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27/8/2026



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION- 2026

DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE

REPORT ON:

THE CONSIDERATION OF THE RATIFICATION OF THE AMENDMENT OF
ARTICLE 10(4) OF THE CONSTITUTION OF THE AFRICAN CIVIL AVIATION
COMMISSION (AFCAC)

Directorate of Departmental Committees
Clerk's Chambers
Parliament Buildings
NAIROBI

	
THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 27 AUG 2026	DAY: Thursday
TABLED BY:	Hon. Kibet Komingo, MP (Member)
CLERK AT THE TABLE:	Wamala AUGUST, 2026



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LIST OF ABBREVIATIONS

AFCAC	-	African Civil Aviation Commission
AfCFTA	-	African Continental Free Trade Area
AFRAA	-	African Airlines Association
AU	-	African Union
KAAO	-	Kenya Association of Air Operators
KCAA	-	Kenya Civil Aviation Authority
SAATM	-	Single African Air Transport Market
SARPs	-	Standards and Recommended Practices
YD	-	Yamoussoukro Decision

LIST OF ANNEXURES

- Annexure 1 : Adoption List for the Report
- Annexure 2 : Minutes of the Committee on sittings to consider the amendment and adoption of the report
- Annexure 3 : Copy of the Parliamentary Memorandum on the Ratification of the Amendment of Article 10(4) of the Constitution of the African Civil Aviation Commission (AFCAC)
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- Annexure 6 : Written submissions from Stakeholders

CHAIRPERSON'S FOREWORD

This report presents the proceedings of the Departmental Committee on Transport and Infrastructure on its consideration of the Ratification of the Amendment of Article 10(4) of the Constitution of the African Civil Aviation Commission (AFCAC). The Amendment was tabled in the House on 26th May 2026 and subsequently committed to the Departmental Committee on Transport and Infrastructure for consideration and reporting to the House pursuant to the National Assembly Standing Order 170A and Section 8 of the Treaty Making and Ratification Act.

The African Civil Aviation Commission is the African Union Commission's specialized Agency mandated with coordinating civil aviation matters in Africa and cooperating with the International Civil Aviation Organization (ICAO) and all other relevant organizations and other bodies which are involved in the promotion and development of civil aviation. Kenya joined the African Civil Aviation Commission (AFCAC) in 1969.

The main objectives of the Commission are to coordinate matters of civil aviation in Africa, and to cooperate with ICAO and all other relevant organizations which are involved in the promotion and development of civil aviation; to foster compliance with ICAO Standards and Recommend practices for safety, security and environmental protection; to enhance efficiency and regularity of the air transport industry and; to examine and specify problems which have an effect on the African Civil Aviation Industry among others.

Pursuant to provisions of Article 118(1)(b) of the Constitution of Kenya and section 8(3) of the Treaty Making and Ratification Act of 2012, the Clerk of the National Assembly placed advertisements in the print media, on 10th June 2026 requesting for submission of memoranda on the proposed Amendment. The Committee received memoranda from the Kenya Association of Air Operators (KAAO), the African Airlines Association (AFRAA), the Kenya Civil Aviation Authority (KCAA) and the Mau Mau Children Post-Colonial Elites.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. I also acknowledge the valuable input from stakeholders. Lastly, I express my gratitude to the Honourable Members of the Committee and the Committee Secretariat for the dedication and contribution to the development and production of this report.

Pursuant to Section 8(4) of the Treaty Making and Ratification Act, 2012 and Standing order 170A, it is my pleasant duty to present the Report on the Consideration of the Ratification of the amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission (AFCAC).

Having considered the Amendment of Article 10(4) of the Constitution of the African Civil Aviation Commission, the Committee recommends that the House **APPROVES** the ratification of the Amendment of Article 10(4) of the Constitution of the African Civil Aviation Commission.

