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AWARENESS CREATION: THE KENYA COPYRIGHT BOARD

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ABSTRACT

The main challenges to the development of the copyright industries in Kenya and around the world include limited or lack of knowledge on copyright and related rights as well as the increased unauthorized commercial use of copyright protected works especially in the film, music, software, broadcasting and publishing industries. To mitigate this menace, the enforcement unit of the Kenya Copyright Board works with the rights holders and other enforcement agencies such as the police and the customs to ensure effective enforcement of the copyright laws.

I. INTRODUCTION

1. The Kenya Copyright Board (KECOBO) is a State Corporation under the Office of the Attorney General & the Department of Justice. It was established by the Copyright Act, Chapter 130 of the Laws of Kenya, and became operational in 2008. KECOBO has an operational budget of about USD 1 million, most of which is taken up by enforcement activities. Kenya has recently undergone radical governance changes as required by the Constitution, resulting in more resources being channeled towards devolved state units. KECOBO is responsible for organizing legislation on copyright and related rights; conducting training programs on

* The views expressed in this document are those of the author and not necessarily those of the Secretariat or of the Member States of WIPO.

copyright and related rights; enlightening and informing the public on matters related to copyright; licensing and supervising the activities of collective management societies; and maintaining an effective databank on authors and their works.

2. The KECOBO is comprised of members drawn from both the public and private sectors. The members from the private sector are nominated by associations representing software, producers of sound recordings, publishers, film distributors, performers, broadcasting stations, musicians and the audio-visual industry. There are four experts on copyright and related rights and five members who are alternates to the Attorney General, (Police Inspector General), Permanent Secretary - Ministry of Information, Permanent Secretary - Ministry of Sports, Culture and Arts, and the Permanent Secretary - Ministry of Finance.

II. AWARENESS-RAISING ACTIVITIES

3. The Copyright Act which established KECOBO mandates it to undertake awareness-raising activities to the public and artists amongst other duties. This mandate goes a long way in supporting enforcement of the law, it is also critical in promoting respect for copyright, proper exploitation of rights and economic prosperity of the country.

4. Lack of knowledge among the users and rights holders is one of the biggest obstacles in copyright enforcement in Kenya and KECOBO has embarked on a series of programs to create awareness among the users and rights holders through workshops and seminars, print and electronic media campaigns.

5. KECOBO targets the following audience in its awareness-raising activities:

- Members of the public including users of copyright works
- Policy makers including top government officials
- National Police Service
- Judiciary
- Rights holders
- University students
- Industry organizations
- Media.

6. KECOBO relies on collaboration and partnerships. KECOBO collaborates with partners in specialized “hubs” in the area of ICT and Visual Arts and participates in their fixed calendar events. KECOBO also leverages the partnerships by providing expert trainers and reading material to the audiences as well as responding to questions.

7. KECOBO’s main collaborative partners are:

- World Intellectual Property Organization (competitions, IEC material, etc.)
- African Regional Intellectual Property Organization (Roaming Seminar)

- Microsoft (IP4Afrika Initiative)
- Safaricom Ltd in the area of software such as mobile application
- Judicial Training Institute
- National Police Service
- Universities.

8. The main channels of KECOBO's awareness-raising activities are: the Copyright Newsletter, its website and social media, KECOBO publications, police station contact programs, university outreach programs, judiciary seminars, right holders seminars, county governments and stakeholder associations.

Copyright Newsletter

9. The "Copyright News" is a quarterly publication of the KECOBO published both online and in hard copy. Each issue has a different theme plus news of KECOBO activities. It is intended for general information on copyright issues, and up to 1,000 copies are printed for distribution to libraries, copyright organizations and universities. It is also distributed during training events. The Newsletter represents a good resource for general readers, researchers and practitioners in the area of copyright.

Website and Social Media

10. The KECOBO website is an important platform for public awareness. It contains articles clarifying copyright issues and e-copies of the "Copyright News". It also has essential documents like the Strategic Plans & Service Charter. Others are downloadable versions of KECOBO's guidebooks, essential forms and instruction materials. KECOBO also has a fairly active Facebook page and Twitter handle.

