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LOBBYING IN LOCAL SELF-GOVERNMENT: ON THE ISSUE OF DISTINGUISHING BETWEEN PUBLIC AND COMMERCIAL INTERESTS

The article examines the problems of legal regulation of lobbying in local self-government bodies in Ukraine through the prism of distinguishing between public and commercial interests. The provisions of the Law of Ukraine “On Lobbying”, the practice of its implementation, as well as the key issues related to the definition of the subject matter, actors, and objectives of lobbying activities are analyzed. It is established that the current legislative approach largely associates lobbying exclusively with the protection of commercial interests arising from economic activity, thereby creating a significant “grey zone” in legal regulation. The study substantiates that certain forms of influence on local self-government bodies, including electronic petitions, media campaigns, public initiatives, and advocacy activities, may in fact pursue private or corporate interests while formally remaining outside the scope of lobbying regulation. The issue of hidden lobbying and scientific approaches to its interpretation are examined. Particular attention is paid to the distinction between advocacy and lobbying, as well as to defining the criteria of public interest. The article concludes that comprehensive improvement of lobbying legislation is necessary, particularly through clarifying the definitions of commercial and public interests, expanding the subject matter of lobbying, and taking into account contemporary forms of indirect influence on local decision-making processes.

Keywords: lobbying, local self-government, public interest, commercial interest, advocacy, hidden lobbying.