HON. GK GEORGE KARIUKI, CBS, MP
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE

CHAPTER ONE

1.0 PREFACE

1.1 Establishment of the Committee

1. The Departmental Committee on Transport and Infrastructure is one of the twenty Departmental Committees established under Standing Order No. 216 whose mandate pursuant to Standing Order 216 (5) is as follows:

- a) *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
- b) *To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;*
- c) *On a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
- d) *To study and review all the legislation referred to it;*
- e) *To study, access and analyse the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
- f) *To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
- g) *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No.204 (Committee on appointments);*
- h) To examine treaties, agreements and conventions;**
- i) *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
- j) *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
- k) *To examine any questions raised by Members on a matter within its mandate.*

1.2 Mandate of the Committee

2. In accordance with the Second Schedule to the Standing Orders, the Committee is mandated to consider transport, including non-motorized transport and maintenance of roads, rails, air and marine transport, seaports and national integrated infrastructure policies and programmes and transport safety.

3. In executing its mandate, the Committee oversees the Ministry of Roads and Transport, which has the State Department of Roads, the State Department for Transport and the State Department for Aviation and Aerospace Development; and the State Department for Shipping and Maritime Affairs under the Ministry of Mining, Blue Economy and Maritime Affairs.

I.3 Committee Membership

4.The Departmental Committee on Transport and Infrastructure was reconstituted by the House on 5th March 2025 and comprises the following Members:

Chairperson

The Hon. G.K. George Kariuki, CBS, MP
Ndia Constituency
United Democratic Alliance Party

Vice-Chairperson

The Hon. Mutua Didmus Wekesa Barasa, MP
Kimilili Constituency
United Democratic Alliance Party

Members

The Hon. Samuel Arama, MP
Nakuru Town Constituency
Jubilee Party

The Hon. Festus Mwangi Kiunjuri, MP
Laikipia East Constituency
The Service Party

The Hon. Abdul Rahim Dawood, MP
North Imenti Constituency
Independent Member

The Hon. Bady Bady Twalib, MP
Jomvu Constituency
Orange Democratic Movement Party

The Hon. Johnson Many Naicca, MP
Mumias West Constituency
Orange Democratic Movement Party

The Hon. Husseinweitan Mohamed Abdirahman, MP
Mandera East Constituency
Orange Democratic Movement Party

The Hon. Elsie Muhanda, MP
Kakamega County
Orange Democratic Movement Party

The Hon. Komingoi Kibet Kirui, MP
Bureti Constituency
United Democratic Alliance Party

The Hon. Francis T. J. Kajwang', MP
Ruaraka Constituency
Orange Democratic Movement Party

The Hon. Ibrahim Abdi Saney, MP
Wajir North Constituency
United Democratic Alliance Party

The Hon. John Kiragu Chege, MP
Limuru Constituency
United Democratic Alliance Party

The Hon. Zaheer Jhanda, MP
Nyaribari Chache Constituency
United Democratic Alliance Party

The Hon. Betty Njeri Maina, MP
Murang'a County
United Democratic Alliance Party

I.4 Committee Secretariat

5.The Committee is facilitated by the following Secretariat:

Head of Secretariat

Mr. John Mugoma

Clerk Assistant I

Mr. Mohamednur M. Abdullahi

Clerk Assistant III

Mr. Binensa Mabungu

Clerk Assistant III

Mr. Abdinasir Y. Moge

Fiscal Analyst

Mr. Erick Kariuki

Research Officer

Ms. Faith Makena

Serjeant-at-Arms II

Ms. Patricia Gichane

Legal Counsel

Mr. Kevin Obilo

Media Relations Officer

Ms. Rehema Koech

Audio Officer

CHAPTER TWO

2.0 BACKGROUND

2.1 Analysis of the Constitution of the African Civil Aviation Commission

6.The African Civil Aviation Commission (AFCAC) established by the 1969 AFCAC Constitution is the Specialized Agency of the African Union responsible for Civil Aviation in Africa. (Article 2).

