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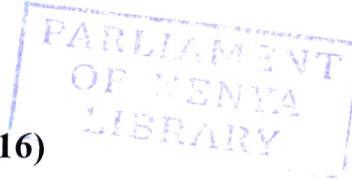


**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING,
URBAN DEVELOPMENT AND PUBLIC WORKS
STATE DEPARTMENT FOR TRANSPORT
OFFICE OF THE PRINCIPAL SECRETARY**

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When replying please quote Ref.



MOT&I/C/AT/028/29 VOL. III (116)

4th May 2020

Mr. Michael Sialai, EBS
Clerk of the National Assembly
Parliamentary Buildings
NAIROBI

2) Hand, Take Office
For registering, acknowledgment
of receipt, Tabung and
reference to committee
12.5.20

Dear Michael,

**BILATERAL AIR SERVICES AGREEMENT (BASA) BETWEEN KENYA
AND RUSSIA**

We refer to Section 52 of the Civil Aviation Act (No. 21 of 2013) and Section 8 of the Treaty Making and Ratification Act. The Cabinet approved the signing of Kenya/Russia Bilateral Air Services Agreement during their 2nd Meeting 2020 held on 19th March 2020.

The Air Services Agreement was negotiated and initialed on 22nd October 2015 in Antalya, Turkey. A Protocol was signed on the same day to provisionally operationalize the Agreement pending ratification and formal signing in accordance with Treaty Making and Ratification Act, 2012.

The Agreement allows multiple designation of airlines and a restrictive route schedule which allows the designated airlines to operate between the two capital cities and other points to be agreed upon by aeronautical authorities. It also allows codeshare and other commercial arrangements between the designated airlines and any other third airlines which have authorization to do so.

THE NATIONAL ASSEMBLY
PAPERS LAID
DATE: 2nd JUN 2020
TABLED BY: Leader of Majority Party Hon. A. Dula
CLERK-AT-THE-TABLE: [Signature]

NATIONAL ASSEMBLY
RECEIVED
11 MAY 2020
CLERK'S OFFICE
P. O. Box 41842, NAIROBI

NATIONAL ASSEMBLY
RECEIVED
11 MAY 2020
SENIOR DEPUTY CLERK
LEGISLATIVE & PROCEDURAL SERVICES
P. O. Box 41842 - 00100, NAIROBI

Kenya Airways has no immediate plans to operate direct flights to Russia but can extend its network through codeshare partnerships with other airlines. No Russian airline is operating scheduled services to Kenya.

In this connection, Explanatory Memorandum on the above Air Services Agreement approved by the Cabinet at its meeting held on 19th March 2020 is forwarded herewith.

Yours Sincerely,



Solomon Kitungu
PRINCIPAL SECRETARY



MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN DEVELOPMENT AND PUBLIC WORKS

EXPLANATORY MEMORANDUM TO RATIFICATION OF BILATERAL AIR SERVICES AGREEMENT (BASA) BETWEEN KENYA AND RUSSIA

Name of the Statutory Instrument:	Bilateral Air Services Agreement between Kenya and Russia initialed on 22 nd October, 2015
Name of the Parent Act :	Civil Aviation Act (No. 21 of 2013)
Enacted Pursuant to :	Section 52 of the Civil Aviation Act (NO. 21 of 2013)
Name of the Ministry :	Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works
Approved on :	19 th March, 2020

1. Purpose of the Statutory Instrument

The purpose of the instrument is to approve Bilateral Air Services Agreement between Kenya and Russia to enable Kenyan Air Operators such as Kenya Airways to provide scheduled air services between Kenya and Russia and expand their existing route networks. In addition, the agreement allows Russian carriers to access Kenyan market.

2. Legislative Context

The Agreement was negotiated in line with the Integrated National Transport Policy which provides that Kenya is keen to liberalize its Agreements on the basis of Yamoussoukro Decision for States within Africa and reciprocity and equal opportunity for other States to ensure connectivity and enhance trade.

3. Policy Background

The Ministry of Infrastructure, housing, Urban Development and Public Works negotiates and reviews bilateral air services between Kenya and various States to allow air operators such as Kenya Airways provide scheduled air services between Kenya and those States and expand their existing route networks. The agreements are negotiated by a team comprising representatives from this Ministry, Ministry of Foreign Affairs, Office of the Attorney General and Department of Justice, Kenya Civil Aviation Authority, Kenya Airports Authority, Kenya Airways and other Kenyan carriers.

The Kenya/Russia Air Services Agreement was negotiated and initialed on 22nd October, 2015 in Antalya, Turkey. A Protocol was signed on the same day to provisionally operationalize the Agreement pending ratification and formal signing in accordance with the Treaty Making and Ratification Act, 2012.

The Agreement allows multiple designation of airlines and a restrictive route schedule. It also allows codeshare and other commercial arrangements between the designated airlines and any other third airline which has authorization to do so.

4. Consultation Outcome

The Kenya/Russia Agreement was negotiated by a team of representatives from this Ministry, Ministry of Foreign Affairs, Office of the Attorney General and Department of Justice, Kenya Civil Aviation Authority, Kenya Airports Authority, Kenya Airways and other Kenya carriers.

5. Impact

Kenya Airways nor any other Kenyan Carrier have not indicated immediate plans to operate direct flights to Russia, but can extend their network through codeshare partnerships with other airlines.

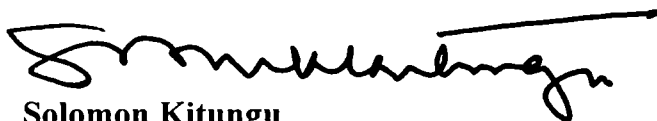
The above Bilateral Air Services Agreement in place, airlines from Russia may commence scheduled flights which would have a positive impact on both tourism and trade.

6. Monitoring and Review

The Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works and the Kenya Civil Aviation Authority will monitor and review the implementation of the Agreement.

7. Contact

Mr. Nicholas Bodo, Ag. Director, Air Transport Department, Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works, Telephone Number 020-2729200.



Solomon Kitungu
PRINCIPAL SECRETARY