as "public officials covered by the law", "public decision" (with specific examples), and "communication", whereas in Ukrainian legislation these terms are rather vague. Clear criteria have also been established to distinguish between activities aimed at influencing and those that do not have such an objective (communication between a lobbyist and a civil servant; aimed at a specific group of high-ranking officials; initiated by the lobbyist; concerning an existing or future public decision; aimed at influencing that decision), which are absent in our Law on Lobbying.

In the US, the main concepts and indicators are directly defined in the Federal Lobbying Disclosure Act. Thus, the term "lobbying" is understood as a complex process that includes not only direct contacts with officials, but also preparatory work. At the same time, the Act clearly distinguishes between lobbying and public or administrative activities. It also provides clear explanations of who is a lobbyist, what is meant by a lobbying contact, who belongs to the executive branch of government or civil servants, etc.

We are very impressed by France's experience in phasing in a national register of lobbyists and conducting a series of consultations to gather as much information as possible about its potential impact on interest representatives. The data obtained was used in the development and publication of recommendations for registered persons. In addition, the HATVP regularly conducts so-called "training controls" to determine the extent, to which interest representatives understand the requirements of changes to the legislation on lobbying, what their needs are for additional training and explanations, and to summarize practice on this issue. We believe that this experience needs no further comment, and its implementation in Ukraine will help resolve many issues that lobbyists encounter when working with the domestic Transparency Register. Therefore, our responsible authority in this area, the National Agency for Corruption Prevention, should conduct additional consultations, meetings, and discussions with lobbyists on issues related to clarifying legislation, aspects of registration and reporting to the Registry, summarizing experience in working with it, and, taking into account existing requests, update its instructions and make appropriate adjustments to them.

In addition, the Transparency Register itself needs technical improvement, as its limited search capabilities currently do not allow for effective public monitoring. Therefore, there is a justified need to make it more open and accessible, as in the canalyzed countries, so that users can search for lobbying entities by various parameters (sphere, subject matter of lobbying, etc.), and not just see their total number (currently 148) (National Agency on Corruption Prevention, 2026). For comparison: in France there are 3,457 (High Authority

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for Transparency in Public Life, 2026a), in the US – 1,136,500 (United States House of Representatives, 2026)

Since the process of implementing legal regulation of lobbying in Ukraine is in its initial stages, it is critically important to ensure preventive analysis of potential risks and elimination of systemic shortcomings at the early stages of its incorporation. In this context, a thorough study of international experience is a necessary condition for the formation of a rational national model of lobbying that will guarantee the transparency, coherence, and effectiveness of this institution.

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