7.Its objectives under Article 3 are to:

- a) coordinate civil aviation matters in Africa and cooperate with ICAO and other aviation organizations;
- b) facilitate, coordinate and oversee the implementation of the Yamoussoukro decision and liberalize Africa's air transport market;
- c) formulate and enforce rules and regulations that promote fair competition and equal opportunities for stakeholders;
- d) promote understanding and cooperation on aviation policy matters among African states and with other regions of the world;
- e) foster implementation of ICAO standards and recommended practices particularly on safety, security, environmental protection and regularity of air transport; and
- f) ensure adherence to and implementation of decisions adopted by the AFCAC Plenary.

8.The Yamoussoukro Decision is the African Union framework for the liberalization of access to air transport markets in Africa, adopted at Yamoussoukro, Côte d'Ivoire, on 14 November 1999.

9.Under Article 9, AFCAC has three organs:

- a) **The Plenary:** The supreme organ of AFCAC, composed of accredited representatives of all Member States responsible for aviation. The Plenary meets in ordinary session once every three years and in extraordinary session at the initiative of the Bureau or at the request of a Member State approved by two-thirds of all Member States. The decisions of Plenary are adopted by consensus, failing which by a two-thirds majority of Member States present and having the right to vote.
- b) **The Bureau:** It consists of a President and five Vice-Presidents representing the geographical regions of Africa. The Bureau acts on behalf of the Plenary between sessions, oversees the implementation of decisions and resolutions of the Plenary, supervises the activities of the Secretariat, approves programmes and activities, oversees administrative and financial matters and performs such other functions as may be assigned by the Plenary.
- c) **The Secretariat:** is headed by the Secretary-General and staff as may be required for the performance of AFCAC's functions. The Secretariat serves as the administrative and technical organ of AFCAC. It implements the decisions and resolutions of the Plenary and the Bureau,

prepares reports, budgets and work programmes, organizes meetings, maintains relations with Member States and relevant organizations, manages the day-to-day affairs of the Commission and performs such other duties as may be assigned by the Plenary or the Bureau.

10. Article 11 provides for the functions of the plenary. They include to issue policy guidelines, elect the Bureau, approve the organizational structure, work programme, budget, rules and regulations of AFCAC, appoint the Secretary-General and External Auditors, to establish committees and working groups, to ensure the implementation of the Yamoussoukro Decision, adopt the AFCAC's financial and procedural rules, to submit a tri-annual report to the AU and perform such other functions as may be conferred by the relevant AU organs.

11. Article 19 provides that the instrument of ratification shall be deposited with the Chairperson of the African Union Commission. The Constitution shall provisionally enter into force upon signature by fifteen African States and shall definitively enter into force upon ratification by fifteen African States.

12. Article 22 provides on amendments and revision of the Constitution. The Plenary considers proposals for amendments or revisions and submits recommendations to the Executive Council of Ministers of the Africa Union. The amendments or revisions are adopted by the Assembly submitted for ratification by Member States in accordance with their constitutional procedures and enter into force in accordance with Article 19.

13. The Constitution of African Civil Aviation Commission was ratified by Kenya on 20th September 2019.

2.2 Analysis of the Memorandum on the Ratification of the Amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission

14. The Prime Cabinet Secretary, Ministry of Foreign Affairs, Hon. Dr. Musalia Mudavadi EGH submitted a memorandum and copy of the Constitution dated 27th April 2026 to the National Assembly.

15. The Amendment to Article 10 (4) of the Constitution of AFCAC was approved by Cabinet on 11th November 2025.

16. The Amendment to Article 10 (4) was adopted during the 24th Extra Ordinary Session of the AFCAC Plenary held in Dakar, Senegal from 1st to 4th July 2014 and it was resolved that Article 10 (4) of the AFCAC 2009 Constitution be amended to read: *The quorum for the plenary shall be simple majority (fifty percent plus one) of member states.*

17. At the 28th Session of the Assembly of the Union held in Addis Ababa Ethiopia from 30th to 31st January 2017, the Assembly adopted the report of the Specialised Technical Report on Justice and Legal Affairs and recommended to the Executive Council to adopt legal instruments on among others amendment to the Constitution of AFCAC in its Article 10 (4).