KECOBO Publications

11. KECOBO has four publications to drive its awareness activities. These are:

- The Guide to Copyright in Kenya
- Copyright and Music
- The Enforcement Bulletin
- The Comic book - modified from WIPO comic book for Kenyan environment

12. KECOBO is currently working on "Copyright & The Film Industry". Due to budget constraints only 3,000 copies of each are printed and distributed annually. The material offers critical information on copyright and serves as the first point of reference for those coming across copyright for the first time. The Comic book is especially popular for the simple manner of presenting complex subjects.

Police Stations Contact Program

13. Each year the KECOBO enforcement staff visit police stations at their work place to train them. The Enforcement Bulletin, which contains sections of the Copyright Act; sample charges and copyright basics, is the key document for training and reference. The Police Contact Program represents one of the most important projects as it allows training the first-hand enforcers of Copyright. Over 200 policemen were trained in Nairobi and four other towns last year. Since 2008 over 3,000 policemen have been trained. The next step will be to include this copyright education in the police officers training curriculum. Two senior officers from the Police Academy recently underwent a comprehensive WIPO-OHIM-ARIPO Training of Trainers Workshop on the Teaching of Intellectual Property in Police Academies of the ARIPO Member States. The Head of the Police Academy had earlier attended a training at ARIPO.

University Outreach Programs

14. KECOBO works closely with universities to deliver copyright awareness. University students are potential creators of copyright as well as users. KECOBO established partnerships with two universities in Kenya for regular training of students especially in Visual Art and ICT areas. One of its partnership programs with a telecom company targets university students as well. KECOBO also shares its Newsletters with the university libraries.

Judiciary Seminars

15. In the past two years KECOBO trained over 60 judges (High Court, Court of Appeal and Supreme Court) and over 100 magistrates through the Judicial Training Institute. While KECOBO has not yet established a clear working framework with the Judiciary Training Institute, judges are now more open to learning about copyright and related rights and are demonstrating improved handling of copyright infringement cases after these trainings.

Rights Holders Seminars

16. KECOBO in collaboration with one County government held a three-day awareness raising event. Over 750 artists benefitted from the training. During the 2015 World IP Day, KECOBO collaborated with the collecting societies in the music industry and undertook a training for 100 musicians. In August and October 2014 and April 2015, WIPO in partnership with KECOBO hosted three training events: two for the audiovisual sector and one for the advertising sector.

Policy Makers and Students

17. Diverse activities are undertaken for policy makers and students. KECOBO hosted a breakfast event for senior officials in Nairobi which was attended by the Attorney General and three Ministers with an interest and influence on copyright. KECOBO intends to have similar events on a more regular basis. Two governors hosted KECOBO members who made a courtesy call on them. Students of Aga Khan Academy participated in the 2014 WIPO Film competition. Over 2,000 copies of the Comic book were distributed to ten schools in Kenya.

Other Awareness-Raising Activities

18. Further awareness-raising activities include:

- Radio and Television Talk Shows
- Sponsored programs and documentaries
- Videos for information uploaded in YouTube and other social media
- Newspaper articles and opinions
- Drafting of the Copyright Chapter in Collaboration with the Ministry of Education on IP Secondary Schools
- Theme songs on awareness-raising
- Participation in various activities such as the art festivals (*Machafest*)
- Corporate sponsorship of events such as the *Riverwood Movie Awards*, the *Kalasha Film Awards*, the *CraftAfrika* workshops, *National Music Festival* among others.

III. FUTURE PLANS

19. With regard to future work, KECOBO is planning to implement and expand its diverse initiatives. KECOBO will apply greater reliance on the online tools centered around the website, which will include developing a monthly and (subsequently) weekly communication through the website and an active social media presence to ensure direct engagement with the public, as well as enhancing the Q&A sections. KECOBO is also planning to implement more activities in the area of mobile communication, such as text messaging, while also increasing the distribution of its publications.

20. Among its future plans oriented at raising awareness in education, KECOBO will include Copyright in the Police Academy curriculum, establish a more defined working relationship with the Judiciary Training Institute, and ensure that IP and especially copyright is introduced and taught in secondary and tertiary education levels.

21. Collaboration and cost sharing will continue to be the cornerstone of KECOBO's awareness-raising activities, and in this spirit, KECOBO will engage with more stakeholders on various platforms.

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