

REPUBLIC OF NAMIBIA



SPEECH

BY

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**ON THE OCCASION OF TABLING THE KAMPALA PROTOCOL ON
THE VOLUNTARY REGISTRATION OF COPYRIGHT AND
RELATED RIGHTS IN PARLIAMENT**

DATE: 27 JUNE 2024

WINDHOEK

Hon. Prof. Peter H. Katjavivi, Speaker of the National Assembly;

Hon. Prof. Loide Kasingo, Deputy Speaker of the National Assembly;

Hon. Members of the National Assembly.

Good afternoon

1. I am delighted to address you today, and table the Kampala Protocol on the Voluntary Registration of Copyright and Related Rights for your kind consideration and adoption. Article 63(2)(e) of the Namibian Constitution obliges the Minister of Industrialisation and Trade to obtain authorization from the National Assembly for the instrument of ratification to be deposited with the African Regional Intellectual Property Organization (ARIPO), through the Ministry of International Relations and Cooperation. Of the total of 22 ARIPO Member States, Namibia is one of the 12 countries who signed the Protocol. The ratification period for the Protocol is open for the 12 countries who signed the Protocol, while the accession period is open to all countries who did not sign the Protocol as yet.
2. The Kampala Protocol was adopted in Kampala, Uganda on the 28th of August 2021 and Namibia signed the Protocol on 10 December 2021 during the 18th Session of the Council of Ministers. The Protocol was birthed out of the need to nurture, promote and protect copyright and related rights, which are vital to the growth of Intellectual Property and has enormous cultural, economic, and social implications for Africa and the entire world.
3. The ratification of the Protocol comes at an opportune time when Namibia has made significant strides towards the development and finalisation of the Copyright Bill, which will be presented to the Cabinet Committee on Legislation (CCL) during the second quarter. Currently, Namibia registers

creative works although there is no legal provision made for it through the Copyright and Neighbouring Rights Act 1994 (Act No. 6 of 1994). This anomaly will be addressed by the Copyright Bill once promulgated.

**Honourable Speaker;
Honourable Members**

4. Namibia's ratification of the Protocol has potential benefits. The voluntary registration of Copyright and Related Rights reassures business communities and opens doors for rights holders. The system will enable effective coordination between Copyright Offices, Collective Management Organizations, rights holders and users worldwide. The voluntary registration of Copyright and Related Rights will enable an author to have a registration certificate that can be a prima facie evidence of ownership of copy right and related rights works. This will enable the rights holder to approach the financial institutions for loans, collaterals or engage foreign direct investors or enter into partnership or use the different means to commercialize the property such as licensing, merchandising, selling, etc.
5. Furthermore, in case of any dispute regarding the property, the certificate may be used as prima facie evidence of ownership. The absence of voluntary national registration systems will result- in cross border infringement cases on a large scale especially of digital works. The establishment of a copyright database through ARIPO, will be beneficial as it will serve as a central point for information on copyright works and their ownership and will provide conformity in the registration of works.
6. The regional voluntary registration of Copyright and Related Rights is also expected to enhance ARIPO's cooperation with the national offices responsible for copyright to achieve the Protocol's purpose.

7. With these few remarks, Honorable Speaker, allow me to officially Table and submit the Kampala Protocol on the Voluntary Registration of Copyright and Related Rights for this August House to approve for the instrument of ratification to be deposited with ARIPO through the Ministry of International Relations and Cooperation.

I thank you.