18. Subject to any view by the Committee to the Technical Committee on Justice and Legal Affairs and recommended to the Executive Council to adopt legal instruments on among other the Amendment of Article 10 (4) of the AFCAC Constitution. The AU Assembly called on member states to sign and ratify the Amendment.

19. Presently, nine members have signed and ratified the amendment and a minimum of fifteen states are required to ratify it for the amendment to come into force. Article 10 (4) presently provides that the quorum of the Plenary shall be two thirds of member states.

20. Therefore, the amendment seeks to lower the threshold for quorum at plenary from two thirds of member states to simple majority of fifty percent plus one. The amendment does not alter the voting threshold for decisions of the Plenary, which remain subject to Article 10(5), namely consensus, failing which a two-thirds majority of Member States present and having the right to vote.

21. The Amendment is intended to ease the quorum requirement so AFCAC can transact business, make decisions, declarations, resolutions and motions at the plenary sessions.

2.3 Legal Framework

Constitution of Kenya

22. Article 2(5) of the Constitution of Kenya, 2010 provides that the general rules of international law shall form part of the law of Kenya while Article 2(6) of the Constitution provides that any treaty or convention ratified by Kenya shall form part of the law of Kenya.

23. The Treaty Making and Ratification Act, No. 45 of 2012 was enacted by Parliament to give effect to Article 2(6) of the Constitution. The Act governs the making and ratification of treaties in Kenya.

The Treaty Making and Ratification Act No. 45 of 2012

24. Section 2 of the Act defines a treaty as an *“international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation and includes a convention”*.

25. Under the Act, the responsibility of initiating the treaty-making process, negotiating and ratifying a Treaty lies with the Executive. In making this decision, the Executive ought to be guided by Section 5(2) of the Act which provides the considerations to be followed.

26. Section 7 of the Act, provides that where the Government intends to ratify a treaty, the Cabinet Secretary of the relevant State department shall in consultation with the Attorney-General, submit to the Cabinet the treaty, together with a memorandum outlining various considerations for cabinet approval.

27. Section 8 provides for the consideration of Treaties by Parliament. Upon approval of a Treaty by Cabinet, the relevant Cabinet Secretary shall submit the Treaty together with a memorandum on the Treaty to the Speaker of the National Assembly for tabling pursuant to the Standing Orders.
28. The relevant parliamentary Committee in the National Assembly is tasked with consideration of the Treaty and shall ensure public participation in the ratification process in accordance with the laid down parliamentary procedures. (Section 8(3) of the Act).

CHAPTER THREE

3.0 PUBLIC PARTICIPATION/STAKEHOLDER ENGAGEMENT

29. In accordance with Article 118 (b) of the Constitution and Standing Order 216 (5) (fa), the Clerk of the National Assembly placed an advertisement in the print media on 10th June 2026 inviting the public and relevant stakeholders to submit memoranda on the proposed ratification of the Amendment. The Committee also requested for comments from relevant stakeholders namely; the Kenya Association of Air Operators (KAAO) vide a letter Ref: NA/DDC/T&I/2026/063 dated 15th July 2026, the Office of the Attorney General vide a letter Ref: NA/DDC/T&I/2026/063 dated 15th July 2026, the Kenya Civil Aviation Authority (KCAA) vide a letter Ref: NA/DDC/T&I/2026/063 dated 15th July 2026, the State Department for Foreign Affairs vide a letter Ref: NA/DDC/T&I/2026/063 dated 15th July 2026 and the African Airlines Association (AFRAA) vide a letter Ref: NA/DDC/T&I/2026/063 dated 15th July 2026.

30. The Committee received submissions from the following stakeholders:

- a) The African Airlines Association (AFRAA);
- b) The Kenya Association of Air Operators (KAAO);
- c) The Kenya Civil Aviation Authority (KCAA); and
- d) The Mau Mau Children Post-Colonial Elites

31. The stakeholders submitted as follows:

3.1 Submission by the African Airlines Association (AFRAA)

The Secretary General, Mr. Abderahmane Berthe, in a letter dated 24th July 2026, submitted as follows:

32. As a strategic stakeholder in the implementation of the Yamoussoukro Decision (YD) and the Single African Air Transport Market (SAATM), AFRAA considers the proposed ratification to the amendment to be a timely and important institutional reform that will strengthen AFCAC's governance framework, enhance its institutional effectiveness and reinforce its capacity to discharge its continental mandate as the executing Agency of the Yamoussoukro Decision and SAATM.

33. Accordingly, AFRAA fully supports Kenya's ratification of the Amendment to Article 10(4), recognizing its significance in advancing Africa's aviation integration agenda and strengthening continental aviation governance.

34. The proposed Amendment to Article 10(4) of the Constitution of the AFCAC represents a pragmatic and forward- looking institutional governance reform that will strengthen AFCAC's effectiveness, responsiveness and operational efficiency in fulfilling its continental mandate.

35. For the African airline industry, the Amendment will enhance institutional decision- making, strengthen implementation of the Yamoussoukro Decision and the Single African Air Transport

Market, and foster a more predictable, transparent and harmonized regulatory environment that supports sustainable growth, investment and competitiveness.

36. For the Republic of Kenya, ratification will reaffirm the country's leadership in advancing African aviation integration, reinforce its commitment to regional and continental aviation initiatives, and contribute to expanding market opportunities for Kenyan airlines while generating broader economic benefits through increased connectivity, tourism, trade, investment and employment.

37. In view of the foregoing, AFRAA respectfully urges the National Assembly to approve the ratification of the Amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission.

3.2 Submission by the Kenya Association of Air Operators (KAAO)

Ms. Liz Aluvanze, Chief Executive Officer, in a letter dated 23rd July 2026 submitted as follows:

38. KAAO has reviewed the proposed Amendment and is pleased to express its full support for the ratification of the amendment. The proposed amendment, which seeks to revise the quorum requirement for meetings of the AFCAC Plenary from a two-thirds majority of Member States to a simple majority (fifty percent plus one), is a practical and timely reform that will strengthen the effectiveness of the Commission's governance. The amendment will facilitate the convening of Plenary meetings, reduce delays in decision making, and enable AFCAC to discharge its mandate more efficiently as the executing agency of the Single African Air Transport Market (SAATM).

39. An effective AFCAC is essential to advancing the harmonization of aviation policies, regulation, and technical standards across the continent. Improved institutional efficiency will support the timely adoption and implementation of measures that enhance aviation safety, security, consumer protection, environmental sustainability, and the liberalization of air transport services in Africa.

40. From the perspective of air operators, stronger regional governance contributes to greater regulatory predictability, improved operational efficiency, enhanced connectivity, and increased opportunities for investment and growth. These objectives are fully aligned with Kenya's commitment to regional integration and the development of a competitive, safe, secure, and sustainable aviation sector.

3.3 Submission by the Kenya Civil Aviation Authority (KCAA)

In a memorandum dated 23rd July 2026, Mr. Nicholas E. Bodo, acting Director General, submitted as follows:

41. The African Civil Aviation Commission (AFCAC) is the specialized agency of the African Union responsible for civil aviation matters in Africa. AFCAC has its members spread into five (5) regions: Southern region (10 States), Eastern region (14 States), Central region (9 States), Western region (15 States) and Northern region (6 States). Each region is represented by a Vice President.

42. Kenya is the current Vice President for the Eastern Region of AFCAC representing 14 States (Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, South Sudan, Sudan, Tanzania and Uganda).
43. AFCAC coordinates the development of safe, secure, efficient, sustainable and environmentally responsible civil aviation across the continent and serves as the Executing Agency for the Single African Air Transport Market (SAATM). Kenya is a State Party to the AFCAC Constitution and actively participates in the Commission's activities.
44. The Amendment to Article 10(4) of the AFCAC Constitution was adopted by the 24th Extraordinary Session of the AFCAC Plenary held in Dakar, Senegal from 1st to 4th July 2014 to strengthen the governance framework of the Commission and improve its institutional effectiveness. Several African States have already initiated or completed the ratification process of this amendment.
45. The ratification of the Amendment to Article 10(4) is justified on the following grounds:
- a) **Strengthening Institutional Governance:** The amendment enhances the governance structure of AFCAC by improving the composition and functioning of its governing organs specifically the Plenary. This promotes greater accountability, transparency, efficiency and continuity in decision-making during the meeting of State Parties;
 - b) **Harmonization of Civil Aviation Policies:** Kenya's ratification supports the ease at which harmonization of aviation policies, regulations and standards across Africa is adopted, thereby facilitating safer and more efficient air transport operations consistent with ICAO Standards and Recommended Practices (SARPs);
 - c) **Advancement in Single African Air Transport Market (SAATM):** As the Executing Agency for SAATM, AFCAC requires a strong governance framework to effectively implement the Yamoussoukro Decision and promote the liberalization of intra-African air transport. Ratification strengthens AFCAC's capacity to execute this continental mandate;
 - d) **Fulfilment of Kenya's Regional and Continental Commitments:** Ratifying the amendment demonstrates Kenya's continued commitment to the African Union Agenda 2063, the African Continental Free Trade Area (AfCFTA), and continental aviation integration initiatives. It also reinforces Kenya's leadership role in African civil aviation;
 - e) **Enhanced Regional Cooperation:** The amendment promotes stronger collaboration among African States in addressing common aviation challenges, including aviation safety, security, environmental protection, air navigation, capacity building and emerging technologies;
 - f) **Improved Decision-Making:** A strengthened governance structure enables AFCAC to make timely and effective decisions on strategic continental aviation issues, improving the Commission's responsiveness to the needs of Member States; and

- g) **Economic Benefits:** An effective AFCAC supports Increased intra-African air connectivity; Growth in tourism and trade; Attraction of investment; Development of aviation infrastructure; Job creation within the aviation sector and; reduced barriers to air transport across Africa. These outcomes align with Kenya's national economic development objectives and its aspiration to remain a regional aviation hub.

46. The Amendment does not conflict with the Constitution of Kenya, existing aviation legislation, or Kenya's obligations under the Chicago Convention. Rather, it complements Kenya's legal and regulatory framework governing civil aviation.
47. The Amendment does not create significant additional financial obligations for Kenya beyond its existing commitments as a Member State of AFCAC. Any administrative costs associated with the implementation can be accommodated within existing budgetary allocations.
48. The Ratification will reinforce Kenya's influence in continental aviation policy formulation; support the continued growth of Nairobi as a regional aviation hub; enhance opportunities for Kenyan airlines through the implementation of SAATM; promote aviation safety, security and regulatory cooperation; strengthen Kenya's participation in regional aviation initiatives and; facilitate increased trade, tourism and investment through improved air connectivity.
49. Kenya Civil Aviation Authority expresses its support for Kenya's ratification of the Amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission (AFCAC) as per the memorandum submitted by the Ministry of Foreign and Diaspora Affairs.

3.4 Submission by the Mau Mau Children Post-Colonial Elites

56. The Mau Mau Children Post-Colonial Elites, in a written submission dated 10th June 2026, expressed support for the ratification of the Amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission." and annexure their submission.
57. **Efficiency and Decision Making:** The current two-thirds quorum has delayed critical decisions on aviation safety, security and connectivity in Africa. Reducing quorum to simple majority will enable AFCAC Plenary to transact business, make declarations and pass resolutions even when some Member States are absent.

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS

Having considered the proposed amendment and the submissions received from stakeholders, the Committee observed that:

1. Article 10(4) of the AFCAC Constitution currently requires a quorum of two-thirds of the Member States for meetings of the Plenary.
2. The proposed Amendment seeks to reduce the quorum from two-thirds of the Member States to a simple majority, thereby enabling the Plenary to conduct its business where the existing quorum threshold is not attained.
3. The Amendment relates only to the quorum required for meetings of the Plenary and does not alter the decision-making threshold under Article 10(5). Decisions will continue to be made by consensus or, where consensus is not achieved, by a two-thirds majority of the Member States present and entitled to vote.
4. The proposed Amendment is consistent with the Constitution of Kenya and does not conflict with existing national legislation governing civil aviation.
5. Ratification of the Amendment will not require an amendment to existing Kenyan legislation.
6. The Amendment does not impose additional financial obligations on Kenya as a Member State of AFCAC.
7. The Amendment will facilitate the effective functioning of AFCAC and strengthen its ability to implement its mandate, including the Yamoussoukro Decision and the Single African Air Transport Market.
8. Ratification is consistent with Kenya's national interest in promoting regional integration, expanding air connectivity and strengthening its position as a regional aviation hub.
9. The stakeholders who submitted memoranda supported Kenya's ratification of the proposed Amendment and no objections to the ratification were received.
10. The proposed ratification was subjected to public participation in accordance with Article 118 of the Constitution and section 8(3) of the Treaty Making and Ratification Act.

CHAPTER FIVE

5.0 COMMITTEE RECOMMENDATION

Having considered the Amendment and the submissions received from stakeholders, the Committee recommends that the House **APPROVES** the Ratification of the Amendment to Article 10(4) of the Constitution of the African Civil Aviation Commission (AFCAC).

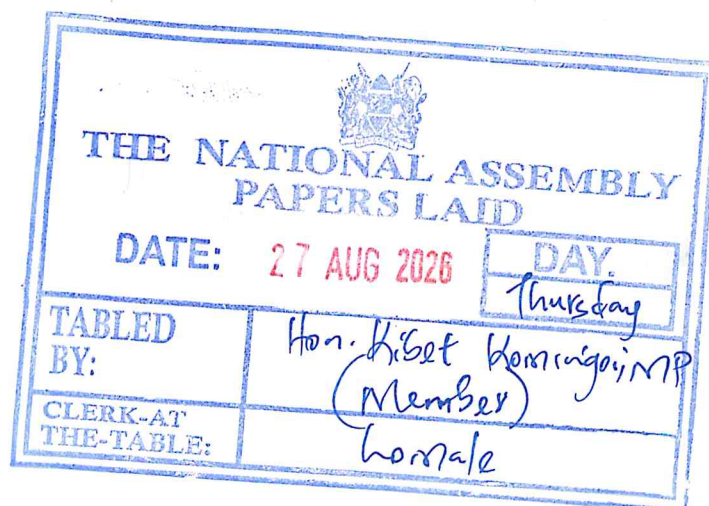
SIGNED.....

DATE.....

25/08/2026

HON. GK GEORGE KARIUKI, CBS, MP
CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON TRANSPORT AND INFRASTRUCTURE





REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT

**DEPARTMENTAL COMMITTEE ON TRANSPORT &
INFRASTRUCTURE**

REPORT ADOPTION LIST

We, the members of the Departmental Committee on Transport & Infrastructure, have pursuant to Standing Order 170A, adopted this report and affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity.

Date: 25/08/2026

No.	MEMBER	SIGNATURE
1.	The Hon. GK George Kariuki, CBS, MP – Chairperson	
2.	The Hon. Didmus Barasa, MP, CBS, - Vice Chairperson	
3.	The Hon. Kiunjuri, Festus Mwangi, MP	
4.	The Hon. Abdul Rahim Dawood, CBS, MP	
5.	The Hon. Arama Samuel, MP	
6.	The Hon. Bady, Bady Twalib, MP	
7.	The Hon. Francis, Kajwang' Tom Joseph, CBS, MP	
8.	The Hon. Naicca, Johnson Many, CBS, MP	
9.	The Hon. Chege, John Kiragu, CBS, MP	
10.	The Hon. Elsie Muhanda, MP	
11.	The Hon. Saney, Ibrahim Abdi, MP	
12.	The Hon. Hussein Weytan Mohamed, MP	
13.	The Hon. Jhanda Zaheer, MP	
14.	The Hon. Komingoi, Kibet Kirui, MP	
15.	The Hon. Maina Betty Njeri, MP	

